



**NOTICE OF MEETING
OF THE
GOVERNING BODY OF
COPPERAS COVE, TEXAS**

*An agenda information packet is available for public inspection
in the Copperas Cove Public Library, City Hall and
on the City's Web Page, www.ci.copperas-cove.tx.us*

Notice is hereby given that a **Regular Council Meeting** of the City of Copperas Cove, Texas, will be held on the **16th day of September 2008 at 7:00 p.m.** in the City Hall Council Chambers at 507 South Main Street, Copperas Cove, Texas 76522, at which time the following subjects will be discussed:

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. ANNOUNCEMENTS

E. PUBLIC RECOGNITION

1. Employee Service Awards: ***Andrea M. Gardner, City Manager***
 - John McGuire – Firefighter/EMT – 5 years
 - Leonel (Lee) Guajardo – Part Time Golf Course – 5 years
 - Daniel Hawbecker – Water Distribution Superintendent – 30 years
2. Proclamation: National Kids Day in Copperas Cove, Texas, September 20, 2008. ***Robert L. Reeves, Mayor Pro Tem***

F. CITIZENS FORUM At this time, citizens will be allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

G. CONSENT AGENDA: All matters listed under this item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Consideration and action on approval of minutes from the September 2, 2008 special council meeting. **Jane Lees, City Secretary**
2. Consideration and action on approval of minutes from the September 2, 2008 regular council meeting. **Jane Lees, City Secretary**
3. Consideration and action on authorizing the City Manager to enter into an agreement with Hill Country Community Action Association, Inc. to occupy a designated area of the Human Resource Center for a period of two years with an option to renew one additional year. **Ken Wilson, Director of Community Services**
4. Consideration and action on Resolution No. 2008-35 adopting the investment policy of the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**
5. Consideration and ratification on Ordinance No. 2008-30, adopting the amended Flood Damage Prevention Ordinance and providing an effective date. **Carl Ford, Director of Development Services**

H. PUBLIC HEARINGS/ACTION

1. Public Hearing and action on Ordinance No. 2008-31, amending the 2007-08 fiscal year budget for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

I. ACTION ITEMS

1. Consideration and action on the appointment/reappointment of the lay representative to the Central Texas Library System (CTLS). **Ken Wilson, Director of Community Services**
2. Consideration and action on Resolution No. 2008-33, nominating a candidate to fill a vacancy on the Lampasas County Appraisal District Board of Directors. **Wanda Bunting, Director of Financial Services**
3. Consideration and action on Ordinance No. 2008-32, approving and adopting a budget for operating the municipal government of the City of Copperas Cove for fiscal year 2008-09. **Wanda Bunting, Director of Financial Services**
4. Consideration and action on Ordinance No. 2008-33, adopting the tax rate for fiscal year 2008-09. **Wanda Bunting, Director of Financial Services**
5. Consideration and action to ratify the vote approving and adopting a budget of the City of Copperas Cove for fiscal year 2008-09 and the vote to adopt the tax rate for fiscal year 2008-09. **Wanda Bunting, Director of Financial Services**

6. Consideration and action on Ordinance No. 2008-36, amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**
7. Consideration and action on Ordinance No. 2008-34, amending the City's "Fee Schedule". **Wanda Bunting, Director of Financial Services**
8. Consideration and action on Ordinance No. 2008-35, amending Section 11-25, 11-25.1, and 11-26, Article II, Chapter 11 Municipal Utilities and Services of the City of Copperas Cove Code of Ordinances. **Wanda Bunting, Director of Financial Services**
9. Consideration and action on RFP 2008-12-75 for full time Legal Services. **Wanda Bunting, Director of Financial Services**
10. Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. for the 2007-08 fiscal year audit. **Wanda Bunting, Director of Financial Services**
11. Consideration and action on Resolution No. 2008-32, approving a change in the tariffs of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as a result of a settlement between Atmos and the Atmos Texas Municipalities ("ATM"). **Andrea M. Gardner, City Manager**
12. Consideration and action on the Mayor Pro Tem's Council Member recommendations and nominations to various ad hoc committees and outside agencies, committees, task forces, boards and commissions. **Jane Lees, City Secretary**
13. Consideration and action on rescheduling the date of the November 4, 2008 regular City Council meeting to another date. **Jane Lees, City Secretary**
14. Consideration and action on the appointment of an Election Judge and an Alternate Election Judge to serve for the November 4, 2008 Special Election. **Jane Lees, City Secretary**
15. Consideration and action to re-appoint one Copperas Cove Economic Development Corporation (CCEDC) Board Member. **Dan Yancey, Chairman, Board of Directors, Copperas Cove Economic Development Corporation,**

J. STAFF REPORTS

1. Emergency Management Performance Grant. **Robert O'Dell, Deputy Fire Chief**

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS

1. Keep Copperas Cove Beautiful (KCCB). *Silvia Rhoads, Executive Director, KCCB*

L. ITEMS FOR FUTURE AGENDAS

M. EXECUTIVE SESSION

1. Pursuant to §551.072 of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to deliberate the purchase, exchange, lease, or value of real property.

N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION

O. ADJOURNMENT

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary at (254) 547-4221, (254) 547-6063 TTY, or FAX (254) 547-5116 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Copperas Cove was posted at _____, September 12, 2008, on the glass front door of City Hall, a place convenient and readily accessible to the general public at all times.

Jane Lees, City Secretary



**NOTICE OF WORKSHOP
OF THE
GOVERNING BODY OF
COPPERAS COVE, TEXAS**

*An agenda information packet is available for
public inspection in the Copperas Cove Public Library, City Hall and on the
City's Web Page www.ci.copperas-cove.tx.us*

Notice is hereby given that a **Workshop** of the City of Copperas Cove, Texas will be held on the **16th day of September 2008**, at **6:00 p.m.**, in the City Hall Council Chambers at 507 South Main Street, Copperas Cove, Texas 76522 at which time the following subjects will be discussed:

A. CALL TO ORDER

B. ROLL CALL

C. WORKSHOP ITEMS

1. Introduction and overview of the Emergency Operations Center (EOC) and Emergency Management. **Robert O'Dell, Deputy Fire Chief**

D. ADJOURNMENT

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary at (254) 547-4221, (254) 547-6063 TTY, or FAX (254) 547-5116 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Copperas Cove was posted at _____, September 12, 2008 on the glass front door of City Hall, a place convenient and readily accessible to the general public at all times.

Jane Lees, City Secretary



PROCLAMATION

- WHEREAS,** The children of Copperas Cove are the foundation on which our future success is built; and
- WHEREAS,** Children seek parents, mentors and friends to aid them in reaching important goals; and
- WHEREAS,** Families and communities play vital roles in helping children develop a positive self image, sense of belonging and a sense of competence; and
- WHEREAS,** Day for Kids is a special day set aside each year to encourage and remind adults that the meaningful time they share with children is important to their development; and
- WHEREAS,** The Day for Kids Alliance, comprised of Boys & Girls Clubs of America and other leading youth serving organizations, together reach millions of youth via their services and community involvement; and
- WHEREAS,** Day for Kids emphasizes the importance of meaningful time spent with kids on this Day and every day, all year long.
- NOW, THEREFORE I,** Robert L. Reeves, Mayor Pro Tem of the City of City of Copperas Cove, Texas, do hereby proclaim September 20, 2008 as

NATIONAL KIDS DAY IN COPPERAS COVE, TEXAS

and call upon all citizens to join with me in recognizing and commending the National Day for Kids Alliance organizations in our area for providing their everyday contributions and commitment to improving the lives of children and young adults in our communities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Copperas Cove to be affixed this 16th day of September 2008.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

**CITY OF COPPERAS COVE
CITY COUNCIL SPECIAL MEETING MINUTES
September 2, 2008 – 7:00 P.M.**

A. CALL TO ORDER

Mayor Pro Tem Robert L. Reeves called the special meeting of the City Council of the City of Copperas Cove Texas to order at 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Heinze gave the Invocation and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

Robert L. Reeves
Larry D. Sheppard
Mark E. Peterson
Charlotte Heinze
Ray Don Clayton
Willie C. Goode
Frank Seffrood

Andrea M. Gardner, City Manager
James R. Thompson, City Attorney
Jane Lees, City Secretary

D. PUBLIC HEARING

1. Second Public hearing on Tax Increase for the 2008-09 Fiscal Year. ***Wanda Bunting, Director of Financial Services***

Wanda Bunting, Director of Financial Services, gave an overview of agenda item D-1.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing and read the following announcement: The City of Copperas Cove, Texas is scheduled to vote on the tax rate that will result in a tax increase at a public meeting to be held on September 15, 2008 at 7:00 p.m. at City Hall, 507 South Main Street, Copperas Cove, Texas.

E. ACTION ITEMS – None.

F. ADJOURNMENT

There being no further business, Mayor Pro Tem Reeves adjourned the meeting at 7:06 p.m.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
September 2, 2008 – 7:15 P.M.**

A. CALL TO ORDER

Mayor Pro Tem Robert L. Reeves called the regular meeting of the City Council of the City of Copperas Cove Texas to order at 7:15 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Clayton gave the Invocation and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

Robert L. Reeves
Larry D. Sheppard
Mark E. Peterson
Charlotte Heinze
Ray Don Clayton
Willie C. Goode
Frank Seffrood

Andrea M. Gardner, City Manager
James R. Thompson, City Attorney
Jane Lees, City Secretary

D. ANNOUNCEMENTS

Council Member Peterson encouraged citizens who were unable to attend the first State of the City Luncheon earlier today at the Civic Center to visit the City's website to see the State of the City Presentation.

E. PUBLIC RECOGNITION – None.

F. CITIZENS' FORUM citizens are allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

None.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the August 5, 2008 regular council meeting. ***Jane Lees, City Secretary***

2. Consideration and action on approval of minutes from the August 19, 2008 special council meeting. ***Jane Lees, City Secretary***

3. Consideration and action on approval of minutes from the August 19, 2008 regular council meeting. ***Jane Lees, City Secretary***

5. Consideration and action on authorizing the City Manager to extend the contract with the Copperas Cove Independent School District (CCISD) for Policing Services. **Tim Molnes, Police Chief**

6. Consideration and action on authorizing the City Manager to enter into an agreement with Central Counties Center for MHMR (Mental Health and Mental Retardation) Services to occupy a designated area of the Human Resource Center for a period of two years with an option to renew one additional year. **Ken Wilson, Director of Community Services**

Council Member Clayton requested that item G-4 be removed from the Consent Agenda so that he could recuse himself from voting on that item and vote on the rest of the Consent Agenda items. The Council agreed by consensus to remove item G-4.

Council Member Heinze made a motion to approve consent items G-1, G-2, G-3, G-5 and G-6. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

Council Member Clayton said that the proper paperwork for his recusal would be on file with the City Secretary; he then left the Council Chambers.

4. Consideration and action to ratify the authorization for the Mayor Pro Tem to issue drilling permits on the applications of Central Basin Oil and Halek Energy LLC for Moten #1CB through Moten #13CB wells. **Jane Lees, City Secretary**

Council Member Peterson made a motion to approve consent item G-4. Council Member Seffrood seconded the motion, and with five votes, motion carried unanimously.

Council Member Clayton returned to the Council Chambers.

H. PUBLIC HEARINGS/ACTION

1. Public hearing, consideration and action on Ordinance No. 2008-29, providing a zoning change for Lot 4, Block 1, Te-Con, Inc. Addition, Replat No. 1 from B-4 Business District to B-PC Private Club and General Business, providing a savings clause; and declaring an effective date. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services gave an overview of agenda item H-1.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

Council Member Clayton made a motion to approve agenda item H-1. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

2. Public hearing on Ordinance No. 2008-31, amending the 2007-08 fiscal year budget for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item H-2.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

3. Public hearing on amending the City Manager's Proposed Budget for the 2008-09 fiscal year. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item H-3.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: Charlie Youngs, 609 Ash Street. Mr. Youngs handed out a presentation packet to the Council saying that he wished to address the City's Hotel/Motel funds and request a possible re-allocation of money. He stated that everything the Chamber does includes the entire City. He asked the Council re-evaluate the funds being distributed to the Chamber and consider that they receive an additional \$70,000 for a total of \$220,000 for the upcoming fiscal year.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

I. ACTION ITEMS

1. Consideration and action to approve the Copperas Cove Economic Development Corporation (CCEDC) Budget for FY 2008-2009. **Dan Yancey, Chairman of the Board, Copperas Cove Economic Development Corporation**

Dan Yancey, Chairman of the Board, Copperas Cove Economic Development gave an overview of agenda item I-1.

Council Member Peterson made a motion to approve agenda item I-1. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action authorizing the City Manager to execute a contract with Tank Pro, Inc., North Port, Alabama for rehabilitation of the Hughes

Mountain Elevated Water Storage Tank, in the amount of \$257,500. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item I-2.

Council Member Heinze made a motion to approve agenda item I-2. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on appointment of a member to the Planning and Zoning Commission to fill an unexpired term. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services gave an overview of agenda item I-3.

Council Member Peterson made a motion to appoint Annabelle Smith to a term beginning September 2, 2008 through June 30, 2010. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and possible action on Ordinance No. 2008-30, an ordinance of the City of Copperas Cove, Texas, adopting the updated Flood Damage Prevention Ordinance and providing an effective date. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services, gave an overview of agenda item I-4.

Council Member Seffrood made a motion to approve agenda item I-4 as amended during the workshop of September 2, 2008. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING THE UPDATED FLOOD DAMAGE PREVENTION ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

5. Consideration and action on Resolution No. 2008-31, amending Resolution No. 2008-26, which ordered a special election on November 4, 2008 to fill the vacancy of mayor, and Resolution No. 2008-28, which ordered a special election on November 4, 2008 for the recall of four council members. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-5.

Council Member Heinze made a motion to approve agenda item I-5. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING RESOLUTION NO. 2008-26, WHICH ORDERED A SPECIAL ELECTION ON NOVEMBER 4, 2008 TO FILL THE VACANCY OF MAYOR, AND RESOLUTION NO. 2008-28, WHICH ORDERED A SPECIAL ELECTION ON NOVEMBER 4, 2008 FOR THE RECALL OF FOUR COUNCIL MEMBERS.

6. Consideration and action on rescheduling the date of the October 7, 2008 regular City Council meeting to another date. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-6.

Council Member Clayton made a motion to reschedule the date of the October 7, 2008 regular City Council meeting to October 2, 2008. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

J. STAFF REPORTS

1. Code Compliance Month. **Robert O'Dell, Deputy Fire Chief**

Robert O'Dell, Deputy Fire Chief, reported statistics on Code Compliance Month. He said that the July 2008 goal was to educate all citizens on code compliance. This consisted of media coverage, links on the City web site and flyer distribution. There were 11,368 flyers distributed to residential and commercial entities through the City water billing statements. An additional 350 flyers were distributed in person, for a total of 11,718 flyers. In addition, inspections were done by pro-active patrols, call-in complaints, and employee referrals. A total of 727 violations were noted, including high grass and weeds, trash and refuse, junk vehicles, vehicles on grass, care of premises, and obstruction of right-of-way. Food handler classes were held with a total of 116 students. The free Saturday collections by the Solid Waste Department consisted of approximately 15.5 tons and made contact with approximately 300 citizens regarding bulky item and brush collection violations.

2. Shots Through the Firehouse. **Robert O'Dell, Deputy Fire Chief**

Robert O'Dell, Deputy Fire Chief, reported on Shots Through the Firehouse. He said that this immunization program is very successful and was held on August 2, 2008 from 9:00 a.m. to 2:00 p.m. The program is held in partnership with the Fire and Police Departments, the Texas Department of State Health Services, Copperas Cove ISD school nurses, Citizens Public Fire and Safety Volunteers, Citizens Police Academy Alumni Association, the Refuge Corporation and CERT. After children receive their shots there are refreshments and entertainment provided for them and their families. A total of 118 children were administered 326 immunizations and 114 Kiddo cards were issued.

3. Update on Department of the Army Utility Easement for the East Pump Station Project. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, said that this report was included on the agenda for those who were unable to attend today's State of the City Address. Ms. Gardner said

that the East Pump Station project, that is well under way, required the City to obtain an easement from Fort Hood. It has been common practice in the past that Fort Hood did not charge for easements. They have changed their practice and the Department of the Army now requires fair market value for any exchange of land. As a result, in March 2008 the City received a bill for \$440,250 for a 50-year easement. When the City applied for the easement, we had no knowledge that we would receive a bill, especially of this magnitude. Ms. Gardner said that on that very same day she attended the CCISD Community Wide Luncheon at which Col. Hill was present and spoke with him about this matter. Col. Hill has worked with her ever since March to request numerous times that the Department of the Army waive this particular fee. With the help of Col. Hill, Lynn Capps and Kirk Memick of Fort Hood, last week the City was notified that the Department of the Army agreed to waive the payment for the easement.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member Seffrood encouraged all citizens to attend the upcoming Town Hall meeting in Council Chambers on September 9 to discuss Community Services.

M. EXECUTIVE SESSION

N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION

O. ADJOURNMENT

There being no further business, Mayor Pro Tem Reeves adjourned the meeting at 8:03 p.m.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

THE STATE OF TEXAS *
COUNTY OF CORYELL *

KNOW ALL MEN BY THESE PRESENTS:

AGREEMENT

This agreement is made and entered into this the 1st day of October 2008 by and between the City of Copperas Cove, a home-rule municipality (hereinafter referred to as "City") and Hill Country Community Action Association, Inc. (hereinafter referred to as "Agency").

WHEREAS, the City and Agency mutually agree that space is needed for social service agencies providing services to citizens of Copperas Cove;

WHEREAS, the City owns the Human Resource Center, 1012 North Drive, which has adequate space to house several agencies;

WHEREAS, Agency has the personnel and knowledge to provide specific services to the community;

WHEREAS, the City Council finds that providing quality social services for pre-school, youth, adult, senior citizens and those people with special needs are essential for the well-being and growth of the community;

NOW, THEREFORE, the City and Agency hereby agree as follows:

1. The City agrees to provide no less than 2280 square feet of floor space in the Human Resource Center for a period of 2 years from the date of the agreement.
2. Agency agrees to establish and operate community programs for the Copperas Cove area in a portion of the Human Resource Center owned by the City of Copperas Cove located at 1012 North Drive, Copperas Cove, Texas.
3. Agency agrees to maintain their portion of the building to include, but not limited to, meeting all current federal and state building codes and licensing requirements. Agency shall assume responsibility for all maintenance, repairs, replacement, and upkeep, including furnishings, air conditioning and heating units, appliances and supplies. No modifications or renovations shall be undertaken by Agency without written consent of the City of Copperas Cove. Any and all work must meet or exceed all local, state and federal codes including ADA specifications. The City reserves the right of final approval prior to the start of any work. The City will bear no additional costs in connection with the Agency's use of space.

4. Agency shall be responsible for payment of all utility bills for the portion of the building that is occupied by Agency.
5. City shall maintain the grounds surrounding the Human Resource Center and Agency shall pay \$2400/year for maintenance and landscaping of the Human Resource Building.
6. City agrees that Agency shall have the exclusive use, occupancy, and right to operate programs and the overall supervision of these programs at the designated site.
7. City shall provide fire insurance on the building.
8. Agency shall provide comprehensive and liability insurance with the City of Copperas Cove as co-insured.
9. This agreement shall continue in full force and effect for a period of two years from the date hereof and so long as the parties might agree provided, however, that in the event Agency fails to establish or continue to operate programs acceptable to the City Council of Copperas Cove, then the Council shall have the option of immediately terminating this agreement. In the event the building is destroyed or damaged by fire, storm, or other acts of God and/or other causes, the City has no responsibility beyond timely repair or replacement of the building as provided by insurance coverage.
10. Binding Effect. All of the terms, covenants, and conditions contained within this agreement shall apply to, bind, insure to the benefit of, and be exercised by the parties hereto and their respective heirs, executors, administrators, successors in interest and assigns, except as otherwise expressly provided herein.
11. Amendments. Both parties agreed that no amendment, modification or alteration of the terms of this agreement shall be binding unless reduced to writing, dated subsequent to the date of this agreement, and duly executed by the parties hereto.
12. Notices. Notices given pursuant to the provisions of this agreement, or necessary to carry out its provisions, shall be in writing, and delivered personally to the person to whom the notice is to be given, or given by certified or registered mail and return receipt requested, addressed to the proper party. The parties' addresses for this purpose are as follows:

City of Copperas Cove
Attn: Andrea Gardner, City Manager
P.O. Drawer 1449
Copperas Cove, TX 76522

Hill Country Community Action
Attn: Tama Shaw
PO Box 846
San Saba, TX 76877

13. Governing law and venue. The parties hereto agree that the laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this agreement. Venue for any action involving this agreement shall be in the courts of Coryell County, Texas.
14. Severability. Each and every covenant and obligation contained in this agreement is and shall be construed to be a separate and independent covenant and obligation. If any term or provision of this agreement, or its application to any person or circumstances shall to any extent be held invalid, illegal or unenforceable, the remainder of this agreement shall not be affected thereby, and each and every other term and provision shall be enforced to the fullest extent permitted by law as if the invalid, illegal, or unenforceable provision had never been included in this agreement.
15. Construction and Interpretation. Each party has carefully read this entire agreement, and understands the meaning and effect of each and every provision contained herein. Each party executes this Agreement freely and voluntarily, and only after first having obtained (or having had a reasonable opportunity to obtain) competent legal advice. The parties thus agree that the construction and interpretation of the terms of this lease the rule of construction that a document is to be construed most strictly against the party who prepared the same shall not be applied, it being agreed that the agreement should be construed fairly and simply and not strictly against either party.
16. Time is of the essence. The parties agree that time is of the essence in the performance of this Agreement.
17. Independent Contractor. It is expressly understood and agreed that the employees, servants and agents of the Agency are not employees, servants or agents of the City and that Agency is deemed and independent contractor and the City is in no way responsible for the negligent and intentional acts or omissions of the Agency, its employees, officers, volunteers, servants, agents, licensees or invitees.
18. Authorized signatures. The persons signing this Agreement on behalf of the parties hereto certify that they are duly authorized to sign this Agreement on behalf of said parties.
19. Compliance with Laws. The parties hereto mutually agree to comply with all applicable federal, state and local laws, ordinances, rules and regulations in performance of their obligation pursuant to this Agreement.
20. Discrimination Prohibited. The parties hereto mutually agree to adhere to all federal, state and local laws and regulations prohibiting discrimination. The parties agree that they shall not discriminate against a participant in

any of the programs described above because of race, color, religion, national origin, sex, sexual preferences, sexual orientation, height, weight or beliefs.

IN WITNESS WHEREOF, the parties have fully executed this Agreement on this the 16th day of September 2008.

City of Copperas Cove

Agency

By: _____
Andrea Gardner, City Manager

By: _____
Tama Shaw

ATTEST:

Jane Lees, City Secretary

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. G-3

Contact – Ken Wilson, Director of Community Services, 542-2719
kwilson@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the City Manager to enter into an agreement with Hill Country Community Action Association, Inc. to occupy a designated area of the Human Resource Center for a period of two years with an option to renew one additional year.

1. BACKGROUND/HISTORY

Hill Country Community Action Association, Inc. has occupied a portion of the Human Resource Center for several years. HCCA, Inc. currently provides, energy assistance, Meals on Wheels and family planning, along with the Head Start Program, weatherization program, and Retired Seniors Volunteer program (RSVP).

2. FINDINGS/CURRENT ACTIVITY

This agency provides several services to the community including but not limited to: energy assistance, Meals on Wheels and family planning. The attached agreement allows Hill Country Community Action Association, Inc. to continue utilizing the Human Resources Center for these activities. The City Attorney has reviewed the agreement.

3. FINANCIAL IMPACT

The agreement requires Hill Country Community Action to pay the City \$2,400/year for maintenance and landscaping of the Human Resource Center.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council authorize the City Manager to enter into an agreement with Hill Country Community Action Association, Inc. to occupy a designated area of the Human Resource Center.

RESOLUTION NO. 2008-35

**A RESOLUTION ADOPTING THE INVESTMENT
POLICY FOR THE CITY OF COPPERAS COVE,
TEXAS.**

WHEREAS, Chapter 2256 of the Texas Government Code, commonly known as the "Public Funds Investment Act," requires the City to adopt an investment policy by rule, order, ordinance, or resolution; and

WHEREAS, this investment policy and investment strategies must be approved annually; and

WHEREAS, this review is authorized by the Public Funds Investment Act; and

WHEREAS, the Public Funds Investment Act requires the treasurer; chief financial officer, if not the treasurer; and the investment officer of the city to attend investment training; and

WHEREAS, the attached investment policy complies with the Public Funds Investment Act, and authorizes the investment of City funds in safe and prudent investments.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

Section 1.

That the City of Copperas Cove has complied with the requirements of the Public Funds Investment Act, and the investment Policy attached hereto as "Exhibit A," is hereby adopted as the investment policy of the City Effective September 16, 2008.

PASSED, APPROVED, AND ADOPTED on this 16th day of September, 2008 at a regular meeting of the City Council of the City of Copperas Cove, Texas which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code*, §551.001, et.seq. at which meeting a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, CPC, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

CITY OF COPPERAS COVE, TEXAS
INVESTMENT POLICY



City of Copperas Cove

Revised
September 16, 2008

**City of Copperas Cove, TX
Investment Policy**

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I. INVESTMENT AUTHORITY AND SCOPE OF POLICY

The investment policy applies to the investment activities of the Government of the City of Copperas Cove. It is the policy of the City of Copperas Cove to invest public funds in a manner, which will provide the highest investment return with the maximum security. This policy serves to satisfy the statutory requirements of Local Government Code 116.112 and Government Code Chapter 2256 to define and adopt a formal investment policy. This policy will be reviewed and adopted by resolution at least annually according to Section 2256.005(e).

Funds Included. All financial assets of all funds, of the City of Copperas Cove, including the General Fund, Water and Sewer Fund, Solid Waste Fund, the Capital Projects Funds, the Special Revenue Funds, the Debt Service Funds, and all other funds that may be created from time to time, and any funds held in custody by the Director of Financial Services, unless expressly prohibited by law or unless it is in contravention of any depository contract between the City of Copperas Cove and any depository bank.

Funds Excluded. None.

II. INVESTMENT OBJECTIVES

The primary objectives, in priority order, of the City of Copperas Cove's investment activities shall be:

Safety. Safety of principal is the foremost objective of the City of Copperas Cove. Investments of the City of Copperas Cove shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity. The City of Copperas Cove's investment portfolio will remain sufficiently liquid to enable the City of Copperas Cove to meet all operating requirements, which might be reasonably anticipated. Portfolio maturities will be structured to meet the obligations of the City first, and then to achieve the highest return of interest consistent with the objectives of this policy. When the City has funds that will not be needed to meet current-year obligations, maturity restraints will be imposed based upon the investment strategy for each fund. The City of Copperas Cove shall invest in instruments with scheduled maturity or duration not to exceed two (2) years at the time of purchase. In the event coupon security maturity exceeds the specified limit with a calculated duration of two (2) years, the instrument will satisfy this policy requirement. For pooled funds, the weighted maximum average dollar maturity shall be limited to a

maximum of ninety (90) days, with the maximum maturity for any individual security in the portfolio not exceeding thirteen (13) months.

Yield. It will be the objective of the City to earn the maximum rate of return allowed on its investments within the policies imposed by its safety and liquidity objectives, investment strategies for each fund, and state and federal law governing investment of public funds.

III. INVESTMENT COMMITTEE

Members. The City of Copperas Cove Investment Committee will consist of the City Manager, Director of Financial Services, Assistant Director of Financial Services and Senior Accountant. The Investment Committee shall receive quarterly reports, as outlined in this policy, and monitor the results and performance of the investment portfolio. The Investment Committee shall ratify all investments made by the Director of Financial Services. The Investment Committee shall select qualified independent accountants to perform an annual compliance audit of management controls on investments and adherence to the City's established investment policies in accordance with Gov. Code 2256.005(m). The results of such audit shall be presented to the Investment Committee in conjunction with the City's annual audit.

Scope. The Investment Committee shall include in its deliberations such topics: investment strategy, return on investments, market risk, economic outlook, portfolio diversification, maturity structure, potential risk to the City's fund, and authorized broker dealers.

Procedures. The Investment Committee shall provide for minutes of its meetings. Any member may request a special meeting, and four members constitute a quorum. The Investment Committee shall establish its own rules of procedures.

IV. RESPONSIBILITY AND CONTROL

Delegation. Authority to manage the City of Copperas Cove's investment program is derived from the City of Copperas Cove's Code of Ordinances, City Charter, Article VIII. Finance Administration, Sec. 8.01 (c) (7). Management responsibility for the investment program is hereby delegated to the Director of Financial Services. This person is responsible for all investment decisions and activities and shall be the City's investment officer. He may designate deputies to assist with the management of the investment portfolio. The Director of Financial Services shall be responsible for all transactions and compliance with the internal control, insure the safekeeping, custodial, and collateral duties, consistent with this investment policy.

Management and Internal Controls. The Director of Financial Services shall establish a system of internal controls, which shall be documented in writing. The internal controls shall be reviewed by the independent auditor. The controls shall be designed to reasonably prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City of Copperas Cove. Dual control of all investment activities will consistently be maintained by the Director of Financial Services.

Transaction Authority. Certain signatory responsibilities are required to transact investments. Positions authorized as depository signatories shall be the City Manager and the Director of Financial Services.

The persons holding these positions are also designated as authorized to transact wire transfers, buy/sell, and trade investments in accord with the goals and objectives of the City's investment strategy.

Bonding of all those individuals authorized to place, purchase, or sell investment instruments shall be required.

Prudence. In accordance with Government Code 2256.006, investments shall be made with the exercise of due care, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their own capital as well as the probable income to be derived. Investment of funds shall be governed by the following investment objectives, in order of priority: preservation and safety of principal; liquidity; and yield. This investment principle shall be applied in the context of managing the overall investment portfolio.

The Director of Financial Services when acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price dangers, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. In determining whether the Director of Financial Services has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration: (1) the investment of all funds, or funds under the control of the City, over which the Director of Financial Services had responsibility rather than a consideration as to the prudence of a single investment; and (2) whether the investment decision was consistent with the written investment policy of the City.

Training, Quality and Capability of Investment Management. It is the City's policy to provide training as required by the Public Funds Act, Sec. 2256.008 and periodic training in investments for the Director of Financial Services and designated investment officers. Authorized officers will be required to complete 10 hours of training within 12 months of assuming duties. Training shall be provided

through courses and seminars offered by independent sources to ensure the quality, capability and competency of the Director of Financial Services and Investment Officers in making investment decisions. At a minimum, the Director of Financial Services and Investment Officers must attend a training session once every two years and receive 10 hours of training.

Monitoring of Investments. The City of Copperas Cove's investment strategy is active. Given this strategy, the basis used by the Director of Financial Services to determine whether market yields are being achieved shall be the six month U.S. Treasury Bill and the Average Fed Funds Rate. These rates may be obtained from the Wall Street Journal or other similar investment periodicals or journals.

V. ETHICS

Conflicts of Interest. Officers and employees directly involved in the investment process, and those authorized as depository signatories, shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Disclosure. Such employees shall disclose to the City Manager any material financial interests they have in financial institutions that conduct business with the City of Copperas Cove, and shall further disclose any large personal financial or investment positions that could be related to the performance of the City's portfolio. Such employees shall subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchases and sales. If the Director of Financial Services has a personal business relationship with an entity--or is related within the second degree by affinity or consanguinity to an individual--seeking to sell an investment to the City, the Director of Financial Services must file a statement disclosing that personal business interest--or relationship with the Texas Ethics Commission in accordance with Government Code 2256.005 (i).

VI. REPORTING INVESTMENT EARNING EVALUATION

Quarterly Reports. In accordance with Government Code 2256.023, not less than quarterly, the investment officer shall prepare and submit to the City Council a written report of investment transactions for all funds for the preceding reporting period within a reasonable time after the end of the period. The report must:

- (1) describe in detail the investment position of the City on the date of the report;
- (2) be prepared jointly by all investment officer(s);
- (3) be signed by each investment officer of the entity;

- (4) contain a summary statement of each pooled fund group that states the:
 - A. beginning market value for the reporting period;
 - B. additions and changes to the market value during the period; and
 - C. ending market value for the period;
 - D. fully accrued interest for the period
- (5) state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested; market value shall be determined by reference to published prices in the Wall Street Journal or by reference to other commonly recognized source of market information.
- (6) state the maturity date of each separately invested asset that has a maturity date;
- (7) state the account or fund or pooled group fund in the city for which each individual investment was acquired; and
- (8) state the compliance of the investment portfolio of the City as it relates to:
 - A. the investment strategy expressed in the city's investment policy; and
 - B. relevant provisions of the Public Funds Investment Act.
- (9) state the total rate of return on the investment portfolio
- (10) the quarterly investment reports shall be reviewed by the City's independent auditors, as part of the City's annual audit and the result of this review shall be reported to the City Council.

Annual Report. Within 60 days of the end of the fiscal year, the Director of Financial Services shall present an annual report on the investment program activity. The annual report shall include 12-month performance information, and shall suggest improvements that might be made in the investment program.

Notification of Investment Changes. It shall be the duty of the Director of Financial Services to notify the City Council of any significant changes in current investment methods and procedures prior to their implementation, regardless of whether they are authorized by this policy or not.

VII. INVESTMENT TYPES

Active Portfolio Management. The City intends to pursue an active vs. a passive portfolio management philosophy. That is securities may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade.

Eligible Investments. Financial assets of the government of the City of Copperas Cove may be invested in:

- A. Obligations of the United States or its agencies and instrumentalities, which have a stated maturity on the date of purchase of two years or less.
- B. Direct obligations of the State of Texas or its agencies and instrumentalities;
- C. Certificates of deposit if issued by a state or national bank domiciled in the State of Texas or a savings and loan association domiciled in the State of Texas and:
 - (1) is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor;
 - (2) secured by obligations that are described by Section 2256.009(a) Public Funds Investment Act, but excluding those mortgage backed securities of the nature described by Section 2256.009(b) of the Public Funds Investment Act; or
 - (3) secured in any other manner and amount provided by law for deposits of the City.
- D. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, which have a stated maturity on the date of purchase of two years or less.
- E. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm of not less than A or its equivalent, which have a stated maturity on the date of purchase of two years or less.
- F. A fully collateralized repurchase agreement, as defined in the Public Funds Investment Act, if it:
 - (1) has a defined termination date;
 - (2) is secured by obligations described by Section 2256.009 (a) (1) of the Public Funds Investment Act; and
 - (3) requires the securities being purchased by the City to be pledged to the City, held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City; and,
 - (4) is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this State. Notwithstanding any law, the term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered. Money received by the City under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

- G. Eligible investment pools (as discussed in the Public Funds Investment Act, Sec.2256.016-2256.019) if the City Council by resolution authorizes investment in the particular pool. An investment pool shall invest the funds it receives from the City in authorized investments permitted by the Public Funds Investment Act.
- H. Any other securities which may be added by the State of Texas as permissible investments for municipal governments which are in compliance with the Public Funds Investment Act. Investment pools must be continuously rate triple-AAA or AAA-m by at least one nationally recognized rating service or no lower than investment grade by at least one nationally recognized service with weighted average maturity not greater than 90 days. Market mutual funds must be registered with and regulated by the Securities Exchange Commission and must provide the City with a prospectus and other information required by federal law. All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

Length of Investments. The City of Copperas Cove shall invest in instruments with scheduled maturity or duration not to exceed two (2) years at the time of purchase. In the event a coupon security maturity exceeds the specified limit with a calculated duration of two (2) years, the instrument will satisfy this policy requirement.

Diversification. It shall be the policy of the City of Copperas Cove to diversify the investment portfolio. Diversification strategies shall determined and revised periodically by the Director of Financial Services. In establishing specific diversification strategies, the following general constraints shall apply:

- A. Portfolio maturities shall be staggered to avoid concentration of assets in a specific maturity sector.
- B. Portfolio investment instruments shall be diversified by type.
- C. Competitive bidding of all investments must accompany diversification among security dealers.

Prohibited Investments. The Director of Financial Services has no authority to use any of the following investment instruments, which are strictly prohibited:

- (1) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
- (2) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- (3) Collateralized Mortgage Obligations;

- (4) Any investment instrument which has a scheduled maturity or duration in excess of 2 years at the time of purchase;
- (5) The City of Copperas Cove investment portfolio will not invest in derivatives. For the purposes of this Investment Policy, the definition of derivatives include instruments which have embedded features that alter their character or income stream or allow holders to hedge or speculate on a market or spreads between markets that are external to the issuer, or are not correlated on a one-to-one basis to the associated index or market.

Prohibited derivatives include the following:

- (1) Arrangements in which an investor has swapped the natural cash flows or some portion of the natural cash flows of an instrument for a different set of cash flows. (i.e. Interest Rate Swaps).
- (2) Over-the-Counter/Exchange traded options or futures. (i.e. Option Contracts, Futures Contracts).
- (3) Instruments explicitly specified as follows: Collateralized Mortgage Obligations, Inverse Floating Rate Notes, Range Index Notes, Non-Money Market Index based Notes, Dual Index Notes, Index Amortizing Notes, Inverse Multi-index Bonds, Stepped Inverse Index Bonds, Inverse Index Bonds.

Allowable instruments which are not considered derivatives by the preceding definition are authorized investments listed as follows:

Treasury Bills, Treasury Notes, Treasury Bonds, Treasury Strips, Repurchase Agreements, Reverse Repurchase Agreements, Agency Notes with a defined maturity and fixed upon rate, Money Market Index variable rate Notes (i.e. floating rate notes tied to money market indices defined as Treasury Bills, London Interbank Offering Rate (LIBOR), Fed Funds, and Cost of Funds Index), Step-up notes, and Certificates of Deposit.

VIII. SELECTION OF BANKS AND DEALERS

Bidding Process. Depositories shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP) issued every two (2) years. In selecting depositories, the credit worthiness of institutions shall be considered, and the Director of Financial Services shall conduct a comprehensive review of prospective depositories credit characteristics and financial history.

Insurability. Banks seeking to establish eligibility for the City's depository contract shall submit financial statements, evidence of Federal insurance and other information as required by the Director of Financial Services.

Primary Dealers and Approved List. In accordance with 2256.005(k), a written copy of this investment policy shall be presented to any person seeking to sell to the City an authorized investment. The registered principal of the business organization seeking to sell an authorized investment shall execute a written instrument substantially to the effect that the registered principal has:

- (1) Received and thoroughly reviewed the investment policy of the City; and
- (2) Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization. The Director of Financial Services may not buy any securities from a person who has not delivered to the City an instrument in substantially the form provided above according to Section 2256.005(1).

All dealers and brokers who desire to become qualified bidders for investment transactions with the City of Copperas Cove, must be recommended by the Director of Financial Services and approved by the City Manager. Applications will be reviewed on a periodic basis and submitted for approval. The Director of Financial Services will maintain a list of primary dealers and brokers authorized to provide investment services to the City. The authorized list of primary dealers and brokers will be reviewed on an annual basis, and any broker/dealers who fail to meet the standards of this policy shall be removed from the list. All dealers and brokers who desire to become qualified bidders for investment transactions must supply the following:

- (1) Completed broker dealer questionnaire.
- (2) Proof of registration with the Texas State Securities Board.
- (3) Proof of National Association of Securities Dealers (NASD) certification.
- (4) Audited financial statements.
- (5) Written acknowledgment that the entity has read the City of Copperas Cove Investment Policy and has reasonable procedures and controls to preclude imprudent investment activities arising out of investment transactions conducted between the entity and the City of Copperas Cove (Securities Broker Dealer Acknowledgment Form - Section XV).

All brokers and dealers who desire to transact business with the City of Copperas Cove must be approved, in advance of any business transactions, by the City Manager. For brokers and dealers of government securities, the City Manager shall select only those dealers reporting to the Market Reports Division of New York, also known as the "primary government securities dealers," unless a broker/dealer comprehensive questionnaire and certification reveals that other firms are adequately financed to conduct public business. The Director of Financial Services will annually review the financial condition and registration of qualified dealers and brokers. The Director of Financial Services shall not conduct business with any firm, which has been removed from the approved list by the City Manager.

Competitive Bidding of Investments. All trades, purchases and sales done for the City of Copperas Cove will be done through a documented competitive bidding process. Competitive quotes must be taken from at least three qualifying institutions for any investment transaction. The broker/dealers used for the City of Copperas Cove will be those approved by and in compliance with the rules of this investment policy.

Broker/dealers are neither required nor encouraged to contact the City on current securities that the broker/dealers believe are items that require City attention.

IX. SAFEKEEPING AND CUSTODY

Insurance or Collateral. All deposits and investments of City funds with commercial banks shall be secured by pledged collateral with a market value equal to no less than 100% of the deposits or investments. If the maturity date of the pledged collateral exceeds two years, 102% of market value shall be maintained by the Director of Financial Services or a third party financial institution. Repurchase agreements shall be documented by a specific agreement noting the collateral pledged in each agreement. Collateral shall be reviewed monthly to assure the market value of the securities pledged equals or exceeds the related bank balances.

Pledged Collateral Safekeeping Agreement. All safekeeping arrangements shall be in accordance with a Safekeeping Agreement approved by the Director of Financial Services which clearly defines the procedural steps for gaining access to the collateral should the City of Copperas Cove determine that the City's funds are in jeopardy. The safekeeping institution, or Trustee, shall be the Federal Reserve Bank or an institution not a branch of the firm pledging the collateral. The safekeeping agreement shall include the signatures of the City of Copperas Cove, the firm pledging the collateral, and the Trustees.

Collateral Defined. The City of Copperas Cove shall accept only the following securities as collateral:

- A. U.S. Treasury securities maturing in less than two (2) years;
- B. Short-term obligations of U.S.-Government Agencies which are guaranteed by the full faith and credit of the United States of America as to principal and interest;
- C. Federal Deposit Insurance (FDIC) coverage of principal invested;
- D. Direct or unconditionally guaranteed obligations of the State of Texas except that the city will not accept Industrial Revenue Bonds or Private Activity Bonds as pledged securities.
- E. Bonds of States, government agencies, counties, cities, or political subdivisions nationally rated "A" or above.

Subject to Audit. All collateral shall be subject to inspection and audit by the Director of Financial Services or the City's independent auditors.

Delivery vs. Payments. Treasury Bills, Notes, and Bonds and Government Agencies or other securities shall be purchased using the delivery vs. payment basis method. That is, funds shall not be wired or paid until verification has been made that the collateral was received by the City Agent or the Trustee. The collateral shall be held in the name of the City. The Trustee's or Agent's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

Standards of Operation. The Director of Financial Services shall develop and maintain written administrative procedures for the operation of the investment-program, consistent with this investment policy.

X. INTERNAL CONTROLS

Internal Controls. The Director of Financial Services is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management. Accordingly, the Director of Financial Services shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- (1) Control of collusion -Collusion is a situation where two or more employees are working in conjunction to defraud their employer.
- (2) Separation of transaction authority from accounting and record keeping - By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
- (3) Custodial safekeeping -Securities purchased from any bank or dealer including appropriate collateral (as defined by State Law) shall be placed with an independent third party for custodial safekeeping.
- (4) Avoidance of physical delivery securities -Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.

- (5) Clear delegation of authority to subordinate staff members -Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.
- (6) Written confirmation or telephone transactions for investments and wire transfers -Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.
- (7) Development of a wire transfer agreement with the lead bank or third party custodian -This agreement should outline the various controls, security provisions, and delineate responsibilities of each party making and receiving wire transfers.
- (8) Documentation of transactions and strategies -By recording this necessary information, certification of investment procedures processing is accomplished.

XI. INVESTMENT STRATEGIES

Investment Strategies. In accordance with the Public Funds Investment Act, Section 2256.005(d), a separate written investment strategy will be developed for each of the funds under the City's control. Each investment strategy must describe the investment objectives for the particular fund using the following priorities of importance:

- (1) Understanding of the suitability of the investment to the financial requirements of the entity;
- (2) Preservation and safety of principal;
- (3) Liquidity;
- (4) Marketability of the investment if the need arises to liquidate the investment before maturity;
- (5) Diversification of the investment portfolio;
- (6) Yield; and
- (7) Maturity restrictions.

The investment strategies to be employed by the City of Copperas Cove are:

- (1) The Roll-Over Approach. This strategy shall be referred to as Strategy A. This approach means that, despite the excess funds available early in the tax collection season and the requirements of the remaining months, you choose to place the excess funds outside a theoretical short-term period. Instead the excess funds are held in daily liquidity fund such as a bank money market account, a short-term liquidity interlocal pool, or in an eligible SEC registered mutual money market fund (90 day maximum maturity) \$1.00 stable net asset

value. The funds continue to roll-over or remain accessible on a daily basis for the entire cycle and the funds are disbursed as liabilities occur.

- (2) The Matching Approach. This strategy shall be referred to as Strategy B. This approach uses excess funds to fill future shortfalls or to match maturing investments with liabilities, matching relies on accurate forecasting of liabilities matched with maturity investments. The Matching Approach generally requires holding investments to maturity.
- (3) The Extension Approach. This strategy shall be referred to as Strategy C. This is an aggressive approach because it is a one-sided bet on the market and disregards liability requirements. The expectation is that long-term investments can be liquidated at cost or a profit to cover short-term needs. The Extension Method is risky and makes an aggressive statement about the direction of interest rates. Use of this method can reduce liquidity and create losses. Attachment A includes investment strategies for all funds. In accordance with the Public Funds Investment Act, Section 2256.005(e), investment strategies will be reviewed and adopted by resolution at least annually.

XII. POLICY

Exemption. Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

Amendment. This policy shall be reviewed on an annual basis. Any changes must be approved by the City Manager.

Glossary. The Glossary is provided in Attachment B.

XIII. CITY OF COPPERAS COVE INVESTMENT STRATEGY

OPERATING FUNDS STRATEGY	INVESTMENT
GENERAL FUND	A,B
WATER AND SEWER FUND	A,B
SOLID WASTE FUND	A,B
GOLF COURSE FUND	A,B
DEBT SERVICE FUNDS	
TAX I&S FUND	A,B
SPECIAL REVENUE FUNDS	
RECREATIONAL ACTIVITIES FUND	A,B
DRAINAGE UTILITY FUND	A,B
MUNICIPAL CEMETERY FUND	A,B
HOTEL OCCUPANCY TAX FUND	A,B
POLICE COURT ORDER FUND	A,B
MUNICIPAL COURT FUND	A,B
CAPITAL PROJECTS FUNDS	
2001 CERTIFICATES OF OBLIGATION	A,B
2003 CERTIFICATES OF OBLIGATION	A,B
2005 CERTIFICATES OF OBLIGATION	A,B
2006 LIMITED TAX NOTES	A,B
2007 CERTIFICATES OF OBLIGATION	A,B

XIV. GLOSSARY

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKER'S ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Copperas Cove. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only with the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals. e.g. S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A deferral agency that insures bank deposits, currently up to \$100,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-à-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA like GMNA was chartered under the Federal National mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mac, as the corporation is called, is the private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans. in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA OR Ginnie Mae):

Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FMHM mortgages. The term "pass through" is often used to describe Ginnie Maes.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LCIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and **reinvestment**.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase--reverse repurchase agreements that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary

dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities by the custody state-the-so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person in discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES:

A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. this may be the amortized yield to maturity on a bond the current income return.

REPURCHASE AGREEMENT (RP OR REPO):

A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a Fixed date. the security "buyer" in effect lends the "seller" money for the period of agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: when the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities and sale of outstanding issues following the initial distribution.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term U.S. Treasury securities having initial maturities of more than 10 years.

TREASURY NOTES: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitment to purchases securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes Cash and assets easily converted into cash.

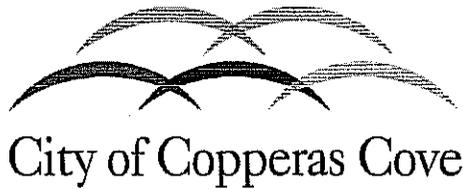
YIELD: The rate of annual income return of an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD TO MATURITY** is current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

XV.

***CITY OF COPPERAS COVE, TEXAS
SECURITIES BROKER/DEALER ACKNOWLEDGEMENT***

In compliance with the Texas Government Code (Public Funds Investment Act) Section 2256.005 (k)-(1), acknowledges that the registered principal and all sales personnel conducting investment transactions with the City of Copperas Cove have received and have thoroughly reviewed the Investment Policy of the City of Copperas Cove. Broker acknowledges that Broker has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and Broker. Transactions between this firm and the City of Copperas Cove will be directed toward protecting the City of Copperas Cove from credit and market risk. This firm pledges due diligence in informing the City of Copperas Cove of foreseeable risks with financial transactions connected with this firm.

Primary Representative, Title Date



Broker/Dealer List

Vining Sparks

Attn: Taylor Howard
775 Ridge Lake Boulevard, Ste. 200
Memphis, TN 38120
901-766-3102

Coastal Securities

Attn: Tony Sekaly
5555 San Felipe, Ste. 2200
Houston, TX 77056
800-681-4121

The National Investment Center of Central Texas

The National Banks of Central Texas

Attn: Eric Phelps
408 South Main Street
Copperas Cove, TX 76522
254-547-7521

Wells Fargo

Institutional Brokerage & Sales

Attn: Lance R. Pettus
111 Congress Avenue, 3rd Floor
Austin, TX 78701-4050
512-344-7416

Andrea M. Gardner

Andrea M. Gardner, City Manager

9/12/08

Date

Wanda Bunting

Wanda Bunting, Director of Financial Services

9/12/08

Date

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. G-4

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Resolution No. 2008-35 adopting the investment policy of the City of Copperas Cove.

1. BACKGROUND/HISTORY

According to the Texas Government Code, Chapter 2256, also known as the “Public Funds Investment Act”, the City Council is required to review and adopt, by resolution, a formal investment policy on an annual basis. Additionally, the Public Funds Investment Act requires that the chief financial officer and the investment officer attend an approved training course every two years. The training course must provide at least 10 hours of training.

2. FINDINGS/CURRENT ACTIVITY

The attached policy serves to satisfy the statutory requirements of the Texas Government Code, 2256.005(e), which states, *“The governing body of an investing entity shall review its investment policy and investment strategies not less than annually. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.”*

The following changes to the investment policy are being recommended.

- 1) Update to the Broker / Dealer list (a review of applications from qualified bidders was completed).
- 2) Updated City Staff titles to agree with the Personnel Policy. Specifically changed Assistant City Manager/Director of Finance to Director of Financial Services and Accounting Supervisor to Senior Accountant.
- 3) Updated formatting for easier reading of the document.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council approve Resolution No. 2008-35 adopting the Investment Policy of the City of Copperas Cove.

ORDINANCE NO. 2008-30

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, ENTITLED "FLOOD DAMAGE PREVENTION ORDINANCE"; AMENDING THE CODE OF ORDINANCES IN CHAPTER 4 "BUILDINGS; CONSTRUCTION, RELATED ACTIVITIES," ARTICLE III "FLOOD DAMAGE CONTROL;" REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY; PROVIDING A SAVING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Flood Emergency Management Agency (FEMA) has completed a new Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for a portion of our community;

WHEREAS, FEMA has required the city to update this Flood Damage Prevention Ordinance with some new minimum requirements in order to continue to participate in the National Flood Insurance Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

Section 1. Chapter 4 "Buildings; Construction, Related Activities," Article III "Flood Damage Preventive Ordinance" shall be amended to read as follows:

FLOOD DAMAGE PREVENTION ORDINANCE

Sec. 4-90. Statutory authorization.

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Copperas Cove, Texas does ordain as follows:

Sec. 4-91. Findings of fact.

(a) The flood hazard areas of the City of Copperas Cove are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(b) These flood losses are created by cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

Sec. 4-92. Statement of purpose.

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(a) Protect human life and health;

Current Adopted Ordinance

- (b) Minimize expenditure of public money for costly flood control projects;
- (c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (d) Minimize prolonged business interruptions;
- (e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (f) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (g) Insure that potential buyers are notified that property is in a flood area.

Sec. 4-93. Methods of reducing flood losses.

In order to accomplish its purposes, this ordinance uses the following methods:

- (a) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (b) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (c) Control alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters,
- (d) Control filling, grading, dredging, and other development which may increase flood damage;
- (e) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Sec. 4-94. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance the most reasonable application.

Alluvial fan flooding means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of future conditions flood hazard means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A99,, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

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Base flood means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE) is the elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-30, AR, V1-30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year – also called the Base Flood.

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

Elevation Certificate is certification for all elevation requirements noted in this ordinance documented by using the Elevation Certification, FEMA 81-31, and shall be certified by a registered professional engineer, surveyor, or architect, and shall be submitted to the Floodplain Administrator.

Elevated building means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by: foundation walls, shear walls, posts, piers, pilings, or columns.

Enclosure is a fully enclosed area below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement.

Existing construction means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structure."

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of a floodplain management regulation adopted by a community.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters.
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

Current Adopted Ordinance

Flood elevation study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood-related erosion hazards.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood insurance study (FIS) – see *Flood Elevation Study*.

Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain management means the operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood protection system means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood proofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway – see *Regulatory Floodway*

Functionally dependent use means a use, which cannot perform its intended purpose, unless it is located or carried out in a close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

Current Adopted Ordinance

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved state program as determined by the Secretary of the Interior or;
- (2) Directly by the Secretary of the Interior in states without approved programs.

Levee means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee system means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of a floodplain management regulation adopted by a community.

Non-residential structure includes, but is not limited to: small business concerns, churches, school, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, hotels and motels with normal room rentals for less than 6 months' duration, and nursing homes.

Reasonably safe from flooding means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

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Recreational vehicle means a vehicle which is (i) built on a single chassis, (ii) 400 square feet or less when measured at the largest horizontal projections, (iii) designed to be self-propelled or permanently towable by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Repetitive Loss means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Residential structure is one that is considered to be a domicile or is used for residential purposes for 6 months or more. Residential structures include a single family home, multiple unit apartment buildings, a residential condominium, a manufactured home or a modular home.

Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special flood hazard area – see *Area of special flood hazard*

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resource Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include the excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. "Substantial Damage" also means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term includes

Current Adopted Ordinance

structures which have incurred "repetitive loss" or substantial damage, regardless of the actual repair work performed. The term substantial improvement does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

General provisions Sec. 4-95. *Lands to which this ordinance applies.*

The ordinance [this article] shall apply to all areas of special flood hazard within the jurisdiction of Copperas Cove.

Sec. 4-96. *Basis for establishing the areas of special flood hazard.*

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering reports entitled, "The Flood Insurance Study (FIS) for Bell County, Texas and Incorporated Areas", dated September 26, 2008, with accompanying Flood Insurance Rate Maps (FIRMS) dated September 26, 2008, "The Flood Insurance Study (FIS) for the City of Copperas Cove, Coryell County, Texas," dated November 6, 1996 with accompanying Flood Insurance Rate Map (FIRM) dated November 6, 1996, "The Flood Insurance Rate Map (FIRM) Index Panel entitled Lampasas County, Texas, Unincorporated Areas", dated January 2, 1991 and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

Sec. 4-97. *Establishment of floodplain development permit.*

A floodplain development permit shall be required to ensure conformance with the provisions of this ordinance.

Sec. 4-98. *Compliance.*

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

Sec. 4-99. *Abrogation and greater restrictions.*

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 4-100. *Interpretation.*

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

Sec. 4-101. *Warning and disclaimer of liability.*

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

Administration

Sec. 4-102. *Designation of the floodplain administrator.*

The City Planner is hereby appointed the floodplain administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

Sec. 4-103. *Duties and responsibilities of the floodplain administrator.*

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (a) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (b) Review permit applications to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- (c) Review, approve or deny all applications for development permits required by adoption of this ordinance.
- (d) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (e) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
- (f) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (g) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (h) When base flood elevation data has not been provided in accordance with section 4-96, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of sections 4-106 thru 4-110, Provisions for Flood Hazard Reduction.
- (i) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1--30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and

anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

(j) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1--30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one (1) foot, provided that the community **first** completes all of the provisions required by Section 65.12 of the National Flood Insurance Program Regulations.

Sec. 4-104. Permit procedures.

(a) Application for a Floodplain Development Permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

Additionally, the following information is required:

(1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(2) Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;

(3) A certificate from a registered professional engineer or architect that the non-residential flood proofed structure shall meet the flood proofing criteria of section 4-107(b);

(4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

(5) Maintain a record of all such information in accordance with section 4-103(a).

(b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(1) The danger to life and property due to flooding or erosion damage;

(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(3) The danger that materials may be swept onto other lands to the injury of others;

(4) The compatibility of the proposed use with the existing and anticipated development;

(5) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public facilities and utilities such as sewer, gas, electrical and water systems;

(7) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

(8) The necessity to the facility of a waterfront location, where applicable;

(9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

Sec. 4-105. Variance procedures.

(a) The appeal board as established by the city shall hear and render judgment on requests for variances from the requirements from this ordinance.

(b) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this ordinance.

(c) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.

- (d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (e) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.
- (f) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 4-104(b) of this article have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.
- (g) Upon consideration of the factors noted above and the intent of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (section 4-92).
- (h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (i) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (j) Prerequisites for granting variances:
 - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon, (i) showing a good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (3) Any applicant to whom a variance is granted shall be given written notice that the structure be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (k) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (1) the criteria outlined in section 4-105(a) through (i) are met, and (2) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Provisions for flood hazard reduction

Sec. 4-106. *General standards.*

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

- (a) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (c) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (d) All new and substantially improved residential structures shall have the duct work, and exposed plumbing and electrical components elevated to or above the base flood elevation;

- (e) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (f) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into the floodwater;
- (g) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding;
- (h) A minimum of 30% of the area within any given special flood hazard area in the community must remain in its undeveloped condition and free of impermeable surfaces; and
- (i) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the special flood hazard area unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Sec. 4-107. *Specific standards.*

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) section 4-96, (ii) section 4-103(h), or (iii) section 4-108(c), the following provisions are required:

(a) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated twenty-four (24) inches or more above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this section as proposed in section 4-104(a)(1) is satisfied.

(b) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to twenty-four (24) inches or more above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight to a minimum level of twenty-four (24) inches with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this section. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the floodplain administrator. Small, detached accessory structures of 400 square feet or less and valued at \$3,000 or less are exempt from the requirements to elevate or dry flood proof non-residential structures. They may be used only for limited parking of light vehicles and storage of low cost items.

(c) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following criteria:

(1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

(2) The bottom of all openings shall be no higher than one (1) foot above grade.

(3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

(d) *Manufactured homes.*

Current Adopted Ordinance

(1) All manufactured homes to be placed, within Zone A on a FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is an addition to applicable state and local anchoring requirements for resisting wind forces.

(2) Manufactured homes that are placed or substantially improved within Zones A1--30, AH, and AE on the community's FIRM on sites (a) outside of a manufactured home park or subdivision, (b) in a new manufactured home park or subdivision, (c) in an expansion to a park or subdivision, or (d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to twenty-four (24) inches or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(3) Manufactured homes that are placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1--30, AH and AE on the community's FIRM that are not subject to the provisions of this section shall be elevated so that either:

a. The lowest floor of the manufactured home is at eighteen (18) inches or more above the base flood elevation, or

b. The manufactured home chassis supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(e) *Recreational vehicles.* Require that the recreational vehicles placed on sites within Zones A1--30, AH, AE on the community's FIRM either (1) be on the site for fewer than one hundred eighty (180) consecutive days, (2) be fully licensed and ready for highway use, or (3) meet the permit requirements of section 4-104(a), and the elevation and anchoring requirements for "manufactured homes" in paragraph (d) of this section. A recreational vehicle is ready for highway use if it is on wheels or jacking system is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Sec. 4-108. *Standards for subdivision proposals.*

(a) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with sections 4-91, 4-92, and 4-93 of this ordinance.

(b) All proposals for the development of subdivisions and manufactured home parks and subdivisions shall meet development permit requirements of section 4-97; section 4-104; and the provisions of section 4-106 thru sections 4-110 of this ordinance.

(c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which are greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to section 4-96 or section 4-103(h) of this ordinance.

(d) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(e) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(f) A drainage study shall be conducted for all subdivisions of any size or development covering 5 or more acres within or outside of the special flood hazard area. Flood waters originating within these areas shall not be allowed to drain from the area described in higher quantities or flow rates than existed under pre-construction conditions. This shall be accomplished by the proper design and construction of detention, retention, and/or drainage systems.

(g) At least one primary access roadway into each residential subdivision shall be elevated to or above the base flood elevation to allow access and egress for residents and emergency vehicles.

Sec. 4-109. Standards for areas of shallow flooding (AO/AH Zones).

Located within the areas of special flood hazard established in section 4-96 are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(a) When a residential or non-residential structure is intended to be constructed in an Approximate A Zone, a base flood elevation must be determined by using the same engineering standards and methods that are used to develop base flood elevations in a Flood Insurance Study (FIS).

(b) All new construction and substantial improvements of non-residential structures;

(1) Have the lowest floor (including basement) elevated to 24 inches above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).

(2) Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone level, the structure is watertight with walls substantially impermeable to the passage of water with structural components having the capability of resisting hydrostatic and hydrodynamic loads or effects of buoyancy.

(c) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in section 4-104(a)(1), are satisfied.

(d) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

(e) At least one primary entry road to a residential structure shall be elevated to or above the base flood elevation to allow entry and exit of vehicles during a base flood event.

(f) If fill material is to be used to elevate any structure in Zones A, A1-30, AE, AO, AH, AR, or A99, the following will apply:

(1) Fill material must be compacted to at least 95% of Standard Laboratory Maximum Density (Stand Proctor) according to ASTM Standard D-698;

(2) Fill soils must be fine grained soils of low permeability, such as those classified as CH, CL, SC, or ML according to ASTM Standard D-2487, "Classification of Soils for Engineering Purposes". See Table 1804.2 in the "2000 International Building Code (IBC)" for descriptions of these soils types.

(3) The fill material must be homogeneous and isotropic; that is the soil must be all of one material, and the engineering properties must be the same in all directions

(4) Fill material is prohibited in Zones V, V1-30, VE, or VO.

Sec. 4-110. Floodways.

Located within areas of special flood hazard established in section 4-96, are areas designated as floodways. Since the floodway is an extremely hazardous area due to velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(a) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(b) All development, in any form, is prohibited within the boundaries of the regulatory floodway as delineated on the community's FIRM.

Sec. 4-111. *Severability.*

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Sec. 4-112. *Penalties for non-compliance.*

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof, be fined not more than \$500.00 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Copperas Cove from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 4-113. *Standards for outside of the Special Flood Hazard Area*

All residential structures that are constructed outside the Special Flood Hazard Area shall be elevated twelve (12) inches above the highest adjacent grade.

Secs. 4-114 through 4-120. Reserved.

Section 2. Be it further ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Copperas Cove, Texas, and that sections of this ordinance be re-numbered or re-lettered to accomplish such intention.

Section 3. Be it further ordained that all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Be it further ordained that if any provisions of this ordinance shall be held invalid or unconstitutional, the remainder of this ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part thereof.

Section 5. Be it further ordained that a violation of this ordinance shall be a misdemeanor and the penalty for violating this ordinance shall be a fine not to exceed \$2,000.00.

Section 6. It is hereby found and determined that the meeting at which this ordinance passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

Section 7. It is hereby found and declared by the City of Copperas Cove, that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy any flooding occurrence, it is necessary that this ordinance become effective immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, this 2nd day of September 2008; such meeting was held in compliance with the Open Meetings Act (Government Code, Article 551.001 et seq.), at which meeting a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

ORDINANCE NO. 2008-30

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, ENTITLED "FLOOD DAMAGE PREVENTION ORDINANCE"; AMENDING THE CODE OF ORDINANCES IN CHAPTER 4 "BUILDINGS; CONSTRUCTION, RELATED ACTIVITIES," ARTICLE III "FLOOD DAMAGE CONTROL;" REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A PENALTY; PROVIDING A SAVING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Flood Emergency Management Agency (FEMA) has completed a new Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for a portion of our community;

WHEREAS, FEMA has required the city to update this Flood Damage Prevention Ordinance with some new minimum requirements in order to continue to participate in the National Flood Insurance Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

Section 1. Chapter 4 "Buildings; Construction, Related Activities," Article III "Flood Damage Preventive Ordinance" shall be amended to read as follows:

FLOOD DAMAGE PREVENTION ORDINANCE

Sec. 4-90. Statutory authorization.

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Copperas Cove, Texas does ordain as follows:

Sec. 4-91. Findings of fact.

(a) The flood hazard areas of the City of Copperas Cove are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(b) These flood losses are created by cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

Sec. 4-92. Statement of purpose.

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(a) Protect human life and health;

- (b) Minimize expenditure of public money for costly flood control projects;
- (c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (d) Minimize prolonged business interruptions;
- (e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (f) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (g) Insure that potential buyers are notified that property is in a flood area.

Sec. 4-93. Methods of reducing flood losses.

In order to accomplish its purposes, this ordinance uses the following methods:

- (a) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (b) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (c) Control alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters,
- (d) Control filling, grading, dredging, and other development which may increase flood damage;
- (e) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Sec. 4-94. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance the most reasonable application.

Alluvial fan flooding means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of future conditions flood hazard means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A99,, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

Base flood means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE) is the elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-30, AR, V1-30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year – also called the Base Flood.

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

Elevation Certificate is certification for all elevation requirements noted in this ordinance documented by using the Elevation Certification, FEMA 81-31, and shall be certified by a registered professional engineer, surveyor, or architect, and shall be submitted to the Floodplain Administrator.

Elevated building means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by: foundation walls, shear walls, posts, piers, pilings, or columns.

Enclosure is a fully enclosed area below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement.

Existing construction means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structure."

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of a floodplain management regulation adopted by a community.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters.
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood elevation study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood-related erosion hazards.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood insurance study (FIS) – see *Flood Elevation Study*.

Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain management means the operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood protection system means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood proofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway – see *Regulatory Floodway*

Functionally dependent use means a use, which cannot perform its intended purpose, unless it is located or carried out in a close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved state program as determined by the Secretary of the Interior or;
- (2) Directly by the Secretary of the Interior in states without approved programs.

Levee means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee system means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of a floodplain management regulation adopted by a community.

Non-residential structure includes, but is not limited to: small business concerns, churches, school, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, hotels and motels with normal room rentals for less than 6 months' duration, and nursing homes.

Reasonably safe from flooding means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Recreational vehicle means a vehicle which is (i) built on a single chassis, (ii) 400 square feet or less when measured at the largest horizontal projections, (iii) designed to be self-propelled or permanently towable by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Repetitive Loss means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Residential structure is one that is considered to be a domicile or is used for residential purposes for 6 months or more. Residential structures include a single family home, multiple unit apartment buildings, a residential condominium, a manufactured home or a modular home.

Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special flood hazard area – see *Area of special flood hazard*

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resource Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include the excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. "Substantial Damage" also means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term includes

structures which have incurred "repetitive loss" or substantial damage, regardless of the actual repair work performed. The term substantial improvement does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

General provisions Sec. 4-95. *Lands to which this ordinance applies.*

The ordinance [this article] shall apply to all areas of special flood hazard within the jurisdiction of Copperas Cove.

Sec. 4-96. *Basis for establishing the areas of special flood hazard.*

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering reports entitled, "The Flood Insurance Study (FIS) for Bell County, Texas and Incorporated Areas", dated September 26, 2008, with accompanying Flood Insurance Rate Maps (FIRMS) dated September 26, 2008, "The Flood Insurance Study (FIS) for the City of Copperas Cove, Coryell County, Texas," dated November 6, 1996 with accompanying Flood Insurance Rate Map (FIRM) dated November 6, 1996, "The Flood Insurance Rate Map (FIRM) Index Panel entitled Lampasas County, Texas, Unincorporated Areas", dated January 2, 1991 and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

Sec. 4-97. *Establishment of floodplain development permit.*

A floodplain development permit shall be required to ensure conformance with the provisions of this ordinance.

Sec. 4-98. *Compliance.*

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

Sec. 4-99. *Abrogation and greater restrictions.*

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 4-100. *Interpretation.*

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

Sec. 4-101. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

Administration

Sec. 4-102. Designation of the floodplain administrator.

The City Planner is hereby appointed the floodplain administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

Sec. 4-103. Duties and responsibilities of the floodplain administrator.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (a) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (b) Review permit applications to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- (c) Review, approve or deny all applications for development permits required by adoption of this ordinance.
- (d) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (e) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
- (f) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (g) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (h) When base flood elevation data has not been provided in accordance with section 4-96, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of sections 4-106 thru 4-110, Provisions for Flood Hazard Reduction.
- (i) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1--30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and

anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

(j) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1--30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one (1) foot, provided that the community **first** completes all of the provisions required by Section 65.12 of the National Flood Insurance Program Regulations.

Sec. 4-104. Permit procedures.

(a) Application for a Floodplain Development Permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

Additionally, the following information is required:

(1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(2) Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;

(3) A certificate from a registered professional engineer or architect that the non-residential flood proofed structure shall meet the flood proofing criteria of section 4-107(b);

(4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

(5) Maintain a record of all such information in accordance with section 4-103(a).

(b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(1) The danger to life and property due to flooding or erosion damage;

(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(3) The danger that materials may be swept onto other lands to the injury of others;

(4) The compatibility of the proposed use with the existing and anticipated development;

(5) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public facilities and utilities such as sewer, gas, electrical and water systems;

(7) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

(8) The necessity to the facility of a waterfront location, where applicable;

(9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

Sec. 4-105. Variance procedures.

(a) The appeal board as established by the city shall hear and render judgment on requests for variances from the requirements from this ordinance.

(b) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this ordinance.

(c) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.

- (d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (e) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.
- (f) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 4-104(b) of this article have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.
- (g) Upon consideration of the factors noted above and the intent of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (section 4-92).
- (h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (i) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (j) Prerequisites for granting variances:
 - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon, (i) showing a good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (3) Any applicant to whom a variance is granted shall be given written notice that the structure be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (k) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (1) the criteria outlined in section 4-105(a) through (i) are met, and (2) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Provisions for flood hazard reduction

Sec. 4-106. *General standards.*

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

- (a) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (c) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (d) All new and substantially improved residential structures shall have the duct work, and exposed plumbing and electrical components elevated to or above the base flood elevation;

- (e) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (f) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into the floodwater;
- (g) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding;
- (h) A minimum of 30% of the area within any given special flood hazard area in the community must remain in its undeveloped condition and free of impermeable surfaces; and
- (i) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the special flood hazard area unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Sec. 4-107. Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) section 4-96, (ii) section 4-103(h), or (iii) section 4-108(c), the following provisions are required:

(a) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated twenty-four (24) inches or more above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this section as proposed in section 4-104(a)(1) is satisfied.

(b) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to twenty-four (24) inches or more above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight to a minimum level of twenty-four (24) inches with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this section. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the floodplain administrator. Small, detached accessory structures of 400 square feet or less and valued at \$3,000 or less are exempt from the requirements to elevate or dry flood proof non-residential structures. They may be used only for limited parking of light vehicles and storage of low cost items.

(c) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following criteria:

(1) A minimum of two (2) openings, on separate walls, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

(2) The bottom of all openings shall be no higher than one (1) foot above grade.

(3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

(d) *Manufactured homes.*

(1) All manufactured homes to be placed, within Zone A on a FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is an addition to applicable state and local anchoring requirements for resisting wind forces.

(2) Manufactured homes that are placed or substantially improved within Zones A1--30, AH, and AE on the community's FIRM on sites (a) outside of a manufactured home park or subdivision, (b) in a new manufactured home park or subdivision, (c) in an expansion to a park or subdivision, or (d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to twenty-four (24) inches or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(3) Manufactured homes that are placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1--30, AH and AE on the community's FIRM that are not subject to the provisions of this section shall be elevated so that either:

a. The lowest floor of the manufactured home is at eighteen (18) inches or more above the base flood elevation, or

b. The manufactured home chassis supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(e) *Recreational vehicles.* Require that the recreational vehicles placed on sites within Zones A1--30, AH, AE on the community's FIRM either (1) be on the site for fewer than one hundred eighty (180) consecutive days, (2) be fully licensed and ready for highway use, or (3) meet the permit requirements of section 4-104(a), and the elevation and anchoring requirements for "manufactured homes" in paragraph (d) of this section. A recreational vehicle is ready for highway use if it is on wheels or jacking system is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Sec. 4-108. Standards for subdivision proposals.

(a) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with sections 4-91, 4-92, and 4-93 of this ordinance.

(b) All proposals for the development of subdivisions and manufactured home parks and subdivisions shall meet development permit requirements of section 4-97; section 4-104; and the provisions of section 4-106 thru sections 4-110 of this ordinance.

(c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which are greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to section 4-96 or section 4-103(h) of this ordinance.

(d) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(e) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(f) A drainage study shall be conducted for all subdivisions of any size or development covering 5 or more acres within or outside of the special flood hazard area. Flood waters originating within these areas shall not be allowed to drain from the area described in higher quantities or flow rates than existed under pre-construction conditions. This shall be accomplished by the proper design and construction of detention, retention, and/or drainage systems.

(g) At least one primary access roadway into each residential subdivision shall be elevated to or above the base flood elevation to allow access and egress for residents and emergency vehicles.

Sec. 4-109. Standards for areas of shallow flooding (AO/AH Zones).

Located within the areas of special flood hazard established in section 4-96 are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(a) When a residential or non-residential structure is intended to be constructed in an Approximate A Zone, a base flood elevation must be determined by using the same engineering standards and methods that are used to develop base flood elevations in a Flood Insurance Study (FIS).

(b) All new construction and substantial improvements of non-residential structures;

(1) Have the lowest floor (including basement) elevated to 24 inches above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).

(2) Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone level, the structure is watertight with walls substantially impermeable to the passage of water with structural components having the capability of resisting hydrostatic and hydrodynamic loads or effects of buoyancy.

(c) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in section 4-104(a)(1), are satisfied.

(d) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

(e) At least one primary entry road to a residential structure shall be elevated to or above the base flood elevation to allow entry and exit of vehicles during a base flood event.

(f) If fill material is to be used to elevate any structure in Zones A, A1-30, AE, AO, AH, AR, or A99, the following will apply:

(1) Fill material must be compacted to at least 95% of Standard Laboratory Maximum Density (Stand Proctor) according to ASTM Standard D-698;

(2) Fill soils must be fine grained soils of low permeability, such as those classified as CH, CL, SC, or ML according to ASTM Standard D-2487, "Classification of Soils for Engineering Purposes". See Table 1804.2 in the "2000 International Building Code (IBC)" for descriptions of these soils types.

(3) The fill material must be homogeneous and isotropic; that is the soil must be all of one material, and the engineering properties must be the same in all directions

(4) Fill material is prohibited in Zones V, V1-30, VE, or VO.

Sec. 4-110. Floodways.

Located within areas of special flood hazard established in section 4-96, are areas designated as floodways. Since the floodway is an extremely hazardous area due to velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(a) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(b) All development, in any form, is prohibited within the boundaries of the regulatory floodway as delineated on the community's FIRM.

Sec. 4-111. *Severability.*

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Sec. 4-112. *Penalties for non-compliance.*

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof, be fined not more than \$500.00 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Copperas Cove from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 4-113. *Standards for outside of the Special Flood Hazard Area*

All residential structures that are constructed outside the Special Flood Hazard Area shall be elevated twelve (12) inches above the highest adjacent grade.

Secs. 4-114 through 4-120. Reserved.

Section 2. Be it further ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Copperas Cove, Texas, and that sections of this ordinance be re-numbered or re-lettered to accomplish such intention.

Section 3. Be it further ordained that all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Be it further ordained that if any provisions of this ordinance shall be held invalid or unconstitutional, the remainder of this ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part thereof.

Section 5. Be it further ordained that a violation of this ordinance shall be a misdemeanor and the penalty for violating this ordinance shall be a fine not to exceed \$2,000.00.

Section 6. It is hereby found and determined that the meeting at which this ordinance passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

Section 7. It is hereby found and declared by the City of Copperas Cove, that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy any flooding occurrence, it is necessary that this ordinance become effective immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, this 2nd day of September 2008 and amended this 16th day of September 2008; such meeting was held in compliance with the Open Meetings Act (Government Code, Article 551.001 et seq.), at which meeting a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. G-5

Contact – Carl Ford, Director of Development Services, 547-4221
cford@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on amending Ordinance No. 2008-30, an ordinance of the City of Copperas Cove, Texas, adopting the amended Flood Damage Prevention Ordinance and providing an effective date.

1. BACKGROUND/HISTORY

In order to continue to participate in the National Flood Insurance Program, the City is required by the Federal Emergency Management Agency (FEMA) to update the Flood Damage Prevention Ordinance. One new Flood Insurance Rate Map (FIRM) for Bell County will become effective September 26, 2008 and in order to be in complete compliance, the amended Flood Damage Prevention Ordinance must be codified by that date. There was a specific change to the ordinance adopted September 2008 that FEMA was requesting after their review. This change was to page 11, Section 4-107 subparagraph (c1), Enclosures. FEMA asked that we add the words "on separate walls" into the sentence: A minimum of two (2) openings "on separate walls" having a total area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. This change in construction criteria will provide greater relief from the hydrostatic pressures due to rising flood water on the exterior of the enclosure walls. Two openings on separate walls will also allow water to pass through more efficiently.

2. FINDINGS/CURRENT ACTIVITY

The Federal Emergency Management Agency (FEMA) has completed a new Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for a portion of our community - the area located in Bell County, Texas. The City of Copperas Cove adopted a new ordinance on September 9, 2008; however, upon further review by FEMA they have recommended a small amendment which city staff has included in this amended ordinance.

The Ordinance with the various changes have been made and attached for the City Council's review.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends approval of this item, which will adopt the updated Flood Damage Prevention Ordinance No. 2008-30, as amended, and replace Ordinance 2008-30 adopted 2 September 12, 2008 and 1996 Flood Damage Prevention Ordinance to be in compliance with FEMA.

ORDINANCE NO. 2008-31

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING ON SEPTEMBER 30, 2008; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the operating budget of the municipal government of the City of Copperas Cove for the fiscal year October 1, 2007 to September 30, 2008; and

WHEREAS, said budget amendments have been submitted to the City Council by the City Manager in accordance with the City Charter; and

WHEREAS, public notices of public hearings upon this budget have been duly and legally made as required by City Charter and law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE:

SECTION I.

That the City Council of the City of Copperas Cove ratify, approve and adopt the amendments to the budget considered for the fiscal year of October 1, 2007 to September 30, 2008, as identified in "Attachment A" of this ordinance.

SECTION II.

That all ordinances for which provision has heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION III.

That should any part, portion, or section of this ordinance be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining portions, parts, or sections or parts of section of this ordinance, which provisions shall be, remain and continue to be in full force and effect.

SECTION IV.

That this ordinance shall take effect and be in full force and effect from and after its passage and publication according to law.

PASSED, APPROVED AND ADOPTED this 16th day of September 2008, at a regular called meeting of the City Council of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code 551.001, et.seq.*, at which meeting a quorum was present and voting.

Robert Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

**CITY OF COPPERAS COVE, TEXAS
FISCAL YEAR 2007-08 BUDGET
GENERAL FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Budget* FY 2007-08	Proposed Amendment	Amended Budget FY 2007-08
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,000,000	\$ 2,384,115	\$ -	\$ 2,384,115
Unreserved, Designated	2,206,650	1,000,000	-	1,000,000
TOTAL BEGINNING FUND BALANCE	\$ 3,206,650	\$ 3,384,115	\$ -	\$ 3,384,115
REVENUES:				
Taxes	\$ 9,118,362	\$ 9,854,672	\$ -	\$ 9,854,672
Permits & Licenses	218,578	248,250	-	248,250
Fees	740,008	1,019,187	-	1,019,187
Fines	761,074	953,308	-	953,308
Administrative Reimbursements	1,200,500	1,300,500	-	1,300,500
Miscellaneous Revenue	508,954	479,415	78,723	558,138
TOTAL REVENUES	\$ 12,547,477	\$ 13,855,332	\$ 78,723	\$ 13,934,055
EXPENDITURES:				
City Council (21)	\$ 29,205	\$ 42,700	\$ -	\$ 42,700
City Manager (22)	231,622	210,331	-	210,331
City Secretary (23)	128,543	145,239	-	145,239
City Attorney (24)	96,455	135,180	-	135,180
Finance (31)	533,887	559,137	-	559,137
Grants Administration (32)	68,508	-	-	-
Human Resources (34)	163,521	182,396	-	182,396
Information Systems (35)	194,257	212,499	-	212,499
Municipal Court (41)	303,228	361,583	-	361,583
Police (42)	3,692,332	4,304,725	-	4,304,725
Public Information Office (4250)	-	54,990	-	54,990
Animal Control (43)	180,912	226,705	-	226,705
Fire/EMS (44)	3,014,327	3,041,232	52,272	3,093,504
Emergency Management (4420)	47,234	31,539	-	31,539
Engineering (51)	97,043	166,629	-	166,629
Building Development (52)	251,000	299,977	-	299,977
Streets (53)	892,654	1,042,545	-	1,042,545
Parks and Recreation (54)	855,828	950,423	-	950,423
Fleet Services (55)	241,321	237,231	-	237,231
Public Works (56)	37,166	40,386	-	40,386
Facility Maintenance (57)	153,131	174,984	-	174,984
Planning (61)	183,666	162,676	-	162,676
Library (71)	475,772	526,563	-	526,563
Code & Health (72)	151,216	156,939	4,500	161,439
Non-Departmental (75)	437,386	483,718	42,214	525,932
TOTAL EXPENDITURES	\$ 12,460,215	\$ 13,750,327	\$ 98,986	\$ 13,849,313
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 2,293,912	\$ 2,406,284	-	\$ 2,406,284
Capital Improvement Reserve	-	-	-	-
Unreserved, Designated	1,000,000	1,000,000	-	1,000,000
TOTAL ENDING FUND BALANCE	\$ 3,293,912	\$ 3,489,120	\$ (20,263)	\$ 3,468,857
IDEAL FUND BALANCE	\$ 3,115,054	\$ 3,437,582	\$ -	\$ 3,462,328
OVER (UNDER) IDEAL FUND BALANCE	\$ 178,858	\$ 51,538	\$ -	\$ 6,529

* This budget reflects 2007-08 budget amendments that were approved by City Council on May 20th, June 17th, July 15th, and August 19th.

**CITY OF COPPERAS COVE
FISCAL YEAR 2007-08 BUDGET
WATER & SEWER FUND
SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Budget* FY 2007-08	Proposed Amendment	Amended Budget FY 2007-08
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,735,449	\$ 2,029,827	\$ -	\$ 2,029,827
TOTAL BEGINNING FUND BALANCE	\$ 1,735,449	\$ 2,029,827	\$ -	\$ 2,029,827
Water Revenue	\$ 4,264,604	\$ 4,886,653	\$ -	\$ 4,886,653
Sewer Revenue	3,320,234	3,418,492	-	3,418,492
Senior Citizen Discount	(125,564)	(140,300)	-	(140,300)
Water Tap Fees	100,312	122,000	-	122,000
Sewer Tap Fees	25,890	30,000	-	30,000
Connect Fee	56,160	55,000	-	55,000
Composting Sales Revenue	10,781	15,000	-	15,000
Subtotal	\$ 7,652,416	\$ 8,386,845	\$ -	\$ 8,386,845
Meter Box Reset Fee	\$ 150	\$ -	\$ -	\$ -
Admin Reimb-Drainage	20,000	20,000	-	20,000
Interest Revenue	151,974	140,000	-	140,000
Late Charge For Billing	236,276	262,000	-	262,000
Miscellaneous Revenues	44,573	50,000	-	50,000
Insurance Proceeds	434	500	-	500
Riser Forfeiture Revenue	3,800	3,000	-	3,000
Action Proceeds	601	1,000	-	1,000
Subtotal	\$ 457,808	\$ 476,500	\$ -	\$ 476,500
TOTAL REVENUES	\$ 8,110,224	\$ 8,863,345	\$ -	\$ 8,863,345
EXPENSES:				
Water & Sewer Operations (80)	\$ 140,462	\$ 163,350	\$ -	\$ 163,350
Utility Administration (81)	543,242	547,313	4,000	551,313
Water Distribution (82)	985,583	1,214,190	(10,000)	1,204,190
Sewer Collection (83)	400,611	502,259	-	502,259
Wastewater Treatment (84)	1,000,392	1,125,291	160,000	1,285,291
Composting (84-01)	146,078	163,253	-	163,253
Non-Departmental (85)	4,875,921	5,096,367	142,500	5,238,867
TOTAL EXPENSES	\$ 8,092,290	\$ 8,812,023	\$ 296,500	\$ 9,108,523
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,753,382	\$ 2,081,149	\$ (296,500)	\$ 1,784,649
Capital Improvement Reserve	-	-	-	-
TOTAL ENDING FUND BALANCE	\$ 1,753,382	\$ 2,081,149	\$ (296,500)	\$ 1,784,649
IDEAL FUND BALANCE	\$ 2,023,072	\$ 2,203,006	\$ -	\$ 2,277,131
OVER (UNDER) IDEAL FUND BALANCE	\$ (269,690)	\$ (121,857)	\$ -	\$ (492,482)

* This budget reflects 2007-08 budget amendments that were approved by City Council on May 20th, June 17th, July 15th, and August 19th.

**CITY OF COPPERAS COVE
FISCAL YEAR 2007-08 BUDGET
DRAINAGE UTILITY FUND
SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Budget* FY 2007-08	Proposed Amendment	Amended Budget FY 2007-08
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 358,352	\$ 385,402	\$ -	\$ 385,402
TOTAL BEGINNING FUND BALANCE	<u>\$ 358,352</u>	<u>\$ 385,402</u>	<u>\$ -</u>	<u>\$ 385,402</u>
REVENUES:				
Drainage Utility Fee	\$ 805,892	\$ 842,539	\$ -	\$ 842,539
Subtotal Drainage Utility Revenue	<u>\$ 805,892</u>	<u>\$ 842,539</u>	<u>\$ -</u>	<u>\$ 842,539</u>
Other Revenue				
Miscellaneous Revenues	434	3,579		3,579
Interest Revenue	44,436	37,000		37,000
Subtotal	<u>\$ 44,870</u>	<u>\$ 40,579</u>	<u>\$ -</u>	<u>\$ 40,579</u>
TOTAL REVENUES	<u>\$ 850,762</u>	<u>\$ 883,118</u>	<u>\$ -</u>	<u>\$ 883,118</u>
EXPENSES:				
Drainage	\$ 878,264	\$ 1,051,485	\$ (500)	\$ 1,050,985
Non-Departmental	2,895	6,047	500	6,547
TOTAL EXPENSES	<u>\$ 881,159</u>	<u>\$ 1,057,532</u>	<u>\$ -</u>	<u>\$ 1,057,532</u>
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 327,955	\$ 210,988		\$ 210,988
TOTAL ENDING FUND BALANCE	<u>\$ 327,955</u>	<u>\$ 210,988</u>	<u>\$ -</u>	<u>\$ 210,988</u>

* This budget reflects 2007-08 budget amendments that were approved by City Council on May 20th, June 17th, July 15th, and August 19th.

NOTICE OF PUBLIC HEARING

On September 16, 2008, during a Regular City Council Meeting, the City Council of the City of Copperas Cove will hold a public hearing on the ordinance to amend the FY 2007-08 Budget for the City of Copperas Cove. The September 16, 2008 City Council Meeting will begin at 7:00 pm and will be held in the City Council Chambers at City Hall, 507 South Main Street, Copperas Cove, Texas 76522.

The proposed amendments to the FY 2007-08 Annual Budget are as follows:

	Increase (Decrease)
General Fund	
Revenues	\$ 78,723
Expenditure Appropriations	\$ 98,986
Water and Sewer Fund	
Expense Appropriations	\$296,500
Cemetery Fund	
Revenues	\$ 13,000
Library Gifts & Memorials	
Expenditure Appropriations	\$ 4,462
City Wide Donations	
Revenues	\$ 43,887
Expenditure Appropriations	\$ 44,987
City Wide Grants	
Revenues	\$ 31,399
Expenditure Appropriations	\$ 31,399
FEMA Disaster Relief Fund	
Expenditure Appropriations	\$179,038
Fire Department Special Revenue Fund	
Revenues	\$ 1,826
Expenditure Appropriations	\$ 1,826
Coryell / Bell Response Fund	
Expenditure Appropriations	\$ 3,417
Law Enforcement Block Grant	
Expenditure Appropriations	\$ 1,190
Fire Department Grant Fund	
Expenditure Appropriations	\$ 171
Library Grant / Donation Fund	
Expenditure Appropriations	\$ 26,437
Tobacco Grant Fund	
Revenues	\$ 3,000
Expenditure Appropriations	\$ 3,000
2008 Tax Note (Tax Supported Fund)	
Revenues	\$ 83,000
Expenditure Appropriations	\$ 83,000
Reliever Route Fund	
Expenditure Appropriations	\$250,000

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item H-1

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: **Public Hearing and action on Ordinance No. 2008-31, amending the 2007-08 fiscal year budget for the City of Copperas Cove.**

1. BACKGROUND/HISTORY

The 2007-08 budget was adopted on September 4, 2007 with budget amendments approved on May 20, 2008, June 17, 2008, July 15, 2008 and August 19, 2008. According to Section 6.16(b)(1) of the Copperas Cove City Charter, in order for the City Council to amend the 2007-08 budget it must first hold a public hearing on the proposed amendments. The Charter also provides a requirement that when fund balance is to be used to fund increases in expenditures that two public hearings be held. The proposed budget amendment will require the use of fund balance. This public hearing will be the first of two public hearings held as required by the Charter. This is the second and final of two public hearings as required by the Charter. The first Public Hearing was held on September 2, 2008.

2. FINDINGS/CURRENT ACTIVITY

The General Fund requires an increase of 98,986 in expenditure appropriations. Revenue appropriation increases reflect a total of \$78,723 which offsets a majority of the expenditure appropriations. The fund balance is reduced by the difference \$20,263 in order to adequately fund the expenditures for the following departmental budgets. With this update, the City still maintains a fund balance that meets the ideal fund balance as recommended in the City Charter.

- Fire / EMS \$52,272
- Code & Health Compliance 4,500
- Non-Departmental 42,214

Increases include:

- Salary increases in the Fire Department are due to calculation updates and comp time limitations in the new personnel policy which reflects additional overtime costs.
- Additional increases were needed in the Fire Department for operating costs including repair and maintenance, fuel and oil, chemicals, communications, and dues and subscriptions. In the past, these additional needs have been paid out of a separate Coryell / Bell County Response Fund that was available to the Fire Department. This revenue has no specific limitations and the costs related to the services provided to

Coryell and Bell County are paid out of the General Fund. Based on this, the City is absorbing both revenues and expenditures into the General Fund. This will provide a more accurate picture of the total costs related to the Fire Department.

- Code & Health Compliance is being increased to cover contract labor costs related cleaning up code violations.
- Transfer to the Cemetery fund for \$13,000 which was mentioned in the 2008-09 Proposed Budget is necessary to cover current year costs.
- Increase to the SAFER Grant matching funds by \$29,214 due to Fire/EMS incentives and overtime costs that is not covered by the SAFER Grant. The grant also has a maximum amount that it will reimburse each year which does not cover any salary increases that have occurred since the grant was awarded.

General Fund revenue increases include the following:

- Transfer from Coryell / Bell County Fund \$66,027
- County Mutual Aid Revenue \$12,696

There should be very little impact to the 2008-09 Proposed Budget since a majority of these adjustments were included in the year end estimates that were included in the Proposed Budget document.

The Water and Sewer Fund will require an increase in expenditure appropriations in the amount of \$296,500 in order to adequately fund the expenditures for the following departmental budgets:

- Utility Administration \$ 4,000
- Water Distribution (\$10,000)
- Wastewater Treatment \$160,000
- Non-Departmental \$142,500

Increases include:

- Utility Administration increase includes an increase in the postage due to an increase in billings and an electric utility increase.
- Water Distribution is reallocating funds due to capital lease funds not necessary this fiscal year for the capital lease purchase.
- Wastewater Treatment includes an increase in electric utilities. This is being researched to try and determine why the costs continue to increase. Tri-Stem is also auditing our utility bills to see if they can find any problems with the billings.
- Non-Departmental includes an increase for water purchases, collection bureau collection fees, and master/visa card charges.

These expenditure adjustments should not impact to the 2008-09 Proposed Budget since the total ending fund balance of \$1,784,649 is over \$200,000 above what the City staff projected in the 2008-09 Proposed Budget document. Revenues in the current year may not reach the budgeted amounts, but should be within the \$200,000 amount mentioned above.

The Drainage Utility Fund requires a redistribution of \$500 from the Drainage budget to the Non-Departmental budget to cover an insurance claim.

The Cemetery Fund requires an increase in revenues of \$13,000 to cover the costs associated with operating the Cemetery. These funds are being transferred from the General Fund.

The Library Gifts and Memorials Fund has funds available in fund balance to expend. The expenditure increase of \$4,462 will use a portion of the available fund balance.

The City Wide Donations Fund consists of donations from various entities for Parks and Recreation, Library, Police, Fire, Animal Shelter, Keep Copperas Cove Beautiful, and Cove in Lights. Expenditure appropriations will be increased \$44,987 in order to cover current year projected expenditures. The increase in revenue appropriations is being funded by a transfer of some escrow funds and the increase in donations totaling \$43,887. The additional expenditure budget will use a portion of the fund balance.

The City Wide Grants Fund increases relate to the SAFER Grant. Additional grant revenues of \$2,185 are projected in this fiscal year and additional funds requested in the General Fund consist of \$29,214 to cover the expenditure appropriation increase of \$31,399 necessary to cover the salaries for the SAFER Grant Fire/EMS staff.

The FEMA Disaster Relief Fund received revenues last fiscal year and is expending the funds this fiscal year as the projects are completed. The total expenditure increase to cover the costs this fiscal year is \$179,038 of which is available in the fund balance.

The Fire Department Special Revenue Fund was implemented to track revenues and expenses associated with burn permits, fire testing and inspections fees. Appropriations of \$1,826 will be funded by an increase in revenues of \$1,826.

The Coryell/Bell Response Fund has no requirements to keep the funding separate, so as stated above it will be absorbed into the General Fund. But to cover this year's expenditures, an increase in appropriations in the amount of \$3,417 is necessary for operating costs. The funds are available in the current fund balance.

The Law Enforcement Block Grant Fund will require an increase in expenditure appropriations in the amount of \$1,190 for software purchase. There are sufficient funds available in the fund balance.

The Fire Department Grant Fund requires an increase in expenditure appropriations in the amount of \$171 for operating costs associated with the fire grant fund. The increase is available in fund balance.

The Library Grant / Donation Fund requires an increase in expenditure appropriations in the amount of \$26,437 for various books and library operating expenses. The increase in appropriations is being funded with existing fund balances available in this fund.

The Tobacco Grant Fund will require an increase in revenue and expenditure appropriations in the amount of \$3,000 for a new grant that was received to cover operating costs pertaining to the grant.

The Tax Notes issued May 2008 (Tax Supported Portion) will be increased in a miscellaneous revenue and street reconstruction expenditure appropriation account in the amount of \$83,000 for the County's portion of the project.

The Reliever Route Fund requires an increase in expenditure appropriations in the amount of \$250,000 for the purchase of right-of-ways for the reliever route. The City is required to cover 10% of the cost and TXDOT is paying for the other 90%. The City has a current invoice for \$143,097 from TXDOT with additional sections still under negotiations with TXDOT. The increase in appropriations is being funded with existing fund balances available in this fund.

3. FINANCIAL IMPACT

See attached ordinance and proposed amendments.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council hold a public hearing and approve Ordinance No. 2008-31 amending the fiscal year 2007-08 Budget.

Appointment Resource Form For Volunteers

Name MARION A. PALUMBO
Address 702 JUDY LANE
Home Phone (254) 547-5975 Office Phone _____
Fax _____ E-mail palumbj@vvm.com
Occupation Retired Educator
Volunteer/Community Service School Mentor, Alzheimer Respite Gp, Church, Blue Santa, Frds of Libr, Libr Bd, Linco Project, Altrusa, ROWE
Professional Affiliations CC RetTchr / Tx RetTchr, ATPF, PDK
Areas of Interest Libraries, Education, Reading (Book Clubs), Baking, Genealogy, Crocheting/Knitting, Church Work
Education BS in Education +

I would like to be considered for the following:

- | | |
|--|---|
| <input type="checkbox"/> Planning and Zoning Commission | <input type="checkbox"/> Housing Authority |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Hospital Authority |
| <input type="checkbox"/> Library Advisory Board | <input type="checkbox"/> Economic Development Corporation |
| <input type="checkbox"/> Fact Finding and Advisory Committee | <input type="checkbox"/> Volunteer - Cove in Lights Committee |
| <input type="checkbox"/> Election Judge/Alternate/Clerk | <input type="checkbox"/> Keep Copperas Cove Beautiful Commission |
| <input type="checkbox"/> Animal Control Advisory Committee | <input checked="" type="checkbox"/> Other <u>Library Lay Rep.</u> |

Please return this form along with a resume to:
Jane Lees, CMC, City Secretary
P O Drawer 1449
507 South Main Street
Copperas Cove TX 76522
254-547-4221 - 254-547-5116 fax
jlees@ci.copperas-cove.tx.us

MARION ADELE PALUMBO

702 Judy Lane
Copperas Cove, TX 76522
(254) 547-5975
e-mail: palumbj@vvm.com

WORK HISTORY

Library Technician Substitute and Part-Time Instructor	1987 - 2001
Filled substitute and part-time positions for Central Texas College contract requirements on Campus, at Casey Memorial Library and the Educational Self Development Centers on Fort Hood. Have taught BSEP/FAST programs and Mathematics as needed.	
Substitute Teacher	1987 - 1993
Taught classes in different subjects as needed in the Copperas Cove High School	
Teacher	1978 - 1987
Taught various level courses in Mathematics, Spanish and Data Processing at Copperas Cove High School	
Substitute Teacher	1976 - 1978
Taught in different classes as needed for both Copperas Cove High School and The American Preparatory Institute.	
Teacher	1951 - 1956
Taught various Mathematics and Spanish classes in Maple Heights High School, Maple Heights, OH.	
Library Aide	Summer 1946
Technology Department of Cleveland, Ohio Public Library	
Miscellaneous Office Jobs	1947 - 1953
Cleveland, OH	

VOLUNTEER WORK HISTORY

Library	
Central Texas Library System - Advisory Council & Long Range Planning Committee	1994 - 2000
Copperas Cove Lay Representative	1988 - 1994, 2001 - 2008
Library Expansion Committee Chairman	1989 - 1992
Library Advisory Board - member and President	199? - Present
Other	
Respite Program	2007 - 2008
Retired Off. Wives Club (Treasurer)	2004 - Present
Family Outreach of Coryell County, Inc. Board of Directors (Pres - Treas)	1987 - 1999
Friends of the Library - Copperas Cove	1976 - Present
American Assoc. Of University Women - (Pres - Treas)	1975 - 200?
Altrusa - (Treasurer)	1993 - Present
United Way of Greater Fort Hood Area Board of Directors	1996 - 2002
PTA Copperas Cove ISD - President	1975 - 1977

EDUCATION

Central Texas College - Misc. Courses	1977 - 1997
Bowling Green State Univ., Bowling Green OH - BS Education	1947 - 1951

PERSONAL

Interests: Reading, Cooking, Baking, Needlework, Crocheting, Knitting, Genealogy, Volunteer Work
Marital Status: Married (1956) seven children 11 grandchildren
Copperas Cove resident since January 21 1975
Traveled with Military husband 1956 - 1976

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-1

Contact – Ken Wilson, Director of Community Services, 547-9247
kwilsont@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on the appointment/reappointment of the lay representative to the Central Texas Library System (CTLS).

1. BACKGROUND/HISTORY

The lay representative to the Central Texas Library System (CTLS) serves as a library advocate within the community and represents the community's interests at system meetings. The lay representative is appointed by the local governing body for a two-year term of service and may be appointed without constraint as to the number of terms. The lay representative may be, but does not have to be, a regular member of the Library Advisory Board, however, the individual appointed should attend Library Advisory Board meetings.

2. FINDINGS/CURRENT ACTIVITY

The position was advertised on the Government Access Channel (Channel 10). As a result, Marion Palumbo, the Library Advisory Board President and current lay representative, submitted her application and resume for appointment. A copy of the application and resume are attached for Council review and consideration.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council reappoint Marion Palumbo to serve as lay representative to the Central Texas Library System for the period September 17, 2008 – August 31, 2010.

**AUDIT ENGAGEMENT LETTER
CITY OF COPPERAS COVE
FOR THE YEAR ENDED SEPTEMBER 30, 2008**



Lott, Vernon & Company, P.C.
Certified Public Accountants



Lott, Vernon & Company, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

KILLEEN • COPPERAS COVE • TEMPLE

109 EAST AVENUE B
POST OFFICE BOX 935
KILLEEN, TEXAS 76540

254/526/0571
800/460/0571
FAX 254/526/7667

*Member of
American Institute & Texas Society of
Certified Public Accountants*

September 8, 2008

To the Mayor and
Members of the City Council
City of Copperas Cove, Texas
Copperas Cove, Texas 76522

We are pleased to confirm our understanding of the services we are to provide the City of Copperas Cove for the year ended September 30, 2008. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements, of the City of Copperas Cove as of and for the year ended September 30, 2008. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to accompany City of Copperas Cove's basic financial statements. As part of our engagement, we will apply certain limited procedures to City of Copperas Cove's RSI. These limited procedures will consist principally of inquiries of management regarding the methods of measurement and presentation, which management is responsible for affirming to us in its representation letter. Unless we encounter problems with the presentation of the RSI or with procedures relating to it, we will disclaim an opinion on it. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

Management's Discussion and Analysis.

Supplementary information other than RSI also accompanies the City of Copperas Cove's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and will provide an opinion on it in relation to the basic financial statements:

Combining Financial Statements, Individual Fund Financial Statements, and Schedule of Expenditures of Federal Awards.

These financial statements will be issued together with unaudited statistical data and Management's Discussion and Analysis in the Comprehensive Annual Financial Report.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the basic financial statements taken as a whole. The objective also includes reporting on —

- Internal control related to the financial statements and compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, other within the entity specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specific parties.

Our audit will be conducted in accordance with generally accepted auditing standards established by the Auditing Standards Board (United States); the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Copperas Cove and the respective changes in financial position and, where applicable, cash flows in conformity with U.S. generally accepted accounting principles; and for federal award program compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management Responsibilities (Continued)

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will prepare a draft of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for making all financial records and related information available to us, including identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Management's responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous audits or other engagements or studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit Report. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

Audit Procedures—Internal Controls (continued)

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Copperas Cove's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of City of Copperas Cove's major programs. The purpose of those procedures will be to express an opinion on the City of Copperas Cove's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Audit Administration, Fees, and Other

At the conclusion of the engagement, we will complete the appropriate sections of and sign the Data Collection Form that summarizes our audit findings. We will provide a print-ready copy of our reports to the City of Copperas Cove; however, it is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits. At the conclusion of the engagement, we will provide information to management as to where the reporting packages should be submitted and the number to submit.

Audit Administration, Fees, and Other (continued)

The audit documentation for this engagement is the property of Lott, Vernon & Company, P.C. and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to the U.S. General Accounting Office and other appropriate federal or state agencies for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Lott, Vernon & Company, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by any appropriate governmental agencies. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party contesting the audit finding for guidance prior to destroying the workpapers.

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We expect to begin our audit on approximately September 15, 2008 and, if all requested information is received timely, to issue our reports no later than February 20, 2009. Michael Firth is the engagement partner and is responsible for supervising the engagement and signing the report.

Our fee for these services will be based on the actual time spent at our hourly rates, plus travel and other out-of-pocket costs. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Based on our preliminary estimates the audit fee should approximate \$69,500.

Audit Services	\$ 53,500
Internal Control Assessment	3,000
GASB 34 conversion entries	4,500
Single Audit	6,000
Monthly Accounting Consultations (Estimate based on 4 meetings between Sept 15, 2008 and June 30, 2009 – each requiring approximately 4.5 hours of combined preparation, meeting, and follow up time)	<u>2,500</u>
	<u>\$ 69,500</u>

City of Copperas Cove, Texas
September 8, 2008

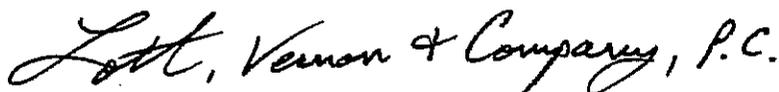
Audit Administration, Fees, and Other (continued)

This estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances or significant turnover of city staff will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report. Our 2005 peer review report accompanies this letter.

We appreciate the opportunity to be of service to the City of Copperas Cove and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Lott, Vernon & Company, P.C.

RESPONSE:

This letter correctly sets forth the understanding of the City of Copperas Cove.

By: _____

Title: _____

Date: _____



3424 Texas Boulevard 903-793-5695
Texarkana, Texas 75503-3248 Fax 903-794-2112
mail@grlcpa.com

MEMBER OF THE AMERICAN
INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

To the Shareholders
Lott, Vernon & Company, P.C.

We have reviewed the system of quality control for the accounting and auditing practice of Lott, Vernon & Company, P.C., (the firm) in effect for the year ended April 30, 2005. A system of quality control encompasses the firm's organizational structure, the policies adopted and procedures established to provide it with reasonable assurance of conforming with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of CPAs (AICPA). The firm is responsible for designing a system of quality control and complying with it to provide the firm reasonable assurance of conforming with professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance with its system of quality control based on our review.

Our review was conducted in accordance with standards established by the Peer Review Board of the AICPA. During our review, we read required representations from the firm, interviewed firm personnel and obtained an understanding of the nature of the firm's accounting and auditing practice and the design of the firm's system of quality control sufficient to assess the risks implicit in its practice. Based on our assessments, we selected engagements and administrative files to test for conformity with professional standards and compliance with the firm's system of quality control. The engagements selected represented a reasonable cross-section of the firm's accounting and auditing practice with emphasis on higher-risk engagements. The engagements selected included among others, audits of Employee Benefit Plans and engagements performed under *Government Auditing Standards*. Prior to concluding the review, we reassessed the adequacy of the scope of the peer review procedures and met with firm management to discuss the results of our review. We believe that the procedures we performed provide a reasonable basis for our opinion.

In performing our review, we obtained an understanding of the system of quality control for the firm's accounting and auditing practice. In addition, we tested compliance with the firm's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the firm's policies and procedures on selected engagements. Our review was based on selective tests therefore it would not necessarily detect all weaknesses in the system of quality control or all instances of noncompliance with it. There are inherent limitations in the effectiveness of any system of quality control and therefore noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control for the accounting and auditing practice of Lott, Vernon & Company, P.C., in effect for the year ended April 30, 2005, has been designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA and was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

Grier, Reeves & Lawley, P.C.

October 20, 2005

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-10

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. for the 2007-08 fiscal year audit.

1. BACKGROUND/HISTORY

Each fiscal year the City is required to have an audit completed by an independent certified public accountant. Over the last ten fiscal years, Lott, Vernon & Company, P.C. has been engaged to complete the City of Copperas Cove's annual audit. In each of those fiscal years, the City has received an unqualified opinion on its financial statements.

2. FINDINGS/CURRENT ACTIVITY

City staff have been pleased with the accuracy and completeness of the audit services provided by Lott, Vernon & Company, P.C. over the past ten years. Lott, Vernon & Company, P.C. has proposed that it will complete the 2007-08 annual audit for the City of Copperas Cove at a cost of \$69,500. The fee includes audit services, an internal control assessment, GASB 34 conversion entries, a Single Audit as required by the federal government, and monthly accounting consultations.

3. FINANCIAL IMPACT

The preliminary proposed cost of the audit is \$69,500. Cost sharing is done throughout the various operational funds. In the FY 2008-09 Proposed Budget, \$59,000 has been allocated for the annual audit and accounting consultations services. If the final audit costs are above \$59,000 and sufficient unexpended funds are not available in the various departments, a budget amendment will be required in FY 2008-09.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council authorize the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. to complete the annual audit for fiscal year 2007-08.

RESOLUTION NO. 2008-32

A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS APPROVING A CHANGE IN THE TARIFFS OF ATMOS ENERGY CORPORATION, MID-TEX DIVISION (“ATMOS”) AS A RESULT OF A SETTLEMENT BETWEEN ATMOS AND THE ATMOS TEXAS MUNICIPALITIES (“ATM”); FINDING THAT THE RATES SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, the City of Copperas Cove (“City”) is a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under § 103.001 of GURA has exclusive original jurisdiction over Atmos Energy Corporation – Mid-Tex Division (“Atmos”) rates, operations, and services of a gas utility within the municipality; and

WHEREAS, the City has participated in prior cases regarding Atmos as part of a coalition of cities known as the Atmos Texas Municipalities (“ATM”), including Railroad Commission Gas Utilities (“GUD”) Docket No. 9400, numerous filings by Atmos pursuant to Section 104.301 of GURA, GUD Docket No. 9670 and GUD Docket No. 9762; and

WHEREAS, on February 11, 2008, ATM and Atmos entered into a settlement agreement which provided for a new mechanism to review changes in rates known as the “Rate Review Mechanism” or “RRM”; and

WHEREAS, pursuant to the new regulatory mechanism Atmos filed for an increase in rates of approximately forty-two million dollars (\$42 million), to be effective on October 1, 2008; and

WHEREAS, the RRM is a three-year experiment which is aimed at reducing rate case expenses and encouraging a more collaborative effort at arriving at just and reasonable gas rates; and

WHEREAS, for over three months the experts representing ATM have been analyzing data and interviewing Atmos' management; and

WHEREAS, ATM's experts have concluded that slightly less than half of the amount requested by Atmos should be put into rates; and

WHEREAS, Atmos has agreed to reduce its requested increase in rates by more than fifty percent (50%); and

WHEREAS, in connection with this first RRM, the customer charge for residential customers will be reduced from \$10.69 to \$7.00, benefiting thousands of fixed income and low-use customers; and

WHEREAS, in connection with the implementation of this rate request, an energy conservation program will be instituted to benefit customers of modest means; and

WHEREAS, the Steering Committee of ATM and its lawyers recommend approval of the attached tariffs, set forth as Attachment A.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS THAT:

Section 1. That the statements set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The amended tariffs in Attachment A are hereby adopted to become effective on October 1, 2008.

Section 3. The proof of revenues in Attachment B, the average bill calculations, and the document entitled "Rate Review Mechanism – 1st Year of Effective Period – Allocation of Settlement Increase by Customer Class" has been relied upon in connection with the adoption of the amended tariffs.

Section 4. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. This resolution shall become effective from and after its passage with rates authorized by the Attached Tariffs to be effective in accordance with the terms of the Settlement Agreement.

Section 6. A copy of this Resolution shall be sent to Atmos Mid-Tex, care of Joe T. Christian, Director of Rates, at Atmos Energy Corporation, 5420 LB J Freeway, Suite 1800, Dallas, Texas 75204, and to Jim Boyle, Counsel to ATM, at Herrera & Boyle, PLLC, 816 Congress Avenue, Suite 1120, Austin, TX 78701.

PASSED AND APPROVED this 16th day of September 2008.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

ATTACHMENT A

AMENDED TARIFFS

ATTACHMENT B

PROOF OF REVENUES

AND

AVERAGE BILL COMPARISON

ATTACHMENT A

AMENDED TARIFFS

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	Entire Division (except Environs areas and the City of Dallas)	
EFFECTIVE DATE:	10/01/2008	PAGE: 23

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Mcf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 7.00 per month
Commodity Charge – All Mcf	\$2.2410 per Mcf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Rate Review Mechanism: Commodity Charge includes an amount calculated in accordance with Rider RRM.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Issued By: David J. Park
Date issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	Entire Division (except Environs areas and the City of Dallas)	
EFFECTIVE DATE:	10/01/2008	PAGE: 24

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 3,000 Mcf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Mcf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 13.50 per month
Commodity Charge - All Mcf	\$ 0.9809 per Mcf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Rate Review Mechanism: Commodity Charge includes an amount calculated in accordance with Rider RRM.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	Entire Division (except Environs areas and the City of Dallas)	
EFFECTIVE DATE:	10/01/2008	PAGE: 25

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 425.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2733 per MMBtu
Next 3,500 MMBtu	\$ 0.1993 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0427 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Rate Review Mechanism: Commodity Charge includes an amount calculated in accordance with Rider RRM.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	Entire Division (except Environs areas and the City of Dallas)	
EFFECTIVE DATE:	10/01/2008	PAGE: 26

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	Entire Division (except Environs areas and the City of Dallas)	
EFFECTIVE DATE:	10/01/2008	PAGE: 27

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 425.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2733 per MMBtu
Next 3,500 MMBtu	\$ 0.1993 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0427 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Rate Review Mechanism: Commodity Charge includes an amount calculated in accordance with Rider RRM.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	Entire Division (except Environs areas and the City of Dallas)	
EFFECTIVE DATE:	10/01/2008	PAGE: 28

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

Curtailement Overpull Fee

Upon notification by Company of an event of curtailement or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailement or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RIDER:	GCR – GAS COST RECOVERY	
APPLICABLE TO:	Entire Division	
EFFECTIVE DATE:	10/01/2008	PAGE: 40

Applicable to Rate R, Rate C, and Rate I for all gas sales made by Company, and applicable to Rate R, Rate C, Rate I, and Rate T for recovery of Pipeline System costs. The total gas cost recovery amount due is determined by adding the gas cost calculated in Section (a) below and the pipeline cost calculated in Section (b) below.

The amount due for gas cost (Section (a)) is determined by multiplying the Gas Cost Recovery Factor (GCRF) by the Customer's monthly volume. For Customers receiving service under Rate R and Rate C, monthly volume will be calculated on a Mcf basis. For Customers receiving service under Rate I, monthly volume will be calculated on an MMBtu basis and the quantities will be adjusted as necessary to recover actual gas costs.

The amount due for pipeline cost (Section (b)) is determined by multiplying the Pipeline Cost Factor (PCF) by the Customer's monthly volume. For Customers receiving service under Rate R and Rate C, monthly volume will be calculated on an Mcf basis. For Customers receiving service under Rate I and Rate T, monthly volume will be calculated on an MMBtu basis and the quantities will be adjusted as necessary to recover actual gas costs.

(a) Gas Cost

Method of Calculation

The monthly gas cost adjustment is calculated by the application of a Gas Cost Recovery Factor (GCRF), as determined with the following formula:

$$\text{GCRF} = \text{Estimated Gas Cost Factor (EGCF)} + \text{Reconciliation Factor (RF)} + \text{Taxes (TXS)}$$

EGCF = Estimated cost of gas, including lost and unaccounted for gas attributed to residential, commercial, and industrial sales, and any reconciliation balance of unrecovered gas costs, divided by the estimated total residential, commercial, and industrial sales. Lost and unaccounted for gas is limited to 5%.

RF = Calculated by dividing the difference between the Actual Gas Cost Incurred, inclusive of interest over the preceding twelve-month period ended June 30 and the Actual Gas Cost Billed over that same twelve-month period by the estimated total residential, commercial, and industrial sales for the succeeding October through June billing months. The interest rate to be used is the annual interest rate published by the PUC every December. The interest rate of 2008 is 4.69%.

Actual Gas Cost Incurred = The sum of the costs booked in Atmos Energy Corp., Mid-Tex Division account numbers 800 through 813 and 858 of the FERC Uniform System of Accounts, including the net impact of injecting and withdrawing gas from storage. Also includes a credit or debit for any out-of-period adjustments or unusual or nonrecurring costs typically considered gas costs and a credit for amounts received as Imbalance Fees or Curtailment Overpull Fees.

Actual Gas Cost Billed = EGCF multiplied by the monthly volumes billed to Residential, Commercial and Industrial Sales customers, less the total amount of gas cost determined to have been uncollectible and written off which remain unpaid for each month of the reconciliation period.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RIDER:	GCR – GAS COST RECOVERY	
APPLICABLE TO:	Entire Division	
EFFECTIVE DATE:	10/01/2008	PAGE: 41

Any amount remaining in the reconciliation balance after the conclusion of the period of amortization will be maintained in the reconciliation balance and included in the collection of the next RF.

Atmos Energy shall file annual reports with the Commission, providing by month the following amounts: Gas Cost Written Off, Margin Written Off, Tax and Other Written Off, Total Written Off, Gas Cost Collected and Margin Collected.

TXS = Any statutorily imposed assessments or taxes applicable to the purchase of gas divided by the estimated total residential, commercial, and industrial sales.

ADJ = Any surcharge or refund ordered by a regulatory authority, inclusive of interest, divided by the estimated total residential, commercial, and industrial sales is to be included as a separate line item surcharge.

(b) Pipeline Cost

Method of Calculation

Each month, a Pipeline Cost Factor (PCF) is calculated separately for each Pipeline Cost Rate Class listed below. The formula for the PCF is:

$PCF = PP / S$, where:

$PP = (P - A) \times D$, where:

P = Estimated monthly cost of pipeline service calculated pursuant to Rate CGS

D = Pipeline service allocation factor for the rate class as approved in the Company's most recent rate case, as follows:

Pipeline Cost Rate Class	Allocation Factor (D)
Rate R - Residential Service	.634698
Rate C - Commercial Service	.302824
Rate I - Industrial Service and Rate T - Transportation Service	.062478

A = Adjustment applied in the current month to correct for the difference between the actual and estimated pipeline cost revenue of the second preceding month, calculated by the formula:

$A = R - (C - A2)$, where:

R = Actual revenue received from the application of the PP component in the second preceding month.

C = Actual pipeline costs for the second preceding month.

A2 = The adjustment (A) applied to the PP component in the second preceding month.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RIDER:	GCR – GAS COST RECOVERY	
APPLICABLE TO:	Entire Division	
EFFECTIVE DATE:	10/01/2008	PAGE: 42

S = Estimated Mcf or MMBtu for the rate class for the current billing month.

The PCF is calculated to the nearest 0.0001 cent.

The Pipeline Cost to be billed is determined by multiplying the Mcf or MMBtu used by the appropriate PCF. The Pipeline Cost is determined to the nearest whole cent.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RIDER:	FF – FRANCHISE FEE ADJUSTMENT	
APPLICABLE TO:	Entire Division	
EFFECTIVE DATE:	10/01/2008	PAGE: 43

Application

Applicable to Customers inside the corporate limits of an incorporated municipality that imposes a municipal franchise fee upon Company for the Gas Service provided to Customer. Franchise Fees to be assessed solely to customers within the municipal limits. This does not apply to Environs customers.

Monthly Adjustment

Company will adjust Customer's bill each month in an amount equal to the municipal franchise fees payable for the Gas Service provided to Customer by Company. Municipal franchise fees are determined by each municipality's franchise ordinance. Each municipality's franchise ordinance will specify the percentage and applicability of franchise fees.

From time to time, Company will make further adjustments to Customer's bill to account for any over- or under-recovery of municipal franchise fees by Company.

Issued By: David J. Park
Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RIDER:	Rider WNA – Weather Normalization Adjustment	
APPLICABLE TO:	Entire System (except Environs areas and the City of Dallas)	REVISION: DATE:
EFFECTIVE DATE:	11/01/2008	PAGE: 1 OF 2

RIDER WNA – Weather Normalization Adjustment

Provisions for Adjustment

The base rate per Mcf (1,000,000 Btu) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential, and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Mcf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Mcf

R_i = base rate of temperature sensitive sales for the i^{th} schedule or classification approved by the entity exercising original jurisdiction.

HSF_i = heat sensitive factor for the i^{th} schedule or classification calculated as the slope of the linear regression of average sales per bill (Mcf) and actual heating degree days by month for the test year by schedule or classification and weather station as part of the RRM filing.

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

BL_i = base load sales for the i^{th} schedule or classification calculated as the y-intercept of the linear regression of average sales per bill (Mcf) and actual heating degree days by month for the test year by schedule or classification and weather station as part of the RRM filing.

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

TARIFF FOR GAS SERVICE

ATMOS ENERGY CORP.,
MID-TEX DIVISION

RATE SCHEDULE:	Rate WNA – Weather Normalization Adjustment	
APPLICABLE TO:	Entire System (except Environs areas and the City of Dallas)	REVISION: DATE:
EFFECTIVE DATE:	11/01/2008	PAGE: 2 OF 2

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

Filings with Entities Exercising Original Jurisdiction

As part of its annual RRM filing the Company will file (a) a copy of each computation of the Weather Normalization Adjustment Factor, (b) a schedule showing the effective date of each such Weather Normalization Adjustment, (c) a schedule showing the factors of values used in calculating such Weather Normalization Adjustment and (d) a random sample and audit of thirty (30) actual customer bills, with customer information deleted, for each rate schedule or classification to which the WNA was applied in the preceding 12 month period. To the extent that source data is needed to audit the WNA application, such data will be provided by the Company as part of the annual RRM filing.

If the RRM is discontinued, as provided in the Rider RRM tariff, the information required herein to be filed with the entities exercising original jurisdiction shall be filed on March 1 of each year.

Base Use/Heat Sensitivity (HSF) Factors

Weather Station	Residential		Commercial	
	Base use Mcf	HSF Mcf/HDD	Base use Mcf	HSF Mcf/HDD
Abilene	1.27	.0130	10.93	.0638
Austin	1.29	.0133	18.47	.0641
Dallas	1.79	.0186	20.83	.0878
Waco	1.30	.0141	11.41	.0617
Wichita Falls	1.35	.0143	11.62	.0540

Sample WNAF_i Calculation:

$$.1533 \text{ per Mcf} = 1.2267 \times \frac{(.0131 \times (30-17))}{(1.14 + (.0131 \times 17))}$$

Where

- i = Residential Single Block Rate Schedule
- R_i = 1.2267 per MCF (Rate R - Final Order GUD No. 9670)
- HSF_i = .0131 (Residential - Abilene Area)
- NDD = 30 HDD (Simple ten-year average of Actual HDD for Abilene Area – 9/15/06 – 10/14/06)
- ADD = 17 HDD (Actual HDD for Abilene Area – 9/15/06 – 10/14/06)
- BL_i = 1.14 Mcf (Residential - Abilene Area)

RIDER:	CEE – CONSERVATION & ENERGY EFFICIENCY	
APPLICABLE TO:	Entire Division	
EFFECTIVE DATE:	10/01/2008	PAGE: 58

Purpose

Atmos Energy Mid-Tex is proposing to institute a complete Conservation & Energy Efficiency program which will offer assistance to qualified customer segments in reducing energy consumption and lowering energy utility bills. The proposal is one where Atmos Energy shareholders will fund a percentage of the allowable expenses incurred annually, with a customer rate component providing the remainder of the funding. Following is a high-level, concept summary of the proposal. Atmos Energy Mid-Tex Division proposes to work with the communities it serves to develop the details of a new tariff and programs addressing conservation and energy efficiency.

Synopsis:

Voucher system to provide free energy savings materials and supplies to qualifying customers of Atmos Mid-Tex. Qualified Customers will receive up to two hundred dollars (\$200.00) worth of caulking, weather-stripping, sheathing, sealing, water heater blankets, and like materials, other energy saving devices such as clock-thermostats, set-back devices ("covered items") from approved suppliers / retailers. Company will undertake efforts to enlist support from community groups, including its own Employee Action Program, to assist customers with installation. If it is determined that professional installation capabilities are necessary, the parties will agree on labor assistance amounts.

Eligibility

Low Income – Low-income rate-payers that qualify for heating bill assistance through LIHEAP agencies and all agencies that distribute Atmos "Share the Warmth" funds. Agencies that allocate assistance funds denote customer as Low Income, a status that lasts for one year.

Senior Citizen – Primary account holder can request eligibility through ATM call center or web-site. Customer provides primary SSN which is verified through Social Security Administration. And account holder that is or turns 65 years old in that year becomes eligible.

Funding

Initial program funding will be at two million dollars (\$2,000,000). Atmos Energy shareholders will contribute one million dollars (\$1,000,000.00) to this initiative annually with ratepayers providing one million dollars (\$1,000,000.00) per year. It is proposed that the program operate on an October 1 through September 30 year, with benefits being capped at the two million dollar level for the initial program period.

Administration:

A third-party administrator will coordinate qualification of customers, voucher distribution, subsequent verification and reimbursement of eligible expenditures and general program administration. Program administration expenses will be funded from the annual approved budget.

Audits will be provided all interested parties within 120 days of the end of each program year to determine effectiveness.

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Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

RIDER:	CEE – CONSERVATION & ENERGY EFFICIENCY	
APPLICABLE TO:	Entire Division	
EFFECTIVE DATE:	10/01/2008	PAGE: 59

Report

Atmos shall file an annual report detailing cost to administer the program with details of the amounts paid out of program for energy conversation assistance. The report shall also detail number of applicants, number rejected and accepted and reason rejected. The report shall be filed with the Gas Service Director.

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Date Issued: 08/13/2008

Vice President, Rates and Regulatory Affairs

ATTACHMENT B

PROOF OF REVENUES

AND

AVERAGE BILL COMPARISON

**ATMOS ENERGY CORP., MID-TEX DIVISION
SUMMARY PROOF OF REVENUE AT CURRENT RATES
TEST YEAR ENDING DECEMBER 31, 2007**

Line	Description (a)	Total (b)	Reference (c)
Rate R			
1	<u>Rate Characteristics:</u>		
2	Customer Charge	\$10.69	RRM Settlement Tariff, Rate R
3	2007 RRM True-up	\$0.00	
4			
5	Consumption Charge (\$/Mcf)	\$1.2710	RRM Settlement Tariff, Rate R
6			
7	Rider GCR Part A	\$8.1244	Schedule H
8	Rider GCR Part B	\$0.6243	Schedule I
9			
10	<u>Billing Units (1):</u>		
11	Bills	17,069,679	Billing Determinants Study
12	Total MCF	<u>78,708,921</u>	Billing Determinants Study
13			
14	<u>Present Revenue:</u>		
15	Customer Charge	\$ 182,474,869	
16	2007 RRM True-up	-	
17	Consumption Charge	<u>100,039,039</u>	
18	Base Revenue	\$ 282,513,907	
19	Rider GCR Part A	639,460,135	
20	Rider GCR Part B	<u>49,140,231</u>	
21	Subtotal	\$ 971,114,273	
22	Revenue Related Taxes	58,440,682	
23			
24	Total Present Revenue- Rate R	<u><u>\$ 1,029,554,955</u></u>	
25			
26	Note 1: See Billing Determinants Study for details.		

**ATMOS ENERGY CORP., MID-TEX DIVISION
SUMMARY PROOF OF REVENUE AT CURRENT RATES
TEST YEAR ENDING DECEMBER 31, 2007**

Line	Description (a)	Total (b)	Reference (c)
Rate C			
1	<u>Rate Characteristics:</u>		
2	Customer Charge	\$20.28	RRM Settlement Tariff, Rate C
3	2007 RRM True-up	\$0.00	
4			
5	Consumption Charge (\$/Mcf)	\$0.7104	RRM Settlement Tariff, Rate C
6			
7	Rider GCR Part A	\$8.1244	Schedule H
8	Rider GCR Part B	\$0.5228	Schedule I
9			
10	<u>Billing Units (1):</u>		
11	Bills	1,434,516	Billing Determinants Study
12	Total MCF	<u>50,233,642</u>	Billing Determinants Study
13			
14	<u>Present Revenue:</u>		
15	Customer Charge	\$ 29,091,984	
16	2007 RRM True-up	-	
17	Consumption Charge	<u>35,685,979</u>	
18	Base Revenue	\$ 64,777,964	
19	Rider GCR Part A	408,116,524	
20	Rider GCR Part B	<u>26,261,046</u>	
21	Subtotal	\$ 499,155,534	
22	Revenue Related Taxes	30,038,679	
23			
24	Total Present Revenue- Rate C	<u><u>\$ 529,194,213</u></u>	
25			
26	Note 1: See Billing Determinants Study for details.		

**ATMOS ENERGY CORP., MID-TEX DIVISION
SUMMARY PROOF OF REVENUE AT CURRENT RATES
TEST YEAR ENDING DECEMBER 31, 2007**

Line	Description (a)	Total (b)	Reference (c)
Rate I & T			
1	<u>Rate Characteristics:</u>		
2	Customer Charge	\$425.00	RRM Settlement, Rate I & T
3	2007 RRM True-up	\$0.00	
4			
5	Block 1 (\$/MMBTU)	\$0.1933	RRM Settlement, Rate I & T
6	Block 2 (\$/MMBTU)	\$0.1410	RRM Settlement, Rate I & T
7	Block 3 (\$/MMBTU)	\$0.0302	RRM Settlement, Rate I & T
8			
9	Rider GCR Part A	\$8.1244	Schedule H
10	Rider GCR Part B	\$0.2938	Schedule I
11			
12	<u>Consumption Characteristics:</u>		
13	Block 1	0.23502	(1)
14	Block 2	0.26655	(1)
15	Block 3	0.49843	(1)
16			
17	<u>Billing Units (1):</u>		
18	Bills	10,052	Billing Determinants Study
19	Block 1	9,522,217	Billing Determinants Study
20	Block 2	10,799,921	Billing Determinants Study
21	Block 3	20,195,218	Billing Determinants Study
22	Total MMBTU	<u>40,517,356</u>	
23			
24	Sales Volumes	<u>2,331,063</u>	
25			
26	<u>Present Revenue:</u>		
27	Customer Charge	\$ 4,272,100	
28	2007 RRM True-up	-	
29	Block 1	1,840,645	
30	Block 2	1,522,789	
31	Block 3	609,896	
32	Base Revenue	\$ 8,245,429	
33	Rider GCR Part A	18,494,542	
34	Rider GCR Part B	11,902,411	
35	Subtotal	\$ 38,642,382	
36	Revenue Related Taxes	2,325,460	
37			
38	Total Present Revenue- Rate I&T	<u>\$ 40,967,841</u>	
39			
40	Note 1: See Billing Determinants Study for details.		

**ATMOS ENERGY CORP., MID-TEX DIVISION
SUMMARY PROOF OF REVENUE AT PROPOSED RATES
TEST YEAR ENDING DECEMBER 31, 2007**

Line	Description (a)	Total (b)	Reference (c)
Rate R			
1	<u>Rate Characteristics:</u>		
2	Customer Charge	\$7.00	RRM Settlement Agreement, Pg 2, Item 5
3			
4	Consumption Charge (\$/Mcf)	\$2.1600	Settlement Allocation
5	2007 RRM True-up (\$/Mcf)	\$0.0810	Settlement Allocation
6	Rider GCR Part A	\$8.1244	Schedule H
7	Rider GCR Part B	\$0.6243	Schedule I
8			
9	<u>Billing Units (1):</u>		
10	Bills	17,069,679	WP_J-1.1
11	Total MCF	<u>78,708,921</u>	WP_J-1.1
12			
13	<u>Proposed Revenue:</u>		
14	Customer Charge	\$ 119,487,753	
15	Consumption Charge	<u>176,385,175</u>	
16	Base Revenue	\$ 295,872,928	
17	Rider GCR Part A	639,460,135	
18	Rider GCR Part B	<u>49,140,231</u>	
19	Subtotal	\$ 984,473,295	
20	Revenue Related Taxes	59,244,614	
21			
22	Total Proposed Revenue- Rate R	<u><u>\$ 1,043,717,909</u></u>	
23			
24	Note 1: See Billing Determinants Study for details.		

**ATMOS ENERGY CORP., MID-TEX DIVISION
SUMMARY PROOF OF REVENUE AT PROPOSED RATES
TEST YEAR ENDING DECEMBER 31, 2007**

Line	Description (a)	Total (b)	Reference (c)
Rate C			
1	<u>Rate Characteristics:</u>		
2	Customer Charge	\$13.50	RRM Settlement Agreement, Pg 2, Item 5
3			
4	Consumption Charge (\$/Mcf)	\$0.9442	Settlement Allocation
5	2007 RRM True-up (\$/Mcf)	\$0.0367	Settlement Allocation
6	Rider GCR Part A	\$8.1244	Schedule H
7	Rider GCR Part B	\$0.5228	Schedule I
8			
9	<u>Billing Units (1):</u>		
10	Bills	1,434,516	WP_J-1.2
11	Total MCF	50,233,642	WP_J-1.2
12			
13	<u>Proposed Revenue:</u>		
14	Customer Charge	\$ 19,365,966	
15	Consumption Charge	49,273,373	
16	Base Revenue	\$ 68,639,339	
17	Rider GCR Part A	408,116,524	
18	Rider GCR Part B	26,261,046	
19	Subtotal	\$ 503,016,909	
20	Revenue Related Taxes	30,271,052	
21			
22	Total Proposed Revenue- Rate C	\$ 533,287,962	
23			
24	Note 1: See Billing Determinants Study for details.		

**ATMOS ENERGY CORP., MID-TEX DIVISION
SUMMARY PROOF OF REVENUE AT PROPOSED RATES
TEST YEAR ENDING DECEMBER 31, 2007**

Line	Description (a)	Total (b)	Reference (c)
Rate I & T			
1	<u>Rate Characteristics:</u>		
2	Customer Charge	\$ 425.00	Settlement Allocation
3			
4	Block 1 (\$/MMBTU)	\$0.2352	Settlement Allocation
5	Block 2 (\$/MMBTU)	\$0.1715	Settlement Allocation
6	Block 3 (\$/MMBTU)	\$0.0367	Settlement Allocation
7	2007 RRM True-up (\$/MMBTU):		Settlement Allocation
8	Block 1 (\$/MMBTU)	\$0.0381	
9	Block 2 (\$/MMBTU)	\$0.0278	
10	Block 3 (\$/MMBTU)	\$0.0060	
11	Rider GCR Part A	\$8.1244	Schedule H
12	Rider GCR Part B	\$0.2938	Schedule I
13			
14	<u>Consumption Characteristics:</u>		
15	Block 1 (First 1,500 MMBTU)	0.23502	(1)
16	Block 2 (Next 3,500 MMBTU)	0.26655	(1)
17	Block 3 (Over 5,000 MMBTU)	0.49843	(1)
18			
19	<u>Billing Units (1):</u>		
20	Bills	10,052	WP_J-1
21	Block 1	9,522,217	WP_J-1
22	Block 2	10,799,921	WP_J-1
23	Block 3	20,195,218	WP_J-1
24	Total MMBTU	<u>40,517,356</u>	
25			
26	Sales Volumes	<u>2,331,063</u>	WP_J-1
27			
28	<u>Proposed Revenue:</u>		
29	Customer Charge	\$ 4,272,100	
30	Block 1	2,602,422	
31	Block 2	2,152,424	
32	Block 3	862,336	
33	Base Revenue	\$ 9,889,282	
34	Rider GCR Part A	18,494,542	
35	Rider GCR Part B	11,902,411	
36	Subtotal	\$ 40,286,235	
37	Revenue Related Taxes	2,424,385	
38			
39	Total Proposed Revenue- Rate I&T	<u>\$ 42,710,620</u>	
40			
41	Note 1: See Billing Determinants Study for details.		

**ATMOS ENERGY CORP., MID-TEX DIVISION
RATE REVIEW MECHANISM - 1ST YEAR RATE EFFECTIVE PERIOD
ALLOCATION OF SETTLEMENT INCREASE BY CUSTOMER CLASS**

Line No.	Customer Class (a)	Allocated Total Settlement Increase ⁽¹⁾ (b)	True-Up Amount ⁽¹⁾ (c)	Prospective Amount ⁽¹⁾ (d)
1	Residential	\$ 14,164,235	\$ 6,373,906	\$ 7,790,329
2	Commercial	4,095,041	1,842,769	2,252,273
3	Industrial & Transportation	1,740,723	783,326	957,398
4	Total	<u>\$ 20,000,000</u>	<u>\$ 9,000,000</u>	<u>\$ 11,000,000</u>
5				
6	Note 1: Includes Pass-thru Taxes.			

**ATMOS ENERGY CORP., MID-TEX DIVISION
REVENUE REQUIREMENTS BY SERVICE CLASS
TEST YEAR ENDING DECEMBER 31, 2007**

Line No.	Description (a)	Current Revenues (b)	Proposed Revenues 1 (c)	Proposed Change (d)	Percent Change (e)
1	Total Residential	\$ 1,029,554,955	\$ 1,043,717,909	\$ 14,162,954	1.38%
2	Total Commercial	529,194,213	533,287,962	4,093,749	0.77%
3	Total Industrial/Transportation	40,967,841	42,710,620	1,742,778	4.25%
4	Total Other Revenue	17,199,870	17,199,870	-	0.00%
5	Total Operating Revenues	<u>\$ 1,616,916,879</u>	<u>\$ 1,636,916,360</u>	<u>\$ 19,999,481</u>	<u>1.24%</u>

6

7 Note:

8 1 Proposed Revenues are the result of the application of the proposed rates to billing determinants.

**ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON
TEST YEAR ENDING DECEMBER 31, 2007**

Line						CURRENT	PROPOSED
1	Rate R @ 4.6 Mcf						
2	Customer charge					\$10.69	
3	Consumption charge	4.6	MCF	X	\$1.2710 =	5.85	
4	Rider GCR Part A	4.6	MCF	X	\$8.1244 =	37.37	
5	Rider GCR Part B	4.6	MCF	X	\$0.6243 =	2.87	
6							
7	Subtotal					\$56.78	
8	Rider FF & Rider TAX				0.06018 =	3.42	
9	Total					<u>\$60.20</u>	
10							
11	Customer charge						\$7.00
12	Consumption charge	4.6	MCF	X	\$2.2410 =	10.31	
13	Rider GCR Part A	4.6	MCF	X	\$8.1244 =	37.37	
14	Rider GCR Part B	4.6	MCF	X	\$0.6243 =	2.87	
15							
16	Subtotal						\$57.55
17	Revenue-related Tax Reimbursement	\$57.55		X	0.06018 =		3.46
18	Total						<u>\$61.01</u>
19							
20							
21	Rate C @ 35.3 Mcf						
22	Customer charge					\$20.28	
23	Consumption charge	35.3	MCF	X	\$0.7104 =	25.04	
24	Rider GCR Part A	35.3	MCF	X	\$8.1244 =	286.40	
25	Rider GCR Part B	35.3	MCF	X	\$0.5228 =	18.43	
26							
27							
28	Subtotal					\$350.15	
29	Revenue-related Tax Reimbursement	\$350.15		X	0.06018 =	21.07	
30	Total					<u>\$371.22</u>	
31							
32	Customer charge						\$13.50
33	Consumption charge	35.3	MCF	X	\$0.9809 =	34.58	
34	Rider GCR Part A	35.3	MCF	X	\$8.1244 =	286.40	
35	Rider GCR Part B	35.3	MCF	X	\$0.5228 =	18.43	
36							
37	Subtotal						\$352.91
38	Revenue-related Tax Reimbursement	\$352.91		X	0.06018 =		21.24
39	Total						<u>\$374.15</u>
40							
41	Rate I @ 4031 MMBTU						
42	Customer charge					\$425.00	
43	Consumption charge	1,500	MMBTU	X	\$0.1933 =	289.95	
44	Consumption charge	2,531	MMBTU	X	\$0.1410 =	356.84	
45	Consumption charge	0	MMBTU	X	\$0.0302 =	0.00	
46	Rider GCR Part A	4,031	MMBTU	X	\$8.1244 =	32,747.50	
47	Rider GCR Part B	4,031	MMBTU	X	\$0.2938 =	1,184.08	
48							
49	Subtotal					\$35,003.37	
50	Revenue-related Tax Reimbursement	\$35,003.37		X	0.06018 =	2,106.47	
51	Total					<u>\$37,109.84</u>	
52							
53	Customer charge						\$ 425.00
54	Consumption charge	1,500	MMBTU	X	\$0.2733 =	409.95	
55	Consumption charge	2,531	MMBTU	X	\$0.1993 =	504.38	
56	Consumption charge	0	MMBTU	X	\$0.0427 =	0.00	
57	Rider GCR Part A	4,031	MMBTU	X	\$8.1244 =	32,747.50	
58	Rider GCR Part B	4,031	MMBTU	X	\$0.2938 =	1,184.08	
59	Subtotal						\$35,270.91
60	Revenue-related Tax Reimbursement	\$35,270.91		X	0.06018 =		2,122.57
61	Total						<u>\$37,393.48</u>
62							
63	Rate T @ 4031 MMBTU						
64	Customer charge					\$425.00	
65	Consumption charge	1,500	MMBTU	X	\$0.1933 =	289.95	
66	Consumption charge	2,531	MMBTU	X	\$0.1410 =	356.84	
67	Consumption charge	0	MMBTU	X	\$0.0302 =	0.00	
68	Rider GCR Part B	4,031	MMBTU	X	\$0.2938 =	1,184.08	
69							
70	Subtotal					\$2,255.87	
71	Revenue-related Tax Reimbursement	\$2,255.87		X	0.06018 =		135.76
72	Total						<u>\$2,391.63</u>
73							
74	Customer charge						\$ 425.00
75	Consumption charge	1,500	MMBTU	X	\$0.2733 =	409.95	
76	Consumption charge	2,531	MMBTU	X	\$0.1993 =	504.38	
77	Consumption charge	0	MMBTU	X	\$0.0427 =	0.00	
78	Rider GCR Part B	4,031	MMBTU	X	\$0.2938 =	1,184.08	
79	Subtotal						\$2,523.41
80	Revenue-related Tax Reimbursement	\$2,523.41		X	0.06018 =		151.86
81	Total						<u>\$2,675.27</u>

City of Copperas Cove City Council Agenda Item Report

SEPTEMBER 16, 2008

Agenda Item No. I-11

Contact – Andrea M. Gardner, City Manager- 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Resolution No. 2008-32, approving a change in the tariffs of Atmos Energy Corporation, Mid-Tex Division (“Atmos”) as a result of a settlement between Atmos and the Atmos Texas Municipalities (“ATM”).

1. BACKGROUND/HISTORY

In February and March, the Atmos Texas Municipalities (“ATM”) agreed to increase rates by less than 20% of what was requested by Atmos. In connection with that settlement, ATM also agreed to a new regulatory regime known as the “Rate Review Mechanism” or “RRM.” The first RRM is to be implemented on October 1, 2008. In April, Atmos filed its first RRM request. The request sought to increase rates by approximately \$42 million. ATM’s consultants have undertaken extensive discovery as well as interviewing key management personnel with rate case responsibilities. Recently our experts along with the Chair of ATM’s Steering Committee, Mr. Jim Finley, and Steering Committee member, Mr. Jeff Betty of San Angelo, met with the Atmos’ rate case team in Dallas. As a result of that meeting, Atmos agreed to reduce its requested increase to \$20 million.

2. FINDINGS/CURRENT ACTIVITY

RATE ADJUSTMENTS

Beginning October 1, 2008, rates will be adjusted in the following respects:

- Residential Customer charge will be reduced from \$10.69 to \$7.00/month.
- Small Commercial customer charge will be reduced from \$20.28 to \$13.50/month.
- The typical residential bill will increase by 81 cents/month or by 1.38% overall.
- The typical small commercial bill will increase by \$2.93/month or by 0.77% overall.
- The typical Industrial/Transportation customer will experience an increase of approximately half a percent overall.

ENERGY CONSERVATION

A new energy conservation program aimed at customers of modest means will also take effect on October 1, 2008. Qualified customers will receive up to two hundred dollars (\$200.00) worth of caulking, weather stripping, sheathing, sealing, water heater blankets and like materials.

3. FINANCIAL IMPACT

N/A

4. ACTION OPTIONS/RECOMMENDATION

The ATM Steering Committee recommends the adoption of the attached tariffs which have been reviewed by its rate experts.

COUNCIL COMMITTEE ASSIGNMENTS AS OF SEPTEMBER 16, 2008

<u>NAME</u>	<u>CURRENT ASSIGNMENT</u>	<u>NEW ASSIGNMENT</u>	<u>CHANGE</u>
Robert Reeves	Adopt-A-Ft Hood Unit	Adopt-A-Ft Hood Unit	No
	K-TUTS Policy Board	K-TUTS Policy Board	No
	CTCOG Executive Committee (alternate)	CTCOG Executive Committee (alternate)	No
Larry D. Sheppard	Deer Committee	Deer Committee	No
	Downtown Zoning Committee	Downtown Zoning Committee	No
Mark E. Peterson	Hill Country Transit District Board of Directors	Hill Country Transist District Board of Directors	No
	Sex Offender Ordinance Committee	Sex Offender Ordinance Committee	No
	Central Texas Deployment Task Force	Central Texas Deployment Task Force	No
	CTCOG Executive Committee	CTCOG Executive Committee	No
	Records Management Committee	Housing Authority	Yes
Charlotte Heinze	Adopt-A-Ft Hood Unit	Adopt-A-Ft Hood Unit	No
	Deer Committee	Deer Committee	No
	Central Texas Deployment Task Force	Central Texas Deployment Task Force	No
		Oil & Gas Committee	Yes
		Tranporation Committee	Yes
Ray Don Clayton	Economic Development Corporation (council liaison)	Economic Development Corporation (council liaison)	No
	K-TUTS Policy Board (alternate)	Ordinance Review Committee	Yes
	Oil & Gas Committee		Yes
Willie Goode		Oil & Gas Committee	Yes
		Housing Authority Liaison (alternate)	Yes
		Records Management	Yes
		Ministerial Alliance Representative	Yes
Frank Seffrood		K-TUTS Policy Board (alternate)	Yes
		Downtown Zoning Committee	Yes
		Strategic Planning Commission	Yes
		Transportation Committee	Yes

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-12

Contact – Jane Lees, CMC, City Secretary, 547-4221
jlees@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on the Mayor Pro Tem's Council Member recommendations and nominations to various ad hoc committees and outside agencies, committees, task forces, boards and commissions.

1. BACKGROUND/HISTORY

The City's Code of Ordinances states in Section 2-55.1, "*Ad hoc committees are formed on an 'as needed' basis with a clearly defined purpose and term, as well as reporting requirements. Ad hoc committees may consist of up to two (2) council members recommended by the mayor with concurrence through a motion of the majority of city council members.*"

Section 2-55.2 states, "*The mayor nominates and the city council confirms council member appointments to outside agencies, committees, task forces, boards and commissions.*"

2. FINDINGS/CURRENT ACTIVITY

Two council members left the council after the June 2008 Runoff Election and the various committees they served on should be reassigned. Other committees may be reassigned as nominated by the Mayor Pro Tem at this time. Concurrence through the motion of the majority of city council members is required for these appointments.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the Mayor Pro Tem make recommendations and nominations that the majority of city council members concur with for various ad hoc committees and outside agencies, committees, task forces, boards and commissions.

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-13

Contact – Jane Lees, City Secretary, 547-4221
jlees@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on rescheduling the date of the November 4, 2008 regular City Council meeting to another date.

1. BACKGROUND/HISTORY

The City Charter Sec. 2.09 states “*The council shall hold at least two (2) regular meetings each month with the exception of December, which shall have a minimum of one (1) regular meeting, and as many additional meetings as it deems necessary to transact the business of the city and its citizens. The council shall fix, by ordinance, the days, time and place of the regular meetings. All meetings shall be open to the public, except as otherwise provided for by law. Special meetings of the council shall be held at the call of the mayor or of four (4) or more council members.*” City Ordinance 2000-26 Sec. 2.1(c) City Council Rules of Order and Procedure states “*At other times when the council deems appropriate, one or more regular meetings may be canceled and rescheduled by a majority vote of the council.*”

2. FINDINGS/CURRENT ACTIVITY

City staff requests the rescheduling of the first council meeting in November from the 4th to the 3rd. November 4, 2008 is the date of the Presidential and General Election, as well as the Special City Elections. City staff has planned for this meeting taking place prior to the election to insure all items requiring Council action were presented.

City Council approval is required to change the date of this meeting.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City Council has the option to reschedule the regular City Council meeting of November 4, 2008 to a date of their choosing.

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-14

Contact – Jane Lees, City Secretary, 547-4221
jlees@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on the appointment of an Election Judge and an Alternate Election Judge to serve for the November 4, 2008 Special Election.

1. BACKGROUND/HISTORY

The Texas Election Code, Sec. 32.005, states the following:

(a) The governing body of a political subdivision other than a county shall appoint the election judges for elections ordered by an authority of the political subdivision.

(b) The governing body shall determine whether appointments under Subsection (a) are for single election or for a definite term not to exceed two years. If appointments are made for a term, the governing body shall set the duration and beginning date of the term and shall fill vacancies in unexpired terms.

The City has contracted with Coryell and Lampasas Counties to conduct the November 4, 2008 special election.

The special election in the Coryell County portion of Copperas Cove will be on a combined ballot using the County voting machines, due to a lack of availability of additional voting machines to hold the City's "stand-alone" election at the five City precincts. The contract with Coryell County states that the City will use the County appointed judges and clerks since this is a Presidential Election.

2. FINDINGS/CURRENT ACTIVITY

Lampasas County has one additional voting machine that the City will use as a "stand-alone" election machine for the voters in Precinct 1. Because the ballot will not be a combined ballot in the Lampasas County portion of Copperas Cove, the City Council must appoint the election judge and alternate election judge for this one precinct.

The election judge must appoint one additional election clerk to work on the day of the election, since three election officials per polling place is the minimum required by State Election Law.

According to the election calendar for the November 4, 2008 election, the recommended period for appointing election judges for a municipality falls within the 54th through the 43rd day before the election, or September 11, 2008 through September 22, 2008.

The following two individuals have been contacted by the City Secretary and are available to serve as the Election Judge and Alternate Election Judge on November 4, 2008 - Mary Howell and Rosie Moyna. The individual that has served as Alternate Election Judge in the past, Rita Burgess, is working for Coryell County in the Presidential Election. Rosie Moyna has worked in many City elections with Mary Howell and is a capable election official.

3. FINANCIAL IMPACT

Approximately \$156, since the City would have paid half the election workers' costs if County election officials were handling the City's election. Provided that the 2008 Proposed Budget is approved, sufficient funds are available in the City Secretary's Operating Budget.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council appoint an Election Judge and an Alternate Election Judge to serve for the November 4, 2008 Special City Election at Lampasas Precinct 1.



**Economic
Development
Corporation**

August 29, 2008

Andrea Gardner
City Manager, City of Copperas Cove
P.O. Drawer 1449
Copperas Cove, TX 76522

To the Members of the Copperas Cove City Council
Re: Reappointment to the Copperas Cove EDC Board of Directors

Greetings:

As you know, the current Board of Directors for the Copperas Cove Economic Development Corporation consists of:

Dan Yancey – Chairman	Position 4	Term Expires September 30, 2009
Jimmy Clark - Vice Chairman	Position 5	Term Expires September 30, 2010
Fred Chavez - Treasurer	Position 3	Term Expires September 30, 2009
Ray Don Clayton - Secretary	Position 2	Term Expires September 30, 2008
Tom Boren - Director	Position 1	Term Expires September 30, 2010

I need to inform you that the term of Ray Don Clayton will expire on September 30, 2008. I would like to recommend that the City Council consider re-appointing him to another three-year term. I feel that this request is important at this time because of the many projects he is presently involved in and the critical negotiations that are underway.

The great volunteers that serve on the Board of Directors have diverse backgrounds and their individual expertise is of great value, not just to the CCEDC but to all of Copperas Cove.

Feel free to contact me if you have any questions regarding this re-appointment at 254-554-4334.

Enclosed is Mr. Clayton's letter expressing his desire to be reappointed and his ability to serve.

Sincerely,

A handwritten signature in black ink that reads "Dan D. Yancey". The signature is written in a cursive, flowing style.

Dan D. Yancey
Chairman
Copperas Cove EDC Board of Directors

CLAYTON AUTOMOTIVE INCORPORATED

*1624 West Highway 190
Copperas Cove, Texas 76522
254-547-2222*

August 25, 2008

Mr. Dan Yancey
Chairman
Copperas Cove Economic Development Corporation
210 S 1st Street
Copperas Cove, Texas 76522

Dear Mr. Yancey,

Serving as the Secretary for the Copperas Cove Economic Development Corporation for the past three years, I have been proud to have been a part of the progress in economic development that is evident in the growth of businesses in the City of Copperas Cove. There are several projects that are ongoing that, as the Secretary of the Board, I have been a part of from the beginning of the project or have become familiar with a project that was already under consideration by the Board at the time of my appointment.

I would like to be re-appointed to the Board of Directors to see these projects to fruition and with the knowledge gained in working with these projects be able to be insightful for future projects.

I appreciate your consideration regarding this matter. If you need to ask me any questions or need additional input from me, my phone number is 254-547-2222.

Sincerely,



Ray Don Clayton
Secretary
Copperas Cove
Economic Development Corporation

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-15

**Presented by Dan Yancey, Chairman, Board of Directors,
Copperas Cove Economic Development Corporation (CCEDC)**
Contact – Jerry Conner, CCEDC Director, 254-547-7874
jerry.conner@copperascove-edc.com

**SUBJECT: Consideration and action to re-appoint one Copperas Cove
Economic Development Corporation (CCEDC) Board Member.**

1. BACKGROUND/HISTORY

Copperas Cove Economic Development Corporation was founded on August 7, 1990. The fiscal year for the Corporation is from October 1 through September 30. CCEDC Board Members are appointed to three year terms by the City Council, as per the Economic Development Act of 1979.

2. FINDINGS/CURRENT ACTIVITY

In the fiscal year 2008-2009, one position will become vacant as Ray Don Clayton, Secretary, CCEDC Board term expires on September 30, 2008. Mr. Clayton has written a letter requesting re-appointment. CCEDC Chairman Dan Yancey has also requested that Mr. Clayton be re-appointed to the CCEDC Board.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

Copperas Cove Economic Development Corporation recommends approval of Ray Don Clayton to the CCEDC Board for the term October 1, 2008 through September 30, 2011.

RESOLUTION NO. 2008-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, TO NOMINATE A CANDIDATE TO FILL A VACANCY FOR THE LAMPASAS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE TERM THROUGH DECEMBER 31, 2009.

WHEREAS, the City Council of the City of Copperas Cove, Texas submits their nomination for the Board of Directors to the Chief Appraiser of the Lampasas County Appraisal District.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Copperas Cove, Texas submits the following nomination for candidate for the election of the Board of Directors vacancy for the Lampasas County Appraisal District for the term through December 31, 2009.

PASSED, APPROVED, AND ADOPTED on this 16th day of September 2008 at a regular meeting of the City Council of the City of Copperas Cove, Texas which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code*, §551.001, et.seq. at which meeting a quorum was present and voting.

Robert Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

LAMPASAS CENTRAL APPRAISAL DISTRICT

Board of Directors

Dale DeShazo, Secretary
Lawrence Hart, Chairman
Milton Kellner, Vice Chairman
Ted Newsom
Evan Stubbs



P.O. Box 175
Lampasas, Texas 76550

TELEPHONE:
512-556-8058
512-556-8138
FAX: 512-556-4660

August 22, 2008



Honorable Mayor Pro Tem Reeves
City of Copperas
507 W. Main
Copperas Cove, TX 76522

Dear Mayor Reeves,

Mr. Evan Stubbs has resigned his position as a member of the board of directors for the Lampasas Central Appraisal District due to being appointed to serve as a City Councilman for the City of Lampasas.

According to Sec. 6.03(l) of the Property Tax Code, if a vacancy occurs on the board of directors, each taxing unit that is entitled to vote may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification of the vacancy. The board of directors for the appraisal district shall elect by majority vote one of the nominees to fill the vacancy.

If you have any questions, please feel free to give me a call.

Respectfully,


Glenda January, Chief Appraiser
Lampasas Central Appraisal District

Pc: Ms. Andrea Gardner

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-2

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Resolution No. 2008-33, nominating a candidate to fill a vacancy on the Lampasas County Appraisal District Board of Directors.

1. Background/History

Lampasas County Chief Appraiser, Glenda January, is requesting the City of Copperas Cove submit one candidate nomination to fill the vacancy on the Lampasas County Appraisal District Board of Directors created by the resignation of Mr. Evan Stubbs.

According to Sec. 6.03(l) of the Property Tax Code, if a vacancy occurs on the board of directors, each taxing unit that is entitled to vote may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The Lampasas County Appraisal District Board of Directors is a five member board.

2. FINDINGS/CURRENT ACTIVITY

The Lampasas County Appraisal District Board of Directors are serving the term of January 1, 2008 through December 31, 2009. The City of Copperas Cove must submit the name of the unit's nominee within 45 days of notification of the vacancy. The City was notified on August 22, 2008. Failure to submit the nomination within 45 days will bar the City of Copperas Cove from submitting a nomination. Once the nominations are submitted by all taxing jurisdictions, the appraisal district board of directors will elect by majority vote one of the nominees to fill the vacancy.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council approve Resolution No. 2008-33, nominating a candidate to serve on the Lampasas County Appraisal District Board of Directors.

ORDINANCE NO. 2008-32

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING ON SEPTEMBER 30, 2009; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a budget for operating the municipal government of City of Copperas Cove for the fiscal year October 1, 2008, to September 30, 2009, has been prepared by Andrea M. Gardner, City Manager, as Budget Officer for the City of Copperas Cove, Texas; and

WHEREAS, said budget has been submitted to the City Council by the City Manager along with her budget message, in accordance with the City Charter; and

WHEREAS, public notice of a public hearing upon this budget has been duly and legally made as required by City Charter and law; and

WHEREAS, said public hearing on the Proposed Budget has been held; and

WHEREAS, the City Manager's Proposed Budget has been amended in accordance with the City Charter; and

WHEREAS, a public hearing has been had upon said amendments to the Proposed Budget and, after full and final consideration of proposed expenditures, revenues, financial condition, and comparative expenditures as presented, it is the consensus of opinion that the budget as considered and amended at said hearings should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE:

SECTION 1.

That the City Council of the City of Copperas Cove ratifies, approves and adopts the budget as finally considered for the fiscal year of October 1, 2008, to September 30, 2009, a copy of which shall be filed with the office of the City Secretary and with the Coryell County Clerk, Bell County Clerk and Lampasas County Clerk and which is incorporated herein for all intents and purposes.

SECTION 2.

That the appropriations for the 2008-2009 fiscal year for the different administrative units and purposes of the City of Copperas Cove, Texas be fixed and determined for said fiscal year in accordance with the expenditures shown in said budget, and that the distribution and division of said appropriations be made in accordance with said budget including such amounts shown for providing for sinking funds for payment of the principal and interest and the retirement of the bonded debt of the City of Copperas Cove.

SECTION 3.

That should any part, portion, or section of this ordinance be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining portions, parts, or sections or parts of section of this ordinance, which provisions shall be, remain and continue to be in full force and effect.

SECTION 4.

That all ordinances and appropriations for which provision has heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION 5.

That this ordinance shall take effect and be in full force and effect from and after its passage and approval according to law.

PASSED, APPROVED AND ADOPTED this 16th day of September 2008, at a Regular City Council Meeting of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code* 551.001, et.seq., at which meeting a quorum was present and voting.

Robert Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

**CITY OF COPPERAS COVE, TEXAS
FISCAL YEAR 2008-09 PROPOSED BUDGET
GENERAL FUND**

SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,000,000	\$ 2,384,115	\$ 2,279,959	\$ 2,677,839
Prior Yr Enc Voided in Current Yr			53,721	-
Prior Period Adjustment	-	-	600,980	-
Unreserved, Designated	2,124,189	1,000,000	1,000,000	1,000,000
TOTAL BEGINNING FUND BALANCE	\$ 3,124,189	\$ 3,384,115	\$ 3,934,660	\$ 3,677,839
REVENUES:				
Taxes	\$ 9,118,362	\$ 9,854,672	\$ 9,771,183	\$ 10,746,164
Permits & Licenses	218,578	248,250	215,780	237,874
Charges for Services	740,008	1,019,187	866,997	922,989
Fines	761,074	953,308	760,160	834,404
Administrative Reimbursements	1,200,500	1,300,500	1,300,500	1,250,500
Miscellaneous Revenue	508,954	457,415	476,671	508,955
TOTAL REVENUES	\$ 12,547,477	\$ 13,833,332	\$ 13,391,291	\$ 14,500,886
TOTAL FUNDS AVAILABLE	\$ 15,671,666	\$ 17,217,447	\$ 17,325,951	\$ 18,178,725
EXPENDITURES:				
City Council (21)	\$ 29,205	\$ 42,700	\$ 42,503	\$ 39,400
City Manager (22)	231,622	210,331	210,993	273,073
City Secretary (23)	128,543	145,239	135,834	162,515
City Attorney (24)	96,455	135,180	136,957	155,062
Finance (Incl. Purchasing) (31)	465,379	545,619	558,353	647,537
Grants Administration (32)	68,508	-	-	-
Human Resources (34)	163,521	179,796	183,108	236,245
Information Systems (35)	194,257	212,499	194,045	235,383
Municipal Court (41)	303,228	361,583	339,611	345,103
Police (42)	3,692,332	4,404,725	4,309,775	4,604,941
Public Information Office (4250)	-	54,990	54,990	121,389
Animal Control (43)	180,912	214,943	220,525	238,160
Fire/EMS (44)	3,014,327	3,041,232	3,068,671	3,139,872
Emergency Management (4420)	47,234	31,539	30,884	62,443
Emergency Management (4420) Adj.			(24,500)	(45,000)
Engineering (51)	97,043	166,629	139,314	205,775
Engineering (51) CIP Adj.			-	(38,000)
Building Development (52)	251,000	299,977	299,977	291,314
Streets (53)	892,654	1,042,545	1,048,865	815,263
Parks and Recreation (54)	855,828	950,423	946,078	1,022,299
Fleet Services (55)	241,321	237,231	236,840	247,524
Public Works (56)	37,166	40,386	39,922	-
Facility Maintenance (57)	153,131	174,984	168,409	108,836
Planning (61)	183,666	162,676	156,216	208,550
Library (71)	475,772	526,563	528,100	527,744
Code & Health (72)	151,216	156,939	163,972	217,236
Non-Departmental (75)	437,386	461,718	458,670	713,182
TOTAL EXPENDITURES	\$ 12,391,707	\$ 13,800,447	\$ 13,648,112	\$ 14,535,846
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 2,279,959	\$ 2,417,000	\$ 2,677,839	\$ 2,642,879
Unreserved, Designated	1,000,000	1,000,000	1,000,000	1,000,000
TOTAL ENDING FUND BALANCE	\$ 3,279,959	\$ 3,417,000	\$ 3,677,839	\$ 3,642,879
IDEAL FUND BALANCE	\$ 3,097,927	\$ 3,450,112	\$ 3,412,028	\$ 3,633,962
OVER (UNDER) IDEAL FUND BALANCE	\$ 182,032	\$ (33,112)	\$ 265,811	\$ 8,918

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
WATER & SEWER FUND
SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,713,048	\$ 2,029,827	\$ 1,730,982	1,579,636
Prior Yr Enc Voided in Current Yr			7,117	-
Prior Period Adjustment	-	-	77,449	-
TOTAL BEGINNING FUND BALANCE	<u>\$ 1,713,048</u>	<u>\$ 2,029,827</u>	<u>\$ 1,815,548</u>	<u>\$ 1,579,636</u>
Water Revenue	\$ 4,264,604	\$ 4,886,653	\$ 4,700,000	\$ 4,756,780
Sewer Revenue	3,320,234	3,418,492	3,450,234	\$ 3,570,000
Senior Citizen Discount	(125,564)	(140,300)	(137,000)	(140,800)
Water Tap Fees	100,312	122,000	100,000	100,000
Sewer Tap Fees	25,890	30,000	26,000	26,000
Connect Fee	56,160	55,000	60,000	60,000
Meter Box Reset Fee	150	-	500	500
Subtotal	<u>7,641,785</u>	<u>8,371,845</u>	<u>8,199,734</u>	<u>\$ 8,372,480</u>
Composting Sales Revenue	\$ 10,781	\$ 15,000	\$ 12,000	\$ 12,000
Admin Reimb-Drainage	20,000	20,000	20,000	20,000
Interest Revenue	151,974	140,000	89,000	100,000
Late Charge For Billing	236,276	262,000	262,000	270,000
Miscellaneous Revenues	44,573	50,000	39,885	54,990
Insurance Proceeds	434	500	-	-
Riser Forfeiture Revenue	3,800	3,000	1,000	1,000
Auction Proceeds	601	1,000	-	1,000
Subtotal	<u>468,439</u>	<u>491,500</u>	<u>423,885</u>	<u>458,990</u>
TOTAL REVENUE	<u>\$ 8,110,224</u>	<u>\$ 8,863,345</u>	<u>\$ 8,623,619</u>	<u>\$ 8,831,470</u>
TOTAL FUNDS AVAILABLE	<u>\$ 9,823,272</u>	<u>\$ 10,893,172</u>	<u>\$ 10,439,167</u>	<u>\$ 10,411,106</u>
EXPENSES:				
Water & Sewer Operations (80)	\$ 140,462	\$ 163,350	\$ 160,001	\$ 165,694
Utility Administration (81)	543,242	547,313	547,150	585,491
Water Distribution (82)	985,583	1,214,190	1,239,092	1,296,159
Sewer Collection (83)	400,611	502,259	502,259	548,186
Wastewater Treatment (84)	1,000,392	1,125,291	1,135,349	1,189,147
Composting (84-01)	146,078	163,253	163,155	181,726
Principal & Int Pymts in Bond Funds				(720,035)
Non-Departmental (85)	4,875,921	5,096,367	5,112,525	5,533,509
TOTAL EXPENSES	<u>\$ 8,092,290</u>	<u>\$ 8,812,023</u>	<u>\$ 8,859,531</u>	<u>\$ 8,779,877</u>
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,730,982	\$ 2,081,149	\$ 1,579,636	\$ 1,631,229
TOTAL ENDING FUND BALANCE	<u>\$ 1,730,982</u>	<u>\$ 2,081,149</u>	<u>\$ 1,579,636</u>	<u>\$ 1,631,229</u>
IDEAL FUND BALANCE	\$ 2,023,073	\$ 2,203,006	\$ 2,214,883	\$ 2,194,969
OVER (UNDER) IDEAL FUND BALANCE	\$ (292,091)	\$ (121,857)	\$ (635,247)	\$ (563,740)

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
SOLID WASTE FUND
SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09	Proposed FY 2008-09
BEGINNING FUND BALANCE:					
Unreserved, Undesignated	\$ 388,380	\$ 653,725	\$ 769,843	\$ 750,357	750,357
Prior Yr Enc Voided in Current Yr			296		-
Prior Period Adjustment			(57,476)		-
TOTAL BEGINNING FUND BALANCE	<u>\$ 388,380</u>	<u>\$ 653,725</u>	<u>\$ 712,663</u>	<u>\$ 750,357</u>	<u>\$ 750,357</u>
REVENUES:					
Garbage Collection Fees	\$ 2,236,410	\$ 2,299,767	\$ 2,361,767	\$ 2,451,700	\$ 2,451,700
Senior Discount	(37,208)	(38,325)	(39,375)	(40,700)	(40,700)
Sanitary Landfill Fees	398,508	425,000	375,000	400,000	400,000
Recycling Proceeds	41,899	45,000	45,000	45,000	45,000
Sale of Kraft Bags	17,071	10,500	11,000	13,000	13,000
Sale of Scrap Metal	9,168	18,000	19,000	16,000	16,000
Container Reload-On Site	11,242	13,500	5,000	7,500	7,500
Rtn Svce-Overload Container	490	1,000	200	500	500
Auto-Lid Locks	796	1,250	1,306	1,000	1,000
Rear Load Dumpster Rental	1,291	2,800	3,770	2,000	2,000
Roll-Off Rental Income	40,266	55,000	55,000	45,000	45,000
Bulky/White Goods Collection				68,040	68,040
Container Removal from Curb				15,450	15,450
Miscellaneous Solid Waste Fees				3,274	3,274
Subtotal	<u>2,719,932</u>	<u>2,833,492</u>	<u>2,837,668</u>	<u>3,027,764</u>	<u>3,027,764</u>
Interest Revenue	\$ 32,913	\$ 33,000	\$ 26,000	\$ 28,000	\$ 28,000
Late Charge For Billing	118,138	120,000	120,000	123,000	123,000
Auction Proceeds	2,205	1,000	1,000	5,000	5,000
Miscellaneous Revenues	531	2,700	3,000	1,000	1,000
Subtotal	<u>153,787</u>	<u>156,700</u>	<u>150,000</u>	<u>157,000</u>	<u>157,000</u>
TOTAL REVENUES	<u>\$ 2,873,719</u>	<u>\$ 2,990,192</u>	<u>\$ 2,987,668</u>	<u>\$ 3,184,764</u>	<u>\$ 3,184,764</u>
TOTAL FUNDS AVAILABLE	<u>\$ 3,262,099</u>	<u>\$ 3,643,917</u>	<u>\$ 3,700,331</u>	<u>\$ 3,935,121</u>	<u>\$ 3,935,121</u>
EXPENSES:					
Solid Waste Operations (90)	\$ 199,864	\$ 205,723	\$ 205,017	\$ 224,623	\$ 224,623
Solid Waste Collection - Residential (91-	279,849	336,575	336,029	386,085	386,085
Solid Waste Collection - Recycling (91-0:	110,601	131,881	123,605	148,076	148,076
Solid Waste Collection - Brush (91-03)	127,633	143,612	141,737	163,866	163,866
Solid Waste Collection - Commercial (91	271,902	346,816	346,709	430,964	430,964
Solid Waste Collection - KCCB (91-05)	12,754	22,200	22,000	24,789	24,789
Solid Waste Disposal (92)	1,051,020	1,222,381	1,269,053	1,174,098	1,184,994
Non-Departmental (95)	438,633	505,595	505,824	567,022	567,022
TOTAL EXPENSES	<u>\$ 2,492,256</u>	<u>\$ 2,914,783</u>	<u>\$ 2,949,974</u>	<u>\$ 3,119,523</u>	<u>\$ 3,130,419</u>
ENDING FUND BALANCE:					
Unreserved, Undesignated	\$ 769,843	\$ 729,134	\$ 750,357	\$ 815,599	\$ 804,703
TOTAL ENDING FUND BALANCE	<u>\$ 769,843</u>	<u>\$ 729,134</u>	<u>\$ 750,357</u>	<u>\$ 815,599</u>	<u>\$ 804,703</u>
IDEAL FUND BALANCE	\$ 623,064	\$ 728,696	\$ 737,494	\$ 779,881	\$ 782,605
OVER (UNDER) IDEAL FUND BALANCE	\$ 146,779	\$ 438	\$ 12,863	\$ 35,718	\$ 22,098

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
GOLF COURSE FUND
SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 60,888	\$ 3,113	\$ (22,335)	\$ 109,343
Prior Yr Enc Voided in Current Yr			666	-
Prior Period Adjustment			39,719	
TOTAL BEGINNING FUND BALANCE	<u>\$ 60,888</u>	<u>\$ 3,113</u>	<u>\$ 18,050</u>	<u>\$ 109,343</u>
REVENUES:				
Swimming Pool Receipts	\$ 619	\$ 500	\$ 500	\$ 500
Green Fees	132,385	198,735	200,000	229,705
Cart Rental Fees	129,729	172,000	175,000	214,800
Equipment Rental Fees	-	-	-	-
Membership Dues	97,707	107,425	118,000	124,340
Tournament-Green Fees	12,296	18,000	15,500	15,500
Tournament-Cart Fees	9,460	14,500	12,250	12,500
Tournament Fees	-	-	-	10,250
Cart Storage Fees	18,800	22,100	23,000	36,800
Handicap Fees	390	300	500	1,500
Trail Fees	15,434	15,300	16,200	16,200
Pro Shop Sales	84,854	101,000	80,000	80,000
Facility Rental Income	1,025	500	1,300	3,000
Driving Range Fees	25,925	36,500	37,000	40,000
Snack Bar Revenue-Food & Beverage	54,920	62,000	70,000	75,000
Food & Beverage (non-tax)	-	-	1,236	1,000
Snack Bar Revenue-Alcohol Sale	19,685	25,000	23,000	25,000
Interest Revenue	61	100	20	50
Miscellaneous Revenue	1,654	260	73	140
Auction Proceeds	114	5,000	5,000	-
Transfer from General Fund	55,000	59,072	59,072	-
Special Green Fees	10,344	-	6,200	6,500
Special Cart Fees	9,585	-	-	-
Special Lunch	4,795	-	3,200	3,200
Golf Lesson Revenue	-	-	300	1,000
TOTAL REVENUES	<u>\$ 684,783</u>	<u>\$ 838,292</u>	<u>\$ 847,351</u>	<u>\$ 896,985</u>
TOTAL FUNDS AVAILABLE	<u>\$ 745,671</u>	<u>\$ 841,405</u>	<u>\$ 865,401</u>	<u>\$ 1,006,328</u>
EXPENSES:				
Golf Course - Operations	\$ 375,026	\$ 301,621	\$ 297,062	\$ 272,192
Golf Course - Concession	86,322	105,588	105,073	111,609
Golf Course - Maintenance	306,658	356,970	353,923	466,756
Golf Course - Non-Departmental	-	-	-	29,450
TOTAL EXPENSES	<u>\$ 768,006</u>	<u>\$ 764,179</u>	<u>\$ 756,058</u>	<u>\$ 880,007</u>
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ (22,335)	\$ 77,226	\$ 109,343	\$ 126,321
TOTAL ENDING FUND BALANCE	<u>\$ (22,335)</u>	<u>\$ 77,226</u>	<u>\$ 109,343</u>	<u>\$ 126,321</u>
IDEAL FUND BALANCE	\$ 192,002	\$ 191,045	\$ 189,015	\$ 220,002
OVER (UNDER) IDEAL FUND BALANCE	\$ (214,337)	\$ (113,819)	\$ (79,672)	\$ (93,681)

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
TAX INTEREST AND SINKING FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:					
	Unreserved, Undesignated	\$ 84,040	\$ 139,348	\$ 143,493	\$ 280,195
	Prior Period Adjustment			13,438	
TOTAL BEGINNING FUND BALANCE		<u>\$ 84,040</u>	<u>\$ 139,348</u>	<u>\$ 156,931</u>	<u>\$ 280,195</u>
REVENUES					
07-310-1001	Ad Valorem Taxes	\$ 1,198,434	\$ 1,404,223	\$ 1,436,800	\$ 1,443,856
07-310-1002	Delinquent Ad Valorem Taxes	9,493	11,500	14,209	14,000
07-310-1003	Penalty & Interest	8,474	8,500	11,209	11,000
07-370-6001	Interest Revenue	37,302	32,000	21,000	22,000
TOTAL REVENUES		<u>\$ 1,253,703</u>	<u>\$ 1,456,223</u>	<u>\$ 1,483,218</u>	<u>\$ 1,490,856</u>
TOTAL FUNDS AVAILABLE		<u>\$ 1,337,743</u>	<u>\$ 1,595,571</u>	<u>\$ 1,640,149</u>	<u>\$ 1,771,051</u>
EXPENDITURES					
4701-0700-2216	Principal (Aug)-'97C/O	\$ 170,000	\$ -	\$ -	\$ -
4701-0700-2218	Principal (Aug)-'98G.O.	70,000	70,000	70,000	75,000
4701-0700-2219	Principal (Aug)-'99C/O	30,000	55,000	55,000	60,000
4701-0700-2220	Principal (Aug)-'01C/O	95,000	100,000	100,000	100,000
4701-0700-2221	Principal '99 C/O (Golf)	25,000	-	-	-
4701-0700-2225	Principal '03 C/O	65,000	50,000	50,000	65,000
4701-0700-2227	Principal Refunding CO	15,000	290,323	290,323	246,451
4701-0700-2228	Principal '06 Tax Notes	295,000	145,000	145,000	150,000
4701-0700-2229	Principal '07 C/O	-	-	-	20,000
4701-0700-2230	Principal '07 C/O REFU	21,000	4,500	4,500	4,500
4701-0700-2231	Principal '08 TAX (May)	-	25,000	-	160,000
4701-0700-XXXX	Principal '08 TAX (October)	-	-	-	25,000
4701-0700-2316	Interest (Fb/Ag)-'97 C/O	8,670	-	-	-
4701-0700-2318	Interest (Fb/Ag)-'98 G.O.	23,608	20,633	20,633	17,623
4701-0700-2319	Interest (Fb/Ag)-'99 C/O	3,012	3,806	3,806	1,911
4701-0700-2320	Interest (Fb/Ag)-'01 C/O	25,635	21,787	21,787	17,622
4701-0700-2321	Interest '99 C/O (Golf)	2,582	-	-	-
4701-0700-2325	Interest '03 C/O	154,549	118,508	118,508	115,729
4701-0700-2326	Interest Refunding CO '06	37,422	37,422	37,422	37,422
4701-0700-2327	Interest Refunding CO	96,140	93,173	93,173	85,274
4701-0700-2328	Interest '06 Tax Notes	44,325	38,310	38,310	32,554
4701-0700-2329	Interest '07 Proposed C.O Bon	-	252,324	252,324	208,820
4701-0700-2330	Interest '07 CO Refund	11,407	54,668	54,668	54,490
4701-0700-2331	Interest '08 Tax (May)	-	85,444	-	50,985
4701-0700-XXXX	Interest '08 Tax (October)	-	-	-	70,975
4701-0700-2401	Bond Paying Agent Fees	900	4,500	4,500	4,500
TOTAL EXPENDITURES		<u>\$ 1,194,250</u>	<u>\$ 1,470,398</u>	<u>\$ 1,359,954</u>	<u>\$ 1,603,856</u>
TOTAL ENDING FUND BALANCE		<u>\$ 143,493</u>	<u>\$ 125,173</u>	<u>\$ 280,195</u>	<u>\$ 167,195</u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
RECREATION ACTIVITIES FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:					
	Unreserved, Undesignated	\$ 84,911	\$ 83,835	\$ 88,184	84,493
	Prior Yr Enc Voided in Current Yr			4,250	-
	Prior Period Adjustment			14,759	-
TOTAL BEGINNING FUND BALANCE		<u>\$ 84,911</u>	<u>\$ 83,835</u>	<u>\$ 107,193</u>	<u>\$ 84,493</u>
Revenues					
04-340-1002	Football Revenue	\$ 23,355	\$ 24,650	\$ 24,650	\$ 24,650
	Basketball Fees	17,080	19,390	15,110	15,500
04-340-1006	Baseball/Softball Fees-Youth	29,705	39,655	30,685	31,000
04-340-1007	Adult Softball Fees	1,165	2,500	2,500	3,500
04-340-1008	Soccer Fees	36,145	31,500	34,000	34,000
04-340-1009	Sponsor Fees	750	-	-	-
04-340-1012	Special Events Revenue	1,637	25,800	2,264	1,500
04-340-1014	Softball Fees - Youth	10,750	11,000	5,280	5,500
04-340-1015	Concession Sales	11,194	11,250	11,250	11,250
04-340-1016	Flag Football Fees	9,805	10,885	10,885	10,885
04-340-1017	Track Revenue	-	-	-	350
04-340-1030	Recreation Classes Revenue	45,796	32,450	38,000	41,250
04-340-1040	Start Smart Revenue	805	1,900	1,900	4,100
04-340-1050	Kickball Revenue	610	875	735	750
04-340-1060	Cheerleader Revenue	3,530	3,025	3,025	3,100
04-340-1400	Swimming Lessons	13,010	16,625	16,625	17,000
04-370-6001	Interest Revenue	5,579	4,000	3,250	3,800
04-390-6005	Miscellaneous Revenue	406	1,700	385	1,000
TOTAL REVENUES		<u>\$ 211,322</u>	<u>\$ 237,205</u>	<u>\$ 200,544</u>	<u>\$ 209,135</u>
TOTAL FUNDS AVAILABLE		<u>\$ 296,233</u>	<u>\$ 321,040</u>	<u>\$ 307,737</u>	<u>\$ 293,628</u>
Expenditures					
04-4310-5400-1000	Salaries	\$ 45,732	\$ 49,918	\$ 49,918	\$ 51,152
04-4310-5400-1100	Overtime	140	2,000	500	2,000
04-4310-5400-1200	Longevity	-	64	45	160
04-4310-5400-1500	FICA Tax	3,398	3,976	3,976	4,078
04-4310-5400-1501	Reimbursement/Allowance	-	500	-	-
04-4310-5400-1600	Employee Insurance	5,442	7,218	7,218	7,155
04-4310-5400-1700	Workers' Compensation	549	809	800	1,183
04-4310-5400-1800	Retirement	3,899	4,693	4,600	4,994
04-4310-5400-1899	Salaries-Merit Increase	-	-	-	1,785
04-4310-5400-2000	Operating Supplies	892	2,986	2,200	4,645
04-4310-5400-2001	Football Program Costs	24,534	24,075	23,600	24,675
04-4310-5400-2002	Special Events Expense	-	22,300	1,984	2,950
04-4310-5400-2004	Basketball Program Costs	8,812	18,682	11,266	14,428
04-4310-5400-2005	Acquatics Costs	4,507	4,940	4,500	5,235
04-4310-5400-2007	Baseball Program Costs	27,431	23,985	25,000	38,061

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
RECREATION ACTIVITIES FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Account	Description	Actual FY 2006-07	Adopted Budget FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
Expenditures (Continued)					
04-4310-5400-2008	Adult Softball	\$ 448	\$ 1,190	\$ 2,500	\$ 5,720
04-4310-5400-2009	Soccer Program Costs	23,207	22,300	26,000	27,480
04-4310-5400-2010	Day Camp	10,987	17,350	14,000	15,500
04-4310-5400-2012	Track Expense	-	350	-	350
04-4310-5400-2014	Sports Camp Expense	-	500	-	500
04-4310-5400-2015	Recreation Classes Costs	336	800	800	1,200
04-4310-5400-2017	Flag Football Expenses	-	-	-	6,570
04-4310-5400-2018	Youth Softball	7,277	6,784	5,000	7,688
04-4310-5400-2019	Cheerleader Expense	3,499	3,150	3,000	2,500
04-4310-5400-2100	Computer Supplies	1,803	550	550	550
04-4310-5400-2600	Chemicals	615	-	-	615
04-4310-5400-4200	Repairs & Maint. - Building	162	-	-	-
04-4310-5400-4400	Repairs & Maint. - Equipment	705	517	517	-
04-4310-5400-4600	Repairs & Maint. - Software	-	-	-	1,200
04-4310-5400-6012	Consulting Fees	20,000	-	-	-
04-4310-5400-6100	Advertising	1,771	2,350	1,200	2,900
04-4310-5400-6200	Communication	132	1,176	500	600
04-4310-5400-6400	Dues & Subscriptions	596	600	450	430
04-4310-5400-6600	Travel & Seminars	654	1,100	600	1,921
04-4310-5400-6700	Uniforms	239	600	300	600
04-4310-5400-7200	CCISD Admin Reimbursement	201	800	-	400
04-4310-5400-7300	Cost of Goods-Food & Bev	5,942	7,500	7,500	8,500
04-4310-5400-7800	Operating Capital	639	-	-	400
04-4310-5400-8500	Facilities	3,500	24,720	24,720	-
TOTAL EXPENDITURES		<u>\$ 208,048</u>	<u>\$ 258,483</u>	<u>\$ 223,244</u>	<u>\$ 248,125</u>
ENDING FUND BALANCE		<u>\$ 88,184</u>	<u>\$ 62,557</u>	<u>\$ 84,493</u>	<u>\$ 45,503</u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

FULL-TIME EQUIVALENT (FTE) PERSONNEL SCHEDULE :

Position Title	Number of Positions			
	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
Recreation Specialist	2	2	2	2
Total	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
DRAINAGE UTILITY FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:					
	Unreserved, Undesignated	\$ 354,981	\$ 385,402	\$ 324,584	\$ 72,479
	Prior Yr Enc Voided in Current Yr			-	
	Prior Period Adjustment			(72,769)	
TOTAL BEGINNING FUND BALANCE		<u>\$ 354,981</u>	<u>\$ 385,402</u>	<u>\$ 251,815</u>	<u>\$ 72,479</u>
REVENUES					
05-340-1020	Drainage Utility Fee	\$ 805,566	\$ 842,539	\$ 842,539	\$ 870,000
05-340-1001	Maintenance Revenue	326	923	-	-
Subtotal		<u>\$ 805,892</u>	<u>\$ 843,462</u>	<u>\$ 842,539</u>	<u>\$ 870,000</u>
Other Revenue					
05-390-6005	Miscellaneous Revenues	\$ 276	\$ 230	\$ 35	\$ 10
05-370-6001	Interest Revenue	44,436	37,000	28,900	35,000
05-390-6003	Late Charge for Billing	-	1,500	540	500
05-392-1001	Auction Proceeds	158	926	926	200
Subtotal		<u>\$ 44,870</u>	<u>\$ 39,656</u>	<u>\$ 30,401</u>	<u>\$ 35,710</u>
TOTAL REVENUES		<u>\$ 850,762</u>	<u>\$ 883,118</u>	<u>\$ 872,940</u>	<u>\$ 905,710</u>
TOTAL FUNDS AVAILABLE		<u>\$ 1,205,743</u>	<u>\$ 1,268,520</u>	<u>\$ 1,124,755</u>	<u>\$ 978,189</u>
EXPENDITURES					
	Salaries & Benefits	\$ 206,549	\$ 261,598	\$ 257,318	\$ 271,410
	Personnel Support	241	-	-	-
	Supplies	14,962	19,725	22,150	28,030
	Repairs & Maintenance	9,665	18,389	18,200	18,500
	Contractual Services	100,425	27,922	33,348	25,788
	Designated Expenses	18,741	19,095	19,063	19,840
	Capital Outlay & Improvements	156,852	31,975	22,870	-
	Admin Reimbursement	100,000	100,000	100,000	100,000
	Drainage Projects	-	300,876	300,876	-
	Non-Departmental	273,725	277,952	278,451	348,208
TOTAL EXPENDITURES		<u>\$ 881,159</u>	<u>\$ 1,057,532</u>	<u>\$ 1,052,276</u>	<u>\$ 811,776</u>
ENDING FUND BALANCE					
	Unreserved, Undesignated	\$ 324,584	\$ 210,988	\$ 72,479	\$ 166,413
TOTAL ENDING FUND BALANCE		<u>\$ 324,584</u>	<u>\$ 210,988</u>	<u>\$ 72,479</u>	<u>\$ 166,413</u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

FULL-TIME EQUIVALENT (FTE) PERSONNEL SCHEDULE :

Position Title	Number of Positions			
	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
Street and Drainage Superintendent	0.5	0.5	0.5	0.5
Drainage Supervisor	1	1	1	1
Heavy Equipment Operator	0	0	0	1
Laborer	3	5	5	4
Total	<u>4.5</u>	<u>6.5</u>	<u>6.5</u>	<u>6.5</u>

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
CEMETARY FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE					
	Unreserved, Undesignated Prior Period Adjustment	\$ 23,075	\$ 11,248	\$ 1,109 5,762	\$ 937
TOTAL BEGINNING FUND BALANCE		<u>\$ 23,075</u>	<u>\$ 11,248</u>	<u>\$ 6,871</u>	<u>\$ 937</u>
REVENUES					
06-340-1001	Cemetary Plot Sales	\$ 10,800	\$ 24,500	\$ 14,000	\$ 16,112
06-370-6001	Interest Revenue	900	2,000	35	40
06-390-5002	Transfer from General Fund	-	1,079	14,079	24,000
06-390-6005	Miscellaneous Revenue	55	250	160	55
TOTAL REVENUES		<u>\$ 11,756</u>	<u>\$ 27,829</u>	<u>\$ 28,274</u>	<u>\$ 40,207</u>
TOTAL FUNDS AVAILABLE		<u>\$ 34,831</u>	<u>\$ 39,077</u>	<u>\$ 35,145</u>	<u>\$ 41,144</u>
EXPENDITURES					
	Salaries & Benefits	\$ 28,221	\$ 30,633	\$ 29,389	\$ 32,345
	Personnel Support	-	-	-	-
	Supplies	297	1,583	1,000	2,432
	Repairs & Maintenance	1,322	2,516	2,197	2,117
	Contractual Services	389	3,052	329	2,018
	Designated Expenses	1,293	1,293	1,293	1,793
	Capital Outlay & Improvements	2,200	-	-	-
TOTAL EXPENDITURES		<u>\$ 33,722</u>	<u>\$ 39,077</u>	<u>\$ 34,208</u>	<u>\$ 40,705</u>
ENDING FUND BALANCE:					
	Unreserved, Undesignated	\$ 1,109	\$ -	\$ 937	\$ 439
TOTAL ENDING FUND BALANCE		<u>\$ 1,109</u>	<u>\$ -</u>	<u>\$ 937</u>	<u>\$ 439</u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

FULL-TIME EQUIVALENT (FTE) PERSONNEL SCHEDULE :

Position Title	Number of Positions			
	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
Light Equipment Operator	1	1	1	1
Total	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
LIBRARY GIFTS & MEMORIALS
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE					
	Unreserved, Undesignated	\$ 9,469	\$ 6,516	\$ 8,894	\$ 4,138
	Unreserved, Undesignated			(604)	
TOTAL BEGINNING FUND BALANCE		<u>\$ 9,469</u>	<u>\$ 6,516</u>	<u>\$ 8,290</u>	<u>\$ 4,138</u>
REVENUES					
11-370-6001	Interest Revenue	\$ 43	\$ 50	\$ 35	\$ 35
11-390-1001	Library Gifts & Memorials	917	1,000	500	500
TOTAL REVENUES		<u>\$ 960</u>	<u>\$ 1,050</u>	<u>\$ 535</u>	<u>\$ 535</u>
TOTAL FUNDS AVAILABLE		<u>\$ 10,429</u>	<u>\$ 7,566</u>	<u>\$ 8,825</u>	<u>\$ 4,673</u>
EXPENDITURES					
11-4320-7100-2100	Book Purchases	\$ -	\$ 7,341	\$ -	\$ -
11-4320-7100-7100	Memorial Brickpavers	-	-	210	-
11-4320-7100-8501	Adult & Young Adult Books	632	21	125	90
11-4320-7100-8502	Children's Books	-	96	3,672	4,333
11-4320-7100-8503	Reference Books	-	108	350	250
11-4320-7100-8504	Audiovisual Items	203	-	330	-
11-4320-7100-8505	Geneology Material	701	-	-	-
TOTAL EXPENDITURES		<u>\$ 1,535</u>	<u>\$ 7,566</u>	<u>\$ 4,687</u>	<u>\$ 4,673</u>
ENDING FUND BALANCE:					
	Unreserved, Undesignated	\$ 8,894	\$ -	\$ 4,138	\$ -
TOTAL ENDING FUND BALANCE		<u>\$ 8,894</u>	<u>\$ -</u>	<u>\$ 4,138</u>	<u>\$ -</u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
HOTEL OCCUPANCY TAX FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE					
	Unreserved, Undesignated	\$ 80,510	\$ 123,194	\$ 61,905	\$ 83,009
	Prior Period Adjustment			36,684	
TOTAL BEGINNING FUND BALANCE		<u>\$ 80,510</u>	<u>\$ 123,194</u>	<u>\$ 98,589</u>	<u>\$ 83,009</u>
REVENUES					
14-310-1001.1	Hotel Occupancy Tax-Best Western	\$ 63,946	\$ 75,000	\$ 57,000	\$ 58,000
14-310-1001.2	Hotel Occupancy Tax-Budget Inn	2,681	600	7,200	7,200
14-310-1001.3	Hotel Occupancy Tax-Cactus Lodge	9,800	17,000	11,000	12,000
14-310-1001.4	Hotel Occupancy Tax-Howard Johnson	27,289	40,000	30,000	32,000
14-310-1001.5	Hotel Occupancy Tax-Relax Inn	8,139	9,000	10,300	12,500
14-370-6001.6	Hotel Occupancy Tax-Comfort Suites	-	25,000	50,000	65,000
14-310-1001.7	Hotel Occupancy Tax-Days Inn	-	-	5,000	45,000
14-370-6001	Interest Revenue	7,540	8,000	4,950	6,000
TOTAL REVENUES		<u>\$ 119,395</u>	<u>\$ 174,600</u>	<u>\$ 175,450</u>	<u>\$ 237,700</u>
TOTAL FUNDS AVAILABLE		<u>\$ 199,905</u>	<u>\$ 297,794</u>	<u>\$ 274,039</u>	<u>\$ 320,709</u>
EXPENDITURES					
14-4502-1400-2200	Promo of Tourism - Chamber of Commerce	\$ 80,000	\$ 110,000	\$ 125,000	\$ 150,000
14-4502-1400-2204	Promo Tourism - Boys & Girls	10,000	13,000	13,000	13,000
14-4502-1400-2205	Promo Tourism - Downtown	8,500	12,000	12,000	12,000
14-4502-1400-2210	Cove Live Community Theater	-	6,000	6,000	3,000
14-4502-1400-2212	Texas Lodging Advertising	-	2,230	2,229	3,000
14-4502-1400-2350	Promo of Arts - Cove Cntry Opry	5,500	-	-	-
14-4502-1400-4450	Promotional Campaign	4,000	8,000	8,000	20,000
14-4502-1400-7800	Operating Capital	-	500	500	-
14-4502-1400-8400	Equipment	-	3,803	3,804	-
14-4502-1400-8500	Facilities	30,000	497	20,497	-
TOTAL EXPENDITURES		<u>\$ 138,000</u>	<u>\$ 156,030</u>	<u>\$ 191,030</u>	<u>\$ 201,000</u>
ENDING FUND BALANCE:					
	Unreserved, Undesignated	\$ 61,905	\$ 141,764	\$ 83,009	\$ 119,709
TOTAL ENDING FUND BALANCE		<u>\$ 61,905</u>	<u>\$ 141,764</u>	<u>\$ 83,009</u>	<u>\$ 119,709</u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
ANIMAL SHELTER FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Account	Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE					
	Unreserved, Undesignated Prior Period Adjustment	\$ 2,531	\$ 23,747	\$ 21,560 (413)	\$ 19,283
TOTAL BEGINNING FUND BALANCE		<u>\$ 2,531</u>	<u>\$ 23,747</u>	<u>\$ 21,147</u>	<u>\$ 19,283</u>
REVENUES					
15-370-6001	Interest Revenue	\$ 69	\$ 50	\$ 140	\$ 50
15-380-6003	U.Shirts Estate Donation	27,458	-	-	-
15-390-1001	Shelter Donation	1,947	1,000	500	500
TOTAL REVENUES		<u>\$ 29,474</u>	<u>\$ 1,050</u>	<u>\$ 640</u>	<u>\$ 550</u>
TOTAL FUNDS AVAILABLE		<u>\$ 32,005</u>	<u>\$ 24,797</u>	<u>\$ 21,787</u>	<u>\$ 19,833</u>
EXPENDITURES					
	Supplies	\$ -	\$ 10,095	\$ -	\$ -
	Designated Expenses	7,414	10,000	2,504	14,837
	Capital Outlay & Improvements	3,031	-	-	4,996
TOTAL EXPENDITURES		<u>\$ 10,445</u>	<u>\$ 20,095</u>	<u>\$ 2,504</u>	<u>\$ 19,833</u>
ENDING FUND BALANCE:					
	Unreserved, Undesignated	\$ 21,560	\$ 4,702	\$ 19,283	\$ -
TOTAL ENDING FUND BALANCE		<u><u>\$ 21,560</u></u>	<u><u>\$ 4,702</u></u>	<u><u>\$ 19,283</u></u>	<u><u>\$ -</u></u>

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
COURT EFFICIENCY FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated			\$ 12,977	\$ 15,727
Prior Yr Enc Voided in Current Yr			-	
TOTAL BEGINNING FUND BALANCE			\$ 12,977	\$ 15,727
REVENUES				
Court Efficiency Revenue			\$ 5,900	\$ 5,000
Interest Revenue			490	700
TOTAL REVENUES			\$ 6,390	\$ 5,700
TOTAL FUNDS AVAILABLE			\$ 19,367	\$ 21,427
TOTAL EXPENDITURES			\$ 3,640	\$ 8,925
ENDING FUND BALANCE:				
Unreserved, Undesignated			\$ 15,727	\$ 12,502
TOTAL ENDING FUND BALANCE			\$ 15,727	\$ 12,502

Note: The Court Efficiency Fund was in a combined Municipal Court Special Revenue fund prior to FY 2008-09.

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
COURT TECHNOLOGY FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated			\$ 114,990	\$ 117,175
Prior Yr Enc Voided in Current Yr			106	
TOTAL BEGINNING FUND BALANCE			\$ 115,096	\$ 117,175
REVENUES				
Court Technology Revenue			\$ 23,600	\$ 29,000
Interest Revenue			\$ 4,344	4,200
TOTAL REVENUES			\$ 27,944	\$ 33,200
TOTAL FUNDS AVAILABLE			\$ 143,040	\$ 150,375
TOTAL EXPENDITURES			\$ 25,865	\$ 70,872
ENDING FUND BALANCE:				
Unreserved, Undesignated			\$ 117,175	\$ 79,503
TOTAL ENDING FUND BALANCE			\$ 117,175	\$ 79,503

Note: The Court Technology Fund was in a combined Municipal Court Special Revenue fund prior to FY 2008-09.

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
COURT SECURITY FUND
SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2006-07	Adopted Budget* FY 2007-08	Projected FY 2007-08	Proposed FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated			\$ 63,971	\$ 26,383
Prior Yr Enc Voided in Current Yr			990	-
TOTAL BEGINNING FUND BALANCE			\$ 64,961	\$ 26,383
REVENUES				
Court Security Revenue			\$ 17,900	\$ 20,265
Interest Revenue			2,416	2,800
TOTAL REVENUES			\$ 20,316	\$ 23,065
TOTAL FUNDS AVAILABLE			\$ 85,277	\$ 49,448
TOTAL EXPENDITURES			\$ 58,894	\$ 36,250
ENDING FUND BALANCE:				
Unreserved, Undesignated			\$ 26,383	\$ 13,198
TOTAL ENDING FUND BALANCE			\$ 26,383	\$ 13,198

Note: The Court Security Fund was in a combined Municipal Court Special Revenue fund prior to FY 2008-09.

* Includes budget amendments that were approved by City Council on 05/20/08 and 06/17/08.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 PROPOSED BUDGET
OTHER FUNDS**

SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Fund Description	Beginning Fund Balance	Revenues	Expenditures	Ending Fund Balance
Revolving Loan Fund	\$ 47,046	\$ 1,500	\$ -	\$ 48,546
City-Wide Donation Fund	55,292	44,670	99,962	-
City-Wide Grants (SAFER Grant)	-	299,294	299,294	-
FEMA Grant Fund	4,014	-	4,014	-
Fire Department Special Revenue Fund	5,945	8,900	14,845	-
Joint Image Campaign Fund	7,102	32,075	39,177	-
Police Federal Seizure Fund	21,825	75	21,900	-
Police State Seizure Fund	2,104	-	2,104	-
Law Enforcement Block Grant Fund	7,757	830	8,587	-
Fire Department Grants Fund	6,820	20	6,840	-
Library Grants Fund	27,251	20	27,271	-
Tobacco Grant Fund	295	-	295	-
Total Other Funds	\$ 185,451	\$ 387,384	\$ 524,289	\$ 48,546

City of Copperas Cove, Texas
2001 Certificates of Obligation
(Capital Equipment/Improvements)
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
90-300-0001	Fund Balance	\$ -	\$ -	\$ 284,483	\$ 258,433
Revenues					
90-390-1001	Bond Proceeds	\$ 1,915,000	\$ 1,914,227	\$ -	\$ -
90-370-6001	Interest Income	-	82,505	7,750	6,000
90-370-6005	Miscellaneous Revenue	-	-	-	-
Total Revenues		<u>\$ 1,915,000</u>	<u>\$ 1,996,733</u>	<u>\$ 7,750</u>	<u>\$ 6,000</u>
Expenditures*					
90-4606-9000-8600	Bond Issuance Costs	\$ 43,832	\$ 56,766	\$ -	\$ -
90-4606-9000-6050	Inspection Services	-	3,263	-	-
90-4606-3500-xxxx	City-Wide Network	148,700	148,623	-	-
90-4606-4100-8500	Municipal Court	182,594	196,778	-	-
90-4606-4300-xxxx	Animal Control Facility	60,147	60,119	-	-
90-4606-4400-8500	Fire Station No. 3	179,509	215,496	-	-
90-4606-4400-8300	Fire Equipment	250,000	248,856	-	-
90-4606-5300-8400	Street Equipment	126,170	126,170	-	-
90-4606-5300-8500	Reliever Route ROW Acquisition	400,000	148,455	33,800	264,433
90-4606-5400-8505	Ogletree Improvements	364,548	394,604	-	-
90-4606-5600-8500	Public Works Facility (1/2)	159,500	113,119	-	-
Total Expenditures		<u>\$ 1,915,000</u>	<u>\$ 1,712,250</u>	<u>\$ 33,800</u>	<u>\$ 264,433</u>
Ending Fund Balance					
90-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 284,483</u>	<u>\$ 258,433</u>	<u>\$ -</u>

* Prior year expenditures have been reconciled to the fund cash balance.

City of Copperas Cove, Texas
2001 Certificates of Obligation
(Phase II of Water/Wastewater CIP)
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
91-300-0001	Fund Balance	\$ -	\$ -	\$ 466,010	\$ 466,136
Revenues					
91-390-1001	Bond Proceeds	\$6,485,000	\$ 6,482,383	\$ -	\$ -
91-370-6001	Interest Income	-	324,782	13,500	750
91-370-6005	Miscellaneous Revenue	-	-	-	-
Total Revenues		<u>\$6,485,000</u>	<u>\$ 6,807,165</u>	<u>\$ 13,500</u>	<u>\$ 750</u>
Expenditures*					
91-4607-9100-8600	Bond Issuance Costs	\$ 162,800	\$ 165,380	\$ -	\$ -
91-4607-9100-6100	Advertising	-	191		
91-4607-5600-6800	Professional Services	-	28,743		
91-4607-9100-9032	Public Works Facility (1/2)	159,500	130,184		
91-4607-9100-9034	Turkey Run Pumps & Tank	439,000	443,736		
91-4607-9100-9036	Hogg Mt. Pumps & Tank	819,000	135,545	13,374	
91-4607-9100-9038	Killeen/CC Water Line	3,073,700	3,206,692		
91-4607-9100-9040	Turkey Run Tank Rehab.	180,000	275,763		
91-4607-9100-xxxx	W. Hwy 190 Sewer Ext.	-	-		
91-4607-9100-9042	Joint Pump Station	700,000	753,501		
91-4607-9100-9044	Grimes Crossing Water Line	701,000	503,848		
91-4607-9100-9046	Joes Road Water Line	50,000	68,981		
91-4607-9100-9047	Wolfe Road	75,000	75,855		
91-4607-9100-9048	Taylor Mountain Pump Stn	-	220,606		
91-4607-9100-9052	Mickan Mountain Rehab	-	200,704		
91-4607-9100-9054	Hughes Mountain Rehab	-	-		215,000
91-4607-9100-9050	South Wastewater Plant	-	93,380		
91-4607-5100-xxxx	Salaries/Related Expense	125,000	38,048		
91-4607-9100-9318	Principal - 2001 C/O	-	-		220,000
Total Expenditures		<u>\$6,485,000</u>	<u>\$ 6,341,155</u>	<u>\$ 13,374</u>	<u>\$ 435,000</u>
Ending Fund Balance					
91-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 466,010</u>	<u>\$ 466,136</u>	<u>\$ 31,886</u>

* Prior year expenditures have been reconciled to the fund cash balance.

City of Copperas Cove, Texas
2003 Certificates of Obligation
(Tax Supported)
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
70-300-0001	Fund Balance	\$ -	\$ -	\$ 819,258	\$ 483,620
Revenues					
70-390-1001	Bond Proceeds	\$4,190,000	\$ 4,190,000	\$ -	\$ -
70-370-6001	Interest Income	-	214,451	16,500	1,000
70-370-6005	Miscellaneous Revenue	-	1,953	-	-
Total Revenues		<u>\$4,190,000</u>	<u>\$ 4,406,404</u>	<u>\$ 16,500</u>	<u>\$ 1,000</u>
Expenditures*					
70-231-0920	Bond Issuance Costs	\$ 82,539	\$ 82,543	\$ -	\$ -
70-231-0922	Unamortized Bond Discount	20,061	20,061		
70-4615-4400-9021	Communications System	1,645,140	1,611,351		
70-4615-4400-9023	Fire Department Pumper Truck	250,000	247,064		
70-4615-5100-xxxx	Salary/Benefits	-	5,344		
70-4615-4200-903E	Police Department Bldg. Repairs	20,000	22,537		
70-4615-5300-902E	Improvements to FM 1113	320,000	365,670	11,331	
70-4615-5400-902E	Renovation of Civic Center	130,000	132,691		
70-4615-5400-9027	Construction of Skate Park	25,000	24,750		
70-4615-5400-9033	Feeder Road	600,000	95,021		484,620
70-4615-5400-903E	City Hall Roof Repairs	20,000	11,441		
70-4615-5400-9037	Human Resources Bldg. Repairs	95,000	94,311		
70-4615-8500-901E	Construction of Big Divide	579,000	624,305	340,807	
70-4615-8500-904E	Street Reconstruction	400,000	250,058		
Total Expenditures		<u>\$4,186,740</u>	<u>\$ 3,587,147</u>	<u>\$ 352,138</u>	<u>\$ 484,620</u>
Ending Fund Balance					
70-300-0001	Fund Balance	<u>\$ 3,260</u>	<u>\$ 819,258</u>	<u>\$ 483,620</u>	<u>\$ -</u>

* Prior year expenditures have been reconciled to the fund cash balance.

City of Copperas Cove, Texas
2003 Certificates of Obligation
(Phase III of Water/Wastewater CIP)
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
71-300-0001	Fund Balance	\$ -	\$ -	\$ 1,532,155	\$ 1,340,416
	Prior Period Adjustment			344,008	-
Total Beginning Fund Balance		\$ -	\$ -	\$ 1,876,163	1,340,416
Revenues					
71-390-1001	Bond Proceeds	\$9,820,000	\$ 9,820,000	\$ -	\$ -
71-370-6001	Interest Income	-	491,531	50,000	1,000
71-390-1001	Developer Contribution	-	21,086		
71-370-6005	Miscellaneous Revenue	-	167,965		
Total Revenues		\$9,820,000	\$10,500,581	\$ 50,000	\$ 1,000
Expenditures*					
71-4615-xxxx-xxxx	Bond Issuance Costs	192,591	\$ 192,601	\$ -	\$ -
71-4615-xxxx-xxxx	Bond Discount	46,809	46,809		
71-4615-4400-9021	Communications System	195,680	181,613		
71-4615-5100-xxxx	Salaries/Benefits	60,000	86,829		
71-4615-8500-9001	Transfer To General Funds	-	65		
71-4615-8500-9003	Meadow Brook Sewer Project	235,714	158,996		
71-4615-8500-9005	Hwy 190 Sewer Project	162,430	177,948		
71-4615-8500-9007	Mountain Top Water Project	460,000	533,933	519,059	
71-4615-8500-9009	Big Divide (Sewer)	484,000	625,951		
71-4615-8500-9011	Big Divide (Water)	1,710,000	824,215		
71-4615-8500-9013	NE WW Plant Expansion	4,138,389	4,359,165		
	Add'l Engineering-NE WW Plant	55,869	60,889		
71-4615-8100-9041	Utility Admin. Bldg. Repairs	20,000	19,081		
71-4615-8500-9014	South Plant-Fine Screens	101,500	101,500		
71-4615-8500-xxxx	NE and NW Change Orders	48,231	-		
71-4615-8500-9015	NW WW Plant Expansion	1,104,456	1,134,003		
71-4615-8500-9017	4th Year Sewer Improvement	594,000	268,769	66,688	510,000
71-4615-8500-9021	Water Model Study	60,000	84,126		
71-4615-8500-9025	FM 1113 Improvement (Sidewalk)	-	(10,066)		
71-4615-8500-9031	Expansion of Constitution	122,000	122,000		
71-4615-8500-9322	Principal 2003 CO	-	-		230,000
71-4615-8500-9422	Interest 2003 CO	-	-		270,035
Total Expenditures		\$9,791,669	\$ 8,968,427	\$ 585,747	\$ 1,010,035
Ending Fund Balance					
71-300-0001	Fund Balance	\$ 28,331	\$ 1,532,155	\$ 1,340,416	\$ 331,381

**City of Copperas Cove, Texas
2005 Certificate of Obligation
Water Infrastructure Projects
FY 2008-09**

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
93-300-0001	Fund Balance	\$ -	\$ -	\$ 2,407,973	\$ 63,800
Revenues					
93-390-1001	Bond Proceeds	\$3,080,000	\$ 3,050,000	\$ -	\$ -
93-370-6001	Interest Income	-	250,372	67,000	500
Total Revenues		<u>\$3,080,000</u>	<u>\$ 3,300,372</u>	<u>\$ 67,000</u>	<u>\$ 500</u>
Expenditures*					
93-4616-5100-xxxx	Salary/Benefits	\$ -	\$ 458	\$ -	\$ -
93-4615-8500-6100	Contractual Services	-	-	244	-
93-4616-8500-8600	Issuance Costs	89,000	62,050	-	-
93-4616-8500-9032	East Pump Station	1,380,000	101,500	1,337,093	-
93-4616-8500-9034	Turkey Run Pump Station	868,000	4,445	1,073,836	64,300
93-4616-8500-9036	Hogg Mountain Water Tank	743,000	723,946	-	-
Total Expenditures		<u>\$3,080,000</u>	<u>\$ 892,399</u>	<u>\$ 2,411,173</u>	<u>\$ 64,300</u>
Ending Fund Balance					
93-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 2,407,973</u>	<u>\$ 63,800</u>	<u>\$ -</u>

* Prior year expenditures have been reconciled to the fund cash balance.

City of Copperas Cove, Texas
2006 Limited Tax Notes
PD Building (Engineering), Capital Equipment
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
73-300-0001	Fund Balance	\$ -	\$ -	\$ 1,021,461	\$ 9,648
Revenues					
73-390-1001	Bond Proceeds	\$ 1,260,000	\$ 1,260,000	\$ -	\$ -
73-370-6001	Interest Income	-	59,154	22,500	750
Total Revenues		<u>\$ 1,260,000</u>	<u>\$ 1,319,154</u>	<u>\$ 22,500</u>	<u>\$ 750</u>
Expenditures*					
73-4617-9900-9500	Bond Issuance Costs	\$ -	\$ 25,796	\$ -	\$ -
73-4617-4200-2200	Postage	-	-	20	-
73-4617-4200-6800	Professional Services	600,000	8,928	837,159	10,398
73-4617-4200-8600	Land	400,000	-	197,134	-
73-4617-4400-8300	Ambulance	100,000	97,525	-	-
73-4617-5300-8300	Street Sweeper	160,000	165,445	-	-
Total Expenditures		<u>\$ 1,260,000</u>	<u>\$ 297,694</u>	<u>\$ 1,034,313</u>	<u>\$ 10,398</u>
Ending Fund Balance					
73-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 1,021,461</u>	<u>\$ 9,648</u>	<u>\$ -</u>

* Prior year expenditures have been reconciled to the fund cash balance.

City of Copperas Cove, Texas
2007 Certificates of Obligation
PD Building Construction
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
74-300-0001	Fund Balance	\$ -	\$ -	\$ 5,338,633	\$ 5,431,379
Revenues					
73-390-1001	Bond Proceeds	\$5,300,000	\$ 5,300,000	\$ -	\$ -
73-370-6001	Interest Income	50,000	92,974	158,000	75,000
Total Revenues		<u>\$5,350,000</u>	<u>\$ 5,392,974</u>	<u>\$ 158,000</u>	<u>\$ 75,000</u>
Expenditures*					
74-4618-4200-8600	Bond Issuance Costs	\$ 50,000	\$ 54,030	\$ 254	\$ -
74-4618-4200-2200	Postage	-	23		
74-4618-4200-6100	Advertising	-	287		
74-4618-4200-6800	Professional Services	-		65,000	
74-4617-4200-8500	Police Facility	5,300,000			5,506,379
Total Expenditures		<u>\$5,350,000</u>	<u>\$ 54,340</u>	<u>\$ 65,254</u>	<u>\$ 5,506,379</u>
Ending Fund Balance					
74-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 5,338,633</u>	<u>\$ 5,431,379</u>	<u>\$ -</u>

* Prior year expenditures have been reconciled to the fund cash balance.

City of Copperas Cove, Texas
2008 Tax Supported Note
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
75-300-0001	Fund Balance	\$ -	\$ -	\$ -	\$ 912,878
Revenues					
75-390-1001	Bond Proceeds	\$1,485,000	\$ -	\$ 1,485,000	\$ -
75-370-6001	Interest Income	-	-	5,000	10,000
Total Revenues		\$1,485,000	\$ -	\$ 1,490,000	\$ 10,000
Expenditures*					
75-4190-7500-9500	Bond Issuance Costs	\$ 25,000		\$ 26,428	\$ -
75-4190-7500-9032	Baseball Field Lightning	58,230		58,230	
75-4190-7500-9033	Camp Liveoak Renovation	20,000		20,000	
75-4190-7500-9034	Cash Receipts - City Wide	17,270		16,718	
75-4190-7500-9035	Fire Station Reloc. Land	125,000		125,000	
75-4190-7500-9036	Playscape - City Park	35,000		34,413	
75-4190-7500-9037	Playscape - Kate Street	35,000		35,030	
75-4190-7500-9038	Recreation Center	500,000		41,803	458,197
75-4190-7500-9039	Park renovations	34,500		34,500	
75-4190-7500-9040	Library Renovations	50,000		50,000	
75-4190-7500-9041	Soccer Field Lightning	70,000		70,000	
75-4190-7500-9042	Active Software (Parks)	15,000		15,000	
75-4190-7500-9043	Summers Rd/Street Reconstruction	500,000		50,000	450,000
Total Expenditures		\$1,485,000	\$ -	\$ 577,122	\$ 908,197
Ending Fund Balance					
75-300-0001	Fund Balance	\$ -	\$ -	\$ 912,878	\$ 14,681

City of Copperas Cove, Texas
2008 Tax Supported Note
Water & Sewer Fund (Phase III)
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
76-300-0001	Fund Balance	\$ -	\$ -	\$ -	\$ 1,119,715
Revenues					
76-390-1001	Bond Proceeds	\$ 1,135,000	\$ -	\$ 1,135,000	\$ -
76-370-6001	Interest Income	-	-	6,000	10,000
Total Revenues		<u>\$ 1,135,000</u>	<u>\$ -</u>	<u>\$ 1,141,000</u>	<u>\$ 10,000</u>
Expenditures*					
76-4615-8500-9500	Bond Issuance Costs	\$ 20,000		\$ 21,285	\$ -
76-4615-8500-9034	Turkey Run	493,500			493,500
76-4615-8500-9036	Mesa Verde II-380 Agreement	620,750			620,750
Total Expenditures		<u>\$ 1,134,250</u>	<u>\$ -</u>	<u>\$ 21,285</u>	<u>\$ 1,114,250</u>
Ending Fund Balance					
76-300-0001	Fund Balance	<u>\$ 750</u>	<u>\$ -</u>	<u>\$ 1,119,715</u>	<u>\$ 15,465</u>

City of Copperas Cove, Texas
2008 Tax Supported Note
Golf
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
77-300-0001	Fund Balance	\$ -	\$ -	\$ -	\$ 500
Revenues					
77-390-1001	Bond Proceeds	\$ 80,000	\$ -	\$ 80,000	\$ -
77-370-6001	Interest Income	-	-	500	-
Total Revenues		<u>\$ 80,000</u>	<u>\$ -</u>	<u>\$ 80,500</u>	<u>\$ -</u>
Expenditures*					
77-4310-7400-9044	Golf Cart Storage	\$ 80,000	-	\$ 80,000	\$ -
Total Expenditures		<u>\$ 80,000</u>	<u>\$ -</u>	<u>\$ 80,000</u>	<u>\$ -</u>
Ending Fund Balance					
77-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 500</u>	<u>\$ 500</u>

City of Copperas Cove, Texas
2008 Tax Supported Note
Drainage
FY 2008-09

Account	Description	Original Budget	To Date FY 2006-07	Projected FY 2007-08	Proposed FY 2008-09
Beginning Fund Balance					
78-300-0001	Fund Balance	\$ -	\$ -	\$ -	\$ 150,657
Revenues					
78-390-1001	Bond Proceeds	\$ 155,000	\$ -	\$ 155,000	\$ -
78-370-6001	Interest Income	-	-	800	1,000
Total Revenues		<u>\$ 155,000</u>	<u>\$ -</u>	<u>\$ 155,800</u>	<u>\$ 1,000</u>
Expenditures*					
78-4410-7600-9500	Bond Issuance Cost	\$ 5,000		\$ 5,143	\$ -
78-4410-7600-9037	Rolling Heights Project	150,000			150,000
Total Expenditures		<u>\$ 155,000</u>	<u>\$ -</u>	<u>\$ 5,143</u>	<u>\$ 150,000</u>
Ending Fund Balance					
78-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 150,657</u>	<u>\$ 1,657</u>

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-3

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Ordinance No. 2008-32, approving and adopting a budget for operating the municipal government of the City of Copperas Cove for fiscal year 2008-09.

1. BACKGROUND/HISTORY

The City Council received the proposed budget on July 15, 2008 at a City Council Workshop. A public hearing on the City Manager's Proposed Budget was held on August 7, 2008. In addition, the City Council held several workshops to discuss the Proposed Budget. On September 2, 2008, the City Council held a public hearing on Changes to the City Manager's Proposed Budget.

2. FINDINGS/CURRENT ACTIVITY

All changes requested by the City Council and presented to the Council on September 2, 2008, have been inserted into the City Manager's Proposed Budget. The City Charter requires that the annual budget be adopted by the City Council no later than the thirtieth day (30th) of September.

3. FINANCIAL IMPACT

See attached.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council take action on Ordinance No. 2008-32, approving and adopting a budget for operating the municipal government of the City of Copperas Cove for fiscal year 2008-09.

ORDINANCE NO. 2008-33

AN ORDINANCE ADOPTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF COPPERAS COVE, TEXAS, FOR THE 2008 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING ON SEPTEMBER 30, 2009; APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Chief Appraiser of the Coryell County Tax Appraisal District has prepared and certified the appraisal roll of the City of Copperas Cove, Texas, said roll being that portion of the approved appraisal roll of the Coryell County Tax Appraisal District which lists property taxable by the City of Copperas Cove, Texas; and

WHEREAS, the Tax Assessor and Collector of Coryell County has performed the statutory calculations required by Section 26.04 of the Texas Property Tax Code, and has published the effective tax rate, the rollback tax rate, an explanation of how they were calculated, and has fulfilled all other requirements for publication as contained in Section 26.04(e) of the Texas Property Tax Code, in a manner designated to come to the attention of all residents of said City and has submitted said rates to the City Council of said City prior to the regular City Council meeting of September 16, 2008; and

WHEREAS, the City Council has complied with all applicable requirements of the Texas Property Tax Code prior to the setting of the tax rate for said City for 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE:

SECTION 1.

That the tax of the City of Copperas Cove, Texas for the tax year 2008 be, and is hereby, set at 74.0000 cents on each one hundred dollars (\$100) of the taxable value of real and personal property not exempt from taxation by the constitution and laws of this state situated within the corporate limits of said City.

SECTION 2.

That there is hereby levied for the tax year 2008 upon all real and personal property not exempt from taxation by the constitution and laws of this state situated within the corporate limits of said City, and there shall be collected for the use and support of the municipal government of the City of Copperas Cove, Texas, to provide sinking fund for the retirement of the bonded debt of said City and to provide for permanent improvements in said City, said tax; and said tax, so levied and collected, shall be apportioned to the specific purposes hereinafter set forth; to-wit:

- A. For the payment of current expenses and to be deposited in the general fund (for the purposes of maintenance and operations) 0.5993 cents on each one hundred dollars (\$100) of the taxable value of such property; and,
- B. To provide for sinking funds for the payment of the principal and interest and the retirement of the bonded debt, and the same shall become due as shall be necessary to pay the principal and interest of the current year as follows:

0.1407 cents per one hundred dollars (\$100) valuation.

SECTION 3

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$1.27.

SECTION 4.

That the Coryell County Tax Assessor and Collector is hereby authorized to assess and collect the taxes of said City employing the above tax rate.

SECTION 5.

That the Director of Finance of said City shall keep accurate and complete records of all monies collected under this Ordinance and the purposes for which same are expended.

SECTION 6.

That monies collected pursuant to this Ordinance shall be expended as set forth in the City of Copperas Cove Annual Budget for FY 2008-2009.

SECTION 7.

That all monies collected which are not specifically appropriated shall be deposited in the general fund.

SECTION 8.

That this ordinance shall take effect and be in full force and effect from and after its passage and approval according to law.

PASSED, APPROVED AND ADOPTED this 16th day of September 2008, at a regular meeting of the City Council of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code* 551.001, et.seq., at which meeting a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

Notice of Tax Revenue Increase

The City of Copperas Cove conducted public hearings on August 19, 2008 and September 2, 2008 on a proposal to increase the total tax revenues of the City of Copperas Cove from properties on the tax roll in the preceding year by 7.746069 percent.

The total tax revenue raised last year at last year's tax rate of 0.740000 for each \$100 of taxable value was \$7,707,139.63.

The total tax revenue proposed to be raised this year at the proposed tax rate of 0.740000 for each \$100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year, is \$8,206,598.28.

The total tax revenue proposed to be raised this year at the proposed tax rate of 0.740000 for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is \$8,503,245.96.

The City Council is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on September 16, 2008 at Copperas Cove City Hall, 507 S Main St, Copperas Cove, TX 76522 at 7:00 PM



Public Notice of
Vote on Tax Rate

The City of Copperas Cove, Texas is scheduled to vote on the tax rate that will result in a tax increase at a public meeting to be held on September 16, 2008 at 7:00pm at City Hall, 507 S. Main Street, Copperas Cove, Texas.

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-4

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Ordinance No. 2008-33, adopting the tax rate for fiscal year 2008-09.

1. BACKGROUND/HISTORY

At the August 8, 2008 Regular City Council Meeting, the City Council took action to propose a tax rate of 74.00 cents per \$100 of taxable assessed valuation. The proposed tax rate represents an increase of 7.75 percent to the total tax revenues when compared to the tax revenues adopted for the 2007-08 fiscal year. The rollback tax rate and the effective tax rate were calculated by the Coryell County Tax Assessor and Collector, at 74.02 cents and 68.68 cents per \$100 of taxable assessed valuation, respectively. Additionally, per "Truth in Taxation" requirements, the City Council of the City of Copperas Cove held two public hearings on the proposed tax increase on August 19, 2008 and September 2, 2008.

2. FINDINGS/CURRENT ACTIVITY

In accordance with Tax Code, The governing body must adopt the tax rate no less than 3 days but no more than 14 days after the day of the second public hearing on the proposed tax increase. September 16, 2006, is the 14th day after the second public hearing was held. Action on this item must be taken after the adoption of the budget has occurred.

3. FINANCIAL IMPACT

See attached.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council approve Ordinance No. 2008-33, adopting the tax rate of the City of Copperas Cove for fiscal year 2008-09.

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-5

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action to ratify the vote approving and adopting a budget of the City of Copperas Cove for fiscal year 2008-09 and the vote to adopt the tax rate for fiscal year 2008-09 .

1. BACKGROUND/HISTORY

Local Government Code, Section 102.007 requires a separate vote of the governing body of a city to ratify the property tax increase reflected in the budget. This separate vote is in addition to and separate from the vote to adopt the budget or a vote required to set the tax rate.

2. FINDINGS/CURRENT ACTIVITY

Adoption of a budget that requires raising more revenue from property taxes than in the previous year also requires a separate vote of the governing body of a city to ratify the property tax increase reflected in the budget.

A motion to adopt an ordinance, resolution, or order setting a tax rate that exceeds the effective tax rate must be made in the following form: "I move that property taxes be increased by the adoption of a tax rate of .7400."

A record vote is required.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council take action to ratify the vote approving and adopting a budget and adopting a tax rate for the City of Copperas Cove for fiscal year 2008-09.

ORDINANCE NO. 2008-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE ATTACHED PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF COPPERAS COVE BY REPEALING THE CURRENT PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The City of Copperas Cove has not updated this ordinance since April 1, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

Section 1.

That the Personnel Policies and Procedures Manual dated September 1, 2006, hereinafter set forth and included with this Ordinance as Exhibit "A" is hereby amended by repealing the current personnel policy, No. 120, (Salary Program Administration) and replacing the existing policy with a revised personnel policy, No. 120, (Salary Program Administration) correctly shown by the attached Exhibit "A";

Section 2.

That the remaining sections of the said Personnel Policies and Procedures Manual are hereby ratified, and shall remain in full force and effect;

Section 3.

That any outstanding Personnel Policies and Procedures Manuals other than Exhibit "A" either in the form of a manual or otherwise written or oral in nature, are hereby rescinded and are no longer of any force and effect;

Section 4.

That any additions, deletions or other amendments to the Personnel Policies and Procedures Manual shall be made in a manner similar to process by which this manual is originally approved and only after compliance with the Texas Open Meetings Act and approved by the City Council of the City of Copperas Cove.

Section 5.

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

Section 6.

That this ordinance shall be effective September 16, 2008.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS, this 16th day of September 2008, such meeting held in compliance with the Open Meeting Act (Texas Government Code, Chapter 551.001 et.seq.), at which a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary, CMC

APPROVED AS TO FORM:

James R. Thompson, City Attorney

SALARY PROGRAM ADMINISTRATION

Policy #120

September 2008

This policy applies to regular, salaried positions, full-time and part-time, exempt and non-exempt personnel.

The City strives to pay salaries competitive with those in our community, recognizing individual effort and contribution to the City's success. Determination of salary policy is the responsibility of the City Manager, Human Resources Director, and the Director of Financial Services, and must be approved by the City Council. The Human Resources Department handles the administration.

SALARY PROGRAM ELEMENTS

A. Salary Ranges. Each position has been assigned a salary range. Within this framework, an employee's salary will be related to demonstrated performance. Employees will receive a salary that is within the range limits of the applicable position.

1. Range Minimum. In most cases, the minimum of the appropriate salary range will be paid to all qualified employees. No person is to be offered a salary that is below the minimum, or above the midpoint, of the salary range for the job. Salary offers may be made, with City Manager approval, up to midpoint of the salary range. Salary offers are to be based on the required qualifications of the position. In addition they must be consistent in relation to other offers made and to the salaries paid to current employees in that same position.

2. Range Maximum. The maximum of a salary range normally provides an upper limit of what employees may be paid. However, it is not an absolute limit, and the condition described in Section A.3 may allow an employee to be paid above the maximum.

3. Red Circle Salary. If an employee is paid over the maximum of the range for the classification, the salary will not be reduced. Rather, the employee will ordinarily be considered ineligible for an increase in pay (red circled) until an adjustment in the salary structure or a promotion to a higher position brings the rate within the established range for the position.

B. Salary Review Frequency.

Merit Salary Increases. Reviews for merit salary increases are conducted once a year, normally during the budget process. They will range in percentages of base salary as determined through the merit budgeting process. Salary increases are not granted automatically, but only as a result of demonstrated performance, documented by a job-related performance appraisal.

SALARY PROGRAM ADMINISTRATION

Policy #120

September 2008

Across the Board Raises or Cola Allowances. An "Across the Board" or "COLA Allowance" may be recommended by the City Manager and approved by the City Council for employees. If this occurs then the salary ranges on the pay scale will be adjusted accordingly.

C. Promotion Increases: A promotion is a change in status for an employee to a higher paid position. Salary increases generally are granted immediately upon promotion. Employees promoted into a higher paying position will begin at the minimum step of the salary range for the new position. If their current salary is above the minimum step for the new position, the employee's salary will be evaluated for an increase, at a minimum of 5% of prior base salary. A lesser amount may be justified if the employee has received a substantial increase within the last six months or a significant learning period is involved.

MAINTENANCE OF SALARY STRUCTURE

Positions included in the City pay structure may be reviewed by the Human Resources Department each year to determine if a recommendation needs to be made to the City Manager for change. Adjustments will be made to the structure, as required, after approval from the City Manager and City Council.

City of Copperas Cove 2007/2008
Position Listing and Salary Ranges by Department
Updated 10-1-2008

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	22	1	City Manager	Secretary to the City Manager	\$ 13.43	\$ 19.78
01	44 20	1	City Manager	Emergency Management Coordinator	\$ 20.38	\$ 30.02
01	22	1	City Manager	Management Analyst/Risk Manager	\$ 21.50	\$ 31.67
01	22	1	City Manager	City Manager	Unclassified	Unclassified
01	23	1	City Secretary	Deputy City Secretary	\$ 13.88	\$ 20.45
01	23	1	City Secretary	City Secretary	Unclassified	Unclassified
01	31	2	Finance	Accounting Technician	\$ 12.88	\$ 18.97
01	31	1	Finance	Senior Accountant	\$ 17.70	\$ 26.07
01	31	1	Finance	Budget Analyst	\$ 22.25	\$ 32.77
01	31	1	Finance	Purchasing Officer	\$ 24.06	\$ 35.44
01	31	1	Finance	Project Accountant/Asst. Dir. of Financial Svcs.	\$ 24.06	\$ 35.44
01	31	1	Finance	Director of Financial Services	Unclassified	Unclassified
01	34	1.5	Human Resources	Receptionist	\$ 9.40	\$ 13.85
01	34	1	Human Resources	Human Resources Coordinator	\$ 13.04	\$ 19.21
01	34	1	Human Resources	Director of Human Resources	Unclassified	Unclassified
01	35	1	Information Systems	Information Systems Specialist I	\$ 13.73	\$ 20.22
01	35	1	Information Systems	Information Systems Specialist II	\$ 21.57	\$ 31.77
01	35	1	Information Systems	Director of Information Systems	Unclassified	Unclassified
01	41	5	Municipal Court	Court Clerk	\$ 10.68	\$ 15.73
01	41	1	Municipal Court	Assistant Supervisor of Municipal Court	\$ 12.69	\$ 18.69
01	41	1	Municipal Court	Supervisor - Court	\$ 20.40	\$ 30.05
01	42	0.5	Police	Custodian	\$ 8.88	\$ 13.08
01	42	2	Police	Senior Records Clerk	\$ 10.68	\$ 15.73
01	42	1	Police	Administrative Assistant	\$ 11.71	\$ 17.25
01	42	1	Police	Administrative Assistant Training and Evidence	\$ 11.71	\$ 17.25
01	42	12	Police	Police Communications/Operator	\$ 11.73	\$ 17.28
01	42		Police	Patrol Officer - Non Certified in Academy	\$ 12.76	-
01	42	1	Police	Executive Secretary	\$ 13.43	\$ 19.78

City of Copperas Cove 2007/2008
Position Listing and Salary Ranges by Department
Updated 10-1-2008

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	42		Police	Patrol Officer - Certified in FTP	\$ 14.25	-
01	42	38	Police	Patrol Officer - Certified	\$ 17.51	\$ 25.79
01	42	5	Police	Police Corporal	\$ 21.50	\$ 31.67
01	42	8	Police	Police Sergeant	\$ 23.26	\$ 34.26
01	42	3	Police	Police Lieutenant	\$ 26.37	\$ 38.84
01	42	1	Police	Police Deputy Chief	\$ 29.78	\$ 43.87
01	42	1	Police	Chief of Police	Unclassified	Unclassified
01	42 50	1	Police	Public Information Officer	\$ 21.08	\$ 31.05
01	43	1	Animal Control	Clerk	\$ 9.46	\$ 13.93
01	43	3	Animal Control	Animal Control Officer	\$ 10.50	\$ 15.47
01	43	1	Animal Control	Supervisor - Animal Control	\$ 15.30	\$ 22.54
01	44	33	Fire	Firefighter (2904 hour work year)	\$ 11.46	\$ 16.88
01	44	1	Fire	Administrative Assistant	\$ 11.71	\$ 17.25
01	44	0.5	Fire	Administrative Assistant/Support Services	\$ 11.71	\$ 17.25
01	44	6	Fire	Fire Lieutenant (2904 hour work year)	\$ 13.69	\$ 20.17
01	44	3	Fire	Fire Captain (2904 hour work year)	\$ 14.94	\$ 22.01
01	44	1	Fire	Support Services Officer	\$ 16.00	\$ 23.57
01	44	3	Fire	Fire Battalion Chief (2904 hour work year)	\$ 17.81	\$ 26.23
01	44	1	Fire	Fire Inspector/Lieutenant	\$ 19.11	\$ 28.15
01	44	1	Fire	Fire Marshal	\$ 20.86	\$ 30.73
01	44	1	Fire	Training/EMS Chief	\$ 24.86	\$ 36.62
01	44	1	Fire	Deputy Fire Chief /Emergency Management	\$ 27.09	\$ 39.90
01	44	1	Fire	Fire Chief	Unclassified	Unclassified
01	51	1	Engineering	Public Improvements Inspector	\$ 20.00	\$ 29.46
01	51	1	Engineering	Projects Director/City Engineer	Unclassified	Unclassified
01	52	1	Building & Devlp. Svcs	Administrative Assistant	\$ 11.71	\$ 17.25
01	52	1	Building & Devlp. Svcs	Inspector	\$ 16.16	\$ 23.80
01	52	1	Building & Devlp. Svcs	Inspector Senior	\$ 18.38	\$ 27.07
01	52	1	Building & Devlp. Svcs	Chief Building Official	\$ 29.18	\$ 42.98

City of Copperas Cove 2007/2008
Position Listing and Salary Ranges by Department
Updated 10-1-2008

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	53	3	Street	Light Equipment Operator	\$ 10.22	\$ 15.05
01	53	2	Street	Heavy Equipment Operator	\$ 11.73	\$ 17.28
01	53	1	Street	Traffic Control Technician	\$ 11.73	\$ 17.28
01	53	1	Street	Lead Heavy Equipment Operator	\$ 14.28	\$ 21.03
01	53	0.5	Street	Assistant Director of Public Works	\$ 21.32	\$ 31.40
01	54	2	Parks & Recreation	Custodian	\$ 8.88	\$ 13.08
01	54	7	Parks & Recreation	Laborer	\$ 9.46	\$ 13.93
01	54	2	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	54	1	Parks & Recreation	Recreation/Aquatics Specialist	\$ 12.12	\$ 17.85
01	54	1	Parks & Recreation	Facilities/Senior Specialist	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Supervisor - Parks	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Recreation Superintendent	\$ 20.70	\$ 30.49
01	54	1	Parks & Recreation	Director of Community Services	Unclassified	Unclassified
04	54	2	Parks & Recreation	Recreation Specialist	\$ 12.12	\$ 17.85
06	54	1	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	55	1	Fleet Services	Parts Technician	\$ 9.46	\$ 13.93
01	55	2	Fleet Services	Mechanic	\$ 13.44	\$ 19.80
01	55	1	Fleet Services	Lead Mechanic	\$ 15.39	\$ 22.67
01	55	1	Fleet Services	Supervisor - Fleet Services	\$ 19.44	\$ 28.64
01	57	2	Facility Maintenance	Facility Maintenance	\$ 12.36	\$ 18.21
01	61	1	Development Services	Administrative Assistant	\$ 11.71	\$ 17.25
01	61	1	Development Services	GIS Technician	\$ 18.87	\$ 27.80
01	61	1	Development Services	Director of Development Services	Unclassified	Unclassified
01	71	3	Library	Library Assistant I	\$ 9.78	\$ 14.41
01	71	0.5	Library	Library Assistant II	\$ 11.44	\$ 16.85
01	71	3	Library	Library Assistant III	\$ 13.05	\$ 19.22
01	71	0.5	Library	Outreach Specialist/Library Assistant	\$ 13.05	\$ 19.22
01	71	1	Library	Reference Assistant/Electronic Tech Coord	\$ 13.57	\$ 19.99
01	71	1	Library	Assistant Director Library/Reference	\$ 18.67	\$ 27.50

City of Copperas Cove 2007/2008
Position Listing and Salary Ranges by Department
Updated 10-1-2008

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	71	1	Library	Director Library	Unclassified	Unclassified
01	72	1	Code & Health Compliance	Administrative Assistant	\$ 11.71	\$ 17.25
01	72	2	Code & Health Compliance	Code Enforcement Officer	\$ 14.29	\$ 21.05
01	72	1	Code & Health Compliance	Health Inspector	\$ 14.29	\$ 21.05
09	74	2.5	Golf Course	Food & Beverage Worker	\$ 8.34	\$ 12.28
09	74	1.5	Golf Course	Golf Course Attendant	\$ 8.34	\$ 12.28
09	74	2.5	Golf Course	Clerk/Golf Shop Assistant	\$ 9.46	\$ 13.93
09	74	4.5	Golf Course	Laborer	\$ 9.46	\$ 13.93
09	74	1	Golf Course	Heavy Equipment Operator	\$ 11.73	\$ 17.28
09	74	0.5	Golf Course	Golf Course Mechanic	\$ 11.73	\$ 17.28
09	74	1	Golf Course	Pro Shop Supervisor	\$ 15.30	\$ 22.54
09	74	1	Golf Course	Golf Course General Manager	\$ 29.13	\$ 42.91
05	76	4	Drainage Utility	Laborer	\$ 9.46	\$ 13.93
05	76	1	Drainage Utility	Heavy Equipment Operator	\$ 11.73	\$ 17.28
05	76	1	Drainage Utility	Supervisor - Drainage	\$ 15.30	\$ 22.54
05	76	0.5	Drainage Utility	Assistant Director of Public Works	\$ 21.32	\$ 31.40
02	80	0.25	Public Works	Custodian	\$ 8.88	\$ 13.08
02	80	1	Public Works	Executive Secretary	\$ 13.43	\$ 19.78
02	80	1	Public Works	Public Works Director	Unclassified	Unclassified
02	81	4	Utility Administration	Customer Service Representative	\$ 9.98	\$ 14.70
02	81	2	Utility Administration	Service Technician	\$ 9.98	\$ 14.70
02	81	2	Utility Administration	Meter Reader	\$ 9.98	\$ 14.70
02	81	1	Utility Administration	Senior Customer Service Representative	\$ 11.00	\$ 16.20
02	81	1	Utility Administration	Billing Technician	\$ 12.03	\$ 17.72
02	81	1	Utility Administration	Supervisor - Utilities	\$ 19.99	\$ 29.45
02	82	1	Water Distribution	Heavy Equipment Operator	\$ 11.73	\$ 17.28
02	82	7	Water Distribution	Operator II Water Distribution	\$ 12.10	\$ 17.82
02	82	1	Water Distribution	Supervisor Installation	\$ 15.30	\$ 22.54
02	82	1	Water Distribution	Supervisor Pump Maintenance	\$ 15.30	\$ 22.54

City of Copperas Cove 2007/2008
Position Listing and Salary Ranges by Department
Updated 10-1-2008

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
02	82	1	Water Distribution	Superintendent Water Distribution	\$ 19.90	\$ 29.31
02	83	7	Sewer Collection	Operator II Sewer Collection	\$ 12.10	\$ 17.82
02	83	1	Sewer Collection	Assistant Supervisor/Operator III Sewer Coll	\$ 15.30	\$ 22.54
02	83	1	Sewer Collection	Superintendent - Sewer Collection	\$ 19.90	\$ 29.31
02	84	6	Wastewater Treatment	Operator II Wastewater	\$ 12.10	\$ 17.82
02	84	1	Wastewater Treatment	Laboratory Technician Wastewater	\$ 13.59	\$ 20.02
02	84	3	Wastewater Treatment	Chief Plant Operator Wastewater	\$ 17.62	\$ 25.95
02	84	1	Wastewater Treatment	Laboratory Technician - Senior Wastewater	\$ 17.62	\$ 25.95
02-01	84	2	Composting	Heavy Equipment Operator	\$ 11.73	\$ 17.28
02-01	84	1	Composting	Supervisor Composting	\$ 15.30	\$ 22.54
03	90	0.25	Solid Waste Collection	Custodian	\$ 8.88	\$ 13.08
03	90	1	Solid Waste Collection	Administrative Assistant	\$ 11.71	\$ 17.25
03	90	1	Solid Waste Collection	Supervisor Solid Waste - Operations	\$ 15.30	\$ 22.54
03	90	1	Solid Waste Collection	Supervisor Solid Waste - Recycling/Admin	\$ 15.30	\$ 22.54
03	90	1	Solid Waste Collection	Solid Waste Superintendent	\$ 21.77	\$ 32.07
03	91	11	Solid Waste Collection	Driver	\$ 11.73	\$ 17.28
03	91	1	Solid Waste Collection	Mechanic/Assistant Supervisor Operations	\$ 14.30	\$ 21.06
03	92	0.5	Solid Waste Collection	Laborer	\$ 9.46	\$ 13.93
03	92	0.5	Solid Waste Collection	Clerk/Dispatcher	\$ 9.46	\$ 13.93
03	92	1	Solid Waste Disposal	Scale Operator	\$ 9.46	\$ 13.93
03	92	3	Solid Waste Disposal	Heavy Equipment Operator	\$ 11.73	\$ 17.28

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-6

Contact – Kelli Sames, Human Resources Director, 542-8922
ksames@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Ordinance No. 2008-36, amending Personnel Policy No. 120, Salary Program Administration.

1. BACKGROUND/HISTORY

The City of Copperas Cove currently has in effect Personnel Policy No. 120, Salary Program Administration. This policy establishes the standards and guidelines for the City of Copperas Cove's employee pay plan. From time to time City Staff makes recommendations to change this pay plan. In cases where changes are required to this policy, City Council's approval is required. This policy is attached for your review.

2. FINDINGS/CURRENT ACTIVITY

City Staff has proposed changes that have been discussed and are included in the proposed FY 2008-09 budget. These changes are as follows:

- **New Positions**

- Police Department - Patrol Officer (2)
- Sewer Collection Department - Operator II (2)
- Solid Waste Department – Part Time Laborer (1)
- Water Distribution Department- Operator II (2)
- Animal Control Department - Animal Control Officer (1)
- Golf Course - Food & Beverage Worker Part Time (.5)
- Utility Administration – Customer Service Representative (1)
- Finance Department - Project Accountant/Assistant Dir. of Financial Services (1)
- Golf Course - Seasonal Clerk Part Time (1)
- City Manager Department - Management Analyst/ Risk Manager (1)
- Code and Health Compliance Division - Administrative Assistant Support Services (.5); which increases current part time position to full time.

- **Reclassification of Positions**

- Solid Waste Department (91-04) - Mechanic/Relief Driver to Mechanic/Assistant Supervisor Operations (1)
- Drainage Department - Laborer to Heavy Equipment Operator (1)

Golf Course - Superintendent Golf Course to Pro Shop Supervisor (1)

- **Deletion of Positions**

Municipal Court – Bailiff (1)

- **Title Changes**

Utility Administration – Meter Reader/Customer Service Representative to Service Technician (2)

Utility Administration - Meter Reader/Customer Service Representative to Meter Reader (2)

Utility Administration - Senior Clerk/Cashier to Senior Customer Service Representative (1)

Utility Administration - Clerk/Cashier to Customer Service Representative (3)

Street Department – Street and Drainage Superintendent to Assistant Director of Public Works (.5)

Drainage Department – Street and Drainage Superintendent to Assistant Director of Public Works (.5)

In addition, the proposed budget includes,

A performance-based increase of up to 3% for eligible employees. The employee's individual performance, documented by an employee performance appraisal is the basis for the amount of the 0, 1%, 2% or 3% increase;

A 2% COLA (Cost of Living Adjustment) for all regular full time and regular part time employees; and

The respective Department Directors recommend the changes that are proposed.

3. FINANCIAL IMPACT

Costs incurred as a result of these changes are budgeted in the FY 2008-09 departmental operating budgets.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends approval of Ordinance No. 2008-36, amending the personnel policies.

ORDINANCE NO. 2008-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE FEE SCHEDULE FOR THE CITY OF COPPERAS COVE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The City of Copperas Cove adopted a “Fee Schedule” on September 4, 2007 for Fiscal Year 2007-2008; and

WHEREAS, Various fees charged by the City of Copperas Cove are out of date, no longer applicable, or require adjustments; and

WHEREAS, City Staff has reviewed all current fees charged by the City and recommends changes to current fees in order to comply with new State Law requirements and provide flexibility.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

SECTION 1. That the “Fee Schedule” attached to this ordinance as “Exhibit 1” and incorporated herein by reference is hereby adopted as presented.

SECTION 2. That all ordinances for which provision has heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION 3. That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 4. That this ordinance shall go into effect upon passage.

PASSED, APPROVED AND ADOPTED this 16th day of September 2008, at a regular meeting held by the City Council of the City of Copperas Cove, Texas, pursuant to the Tex. Gov’t Code § 551.001, et.seq., at which meeting a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
POLICE DEPARTMENT	
Wrecker Surcharge Fee - Per Call (Charged only if Notification Letter Sent by City)	\$10.00
Alarm-excessive false alarm fee	\$50.00
Bicycle Registration	\$2.00
Criminal History Letters	\$6.00
Photographs	\$3.00
Fingerprints (per card)	\$5.50
INS Fingerprinting	\$20.00
Offense Reports:	
- In Person (per page)	\$0.10
- Mail (per page)	Postage + .10
Fax:	
- Local (per page)	\$0.10
- Long Distance/Same Area Code (per page)	\$0.50
- Long Distance/Other Area Code (per page)	\$1.00
Accident Reports (per report)	\$5.00
Certification of Accident Report	\$2.00
Escort Fees for movers	\$25.00

ANIMAL CONTROL

Surrender Fees:	
- Resident	\$5.00
- Non-Resident	\$10.00
Adoption Fees:	
- Dogs	\$15.00
- Cats	\$15.00
City Licenses:	
- Dogs	\$3.00
- Cats	\$3.00
Impound Fees:	
- Reclaimed First Day	\$20.00
- Additional Days (per day)	\$3.00
- If the animal was tranquilized (adding to the impound fee)	\$10.00
- Daily Boarding Fee (after owner notification)	\$5.00
- Quarantine Fee (per day)	\$10.00
Exotic Wildlife Permit	\$25.00
Animal Vendor Fee	\$70.00
Vicious/Dangerous Animal Registration	\$150.00
Euthanasia:	
- Resident	\$15.00
- Non-Resident	\$25.00
Duplicate License Tag	\$2.00
Disposal of Farm Animals (varies depending on weight and use of heavy equipment):	
Animal Control Standard Fee	\$25.00
Plus (if necessary) utilizing a front loader	\$75.00/hr
Plus disposal fee	\$0.0235/pound
Microchip Fee (Cats & Dogs)	\$10.25
Deer Feeding Violation (Ord 2007-03) - 1st Offense	\$50.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Deer Feeding Violation (Ord 2007-03) - 2nd Offense	\$100.00
Deer Feeding Violation (Ord 2007-03) - 3rd Offense & Beyond	\$150.00

FIRE DEPARTMENT

Annual License Fee - Private Ambulance Service	\$2,200.00
Non-Emergency Service Call (per half hour)	\$25.00
Witness Fees (per half hour)	\$25.00
Stand-by-Time (per hour)	\$75.00
Ambulance Rates (EMS):	
- Base BLS Inside City Limits	\$650.00+mileage
- Base ALS 1 Inside City Limits	\$750.00+mileage
- Base ALS 2 Inside City Limits	\$850.00+mileage
Rural Call Charge (BLS & ALS)	\$800.00+mileage
<i>(does not apply if rural area is covered by separate contract)</i>	
Ambulance Rates (EMS):	
- Mileage Charge from Station to Delivery Point (per mile or fraction thereof)	\$15.00
No Transport: City (if requested by patient or family)	\$175.00
No Transport: County (if requested by patient or family)	\$600.00
<i>(does not apply if rural area is covered by separate contract)</i>	

Fire Response Related Services:

Engine w/2 personnel	\$500/hr
Ladder w/2 personnel	\$600/hr
Brush truck w/2 personnel	\$400/hr
Support Truck	\$200/hr
Foam	\$45/gal
Absorbent	\$18/bag
Extrication tools	\$300.00
Investigator	\$175.00

Fixed Piping Systems Permit

<i>(Commercial kitchen hoods, ducts, etc)</i>	\$100.00
Permit covers the following:	
- plans review	
- necessary meetings w/engineers, builders, contractors	
- witness testing	
- final inspection/approval	

Fire Alarm Systems Permit

Permit covers the following:	
- plans review	
- necessary meetings w/engineers, builders, contractors	
- witness functional testing	
- final inspection/approval	
-200 or fewer initiating/signaling devices	\$125.00
-More than 200 devices	100.00 + .50/device
-Maximum permit fee	\$1,000.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Fire Protection Systems Permit	\$100.00
Permit covers the following:	
- plans review	
- necessary meetings w/engineers, builders, contractors	
- witness of hydrostatic testing (below & above ground)	
- witness functional testing	
- final inspection/approval	
 Above & Below Ground Fuel Storage Tank Installation	 \$100.00
Permit covers the following:	
- plans review	
- necessary meetings w/engineers, builders, contractors	
- witness tank installation	
- witness tank & piping testing	
- final inspection/approval	
 Above & Below Ground Fuel Storage Tank Removal	 \$35.00
<i>(No plans required)</i>	
Permit covers the following:	
- witness tank removal to insure no contamination	
 Fireworks Display (Public Display)	 \$250.00
Permit covers the following:	
- plans review & site approval	
- site inspection during setup	
- supervision of display & Engine Company stand-by	
 Day Care Inspection (No plans required unless new facility)	
- Home based day care	\$35.00
- Commercial day care	\$50.00
 Nursing Home/Assisted Living Facility Inspection	
<i>(No plans required unless new facility)</i>	
- Less than 50 residence	\$75.00
- More than 50 residence	\$150.00
 Foster Home/Group Home Inspection (No plan required)	 \$35.00
 Adoptive Home Inspection (No plan required)	 No Charge
 Private School/Instructional Facility	 \$50.00
<i>(No plan required unless new facility)</i>	
 Re-inspection Fee	 \$35.00
<i>(charged only when the business has failed both the initial inspection and one re-inspection)</i>	
 Burn Permit	 \$35.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
ENGINEERING	
Standard Construction Specifications	\$10.00
Drainage Master Plan	\$35.00
Plat/Map Copies (Black & White):	
- 8.5 x 11	\$1.00
- 11 x 17	\$2.00
- 17 x 22	\$3.00
- 24 x 36	\$4.00
- 30 x 40	\$5.00
- 36 x 48	\$6.00
Plat/Map Copies (Color):	
- 8.5 x 11	\$2.00
- 11 x 17	\$4.00
- 17 x 22	\$6.00
- 24 x 36	\$8.00
- 30 x 40	\$10.00
- 36 x 48	\$12.00
Custom/Special Request Plots (Color):	
- 8.5 x 11	\$6.00
- 11 x 17	\$12.00
- 17 x 22	\$18.00
- 24 x 36	\$24.00
- 30 x 40	\$30.00
- 36 x 48	\$36.00
Street/Various Maps (Plots):	
- 24 x 36	\$7.50
- 30 x 40	\$8.75
- 36 x 48	\$10.00
Street Map AutoCAD File	\$60.00
Adobe Acrobat/PDF File	\$30.00
City Limits & ETJ Map (B & W)	\$5.00
City Limits & ETJ Map AutoCAD File	\$50.00
Color Plots (Aerial Photos):	
- 8.5 x 11	\$3.00
- 11 x 17	\$6.00
- 24 x 36	\$15.00
- 30 x 40	\$20.00
- 36 x 48	\$25.00
Color Plots (Zoning):	
- 24 x 36	\$12.00
- 30 x 40	\$18.00
Custom Plat/Map Copies (Black & White):	
- 8.5 x 11	\$2.00
- 11 x 17	\$4.00
- 17 x 22	\$6.00
- 24 x 36	\$8.00
- 30 x 40	\$10.00
- 36 x 48	\$12.00
Custom Street/Various Maps (Plots):	
- 24 x 36	\$15.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
- 30 x 40	\$17.50
- 36 x 48	\$20.00
Custom Color Plots (Aerial Photos):	
- 11 x 17	\$12.00
- 24 x 36	\$30.00
- 30 x 40	\$40.00
- 36 x 48	\$50.00
Custom Color Plots (Zoning):	
- 24 x 36	\$24.00
- 30 x 40	\$36.00
- Street Map	\$9.00
- City Limits & ETJ Map	\$50.00

CITY SECRETARY

Massage Business License (without State License)	\$110.00
Masseur/Masseuse License (without State License)	\$60.00
Taxi Permits	\$60.00
Wrecker License Fee	\$85.00
Amusement Permit	\$150.00
Amusement Deposit	\$300.00
Poolroom, Gameroom (More than 1 video game)	\$60.00
Domino Hall license	\$60.00
Gameroom (with only 1 video game)	\$25.00
Gameroom (Eight - Liners only)	\$2,000.00
Video/Electronic Game License Fee (Each)	\$15.00

Contractor Registration:

- Registration Fee	\$110.00
- Less than 90 Days	\$60.00
- Annual Renewal Fee	\$85.00
Certificate of Occupancy	\$40.00
Mobil Home Park License	\$125.00
Adult Oriented Business Permit	\$300.00
Oil/Gas Drilling Permits (per well)	\$1,000.00

BUILDING & DEVELOPMENT

New Construction:

- Single Family Residence	\$30.00+\$3.00/100 sq. ft.
- Duplex/Multi-family (per unit)	\$30.00+\$5.00/100 sq. ft.
- Commercial	\$100.00+\$5.00/100 sq. ft.

Note an additional fee of \$30.00 for plan/site review for 0-999 sq. ft. and over.

Alterations/Repairs:

(Accessory buildings, Detached Garages, Asphalt or Paving, Driveways, Sidewalks, Parking Lots, etc.)

Material Cost:

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
- 0 to 3,000	\$25.00
- 3,001 to 4,000	\$30.00
- 4,001 to 5,000	\$35.00
- 5,001 to 6,000	\$40.00
- 6,001 to 7,000	\$45.00
- 7,001 to 8,000	\$50.00
- 8,001 to 9,000	\$55.00
- 9,001 to 10,000	\$60.00
- 10,001 to 11,000	\$65.00
Thereafter, per 1,000	\$5.00
Structure Relocation Permit	\$50.00
- Deposit	\$200.00
Demolition Permit	\$50.00
- Deposit	\$200.00
Swimming Pool Construction Permit:	
- Private In-Ground	\$30.00
- Private Above-Ground (Including Hot Tubs)	\$20.00
Alarm Permit	
- Non-Residential Alarm Permit	\$20.00
 Plumbing:	
Base Permit Fee	\$25.00
Per Drain, Trap, Fixture	\$3.00
Minor Residential Alteration, Repair or Replacement of Existing Water or Sewer Piping, Water Heater (no base fee required)	\$20.00
Minor Commercial Alteration, Repair or Replacement of Existing Water or Sewer Piping, Water Heater (no base fee required)	\$25.00
Underground Sprinkler Systems:	
- Irrigation System & Protective Devices	\$35.00
- Water Treatment System	\$25.00
Building Sprinkler Systems: Fire Suppression	
- Sprinkler Heads (each) or \$30.00 maximum fees for 1st 50 heads	\$1.00
Additional Fee for every 25 heads over 50	\$5.00
- Cut-Off Valves (each)	\$5.00
Reinspection Fees	\$25.00
 Mechanical:	
Base Permit Fee	\$25.00
Each Heating, Ventilating, Duct Work, AC or Refrigeration System	\$5.00
Repairs/Alterations	\$5.00
Boilers Based on BTU's:	
33,000-165,000	\$5.00
165,001-330,000	\$10.00
331,000-1,165,000	\$15.00
1,165,001-3,330,000	\$25.00
Over 3,330,000	\$35.00
Reinspection Fee	\$25.00
 Gas:	
Inspection of Consumers Piping (rough and final piping)	\$25.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Mobile Home Gas Test	\$25.00
Reinspection Fee	\$25.00
 Electrical:	
Single Family Residence:	
- Less than 2,000 sq. ft.	\$40.00
- Over 2,000 sq. ft	\$50.00
Duplex:	
- Per Structure	\$60.00
Multi-Family:	
- First Unit	\$40.00
- Each Additional Unit	\$20.00
Commercial:	
- 200 AMP Service	\$50.00
- 400 AMP Service	\$100.00
- 600 AMP Service	\$150.00
- 800 AMP Service	\$200.00
Remodeling and Service	\$25.00
Sign Circuit	\$25.00
Residential:	
- Change-Out Services	\$25.00
- Remodeling	\$25.00
- Garage Conversion	\$25.00
- Residential Add-on	\$25.00
Swimming Pools	\$25.00
Mobile Homes (New and Change Out Service)	\$25.00
Reinspection Fee	\$25.00
 Electrical License Fees:	
- Master Electrician (new)	\$35.00
- Master Yearly Renewal	\$25.00
- Journeyman/Limited Journeyman/Maintenance (new)	\$35.00
- Journeyman Yearly Renewal	\$15.00
- Apprentice	\$10.00
- Apprentice Renewal	\$10.00
 Sign Inspection Fees:	
- 0 to 16 sq. ft. of face area	\$25.00
- 16.1 to 96 sq. ft of face area	\$25.00
- 96.1 to 192 sq. ft. of face area	\$25.00
- 192.1 sq. ft. and larger	\$30.00

STREETS

Street Cuts	\$200.00+10.00/sq. ft.
 Signs:	
Street Sign (each)	\$90.00
Stop or Yield Sign (each)	\$90.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Combination (stop & street)	\$135.00

PARKS AND RECREATION

Swimming Pools:

Swimming Pool Admission: (all pools)

- Children (0-16 years)	\$2.00
- Adult (17 +years)	\$3.00
- Senior Citizens (50-64)	\$1.00
- Senior Citizens (65+)	No Charge

Summer Swim Pass:

- Individual Youth	\$25.00
- Individual Adult	\$50.00
- Family of 4 (10.00 each additional family member)	\$100.00
- Senior Citizens (50-64)	\$25.00
- Senior Citizens (65+)	No Charge

Water and Land Aerobics (per class)	\$1.00
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Swim Lessons	\$35.00
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Swim Club (per month)	\$35.00
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Life Guard Certification Class	\$150.00
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Buildings:

Turkey Creek Activity Center: (4 hour rental)	\$200.00
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Civic Center: (8 hour rental)

- Deposit	\$500.00
- Fee	\$400.00
- Fee Each Additional Hour	\$50.00
- Stage Rental / Set-up	\$100.00

Allin House: (5 hour rental)

- Deposit	\$200.00
- Fee	\$100.00
- Fee Each Additional Hour	\$20.00

Community/Civic Meetings per Hour	\$15.00
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Ogletree Pavilion: (8 hour rental)

- Deposit	\$200.00
- Fee	\$200.00
- Fee each additional hour	\$35.00

City Park Facilities:

Fester's House: (5 hour rental)

- Deposit	\$50.00
- Fee	\$50.00
- Each Additional Hour	\$10.00

Pavilion: (all day)

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
- Deposit	\$25.00
- Fee	\$50.00
R.V. Park:	
- Daily	\$20.00
- Weekly	\$100.00
- Monthly	\$250.00
Pool Parties (2 hour rental):	
- Deposit	\$50.00
- Fee (up to 50 people)	\$100.00
- Additional Fee (51 - 75 people)	\$25.00
- Additional Fee (76 - 100 people)	\$50.00
- Additional Fee (101 - 125 people)	\$75.00
- Fee each additional hour (Based on Lifeguards required)	\$50.00
Inflatable Jump Castle Party (2 hour rental):	
- Deposit	\$100.00
- Rental Fee	\$100.00
Ball Fields: (3 hour rental)	
- Softball	\$30.00
- Baseball	\$30.00
- Football	\$30.00
- Soccer	\$30.00
- Each Additional Hour (fields)	\$10.00
- Lights (per hour)	\$20.00
Tournaments:	
Equip. and Clean-up Deposit for all Tournaments	\$200.00
Tournament Fees-to be determined by number of hours used	
- Field Lining (manhours)	\$20.00
- Use of Score Box for Tournaments	\$25.00
- Lights (per hour)	\$20.00
Other - Staff and Utilities (per hour)	\$20.00
Youth Activities:	
Youth Sports Fee (per sport) (2nd child \$5.00 discount):	
- Soccer, Basketball, Flag Football	\$35.00
- Softball, Baseball	\$55.00
- Football	\$85.00
- Cheerleading	\$55.00
- Non Resident (Soccer, Basketball, Flag Football,	\$40.00
Adult Sports Fee (per sport):	
- Fee (per team)	\$250.00
Water Aerobics	
- Per class	\$1.00
- Per month	\$15.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Special Events:	
Camps and Clinics:	
- Sports Camps (per week)	\$50.00
- Day Camps (per week)	\$70.00

Co-Sponsored programs to be determined based on cost of operation

CEMETERY

City Resident:	
- Adult Plot	\$700.00
- Adult Plot (1 year: monthly @ 3% interest)	\$59.14
- Adult Plot (3 years: monthly @ 5% interest)	\$20.86
- Child Plot	\$300.00
- Child Plot (1 year: monthly @ 3% interest)	\$25.34
- Child Plot (3 years: monthly @ 5% interest)	\$8.94
Non-City Resident:	
- Adult Plot	\$1,400.00
- Adult Plot (1 year: monthly @ 3% interest)	\$118.27
- Adult Plot (3 years: monthly @ 5% interest)	\$41.72
- Child Plot	\$500.00
- Child Plot (1 year: monthly @ 3% interest)	\$42.24
- Child Plot (3 years: monthly @ 5% interest)	\$14.90

PLANNING

Plats:	
Minor Plats - Preliminary and Final	\$250.00
Minor Replats - Preliminary and Final	\$250.00
Amended Plats	\$150.00
Vacated Plats:	
- Less than 10.0 Acres	\$100.00
- 10.0 to 50.0 Acres	\$150.00
- Over 50.0 Acres	\$200.00
Major Plat - Preliminary	
- Less than 10.0 Acres	\$300.00
- 10.0 to 50.0 Acres	\$400.00
- Over 50.0 Acres	\$500.00
Major Plat - Final	
- Less than 10.0 Acres	\$300.00
- 10.0 to 50.0 Acres	\$400.00
- Over 50.0 Acres	\$500.00
Rezoning Application Fee	\$200.00
Variance Application Fee	\$110.00
Document Copies:	
- Comprehensive Plan	\$25.00
- Adult Oriented Business Ordinance	\$25.00
- Zoning Ordinance	\$15.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
- Subdivision Ordinance	\$10.00

LIBRARY

Resident User Fee	No Charge
Non-Resident User Fee (per year)	\$10.00
Non-Resident User Fee: City Employees (F.T)	No Charge
Replacement Card (lost only)	\$3.00

Fines:

- Overdue Books (per day)	\$0.25
- Overdue Maximum Fine	Cost of Item
- Overdue Interlibrary-loan (per day)	\$1.00
- Lost/Damaged ILL processing fee	\$10.00 plus Cost of Item
- Overdue VHS Tape/DVD (per day)	\$1.00
- Overdue A/V Equipment (per day)	\$5.00
Lost/Damaged Items	Cost + \$10.00
Lost Vertical File Material	\$1.00
Lost Governmental Publications	\$5.00
Overdue Postage - Regular (per notice)	\$0.50
Overdue Postage - Certified (per notice)	\$6.00
Inter Library - Loan Postage	\$3.00

Miscellaneous Repair/Replacement Costs:

- Video Cover (Video/VHS Case)	\$1.50
- Small Kit Plastic Bag	\$1.75
- Medium Kit Plastic Bag	\$2.00
- Large Kit Plastic Bag	\$2.50
- Book Jacket/Cover	\$1.50
- Replacement Bar Code Label	\$0.50
- Rebinding of Damaged Books	Actual Cost
- Repaired Videos/Audio Cassettes, DVDs, CDs	Actual Cost
- Replacement Videos/Audio Cassettes, DVDs, CDs	Actual Cost
- Single Cassette Albums	\$3.50
- Double Cassette Albums	\$3.75
- Three Cassette Albums	\$4.00
- Four Cassette Albums	\$5.50
- Six Cassette Albums	\$5.75
- Eight Cassette Albums	\$6.00
- Ten Cassette Albums	\$6.00
- Twelve Cassette Albums	\$8.75
- CD Albums 4-5 Capacity Storage	\$8.00
- CD Albums 6-9 Capacity Storage	\$9.00
- CD Albums 10-19 Capacity Storage	\$12.00
- CD Albums 20- Capacity Storage	\$14.00
- CD Book Sleeves - each	\$1.00
- Protective Strips - VHS/Audiocassettes	\$1.00
- Protective Strips - CDs/DVDs	\$1.00
Test Proctoring	\$15.00/hr

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Typing Paper (per sheet)	\$0.10
Computer Printout (per page)	\$0.10
Blank Computer Disk	\$1.00

Meeting Room Rental:

- Government Entity	No Charge
- Youth Groups (free 2 hr block twice monthly, charge after that)	\$15.00/meeting/per 2 hr. block
- Non Profit Organizations (per hour)	\$15.00
- Private Organizations (per hour)	\$30.00

CODE & HEALTH

Permits:

Garage Sale Permits	\$10.00
One Day Car Wash Permits:	
- In City Resident/Organization	\$15.00
- Non-Resident/Organization	\$100.00
Peddler/Itinerant Vendor Permits:	
- In City Resident	\$25.00
- Out of City Residents (first application w/ \$1,000.00 bond)	\$110.00
Administrative Mowing Fee for Code Violations	cost +\$150.00
Junkyard/Wrecking Yard	\$100.00
Health Permits	\$75.00
Health Permits (for Non-Profit use)	\$25.00
Temporary Health Permit (Up to Three Days)	\$35.00
Temporary Health Permit (Up to Three Days) (for Non-Profit use)	\$12.50
Retail Food Store Permit	\$60.00

Food Handlers Card:

- One year	\$10.00
- Two Year	\$15.00
Food Handlers Card (for Non-Profit use)	\$2.00/student
Replacement of Lost Food Handlers Card	\$5.00

Manager Accreditation:

- Course and Certification	\$0.00
- Renewal	\$0.00

GOLF COURSE

** The Golf General Manager, subject to approval by the City Manager, shall have the authority to utilize various discount coupons and special promotional rates that deviate from this schedule.*

Green Fees:

Weekday - Regular	\$14.00
Junior (weekdays only)	\$7.00
Senior (weekdays only)	\$11.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Weekday - Twilight (4pm)	\$11.00
Weekday - Twilight (6pm)	\$9.00
Weekend/Holiday - all	\$19.00
Weekend - Twilight (4pm)	\$14.00
Weekend - Twilight (6pm)	\$12.00
Cart Rental:	
9 Holes - per person	\$10.50
18 Holes - per person	\$14.00
Driving Range:	
Small Bucket	\$3.00
Large Bucket	\$6.00
Range Card	\$50.00
10 Round Punch Card (weekend)	\$150.00
10 Round Punch Card (weekdays)	\$100.00
AGF Tournament	\$15.00
Annual Green Fees:	
Single (annual payment)	\$625.00
Single (semi annual payment)	\$375.00
Single (monthly payment)	\$72.00
1st Dependent (annual payment)	\$225.00
Each additional Dependent (annual payment)	\$125.00
1st Dependent (semi annual payment)	\$150.00
Each additional Dependent (semi annual payment)	\$87.50
Single Senior (annual payment)	\$475.00
Single Senior (monthly payment)	\$55.00
Senior Spouse (annual payment)	\$175.00
Regular Spouse (annual payment)	\$225.00
Single Senior (semi-annual payment)	\$287.50
Senior Spouse (semi annual payment)	\$118.75
Regular Spouse (semi annual payment)	\$150.00
Junior (annual Payment)	\$450.00
Junior Summer (June, July, August)	\$120.00
Junior (semi annual payment)	\$262.50
City Employee - Full Time	1/2 price on AGF
Late Fees-Late Payments (assessed after seven days)	\$7.00
Equipment Rental: (+tax)	
Pull Carts - 9 Holes	\$4.00
Pull Carts - 18 Holes	\$6.00
Cart Storage: (Includes Trails Fees)	
Cart Storage (annual payment)	\$575.00
Cart Storage (semi annual payment)	\$350.00
Guest/Borrowers of private carts	\$12.00
Trail Fees:(private)	
Annual (one payment)	\$300.00
Semi Annual (payment plan)	\$200.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Daily (per round)	\$12.00
Handicaps - Annual	\$20.00

ADMINISTRATIVE FEES-NON DEPARTMENTAL

Returned Checks Fee	\$30.00
NSF Electronic Draft Fee	\$30.00

Charges for providing copies of public information:

Paper Copy - Standard Size 8 1/2 x 11 (per page)	\$0.10
Oversized Paper Copies 11x17 (per page)	\$0.50
Posting/Shipping Charges	Actual Cost
Compact Disc	\$1.00
DVD	\$3.00

Non-standard Size Copies:

- Diskette (each)	\$1.00
- Magnetic Tape (each)	\$12.00
- VHS Video Cassette (each)	\$2.50
- Audio Cassette (each)	\$1.00
- Other Charges	Actual Cost

Computer Resource Charges:

- Mainframe (per minute)	\$10.00
- Midrange (per minute)	\$1.50
- Client/Server (per hour)	\$2.20
- PC or LAN (per hour)	\$1.00
- Programming Time (per hour)	\$26.00

Fax Charges:

- Local (per page)	\$0.10
- Long Distance/Same Area (per page)	\$0.50
- Long Distance/Other Area Code (per page)	\$1.00

Personnel (per hour)	\$15.00
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UTILITIES

Service Run for Multiple Trips to Residence/Location	\$25.00
Reread Meter Service Run	\$10.00
Transfer Fee	\$25.00
Late Charge	\$25.00
Pulled Meter/Plugged Meter	\$75.00
Meter Accuracy Check	\$15.00
Fire Hydrant Meter Deposit	\$650.00
Fire Hydrant Water use - per 1,000 Gallons	\$4.49
Fire Hydrant Meter Monthly Rental Charge	\$50.00
Unauthorized Service - (when meter is turned on or off by	\$75.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
anyone other than water department personnel)	
Utilities Automatic Draft from Checking/Savings	FREE
Utilities Pay by Credit Card Processing Fees	\$1.25
Utilities Check Processing Fee per \$150 transaction (phone/on-line option)	\$3.75
Riser Deposit	\$50.00
Reconnect Fee	\$25.00
New 3/4" Water Tap ** into city water main (incl. srv. conn.)	\$575.00
Water Tap 1" and larger into city water main (incl. srv. conn.)	3/4" tap fee + additional time and materials
New 3/4" Water Tap srv. Connection for an existing water service.	\$200.00
New Water Tap 1" and larger srv. Connection for an existing water service.	3/4" tap fee + additional time and materials

The following cash deposits shall be required for each meter prior to having water services started:

Water customers deposits:

3/4" meter	\$34.00
1" meter	\$92.00
1-1/2" meter	\$133.00
2" meter	\$528.00
3" or larger meter	\$750.00

Sewer customers deposits:

Residential	\$21.00
Multi-family	\$291.00
Commercial	\$51.00
Hotel/motel	\$184.00
Government	\$280.00
Industrial	\$394.00

Minimum fees for the meter size:

3/4" meter	\$11.00
1" meter	\$15.50
1-1/2" meter	\$23.00
2" meter	\$34.00
3" meter	\$90.00
4" meter	\$141.00
6" meter	\$239.00
Contractor	\$11.00
Bulk	\$11.00

Rate per 1,000 Gallons of Water:

3/4" meter	\$2.85
1" meter	\$3.11
1-1/2" meter	\$3.49
2" meter	\$3.65
3" meter	\$3.65
4" meter	\$3.65
6" meter	\$3.65
Bulk Meter	\$4.49
Contractor	\$4.49

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Sale of water to customers-outside city limits -- Minimum Rates:	
3/4" meter	\$16.00
1" meter	\$22.00
1-1/2" meter	\$34.00
2" meter	\$50.00
3" meter	\$120.00
4" meter	\$200.00
6" meter	\$350.00

Drainage (residential):

Residential Single Family	\$6.00
Master Meter multi-family (bill to owner/property mgr.) - minimum ***	\$6.00
Individual Meter Duplex (per unit) ***	\$3.60
Individual Metered 3-4 unit (per unit) ***	\$3.60
5 or more units (Individual Metered) - minimum ***	\$6.00

***For the exact amount please refer to the City Ordinance - Article I, Sec. 11-5. City uses a formula to assess the charge.

Drainage (non-residential) - minimum ***

\$6.00

***For the exact amount please refer to the City Ordinance - Article I, Sec. 11-5. City uses a formula to assess the charge.

Sewer

Sewer minimum rate (all customers)	\$11.00
Rate per 1,000 Gallons of Water	\$3.50
6" Sewer Tap **	\$750.00
Sewer Tap larger than 6"	6" tap fee + additional time and materials
Water Connect Fee *	\$250.00
Sewer Connect Fee*	\$80.00
Connect Fee	\$15.00
Meter Box Reset Fee	\$150.00
After Hours Service Run	\$50.00

* Fee charged in those instances where tap exists or is being installed by an external party.

** In those instances where a street cut is required and being done by an external party, a street cut fee will be assessed in addition to the tap fees.

SOLID WASTE

Solid Waste Deposit (residential)	\$35.00
Solid Waste Deposit (commercial)	\$60.00

Residential Monthly rates:

One-family residence	\$13.00
Two-family residence on one water meter	\$26.00
Two-family residence on separate water meters	\$13.00
Additional container	\$13.00
Bulky items/White goods at the curb pick up (3 cubic yards)	\$18.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Bulky items/White goods in excess of 3 cubic yards - per cubic yard	\$6.00
Missed service fee	\$10.00
Non payment container confiscation	\$25.00
Service fee to replace lost, stolen, or damaged container	\$15.00
Service fee to find lost container	\$25.00
Exchange for a larger container	\$10.00
Fee for overloaded container	\$4.50
Automated container reload for excess garbage (per load; 2 loads max)	\$4.50
Removal of container from curb by city employees	\$7.50
Brush in excess of 3x3x10 (3 cubic yards) - per cubic yard	\$6.00
 Commercial Monthly Rates for 96 Gallon Container:	
Twice-a-week pickup of one automated container	\$21.00
Twice-a-week pickup for one additional container	\$34.00
Twice-a-week pickup for two additional containers	\$47.00
Automated container reload for excess garbage (per load; 2 loads max)	\$4.50
Fee for overloaded container	\$4.50
 Commercial Collection Dumpster Rates:	
3 cubic yard for 1 day Pickup	\$57.99
4 cubic yard for 1 day Pickup	\$77.31
6 cubic yard for 1 day Pickup	\$96.65
8 cubic yard for 1 day Pickup	\$119.55
10 cubic yard for 1 day Pickup	\$152.85
3 cubic yard for 2 day Pickup	\$109.72
4 cubic yard for 2 day Pickup	\$133.79
6 cubic yard for 2 day Pickup	\$172.12
8 cubic yard for 2 day Pickup	\$212.86
10 cubic yard for 2 day Pickup	\$268.73
3 cubic yard for 3 day Pickup	\$148.78
4 cubic yard for 3 day Pickup	\$182.24
6 cubic yard for 3 day Pickup	\$236.46
8 cubic yard for 3 day Pickup	\$302.72
10 cubic yard for 3 day Pickup	\$384.12
3 cubic yard for 4 day Pickup	\$193.97
4 cubic yard for 4 day Pickup	\$238.32
6 cubic yard for 4 day Pickup	\$309.82
8 cubic yard for 4 day Pickup	\$397.70
10 cubic yard for 4 day Pickup	\$500.50
3 cubic yard for 5 day Pickup	\$237.92
4 cubic yard for 5 day Pickup	\$294.40
6 cubic yard for 5 day Pickup	\$380.73
8 cubic yard for 5 day Pickup	\$489.36
10 cubic yard for 5 day Pickup	\$616.88
 Mechanical assistance to unload items	 \$40.00
Manual collection (per hour)	\$110.00
Dumpster cleanup due to unsanitary conditions	\$50.00
Dumpster cleaning, painting, and repair after fire	\$185.00

**CITY OF COPPERAS COVE
PROPOSED FEE SCHEDULE**

Ordinance 2008-34 (Exhibit 1)

	Fee
Disposal Fees:	
- Minimum Charge (up to 240 lbs.)	\$5.64
- Per Ton	\$47.00
Weighing Vehicles	\$8.00
Rear Load Dumpster Rental includes the following	
- Delivery	\$25.00
- Service/Pull Fee (3 cubic yd)	\$25.00
- Service/Pull Fee (6 cubic yd)	\$50.00
- Rental Per Day Fee	\$2.00
Compost:	
- Bulk (per cubic yard)	\$8.50
- Container (up to 30 gallons)	\$2.25
- Delivery (per delivery within City limits only)	\$15.00
Kraft Bags	\$.31+ sales tax
Tire Disposal:	
- Passenger/light truck tire, less than 17.5 " rim diameter	\$3.00
- Truck Tire, greater than or equal to 17.5 " rim diameter	\$7.00
Used Oil Filters	\$1.00
Surcharge for uncovered load	\$12.00
Pull Offs/Transfer Station	\$5.00
Roll Offs (includes the following 5 items):	
- Delivery	\$125.00
- Service/Pull fee	\$125.00
- Rental Per Day (20 cubic yard)	\$4.33
- Rental Per Day (30 cubic yard)	\$4.66
- Rental Per Day (40 cubic yard)	\$5.00
- Disposal (per ton)	\$47.00
- Deposit	\$250.00
Auto-Lid Locks	\$25.00 installation fee, plus \$2.50 monthly rental
Excess Garbage or Overloaded Containers:	
<i>Container Reload Fees while on site</i>	
3 yard container	\$13.96
4 yard container	\$17.52
6 yard container	\$23.31
8 yard container	\$28.62
10 yard container	\$33.60
<i>Return Service</i>	
3 yard container	\$28.53
4 yard container	\$32.09
6 yard container	\$37.88
8 yard container	\$43.19
10 yard container	\$48.17
Deposit for recurring use of the Transfer Station	\$750.00

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item I-7

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Ordinance No. 2008-34, amending the City's "Fee Schedule".

1. BACKGROUND/HISTORY

Most of the City's fees are identified in a "Fee Schedule" which is formally adopted by the City Council in the form of an Ordinance. Each year, and sometimes more frequently, the ordinance is presented to the City Council for consideration of certain changes and additions.

Various fees that are on other City Ordinances are being consolidated as they are identified so that citizens will have one location for all City Fees. The updated Solid Waste ordinance was approved by City Council on August 19th with all fee references to the Fee Schedule.

2. FINDINGS/CURRENT ACTIVITY

The City of Copperas Cove, as part of the annual budget process, reviews the current Fee Schedule for revision. The Animal Control, Fire Department, City Secretary, Building & Development, Streets, Parks & Recreation, Cemetery, Library, Golf Course, Non-Departmental, Utilities and Solid Waste submitted change requests pertaining to fees the City charges. These changes were discussed at the various budget workshops and are summarized below:

Animal Control

New Fees:

- Impound Tranquilization Fee - \$10.00.
- Vicious / Dangerous Animal Registration - \$150.00.
- Disposal of Farm Animals (varies depending on weight and use of heavy equipment)
 - Animal Control Standard Fee - \$25.00.
 - Plus (if necessary) utilizing a front loader - \$75.00/hr.
 - Plus disposal fee - \$0.0235/pound.

Fee Increases:

- City license for dogs and/or cats from \$2.00 to \$3.00.
- Impound Quarantine Fee (per day) from \$7.00 to \$10.00.

- Exotic Wildlife Permit from \$20.00 to \$25.00.
- Animal Vendor Fee from \$60.00 to \$70.00.
- Euthanasia (resident) from \$10.00 to \$15.00.
- Euthanasia (non-resident) from \$20.00 to \$25.00.

Fire Department

New Fees for the Fire Response Related Services (Revenue Rescue):

- Engine w/2 personnel - \$500.00/hr.
- Ladder w/2 personnel - \$600.00/hr.
- Brush truck w/2 personnel - \$400.00/hr.
- Support Truck - \$200.00/hr.
- Foam - \$45/gal.
- Absorbent - \$18/bag.
- Extrication tools - \$300.00/hr.
- Investigator - \$175.00/hr.

Fee Increase:

- Stand-by-Time (per hour) from \$50.00 to \$75.00.

City Secretary

Delete Fee:

- Bondsman License Fee \$110.00.

Building & Development

Restructured (New/Deleted) Fees:

- Added a fee for Underground Sprinkler Systems: Irrigation System & Protective Devices \$ 35.00.
- Removed Sprinkler Heads (each) or \$30.00 maximum fees \$1.00
- Removed Protective Devices (each) \$2.50.
- Removed Base Fee Permit \$20.00.
- Added Building Sprinkler Systems: Fire Suppression – Fee for every 25 sprinkler heads over the first 50 - \$5.00.

Fee Increases:

- Plumbing Base Permit Fee from \$20.00 to \$25.00.
- Plumbing per Drain, Trap, Fixture from \$2.50 to \$3.00.
- Building Sprinkler Systems: Fire Suppression – Cut-Off Valves from \$2.50 to \$5.00.
- Mechanical Base Permit Fee from \$20.00 to \$25.00.

Streets

Fee Increases:

- Street Sign (each) from \$75.00 to \$90.00.
- Stop or Yield Sign (each) from \$85.00 to \$90.00.
- Combination (stop & street) Sign from \$110.00 to \$135.00.

Parks & Recreation

New Fees:

- Life Guard Certification Class \$ 150.00.
- Water Aerobics (per month) \$15.00

Fee Increases:

- Day Camps (per week) from \$65.00 to \$70.00.

Cemetery

New Payment Options:

- City Resident/Adult Plot (1 year: monthly @ 3% interest) \$59.14.
- City Resident/Adult Plot (3 year: monthly @ 5% interest) \$20.86.
- City Resident/Child Plot (1 year: monthly @ 3% interest) \$25.34.
- City Resident/Child Plot (3 year: monthly @ 5% interest) \$8.94.
- Non-City Resident/Adult Plot (1 year: monthly @ 3% interest) \$118.27.
- Non-City Resident/Adult Plot (3 year: monthly @ 5% interest) \$41.72.
- Non-City Resident/Child Plot (1 year: monthly @ 3% interest) \$42.24.
- Non-City Resident/Child Plot (3 year: monthly @ 5% interest) \$14.90.

Library

Fee Increases:

- Inter Library – Loan Postage from \$2.00 to \$3.00.

Golf Course

New Fees:

- Green Fees/Senior (weekdays only) \$11.00.
- Green Fees/10 Round Punch Card (weekdays) \$100.00
- AGF Tournament \$15.00

Fee Increases:

- Green Fees/Weekday Regular from \$13.00 to \$14.00.
- Green Fees/Weekdays - Twilight (4pm) from \$10.00 to \$11.00.
- Green Fees/Weekdays - Twilight (6pm) from \$8.00 to \$9.00.
- Green Fees/Weekend/Holiday - all from \$18.00 to \$19.00.
- Green Fees/Weekend - Twilight (4pm) from \$12.00 to \$14.00.
- Green Fees/Weekend - Twilight (6pm) from \$10.00 to \$12.00.
- Cart Rental/9 holes (per person) from \$9.50 to \$10.50.
- Cart Rental/18 holes (per person) from \$12.00 to \$14.00.
- Green Fees/10 Round Punch Card (weekend) from \$120.00 to \$150.00.
- Annual Green Fees/Junior Summer (June, July, August) from \$100.00 to \$120.00.
- Handicaps – Annual from \$8.00 to \$20.00.

Administrative Fees – Non Departmental

Fee Increases:

- Returned Checks Fee from \$25.00 to \$30.00.
- NSF Electronic Draft Fee from \$25.00 to \$30.00.

Utilities

New Fees:

- Check Processing Fee per \$150 transaction (phone/on-line option) \$3.75.

Fee Increases:

- Service Run for Multiple Trips to Residence/Location from \$15.00 to \$25.00.
- Reread Meter Service Run from \$5.00 to \$10.00.
- Pulled Meter/Plugged Meter from \$50.00 to \$75.00.
- Unauthorized Service (when meter is turned on or off by anyone other than water department personnel) from \$25.00 to \$75.00.
- Rate per 1,000 Gallons of Water / 3/4" meter from \$2.81 to \$2.85.
- Rate per 1,000 Gallons of Water / 1" meter from \$3.07 to \$3.11.
- Rate per 1,000 Gallons of Water / 1-1/2" meter from \$3.45 to \$3.49.
- Rate per 1,000 Gallons of Water / 2", 3", 4", 6" meter from \$3.61 to \$3.65.
- Rate per 1,000 Gallons of Water / Bulk Meter, Contractor, and Fire Hydrant from \$4.45 to \$4.49.

Solid Waste

New Fees:

- Solid Waste Deposit (Residential) \$35.00.
- Solid Waste Deposit (Commercial) \$60.00.
- Residential / Bulky Items / White goods at the curb pick up (3 cubic yards) \$18.00.
- Residential / Bulky Items / White goods in excess of 3 cubic yards (per cubic yard) \$6.00.
- Residential / Non payment container confiscation \$25.00.
- Residential / Service fee to replace lost, stolen, or damaged container \$15.00.
- Residential / Service fee to find lost container \$25.00.
- Residential / Removal of container from curb by city employees \$7.50.
- Commercial / Mechanical assistance to unload items \$40.00.
- Commercial / Manual collection (per hour) \$110.00.
- Commercial / Dumpster cleanup due to unsanitary conditions \$50.00.
- Commercial / Dumpster cleaning, painting, and repair after fire \$185.00.
- Deposit for recurring use of the Transfer Station \$750.

Fee Increases:

- Residential / Missed Service Fee from \$5.00 to \$10.00.
- Compost/Kraft Bags from City's Cost +sales tax to \$.31+sales tax.
- Surcharge for uncovered load from \$3.00 to \$12.00.

3. FINANCIAL IMPACT

The increases in the Animal Control fees will increase revenues by approximately \$4,514. The various fee increases are due to rising cost of operating the Animal Control facility, increased cost of the drugs, darts and solution used in the euthanasia process. With the increase of farm land and larger tracts of land annexed in recent years, these new fees are necessary to cover the City costs.

The increase in the Fire Department stand by time is due to increased cost of personnel and equipment. The new fees for the Fire Response Related Services are projected to increase revenues by approximately \$35,000. These service fees will only be billed to private insurance companies for motor vehicle collision extrications, rescues, spills, hazmat, and all fires except single family dwellings.

The changes in fees for the Building & Development Department will bring approximately \$5,800 additional revenue to the General Fund. The increases were triggered largely to offset fuel prices and match the prices with the surrounding communities. Simplification of the fee structure will speed up the permitting process.

The increase in Streets is justified by the increase in the materials purchased to fabricate the signs.

The new fee structure for cemetery plots is to increase the options available by providing a payment plan to the customers. The City may increase Cemetery Fund revenue by approximately \$2,112.

The increases in golf course fees are projected to increase revenues by approximately \$48,095. The new fees offer additional options to the customers at varying rates. The fee increases are to help offset the increases that the Golf Course is seeing in operating costs. These increases are in utilities, fuel, labor and fertilizer.

The increases in the Utilities will increase revenues by approximately \$45,980. The 4 cents increase per 1,000 gallons for all water customers is to help offset the increasing costs at the City to include the 3 cent increase that is proposed from WCID and 1 cent to offset a portion of the fuel and electricity increases.

The increases in Solid Waste will increase revenues by approximately \$87,765. Charging for bulky items is the industry standard and the City has to pay to dispose of all the bulky items that are collected at an average cost of \$50,000 per year. This fee should offset the cost incurred by the City. Other increases are justified by the escalation of fuel, maintenance, and personnel costs.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council approve Ordinance No. 2008-34, amending the City's "Fee Schedule."

ORDINANCE NO. 2008-35

AN ORDINANCE AMENDING SECTION 11-25 MINIMUM FEE MONTHLY RATE, SECTION 11-25.1 SALE OF WATER TO CUSTOMERS OUTSIDE CITY LIMITS - RATES, AND SECTION 11-26 METER REMOVAL CHARGES, RECONNECTION FEES, AND MISCELLANEOUS CHARGES, ARTICLE II - WATER, CHAPTER 11 - MUNICIPAL UTILITIES AND SERVICES OF THE CODE OF ORDINANCES OF THE CITY OF COPPERAS COVE, PROVIDING FOR CHANGES IN THE WATER RATES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council of the City of Copperas Cove has established that there shall be a minimum fee and a monthly rate regarding water consumption; and

WHEREAS, The City Council of the City of Copperas Cove has established that there shall be a minimum fee and a monthly rate regarding wastewater for water used or wastewater produced; and

WHEREAS, The minimum fee and monthly rate for water consumption is based on the size of meter that a customer has; and

WHEREAS, The minimum fee and monthly rate for wastewater is charged to all customers regardless of the type of customer; and

WHEREAS, The monthly rate is a rate applied to each 1,000 gallons of water consumed or wastewater produced by the customer.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

SECTION 1.

That Section 11-25, Minimum fee: Monthly Rate and Section 11-25.1, Sale of water to customers-outside city limits - Rates and Section 11-26, Meter removal charges, reconnection fees, and miscellaneous charges of the Copperas Cove's Code of Ordinances, Chapter 11, Municipal Services and Utilities, Article II, Water is hereby amended, and "Exhibit A" attached hereto is made a part of this ordinance and for all purposes reflects the changes to Chapter 11, Municipal Services and Utilities, Article II,

Water, whether amended, added or deleted from the Code of Ordinances, is hereby adopted and incorporated herein as if fully set out.

SECTION 2.

That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3.

That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION 4.

That the Code of Ordinances of the City of Copperas Cove, Texas, as amended shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5.

This ordinance shall become effective on October 1, 2008 and upon publication according to law.

PASSED, APPROVED AND ADOPTED this 16th day of September 2008, at a regular meeting of the City Council of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code 551.001, et.seq.*, at which meeting a quorum was present and voting.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, CMC, City Secretary

APPROVED AS TO FORM:

James R. Thompson, City Attorney

Chapter 11

MUNICIPAL UTILITIES AND SERVICES ARTICLE II. WATER*

Sec. 11-20. Consent to connect or use--Required.

No person shall connect to or use water from the city water supply without the express written consent of the city.

(Code 1970, § 27-2)

Sec. 11-21. Same--To open valves.

No person shall open or cause to be opened a valve on the city water system without the express written consent of the city.

(Code 1970, § 27-3)

Sec. 11-22. Same--Receipt to constitute.

The possession of a current, valid receipt from the city for water deposit shall constitute written consent by the city for the use of water from the city water system at the location designated on the receipt.

(Code 1970, § 27-4)

Sec. 11-23 Tapping fee.

A fee in the amount of five hundred seventy-five dollars (\$575.00) shall be charged to customers for each new three-fourth-inch (3/4) tap into any city water main. The fee for a tap larger than three-fourth (3/4) inch shall be a minimum of five hundred seventy-five dollars (\$575.00) plus any additional cost for labor and material over and above that amount incurred upon installation. This fee shall be charged only in the event of an actual tap being made, and shall cover the cost of the new service connection being installed. A fee in the amount of two hundred dollars (\$200.00) shall be charged to customers for each new three-fourth-inch service connection installed at an existing water service. The fee for a service connection larger than three-fourth (3/4) inch shall be the cost of labor and materials but no less than two hundred dollars (\$200.00). These fees shall be paid by the customer prior to making the new tap or installing the new service connection. A fee for setting a water meter behind the curb where there is an existing stub-out shall be two hundred dollars (\$200.00).

(Code 1970, § 27-20; Ord. of 9-16-80; Ord. of 10-6-81; Ord. of 9-21-82, § 27-20; Ord. No. 1987-18, 6-2-87; Ord. No. 1992-8, 4-21-92; Ord. No. 1992-25, 9-15-92; Ord. No. 94-07, 3-15-94; Ord. No. 96-03, 2-6-96)

Sec. 11-24. Deposits.

The following cash deposits shall be required of customers for each meter prior to having water service started:

(1) *Water customers:*

TABLE INSET:

Meter	Water
3/4"	\$34.00
1"	\$92.00
1 ½"	\$133.00
2"	\$528.00
3"	\$750.00
4"	\$750.00
6"	\$750.00

(2) *Wastewater customers:*

TABLE INSET:

	Wastewater
Residential	\$21.00
Multi-family	\$291.00
Commercial	\$51.00
Hotel/motel	\$184.00
Government	\$280.00
Industrial	\$394.00

(3) *Military waivers:* Military service members assigned to Fort Hood may participate in the "No Deposit For Soldiers Authorized BAQ Program," which provides for the payment of final billing as part of final post clearance procedures, in lieu of a deposit for residential water meters.

(4) *Deposit refunds:* Residential customers that demonstrate a high level of creditworthiness through a payment history that is without late penalties for eighteen (18) consecutive months will receive a refund of their deposit.

(Code 1970, § 27-20A; Ord. of 9-16-80; Ord. of 10-6-81; Ord. of 9-21-82, § 27-20A; Ord. No. 1986-33, § 1, 8-12-86; Ord. No. 2001-35, § 1, 9-17-01)

Sec. 11-25. Minimum fee; monthly rate.

There shall be charged by the city a minimum fee as set out by the chart below:
TABLE INSET:

Meter Size	Minimum Bill	Rate Per 1,000 Gallons of Water
3/4"	\$11.00	\$2.85
1"	\$15.50	\$3.11
1 1/2"	\$23.00	\$3.49
2"	\$34.00	\$3.65
3"	\$90.00	\$3.65
4"	\$141.00	\$3.65
6"	\$239.00	\$3.65
Contractor	\$11.00	\$4.49
Bulk	\$11.00	\$4.49

All bills sent by the city to the customer for water, sewer drainage and/or garbage service shall be due and payable on receipt. Services to the customer shall be subject to termination twenty-five (25) days after the billing date unless such bill has been paid by such time.

(Code 1970, § 27-21; Ord. of 9-16-80; Ord. of 10-6-81; Ord. of 9-21-82, § 27-21; Ord. of 11-16-82, § 27-21a; Ord. No. 1985-51, 10-1-85; Ord. No. 87-32, 9-15-87; Ord. No. 1993-31, 9-7-93; Ord. No. 1995-10, 9-5-95; Ord. No. 1998-44, § I, 12-1-98; Ord. No. 2000-29, § I, 6-20-00; Ord. No. 2000-36, § I, 9-12-00; Ord. No. 2001-32, § 1, 9-11-01; Ord. No. 2004-27, § 1, 9-14-04; Ord. No. 2005-25, § 1, 10-18-05; Ord. No. 2006-31, § 1, 9-5-06)

Editor's note: Section 6 of Ord. No. 2006-31 provided for an effective date of Nov. 1, 2006.

Cross references: Special water rate for citizens over sixty-five years of age, § 11-3.

State law references: Authority of city to prescribe water rates, V.T.C.S. art. 1175(11).

Sec. 11-25.1. Sale of water to customers-outside city limits--Rates.

(a) For water sold by the city to customers for use or delivery outside the corporate limits of the city there shall be charged hereinafter a base rate (meter size) according to the chart below for each meter or meters connected directly or indirectly to the water system of the city, be such unit used for residential, business or any other purpose:

TABLE INSET:

Meter Size (inches)		Rate
3/4	.....	\$16.00
1	.....	\$22.00
1 ½	.....	\$34.00
2	.....	\$50.00
3	.....	\$120.00
4	.....	\$200.00
6	.....	\$350.00

In addition to such base rate, there shall be a charge per thousand gallons of water used for each residential, business or other unit connected to the water system of the city or connected to such a system as receives water through the Copperas Cove water system. (See the Fee Schedule)

(b) Exempted from the provisions hereof are such transactions for bulk sales of water and federally funded water distribution projects where the Copperas Cove City Council expressly contracts for a different rate.

(Ord. of 11-16-82, § 27-21a; Ord. No. 1985-54, 10-1-85; Ord. No. 1987-35, 9-15-87; Ord. No. 1993-32, 9-7-93)

Sec. 11-26. Meter removal charges, reconnection fees, and miscellaneous charges.

(a) *Charges for removal of meters.* There is hereby fixed a charge for each removal or reconnect after removal of a city water meter from the city water system to be paid to the city by the holder of such water meter, when such removal is required to avoid unauthorized water service turn-ons (See Fee Schedule).

(b) *Reconnection charges.*

(1) All bills are due upon receipt by the customer. If payment is not received by 8:00 a.m. on the next working date after the expiration of twenty-five (25) days on the delinquency date, which is hereby fixed at twenty-five (25) days after the date shown on the utility service billing or otherwise shown on the delinquency date on the billing, water service is subject to disconnection and an additional charge is assessed over the usage charges for such delinquency, whether or not service is actually disconnected (See Fee Schedule).

(2) If utility service billing remains unpaid after fifteen (15) days from the billing date, a second notice shall be sent by mail to the customer along with a notice of penalty of five (5) percent of the bill added thereto, such five (5) percent penalty not to exceed five dollars (\$5.00). If the bill remains unpaid after the twenty-fifth day from the billing date, service may be discontinued according to the provisions of this paragraph (b).

(3) A customer with at least twelve (12) consecutive months of timely, nondelinquent payment in the past rolling twelve (12) months shall be granted a one-time waiver per every twelve (12) rolling months of a second notice reminder fee as assessed in subsection (2) hereof or a disconnection charge as assessed in subsection (1) hereof.

(c) *Miscellaneous charges.*

(1) When a customer of the city water system requests a second reading of his water meter a charge shall be assessed unless error was made on the first reading (See Fee Schedule).

(2) A service run charge shall be assessed to the customer requesting such service run for service to the customer's private water service line or equipment (See Fee Schedule).

(3) Where one (1) city water customer shall receive transferred water service from another city water account, a transfer fee shall be assessed to the new customer (See Fee Schedule).

(Code 1970, § 27-12; Ord. of 7-15-80; Ord. of 10-6-81; Ord. No. 1983-33, 9-6-83; Ord. No. 1988-28, 9-6-88; Ord. No. 2000-29, § II, 6-20-00)

Sec. 11-27. Control of backflow and cross-connections.

(a) *Cross-connection control--General policy.*

(1) *Purpose.* The purpose of this section is:

a. To protect the public potable water supply of The City of Copperas Cove from the possibility of contamination or pollution by isolating within the consumer's internal distribution system(s) or the consumer's private water system(s) such as contaminants or pollutants which could backflow into the public water systems; and,

b. To promote the elimination or control of existing cross-connections, actual or potential, between the consumer's in-plant potable water system(s) and non-potable water system(s), plumbing fixtures and industrial piping systems; and

c. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

(2) *Responsibility.* The director of water/wastewater shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgement of said director of water/wastewater an approved backflow prevention assembly is required (at the consumer's water service connection: or, within the consumers private water system) for the safety of the water system, the director of water/wastewater or his designated agent shall give notice in writing to said consumer to install such an approved backflow prevention assembly(s) at a specific location(s) on his premises. The consumer shall immediately install such an approved backflow prevention assembly(s) at the consumer's own expense; and, failure, refusal or inability on the part of the consumer to install, have tested and maintained said assembly(s), shall constitute grounds for discontinuing water service to the premises until requirements have been satisfactorily met.

(b) *Definitions.*

Water commissioner or health official. The director of water/wastewater in charge of the water department of the City of Copperas Cove is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this section.

Approval.

1. The term *approved* as herein used in reference to a water supply shall mean a water supply that has been approved by the health agency having jurisdiction.

2. The term *approved* as herein used in reference to an air gap, a double check valve assembly, a reduced pressure principle backflow prevention assembly or other backflow prevention assemblies or methods shall mean an approval by the administrative authority having jurisdiction.

Auxiliary water supply. Any water supply on or available to the premises other than the purveyor's approved public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or used waters or industrial fluids. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Backflow. The term "backflow" shall mean the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources. See terms "backsiphonage" and "backpressure."

Backpressure. The term "backpressure" shall mean any elevation of pressure in the downstream piping system (by pump, elevation of piping, or steam and/or air pressure) above the supply pressure at the point of consideration which would cause, or tend to cause, a reversal of the normal direction of flow.

Backsiphonage. The term "backsiphonage" shall mean a form of backflow due to a reduction in system pressure which causes a subatmospheric pressure to exist at a site in the water system.

Backflow preventer. An assembly or means designed to prevent backflow.

1. *Air gap.* The term "air gap" shall mean a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel. An "approved air gap" shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel--in no case less than one (1) inch (2.54 cm).

2. *Reduced pressure principle backflow prevention assembly.* The term "reduced pressure principle backflow prevention assembly" shall mean an assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shutoff valves at each end of the assembly. This assembly is designed to protect against a nonhealth (i.e., pollutant) or a health hazard (i.e., contaminant). This assembly shall not be used for backflow protection of sewage or reclaimed water.

3. *Double check valve backflow prevention assembly.* The term "double check valve backflow prevention assembly" shall mean an assembly composed of two (2) independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. (See Section 10 of the most current edition of the Manual of Cross-Connection Control for additional details). This assembly shall only be used to protect against a non-health hazard (i.e., pollutant).

Contamination. The term "contamination" shall mean an impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.

Cross-connection. The term "cross-connection" shall mean any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or, system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance or other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.

1. The term *direct cross-connection* shall mean a cross-connection which is subject to both backsiphonage and backpressure.

2. The term *indirect cross-connection* shall mean a cross-connection which is subject to backsiphonage only.

Cross-connections--Controlled. A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

Cross-connection control by containment. The term "service protection" shall mean the appropriate type or method of backflow protection at the service connection, commensurate with the degree of hazard of the consumer's potable water system.

Hazard, degree of. The term "degree of hazard" shall mean either a polluttional (non-health) or contamination (health) hazard and is derived from the evaluation of conditions within a system.

1. *Hazard--Health.* The term "health hazard" shall mean an actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.

2. *Hazard--Plumbing.* The term "plumbing hazard" shall mean an internal or plumbing type cross-connection in a consumer's potable water system that may be either a polluttional or a contamination type hazard. This includes but is not limited to cross-connections to toilets, sinks, lavatories, wash trays and lawn sprinkling systems. Plumbing type cross-connections can be located in many types of structures including homes, apartment houses, hotels and commercial or industrial establishments. Such a connection, if permitted to exist, must be properly protected by an appropriate type of backflow prevention assembly.

3. *Hazard--Polluttional.* The term "polluttional hazard" shall mean an actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree or intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.

4. *Hazard--System.* The term "system hazard" shall mean an actual or potential threat of severe danger to the physical properties of the public or the consumer's potable water

system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

Industrial fluids. The term "industrial fluids" shall mean any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated used waters; all types of process waters and "used waters" originating from the public potable water system which may deteriorate in sanitary quality; chemicals in fluid form; plating acids and alkalis; circulated cooling waters connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used industrially, for other processes, or for fire fighting purposes.

Pollution. The term "pollution" shall mean an impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.

Water--Potable. The term "potable water" shall mean any public potable water supply which has been investigated and approved by the health agency. The system must be operating under a valid health permit. In determining what constitutes an approved water supply, the health agency has final judgment as to its safety and potability.

Water-- Non-potable. The term "non-potable water" shall mean a water supply which has not been approved, for human consumption by the health agency having jurisdiction.

Water--Service connection. The term "service connection" shall mean the terminal end of a service connection from the public potable water system, (i.e., where the water purveyor may lose jurisdiction and sanitary control of the water at its point of delivery to the consumer's water system). If a water meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the water meter.

Water--Used. The term "used water" shall mean any water supplied by a water purveyor from a public potable water system to a consumers water system after it has passed through the service connection and is no longer under the control of the water purveyor.

(c) *Requirements.*

(1) *Water system.*

a. The water system shall be considered as made up of two parts: The water purveyor's system and the consumer's system.

b. Water purveyor's system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the purveyor, up to the point where the consumer's system begins.

c. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.

d. The distribution system shall include the network of conduits used for the delivery of water from the source to the consumer's system.

e. The consumer's system shall include those parts of the facilities beyond the termination of the water purveyor's distribution system which are utilized in conveying potable water to points of use.

(2) *Policy.*

a. No water service connection to any premise shall be installed or maintained by the water purveyor unless the water supply is protected as required by The City of Copperas Cove laws and regulations and this section. Service of water to any premise shall be discontinued by the water purveyor if a backflow prevention assembly required by this section is not installed, tested and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

b. The consumer's system should be open for inspection at all reasonable times to authorized representatives of the water department to determine whether unprotected cross-connections or other structural or sanitary hazards, including violations of these regulations exist. When such a condition becomes known, the director of water/wastewater shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the consumer has corrected the condition(s) in conformance with the city statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.

c. An approved backflow prevention assembly shall also be installed on each service line to a consumer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

1. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the director of water/wastewater, public waters system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line commensurate with the degree of hazard.

2. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line commensurate with the degree of hazard. This shall include the handling of process waters and waters originating from the water purveyor's system which have been subject to deterioration in quality.

3. In the case of premises having (1) internal cross-connections that cannot be permanently corrected or protected against, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

d. The type of protective assembly required under subsections (c)(2)c.1., 2., and 3. shall depend upon the degree of hazard which exists as follows:

1. In the case of any premise where there is an auxiliary water supply as stated in subsection (c)2.c.1. of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.

2. In the case of any premise where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve backflow prevention assembly.

3. In the case of any premise where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants.

4. In the case of any premise where there are unprotected cross-connections, either actual or potential, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly at the service connection.

5. In the case of any premise where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air gap or an approved reduced pressure principle backflow prevention assembly on each service to the premise.

e. Any backflow prevention assembly required herein shall be a make, model and size approved by the director of water/wastewater. The term "approved backflow prevention assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled: AWWA/ANSI C510-921 Standard for Double Check Valve Backflow Prevention Assemblies; AWWA/ANSI C511-921 Standard for Reduced Pressure Principle Backflow Prevention Assemblies; and, have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USC FCCCHR) established in: Specifications of Backflow Prevention Assemblies--Section 10 of the most current edition of the Manual of Cross-Connection Control. Said AWWA and USC FCCCHR standards and specifications have been adopted by the director of water/wastewater. Final approval shall be evidenced by a "Certificate of Compliance" for the said AWWA standards; or "Certificate of Approval" for the said USC FCCCHR specifications issued by an approved testing laboratory.

The following testing laboratory has been qualified by the director of water/wastewater to test and approve backflow prevention assemblies: Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, KAP-200 University Park MC-2531, and Los Angeles, California 90089-2531. Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the director of water/wastewater.

Backflow preventers which may be subjected to backpressure or backsiphonage that have been fully tested and have been granted a certificate of approval by said qualified laboratory and are listed on the laboratory's current list of approved backflow prevention assemblies may be used without further test or qualification.

f. It shall be the duty of the consumer at any premise where backflow prevention assemblies are installed to have a field test performed by a certified backflow prevention assembly tester upon installation and at least once per year. In those instances where the

director of water/wastewater deems the hazard to be great enough he may require field tests at more frequent intervals. These tests shall be at the expense of the water user and shall be performed by water department personnel or by a certified tester approved by the director of water/wastewater. It shall be the duty of the director of water/wastewater to see that these tests are made in a timely manner. The consumer shall notify director of water/wastewater in advance when the tests are to be undertaken so that an official representative may witness the field tests if so desired. These assemblies shall be repaired, overhauled or replaced at the expense of the consumer whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept and made available to the director of water/wastewater.

g. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the testing and maintenance requirements under subsection (c)2.f., be excluded from the requirements of these rules so long as the director of water/wastewater is assured that they will satisfactorily protect the water purveyor's system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the director of water/wastewater finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.

h. The director of water/wastewater is authorized to make all necessary and reasonable rules and policies with respect to the enforcement of this section. All such rules and policies shall be consistent with the provisions of this section.

(d) *Penalty.* Any person or owner who violates Chapter 11, Article II, section 11-27 shall be punished by a fine not to exceed two thousand dollars (\$2,000.00) and each day this violation occurs or continues shall constitute a separate offense.

(Ord. No. 1998-43, § 1, 11-10-98; Ord. No. 2000-17, § 1, 4-25-00)

Secs. 11-28--11-29. Reserved.

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item I-8

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Ordinance No. 2008-35, amending Section 11-25, 11-25.1, and 11-26, Article II, Chapter 11 Municipal Utilities and Services of the City of Copperas Cove Code of Ordinances.

1. BACKGROUND/HISTORY

An increase in the City's volumetric water rates was presented in the City Manager's FY 2008-09 Proposed Budget.

The various rates and fees are in the process of all being combined into one City Wide "Fee Schedule", but since this section of the Municipal Utilities and Services Code of Ordinances has not been reviewed and revised this fiscal year, the City needs to update the fees that are referenced in this section to agree with the "Fee Schedule".

1. FINDINGS/CURRENT ACTIVITY

The City of Copperas Cove, as part of the annual budget process, reviews the current fees. As a result of this review, the following changes are being proposed to this section of the City's Code of Ordinances:

- Increase in water volumetric rate by \$.04 cents per 1,000 gallons of water.

The increase for all water customers is necessary to help offset the increasing costs at the City to include the 3 cent increase that is proposed from the Water Control Improvement District (WCID) and 1 cent to offset a portion of the fuel and electricity increases.

2. FINANCIAL IMPACT

The increases in water and sewer rates are projected to increase revenues by approximately \$45,980 in FY 2008-09.

3. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council approve Ordinance No. 2008-35, amending Section 11-25, 11-25.1, and 11-26, Article II, Chapter 11 Municipal Utilities and Services of the City of Copperas Cove Code of Ordinances.

City of Copperas Cove

City Council Agenda Item Report

September 16, 2008

Agenda Item No. I-9

Contact – Wanda Bunting, Director of Financial Services, 547-4221
wbunting@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on RFP 2008-12-75 for full time Legal Services.

1. BACKGROUND/HISTORY

With the increasing population and City issues arising on a regular basis, the need for full-time legal services is apparent. The City of Copperas Cove last employed a full-time City Attorney from August 1998 to August 2001. At the request of three members of the City Council, the process began by looking at the City's options at the July 15, 2008 City Council meeting. At that time, City Council decided that the best option was for City Staff to go out for Request for Proposal (RFP) services.

Legal Services RFP 2008-12-75 was developed and advertised August 08, & August 15, 2008 with a due date of August 29, 2008. Request for Proposals were mailed to six (6) legal firms for their consideration. The RFP was also available on the City web site.

2. FINDINGS/CURRENT ACTIVITY

Two (2) Proposals were received; Denton Navarro Rocha & Bernall of San Antonio, Texas and Bickerstaff Heath Delgado & Acosta of Austin, Texas. These two Proposals will be opened and distributed to City Council for review during the Council Meeting.

The following options are available for Council Consideration:

1. Reject the two (2) proposals submitted and re-bid to allow additional time for responses.
2. Interview one or both firms that submitted proposals at a future Council meeting.
3. Accept one of the submitted proposals.
4. Postpone the agenda item to a future date.

3. FINANCIAL IMPACT

Impact is unknown without the detailed results of the Request for Proposals.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council take action on this item.

Dear GCAA Applicant:

Thank you for your hard work and participation in the Governor's Community Achievement Awards program. The applications submitted in the GCAA competition were a wonderful representation of the diverse programs and projects of Texas communities. We appreciate your continuing efforts to achieve the Keep Texas Beautiful vision of making Texas the cleanest, most beautiful state in the nation.

Listed below are the average of scores received in each section, overall score, point deductions and reason (if applicable), and lastly judges comments, if given.

Again, thank you for your participation and for keeping Texas beautiful!

Copperas Cove: Category Six- 25,001-50,000

AVERAGE SCORES:

Section	Points	Out of Possible
Community Leadership & Coordination	11.67	12
Education	11	12
Public Awareness	10.33	12
Litter Prevention & Cleanup	11	12
Illegal Dumping & Enforcement	11	12
Beautification & Property Improvement	11	12
Solid Waste Management	11	12
Summation	6	6
Supplemental Materials	9.67	10
Point Deduction – Executive Summary	0	
Point Deduction – Supplemental Notebook	0	
Total GCAA Score	92.67	100

JUDGES COMMENTS:

- Would like to see more on litter prevention
- Public Awareness: Show measurable results.
- Nice scrapbook!
- Keep focus on what your community is doing as a whole rather than just the board or city staff. Council and Code Enforcement staff should be encouraged to attend trainings. Have board members seek out info from businesses, schools, civic groups and have them report to staff.
- Good job!

UPDATE ON KCCB ACTIVITIES

Good evening Mayor Pro Tem, Council Members and City Manager.

Keep Copperas Cove Beautiful (KCCB) has been very busy in the last year. Our commission completed the most projects ever. I wanted to update you on those accomplishments. For the past five years, KCCB has entered the Governors Community Achievement Award (GCAA). The judging is broken down into 9 population categories. We are in Category 6 and the top prize is a \$95,000 landscaping grant. The award recognizes communities for Leadership and Coordination, Education, Public awareness, Litter Prevention and clean up, Illegal Dumping Enforcement, Beautification Improvements and Solid Waste Management. A copy of our score and the judges comments are provided to you. Even though we did not win, KCCB received the highest score we have ever had. We are very proud of the accomplishments of KCCB. Just in the last year, the members of this commission have spent 782 hours volunteering. Citizens of Copperas Cove and other volunteers have spent an additional 427 ½ hours volunteering for a total of 1,209 ½ hours. That is more than 50 24-hour days of volunteering. The time dedicated to beautification in our City is a reflection of KCCB and the community.

During this time we held a total of 18 clean up and beautification events, including graffiti removal, four (4) Make a Difference Day projects, a Don't Mess With Texas Trash off, Roadside litter clean ups, a Business Makeover for two local businesses, and we partnered with other civic organizations to plant some trees and shrubs.

In addition, KCCB held two waterway clean ups, a Texas Recycles Day event, took part in two "Green" events, one for Earth Day and

one for Geographical Information Systems Day both of which focus on teaching students environmental responsibility and awareness. We also participated in the Rabbit Fest, Employee Health Fair, and Safe Halloween where 923 treat bags, stuffed by residents from Windcrest Nursing Home, were handed out.

Each year, KCCB conducts a Litter Index Survey throughout the city as a requirement to keep in good standing with Keep America Beautiful. After the survey last year, KCCB saw the need to start a Cigarette Litter Prevention Campaign. We met with CCISD and Windcrest Nursing Home Administrator and asked if they could help us paint 79 12-inch clay pots which were to be distributed around town as cigarette litter receptacles. They were more than happy to participate. KCCB prepared the pots by applying primer and after painting, we sealed the paint and filled the pots with sand, donated by Ratliff Concrete and transported for us by the Street Department. After obtaining permission from property management, we started distributing the pots free of charge to Town Square Shopping Center, Cove Terrace Shopping Center any other business that wanted them. To date about half of the pots have been distributed and are being used at places like Walgreens, Sherwin Williams, the Chamber of Commerce, Bush's Chicken, Seoul Garden, Comfort Suites and many other places. Giving people a place for their cigarette litter is making a difference and as word of these clay pots gets around, more businesses are now approaching us who want one of these colorful clay pots in front of their business.

Lastly I would like to tell you that KCCB believes that litter prevention and good environmental habits, like recycling, begin at a young age. Because of this, KCCB in partnership with the Solid Waste Department has held several classroom presentations, tours of the recycle center, and recycling demonstrations reaching approximately 1,000 kids just in the last year. We will continue to work towards increasing the number of children we reach.

Each year KCCB learns, grows, and becomes more involved. I would like to extend an open invitation to the City Council and all City Management to participate in our upcoming events. These events have a positive impact on our community and it gives everyone a great feeling to spend just a few hours volunteering on a beautification or clean up event.

Thank you for your time and for allowing me to update you on what KCCB has been doing over the last year.