



**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 **26th day of March 2009** 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. Oath of Office: The Oath of Office will be administered to Bill L. Stephens, Council Member Position 5. ***F. W. "Bill" Price, Municipal Court Judge***

2. Employee Service Awards. ***Andrea Gardner, City Manager***

February 2009:

- Joseph Pangelinan, Heavy Equipment Operator – 10 years
- John Mantanona, Solid Waste Supervisor Operations – 10 years
- Silvia Rhoads, Solid Waste Supervisor Recycling/Administration – 10 years

March 2009:

- Anthony Castro, Wastewater Operator II – 5 years
- Jacorby Smith, Patrol Officer – 5 years
- Margarito Garcia, Golf Course Laborer – 10 years
- Greg Mitchell, Information Systems Director – 10 years

3. Proclamation: Child Abuse Prevention Month in Copperas Cove, April 2009. ***John Hull, Mayor***

4. Proclamation: National Autism Awareness Day, April 2, 2009 and Autism Awareness Month, April 2009. **John Hull, Mayor**

F. CITIZENS FORUM At this time, citizens will be allowed to speak 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 March 3, 2009 regular council meeting. **Jane Lees, City Secretary**
2. Consideration and action on approval of minutes from the March 16, 2009 special council meeting. **Jane Lees, City Secretary**
3. Consideration and action on authorizing the City Manager to enter into an Interlocal Agreement with the Tarrant County Cooperative Purchasing Program Association and naming the Purchasing Officer of the City of Copperas Cove as the City's Authorized Officer. **Tracy Molnes, Purchasing Officer**
4. Consideration and action on authorizing the release of funds in the amount of \$899.30 from the Hotel Occupancy Tax Fund to the Boys and Girls Club of Copperas Cove. **Wanda Bunting, Director of Financial Services**
5. Update on the Recycle Program. **Michael Mundell, Superintendent of Solid Waste**
6. Consideration and action on authorizing the Mayor as the approval signature on the State of Texas CO-OP Agent of Record Name Change Form. **Tracy Molnes, Purchasing Officer**
7. Financial Report for the Month ended January 31, 2009. **Wanda Bunting, Director of Financial Services**
8. Consideration and action on authorizing street closures for 7th Street and Avenue D and the 17th Street crossing for the Copperas Cove High School Shattered Dreams Project. **Tim Molnes, Police Chief**
9. Consideration and action on authorizing the Mayor of the City of Copperas Cove to address a letter to the Texas Department of Housing and Community Affairs that clearly defines the City's intentions to defer application submission for the Texas Neighborhood Stabilization Program to Fort Hood Area Habitat for Humanity. **Andrea M. Gardner, City Manager**

H. PUBLIC HEARINGS/ACTION

1. Public Hearing on Ordinance No. 2009-05, amending the 2008-09 fiscal year budget for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

I. ACTION ITEMS

1. Consideration and action on Resolution No. 2009-11, authorizing the Copperas Cove Municipal Court to accept online credit card payments through the Company of Tyler Technologies at no cost to the City. **Joseph R. Pace, Municipal Court Supervisor**
2. Consideration and action on authorizing the City Manager to enter into a contract with Onvia, Inc. **Tracy Molnes, Purchasing Officer**
3. Presentation of Fiscal Year 2008 Comprehensive Annual Financial Report. **Wanda Bunting, Director of Financial Services**
4. Consideration and action on rejecting all proposals received for the Request for Proposal No. 2008-10-54, for design and engineering of a new indoor aquatics and recreation facility. **Ken Wilson, Director of Community Services**
5. Consideration and action on Resolution No. 2009-10, endorsing certain legislative changes to enhance the competitive electric market supported by Cities Aggregation Power Project (CAPP), Inc. **Wanda Bunting, Director of Financial Services**
6. Consideration and action on the Mayor's recommendation for a Council Member to serve as an alternate liaison to the Economic Development Corporation (EDC). **John Hull, Mayor**
7. Consideration and action on approval of Ordinance No. 2009-07, adopting revised Sign Regulations. **Carl Ford, Director of Development Services**
8. Consideration and action on approving Ordinance No. 2009-04, revising the City Council's Rules of Meetings and Order of Business. **Andrea M. Gardner, City Manager**
9. Consideration and action authorizing the City Manager to enter into a contract with First Southwest Asset Management, Inc. for professional services related to arbitrage rebate. **Andrea M. Gardner, City Manager**
10. Consideration and action on authorizing the Mayor to execute an Image Campaign Agreement with the Copperas Cove Independent School District, the Copperas Cove Economic Development Corporation and the Copperas Cove Chamber of Commerce. **Andrea M. Gardner, City Manager**

11. Consideration and action on authorizing the rental fees for use of the City of Copperas Cove Civic Center in the amount of \$250 be waived for a Benefit Concert planned for Trinity Doyle. **Andrea M. Gardner, City Manager**
12. Consideration and action on reviewing the Future Land Use Plan. **Carl Ford, Director of Development Services**
13. Consideration and action on adopting Ordinance 2009-06, repealing §18-29 of the City of Copperas Cove Code of Ordinances Chapter 18. **Andrea M. Gardner, City Manager**

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Presentation update on Fort Hood USO activities. **Robin Crouse, Program Manager**
2. Presentation update from the Boys & Girls Club of Copperas Cove on what the City can look forward to this summer concert season. **Francie Charles, Boys and Girls Club of Copperas Cove**

K. ITEMS FOR FUTURE AGENDAS

L. EXECUTIVE SESSION

1. Pursuant to §551.072 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the purchase of real property.

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

N. 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 **5:00 p.m., March 19, 2009**, 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 **26th day of March 2009**, at **5:30 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. Presentation and discussion on the proposed revisions to Chapter 14 of the Code of Ordinances, Oil and Gas Drilling. ***Andrea M. Gardner, City Manager***

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 **5:00 p.m., March 19, 2009**, 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, nearly 200,000 children in Texas are reported as abused or neglected every year; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

WHEREAS, communities must make every effort to promote programs that benefit children and their families;

WHEREAS, effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS, everyone in the community should become more aware of child abuse prevention and consider helping parents raise their children in a safe, nurturing environment.

NOW, THEREFORE, let it be proclaimed that the month of April 2009 be observed as

“Child Abuse Prevention Month”

in Copperas Cove, Texas, and urge all citizens to work together to help reduce child abuse and neglect in years to come.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Copperas Cove to be affixed this 26th day of March 2009.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary



PROCLAMATION

- WHEREAS,** Our City is a community of compassion and dedicated to being a wonderful place to live and raise a family; and
- WHEREAS,** Every family faces challenges that require faith, love and hope; and
- WHEREAS,** Autism affects 1 in every 150 children born today and over 1.5 million Americans today have some form of autism including some families of our community; and
- WHEREAS,** It is known that with proper education, training and community living options, individuals with autism can lead distinguished, productive lives in their communities and strive to reach their fullest potential; and
- WHEREAS,** Autism is one of the fastest-growing developmental disabilities in the world, with annual costs to treat the disability growing into billions of dollars, yet service options lag the needs to those impacted; and
- WHEREAS,** Our community supports increasing awareness of this challenging disability and fair funding for research and services for those in need.

NOW THEREFORE, I, John Hull, Mayor of the City of Copperas Cove, Texas, do hereby proclaim that April 2, 2009 be declared

“National Autism Awareness Day”

and that the month of April 2009 be proclaimed as

“Autism Awareness Month”

in the City of Copperas Cove, and urge all citizens to learn more about families in our community who have children affected by autism.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Copperas Cove to be affixed this 26th day of March 2009.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
March 3, 2009 – 7:00 P.M.**

1. Oath of Office: The Oath of Office will be administered to Cheryl L. Meredith. **F. W. "Bill" Price, Municipal Court Judge**

F.W. "Bill" Price, Municipal Court Judge administered the oath of office to Cheryl L. Meredith, Council Member Position 1. Ms. Meredith was elected at the Special Election of February 10, 2009 to fill an unexpired position ending June 2009.

2. Oath of Office: The Oath of Office will be administered to Charles "Chuck" Downard. **F. W. "Bill" Price, Municipal Court Judge**

F.W. "Bill" Price, Municipal Court Judge administered the oath of office to Charles "Chuck" Downard, Council Member Position 3. Mr. Downard was elected at the Special Election of February 10, 2009 to fill an unexpired position ending June 2010.

3. Oath of Office: The Oath of Office will be administered to Danny Palmer. **F. W. "Bill" Price, Municipal Court Judge**

F.W. "Bill" Price, Municipal Court Judge administered the oath of office to Danny Palmer, Council Member Position 4. Mr. Palmer was elected at the Special Election of February 10, 2009 to fill an unexpired position ending June 2010.

A. CALL TO ORDER

Mayor John Hull called the regular 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

Frank D. Somera, Jr. gave the Invocation, and Mayor Hull led the Pledge of Allegiance.

C. ROLL CALL

John Hull
Cheryl L. Meredith
Larry D. Sheppard
Chuck Downard
Danny Palmer
Willie C. Goode
Frank Seffrood

ALSO PRESENT

Andrea M. Gardner, City Manager
Charles E. Zech, City Attorney
Jane Lees, City Secretary

D. ANNOUNCEMENTS

Andrea Gardner, City Manager, announced that the Solid Waste Transfer Station would be open to the public on March 14, 2009 from 8:00 a.m. to 4:30 p.m. She reminded residents that City Ordinances cannot be enforced for any production activities regarding oil and gas drilling that is outside of City limits. She stated that the moratorium on oil and gas drilling that was

passed by the City council on August 19, 2008 says that it will be effective upon passage for 180 days or until the City concludes a comprehensive evaluation and adopts new regulations regarding these types of activities.

E. PUBLIC RECOGNITION

1. Employee Service Awards. **Andrea M. Gardner, City Manager**

December 2008 Recipients: Robert Hicks, Fire Lieutenant, 5 years; Daniel Taylor, Public Improvements Inspector, 5 years; William Ortiz, Heavy Equipment Operator, 5 years.

January 2009 Recipients: Rebecca Koppes, Firefighter/Paramedic, 5 years.

2. Employee of the Quarter Recognitions. **Andrea M. Gardner, City Manager**

4th Quarter 2008 Recipients: Public Safety Division, Gary Young, Fire Department/EMS Chief; Community Services Division, Nancy Nyberg, Golf Shop Assistant; Public Works Division, James Dixon, Facility Maintenance; Administrative Services Division, Linda Acevedo-Hernandez, Finance Department Accounting Technician.

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.

John Firth, County Judge. Judge Firth welcomed the new City Council members on behalf of Coryell County and said that the County stands ready to assist them and answer any questions. He passed out an updated list of what Coryell County is providing to the City for fiscal year 2009.

G. CONSENT ITEMS

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

2. Consideration and action on approval of minutes from the November 14, 2008 special council meeting. **Jane Lees, City Secretary**

3. Consideration and action on approval of minutes from the February 20, 2009 special council meeting. **Jane Lees, City Secretary**

4. Consideration and action on award of Bid No. 2009-02-42 to Planet Ford for the purchase of four (4) police pursuit vehicles for \$28,774 per unit. **Tim Molnes, Police Chief**

5. Consideration and action on authorizing street closures during calendar year 2009 for the Copperas Cove Chamber of Commerce & Visitors Bureau, Copperas Cove Downtown Association, Olan Forest Smith, VFW Post No. 8577 and Ladies Auxiliary and Police Department's National Night Out "Kick Off Party 2009". **Tim Molnes, Police Chief**

6. Consideration and action on Resolution No. 2009-06, accepting the quarterly investment report as presented for the quarter ending September 30, 2008 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

The Resolution caption is as follows:

RESOLUTION NO. 2009-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE QUARTERLY INVESTMENT REPORT AS PRESENTED FOR THE QUARTER ENDING SEPTEMBER 30, 2008 PER THE INVESTMENT POLICY.

7. Consideration and action on approval of Resolution No. 2009-07, amending authorized Texas Local Government Investment Pool (TexPool) representatives for the City of Copperas Cove, Texas. **Wanda Bunting, Director of Financial Services**

The Resolution caption is as follows:

RESOLUTION NO. 2009-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING AUTHORIZED TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL) REPRESENTATIVES FOR THE CITY OF COPPERAS COVE, TEXAS.

8. Consideration and action on Resolution No. 2009-08, accepting the quarterly investment report as presented for the quarter ending December 31, 2008 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

The Resolution caption is as follows:

RESOLUTION NO. 2009-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE QUARTERLY INVESTMENT REPORT AS PRESENTED FOR THE QUARTER ENDING DECEMBER 31, 2008 PER THE INVESTMENT POLICY.

Council Member Palmer made a motion to approve consent items G-1, G-2, G-3, G-4, G-5, G-6, G-7, and G-8. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public hearing, consideration and action on Ordinance No. 2009-02, providing a zoning change for 3.01 acre tract out of the W. H. Davis Survey, Abstract #276, locally known as the 900 block of North F.M. 116, from R-1 Single Family Residential to B-4 Business District, providing a savings clause; and declaring an effective date. **Carl Ford, Director of Development Services**

Mayor Hull opened the public hearing.

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

Speaking for: Wes Atkinson, President of Bel Pas, Inc. Daniel Butler, 403 W. Anderson. Mr. Butler asked the Council to consider a clause for a restaurant only. Ken Warren 404 W. Anderson.

Speaking Against: None.

Mayor Hull closed the public hearing.

Council Member Goode made a motion to approve agenda item H-1 for B-3 (Local Business District) zoning. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

I. ACTION ITEMS

1. Consideration and action on appointment of a member to fill a vacancy on the Board of Adjustment. **Carl Ford, Director of Development Services**

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

Council Member Seffrood made a motion to move Frank Somera Jr. from Alternate to Position 4 of the Board of Adjustment of the City of Copperas Cove, for the period March 3, 2009 – June 30, 2011. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on Resolution 2009-02, accepting the Office of Rural Community Affairs 2008 TxCDP Grant No. 728050, awarded for the purpose of construction improvements to the sewer system including replacement of wastewater lines, manholes and service reconnections. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-2.

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

The Resolution caption is as follows:

RESOLUTION NO. 2009-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE OFFICE OF RURAL COMMUNITY AFFAIRS 2008 TXCDP GRANT NO. 728050, AWARDED FOR THE PURPOSE OF CONSTRUCTION IMPROVEMENTS TO THE SEWER SYSTEM INCLUDING REPLACEMENT OF WASTEWATER LINES, MANHOLES AND SERVICE RECONNECTIONS.

3. Consideration and action on Resolution 2009-03, authorizing signatories in connection with the Office of Rural Community Affairs TxCDBG Grant No. 728050, awarded for the purpose of construction improvements to the sewer system including

replacement of wastewater lines, manholes and service reconnections. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-3.

Council Member Downard made a motion to approve agenda item I-3. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2009-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE OFFICE OF RURAL COMMUNITY AFFAIRS 2008 TXCDP GRANT NO. 728050, AWARDED FOR THE PURPOSE OF CONSTRUCTION IMPROVEMENTS TO THE SEWER SYSTEM INCLUDING REPLACEMENT OF WASTEWATER LINES, MANHOLES AND SERVICE RECONNECTIONS.

4. Consideration and action on Ordinance No. 2009-01, amending Personnel Policy No. 510 – Family and Medical Leave Act. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director, gave an overview of agenda item I-4.

Council Member Seffrood made a motion to approve agenda item I-4. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2009-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING PERSONNEL POLICY NO. 510 – FAMILY AND MEDICAL LEAVE ACT.

5. Consideration and action on appointment of one (1) member to the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Executive Director, Keep Copperas Cove Beautiful**

Silvia Rhoads, Executive Director, gave an overview of agenda item I-5.

Council Member Palmer made a motion to appoint Tracy Lehmkuhler to the Keep Copperas Cove Beautiful Commission of the City of Copperas Cove for the period March 2009 – September 2010. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on Resolution No. 2009-04, establishing procedures for a General Election on May 9, 2009 in Copperas Cove, Texas. **Jane Lees, City Secretary**

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

Council Member Downard made a motion to approve agenda item I-6. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2009-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ESTABLISHING PROCEDURES FOR A GENERAL ELECTION ON MAY 9, 2009 IN COPPERAS COVE, TEXAS.

7. Consideration and action on rescheduling the date of the March 17, 2009 regular City Council meeting to another date. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-7.

Council Member Palmer made a motion to reschedule the date of the March 17, 2009 regular City Council meeting to March 26, 2009. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

8. Consideration and action on the Mayor's Council Member recommendations and nominations to various ad hoc committees and outside agencies, committees, task forces, boards and commissions. **John Hull, Mayor**

Mayor Hull made nominations as follows:

John Hull
CTCOG Executive Committee
Hill Country Transit District Board
K-TUTS Policy Board

Cheryl Meredith
Adopt-A-Fort Hood-Unit
Sex Offender Ordinance Committee

Larry D. Sheppard
Deer Committee
Downtown Zoning Committee

Chuck Downard
Adopt-A-Fort Hood-Unit
Central Texas Deployment Task Force
EDC (Council Liaison)

Danny Palmer
Deer Committee
Oil & Gas Committee
Ordinance Review Committee

Willie C. Goode
K-TUTS Police Board (Alternate)
Ministerial Alliance Representative
Oil & Gas Committee
Records Management Committee

Frank Seffrood
Downtown Zoning Committee
Strategic Planning Committee
Transportation Committee

Andrea M. Gardner
CTCOG Executive Committee (Alternate)
Hill Country Transit District Board (Alternate)
K-TUTS Policy Board (Alternate 1)

Carl Ford
K-TUTS Policy Board (Alternate 2)

Council Member Downard requested that the Mayor appoint an alternate council liaison to the EDC. Mayor Hull said he could do this, but it would have to be on the next agenda.

Council Member Goode made a motion to approve agenda item I-8 as outlined by Mayor Hull in the Agenda Packet. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

9. Consideration and action on Resolution 2009-05, authorizing signatories in connection with the Office of Rural Community Affairs TxCDBG Grant No. 728267, awarded for the purpose of construction improvements to the drainage system along Summers Road and 25th, 27th and 31st Streets. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-9.

Council Member Goode made a motion to approve agenda item I-9. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2009-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING SIGNATORIES IN CONNECTION WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS TXCDBG GRANT NO. 728267, AWARDED FOR THE PURPOSE OF CONSTRUCTION IMPROVEMENTS TO THE DRAINAGE SYSTEM ALONG SUMMERS ROAD AND 25TH, 27TH AND 31ST STREETS.

10. Consideration and action on authorizing the City Manager to provide thirty days written notice to First Southwest Corporation of the City's intent to terminate the Financial Advisory Agreement dated August 13, 2003 between the City of Copperas Cove and First Southwest Corporation effective April 10, 2009. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-10.

Council Member Downard made a motion to approve agenda item I-10. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

11. Consideration and action on authorizing the City Manager to execute a Financial Advisory Services Agreement with Specialized Public Finance Inc. effective April 11, 2009. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-11.

Council Member Goode made a motion to approve agenda item I-11. Council Member Seffrood seconded the motion. During discussion, Mr. Gary Kimball of Specialized Public Finance Inc. stated that he has had the privilege of serving the City for the past 15 years on the financing of all the City's infrastructure projects. He said he would very much like to continue to serve in that role. With a unanimous vote, motion carried.

12. Consideration and action upon authorizing the Mayor to execute two (2) easements for Oncor Electric Delivery Company. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-12.

Council Member Seffrood made a motion to approve agenda item I-12. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

13. Consideration and action authorizing the City Manager to cancel the construction contract with Maguire Iron, Inc. of Sioux Falls, South Dakota. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-13.

Council Member Sheppard made a motion to approve agenda item I-13. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

14. Consideration and action on the cancellation of the economic development agreement between the City of Copperas Cove and Mesa Verde Partnership executed on May 20, 2008. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-14.

Council Member Sheppard made a motion to approve agenda item I-14. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

15. Consideration and action to reject all proposals responsive to the City of Copperas Cove's Request for Proposals for Prosecutor Services. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-15.

Council Member Seffrood made a motion to approve agenda item I-15 and reject all proposals. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

16. Consideration and action on Resolution No. 2009-09, supporting the Southeast Bypass Project (U.S. Highway 190 Reliever Route) and future debt issuance. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-16.

Council Member Downard made a motion to approve agenda item I-16. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2009-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, SUPPORTING THE SOUTHEAST BYPASS PROJECT (U.S. HIGHWAY 190 RELIEVER ROUTE) AND FUTURE DEBT ISSUANCE.

17. Consideration and action on authorizing the City Manager to issue payment in the amount of \$4,296.11 to Hays & Owens for oil & gas legal assistance. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-17.

Council Member Goode made a motion to approve agenda item I-17. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

18. Consideration and action on approving a contract between the City of Copperas Cove and the Copperas Cove Country Opry concerning the use of hotel occupancy tax. **Frank Seffrood, Council Member Place 7**

Frank Seffrood, Council Member Place 7, gave an overview of agenda item I-18.

Mayor Hull recommended that the Council consider postponing this item until the second meeting in April. Mr. Scott Joslove of the Texas Hotel & Lodging Association is scheduled to speak to the City Council at the Council Workshop on April 7, 2009, at which time he will discuss the legalities and uses for hotel and motel taxes.

Council Member Goode made a motion to approve agenda item I-18 for \$1,000 per quarter. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

19. Consideration and action on Ordinance No. 2009-03, amending the City's "Fee Schedule". **Frank Seffrood, Council Member Place 7**

Frank Seffrood, Council Member Place 7, gave an overview of agenda item I-19.

Council Member Palmer made a motion to approve agenda item I-19 by adopting Option 1. Council Member Downard seconded the motion.

During discussion, Council Member Seffrood stated that Option 1 would further increase costs in the Solid Waste budget. Council Member Downard stated that the City promised free bulk pickup and should keep that promise. He said that the Solid Waste budget has an additional \$22,000; therefore, the Council can approve Option 1 and live with being below the ideal fund balance. Council Member Seffrood stated that there is an anticipated loss of \$60,000 with Option 1. He suggested that the option to add 50 cents a month per solid waste customer would take care of the anticipated loss and would not place any real financial burden to any one customer. Council Member Sheppard agreed, saying that the 50 cents per customer should be added in order to maintain ideal fund balance. Mayor Hull added that budget preparation time will be coming up shortly and the Council could look further into this matter at that time.

A roll call vote was taken for Option 1 as follows:

Cheryl Meredith	Aye
Larry Sheppard	Aye
Chuck Downard	Aye
Danny Palmer	Aye
Willie Goode	Aye
Frank Seffrood	Nay

Motion carried 5-1 for Option 1, which will cost the City an average cost of \$60,000 per year for disposal cost only (does not include personnel cost associated with the pickup service).

J. STAFF REPORTS

1. Texas Commission on Environmental Quality (TCEQ) Public Drinking Water Recognition Program. **Robert McKinnon, Director of Public Works**

Andrea Gardner, City Manager, gave an update on the Texas Commission on Environmental Quality (TCEQ) Public Drinking Water Recognition Program.

3. Capital Improvement Projects Update. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an update on Capital Improvement Projects.

2. Developmental Projects Update. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an update on Developmental Projects.

4. Financial Report for the Month ended September 30, 2008. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave the financial report for the month ended September 30, 2008. City Council agreed to skip to item J-7.

5. Financial Report for the Month ended October 31, 2008. **Wanda Bunting, Director of Financial Services**

6. Financial Report for the Month ended November 30, 2008. **Wanda Bunting, Director of Financial Services**

7. Financial Report for the Month ended December 31, 2008. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave the financial report for the month ended December 31, 2008.

8. Annual Investment Report for the Fiscal Year Ending September 30, 2008 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave the annual investment report for the fiscal year ending September 30, 2008 per the Investment Policy.

9. Report on Texas Parks & Wildlife Department (TPWD) Grant Award. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave a report on the Texas Parks & Wildlife Department (TPWD) Grant Award. The TPWD informed the City that they prefer to not receive back the grant money. If the City were to return the money, there is the risk of not ever getting another

grant from TPWD. The grant requirements are that construction must be complete within a three-year period and the City currently has two years left. TPWD will grant a one-year extension. The City could place an item on the November ballot for GO bonds.

10. Presentation of the 2008 Annual Report for the Police Department. **Tim Molnes, Police Chief**

Tim Molnes, Police Chief, gave a presentation of the 2008 Annual Report for the Police Department.

11. Presentation of the 2008 Annual Report for Animal Control. **Mike Heintzelman, Deputy Police Chief**

Mike Heintzelman, Deputy Police Chief, gave a presentation of the 2008 Annual Report for Animal Control.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

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 discuss the purchase of real property.

2. Pursuant to §551.071 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss legal issues surrounding contract with former City Attorney Jim Thompson.

3. Pursuant to §551.071 (a)(A)-(B) of the Open Meetings Act. *Gov't Code*, Council will meet in Executive Session to consult with attorney regarding contemplated litigation and to receive advise protected by the attorney/client privilege on the dispute brought by Burkett Media LP regarding their sign application.

The Council adjourned to Executive Session at 9:28 p.m.

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

The Council reconvened into open session at 10:13 p.m.

Council Member Palmer made a motion to pay Jim Thompson the money requested and that any City property in his possession is returned to the City. Council Member Meredith seconded the motion.

A roll call vote was taken as follows:

Cheryl Meredith	Aye
Larry Sheppard	Nay
Chuck Downard	Aye
Danny Palmer	Aye

Willie Goode Nay
Frank Seffrood Aye

Motion carried 4-2.

O. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 10:14 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

**CITY OF COPPERAS COVE
CITY COUNCIL SPECIAL MEETING MINUTES
March 16, 2009 – 5:00 P.M.**

A. CALL TO ORDER

Mayor John Hull called the special meeting of the City Council of the City of Copperas Cove Texas to order at 5:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Hull gave the Invocation and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

John Hull
Cheryl L. Meredith
Larry D. Sheppard
Chuck Downard
Danny Palmer
Willie C. Goode
Frank Seffrod

Andrea M. Gardner, City Manager
Jane Lees, City Secretary

D. PUBLIC RECOGNITION

E. ACTION ITEMS

1. Consideration and action on a Resolution to revise procedures, as originally set forth in Resolution No. 2009-04, for a General Election on May 9, 2009 in Copperas Cove, Texas. ***Jane Lees, City Secretary***

Jane Lees, City Secretary, gave an overview of agenda item E-1.

Council Member Downard made a motion to approve agenda item E-1. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2009-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, TO REVISE PROCEDURES, AS ORIGINALLY SET FORTH IN RESOLUTION NO. 2009-04, FOR A GENERAL ELECTION ON MAY 9, 2009 IN COPPERAS COVE, TEXAS .

F. ADJOURNMENT

There being no further business, Mayor John Hull adjourned the meeting at 5:04 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. G-3

Contact – Tracy Molnes, Purchasing Officer, 542-8940
t/molnes@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the City Manager to enter into an Interlocal Agreement with the Tarrant County Cooperative Purchasing Program Association and naming the Purchasing Officer of the City of Copperas Cove as the City's Authorized Officer.

1. BACKGROUND/HISTORY

Previously the City of Copperas Cove and Tarrant County, as well as many other municipalities and governmental entities, entered into a cooperative purchasing program agreement. Such agreement allowed entities to make purchases of various commodities based off of annual contracts (bids) that had been advertised and accepted by Tarrant County who served as an official purchasing agent for all entities that entered into the agreement.

2. FINDINGS/CURRENT ACTIVITY

Since the initial agreement was signed with Tarrant County, several City employees who were listed in the agreement as authorized agents of the City have left employment with the City of Copperas Cove and prior to their departure, did not have a successor named as their replacement. Thus, no current employees with the City of Copperas Cove are listed as authorized officers within the agreement.

City staff desires to renew the Interlocal Agreement with Tarrant County and have the opportunity to participate with another cooperative purchasing entity. All departments of the City will be able to take advantage of this agreement when making purchases that require bidding. The agreement entered into is made available under the authority of Sections 791.001-791.029, Interlocal Cooperation Contracts, of the Texas Government Code.

3. FINANCIAL IMPACT

There is no cost involved to enter into this agreement.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council authorize the City Manager to enter into an Interlocal Agreement with the Tarrant County Cooperative Purchasing Program Association and naming the Purchasing Officer of the City of Copperas Cove as the City's Authorized Officer.

TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM

ENTITY INFORMATION

QUESTIONNAIRE

If your entity is currently participating or plans to participate in Tarrant County's Cooperative Purchasing Program, please complete this questionnaire and return via fax to Tarrant County Cooperative Purchasing Coordinator, Susanna H. Lea by fax number (817) 212-3067, or for additional information, contact Tarrant County at (817) 884-1414.

Name of Entity: The City of Copperas Cove

Point of Contact: ___Tracy Molnes_____

Title: ___Purchasing Officer_____

Phone Number: ___254-547-4221_____

Fax Number: ___254-542-8941_____

Internet Address: ___ www.ci.copperas-cove.tx.us _____

E-Mail Address: ___ tlmolnes@ci.copperas-cove.tx.us _____

Complete Mailing Address: ___City of Copperas Cove_____

_____PO Drawer 1449, 507 South Main Street,

_____Copperas Cove, TX 76522_____

**RETURN QUESTIONNAIRE VIA FAX TO (817) 884-2629
ATTN: COOPERATIVE PURCHASING COORDINATOR**

Please Note: To Execute the agreement please return four (4) original executed agreements with original signatures on each to the attention of the Cooperative Purchasing Coordinator, 100 E Weatherford Ste 303, Fort Worth, TX 76196

INTERLOCAL AGREEMENT

BETWEEN COUNTY OF TARRANT AND THE CITY OF COPPERAS COVE TEXAS

This agreement is made this _____ day of _____, 2009 between the County of Tarrant, Texas and the City of Copperas Cove, Texas.

Pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 Texas Government Code providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the premises and mutual promises contained herein, agree as follows:

WHEREAS, the contract is made under the authority of Sections 791.001-791.029 of the Texas Government Code; and,

WHEREAS, the parties, in performing governmental functions or in paying for the performance of governmental functions hereunder shall make that performance or those payments from current revenues legally available to that party;

WHEREAS, the governing bodies of each party find that the subject of this contract is necessary for the benefit of the public and that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this contract; furthermore, the governing bodies find that the performance of this contract is in the common interest of both parties; and that the division of cost fairly compensates the performing party for the services under this contract.

I.

The City of Copperas Cove, hereby makes, constitutes and appoints Tarrant County its true and lawful purchasing agent for the purchase of various commodities using Annual Contracts (Bids). Tarrant County will maintain a listing of Annual Contracts which are available for local entities use. Tarrant County will forward a copy of requested Annual Contract for the requesting entity use. The City of Copperas Cove agrees that Tarrant County shall serve as the purchasing agent for selected items, and agrees that the bidding shall be conducted by Tarrant County according to its usual bidding procedures and in accordance with applicable State statutes.

II.

The City of Copperas Cove agrees that all specifications for selected items shall be determined by Tarrant County.

III.

The City of Copperas Cove agrees to pay the supplier for all goods, equipment and products pursuant to this agreement. The successful bidder or bidders shall bill the City of Copperas Cove directly for all items purchased, and the City of Copperas Cove shall be responsible for vendor's compliance with all conditions of delivery and quality of the purchased items.

IV.

__Tracy Molnes__ (name), Purchasing Officer__ (title) is hereby designated as the official representative to act for the City of Copperas Cove in all matters relating to this agreement.

V.

This agreement shall take effect upon execution by both signatories.

VI.

This agreement shall be in effect from the date of execution until terminated by either party to the agreement upon written thirty (30) days notice prior to cancellation

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers the day and year first above written.

TARRANT COUNTY

THE CITY OF COPPERAS COVE

BY: _____

BY: _____

TITLE: _____

TITLE: __City Manager _____

DATE: _____

DATE: _____

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

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 authorizing the release of funds in the amount of \$899.30 from the Hotel Occupancy Tax Fund to the Boys and Girls Club of Copperas Cove.

1. BACKGROUND/HISTORY

During the FY 2008-09 budget process, the Boys & Girls Club of Copperas Cove submitted a funding request in the amount of \$13,000 to cover expenditures associated with “Music at the Gap”. On September 16, 2008 the FY 2008-09 Budget was adopted by City Council.

2. FINDINGS/CURRENT ACTIVITY

On March 2, 2009, the City of Copperas Cove was presented with an invoice for \$899.30 along with receipts and proof of payments to cover advertising at the Kerrville Folk Festival for all three “Music at the Gap” events which are scheduled to be held on June 20, 2009, July 18, 2009, and August 8, 2009. It was agreed during the budget process that upon presentation of such documentation, the Boys & Girls Club of Copperas Cove could seek reimbursement from the City of Copperas Cove’s Hotel Occupancy Tax Fund for expenditures incurred as a result of “Music at the Gap”.

3. FINANCIAL IMPACT

At this time, the City has a request for \$899.30 of the \$13,000 approved in the FY 2008-09 Hotel Occupancy Tax Fund budget to reimburse expenditures incurred for “Music at the Gap”.

4. ACTION OPTIONS/RECOMMENDATION

City Staff recommends that City Council authorize the release of funds in the amount of \$899.30 from the Hotel Occupancy Tax Fund to the Boys & Girls Club of Copperas Cove.

Boys & Girls Club of Copperas Cove

INVOICE

The Positive Place for Kids

1216 Phil Avenue
Copperas Cove, TX 76522
254-547-5578

DATE: February 18, 2009
INVOICE # MAG021809
FOR: *Music at the Gap*

Bill To:

Wanda Bunting
City of Copperas Cove
507 S. Main Street
Copperas Cove, TX 76522

DESCRIPTION	AMOUNT
Advertising - Kerrville, TX - Kerrville Folk Festival Programs & Brochures (10,000)	\$899.30
TOTAL	\$ 899.30

Please make checks payable to the Boys & Girls Club of Coryell County

THANK YOU FOR SUPPORTING THE YOUTH OF COPPERAS COVE!

BOYS & GIRLS CLUBS OF CENTRAL TEXAS, INC.

THE POSITIVE PLACE FOR KIDS!
304 W AVE B
KILLEEN, TX 76541
(254) 699-5808

UNION STATE BANK SINCE 1928
P.O. BOX 790 KILLEEN, TX 76540-0790
FLORENCE-KILLEEN-GEORGETOWN
LIBERTY HILL-ROUND ROCK
88-1056-1149

2/16/2009

PAY TO THE ORDER OF KERRVILLE FOLK FESTIVAL

\$ **899.30

Eight Hundred Ninety-Nine and 30/100*****

DOLLARS

KERRVILLE FOLK FESTIVAL
3876 MEDINA HWY
PO BOX 291466
KERRVILLE TX 78029

Wallace Vernon

AUTHORIZED SIGNATURE

MEMO INVOICE #146

⑈003364⑈ ⑆114910565⑆

⑈27027120⑈

BOYS & GIRLS CLUBS OF CENTRAL TEXAS, INC.

KERRVILLE FOLK FESTIVAL
FUND RAISING:Supplies

2/16/2009

3364

899.30

UNION STATE BANK INVOICE #146

899.30

COPY

Security features. Details on back.

Texas Folk Music Foundation dba
KERRVILLE FOLK FESTIVAL
 3876 Medina Hwy
 P.O.Bx 291466
 Kerrville, TX 78029

Phone (830)257-3600

Invoice

Date 1/30/2009
 Invoice # 146

Bill To
Boys & Girls Club of Coryell County, Inc. 1216 Phil Ave. Copperas Cove, TX. 76522

Additional Info:
254-547-5578 BGCLUB@SEACOVE.NET

Description	Qty	Rate	Amount
Four 18-day tickets to KFF		1,124.12	1,124.12
Four 3-day tkts to Wine & Music			
Two Parking Stickers			
Your Bsns Name In Programs + 1/4 page ad			
Discount for Non-Profit organizations (20%)		-224.82	-224.82
Subtotal			\$899.30
Sales Tax (6.75%)			\$899.30
Total			\$0.00
Pymnts/Credits			\$0.00
Balance Due			\$899.30

COPY

*Thank you for your patronage...
 Kerrville Folk Festival and the Texas Folk Music Foundation*

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. G-5

Contact – Michael Mundell, Superintendent of Solid Waste, 547-4242
mmundell@ci.copperas-cove.tx.us

SUBJECT: Update on the Recycle Program.

1. BACKGROUND/HISTORY

A request was made during the October 21, 2008 Council meeting that the Council be provided a staff report on the effectiveness of the Recycling Program.

2. FINDINGS/CURRENT ACTIVITY

The recycling program for the City is a voluntary program, thus is only as effective as the amount of participation received. On average the set out rate (customer participation) is about 20% to 21% over the last two years.

In the last two years the recycling program has generated over \$121,000 in revenue and saved the department over \$136,000 in transportation and disposal costs. To breakdown in greater detail, please see the following table:

<i>Recycling Program</i>			
	<i>FY</i> <i>2006-07</i>	<i>FY</i> <i>2007-08</i>	<i>Two Year</i> <i>Total</i>
Recycling Revenue:			
Curbside Recycling Program	\$ 41,899	\$ 48,908	\$ 90,807
Scrap Metal Recycling Program	17,071	13,185	30,256
Total Recycling Revenue	<u>58,969</u>	<u>62,093</u>	<u>121,062</u>
Operating Costs:			
Recycling Division	110,508	103,842	214,351
Net Gain (Loss)	<u>\$ (51,539)</u>	<u>\$ (41,750)</u>	<u>\$ (93,289)</u>
Transportation & Disposal Cost Savings	74,950	61,050	136,000
Net Program Impact	\$ 23,411	\$ 19,300	\$ 42,712

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

None.

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. G-6

Contact – Tracy Molnes, Purchasing Officer, 547-4221
t/molnes@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the Mayor as the approval signature on the State of Texas CO-OP Agent of Record Name Change Form.

1. BACKGROUND/HISTORY

State of Texas Comptroller of Public Accounts division of cooperatives purchasing known as Texas Procurement and Support Services (TPASS) has assigned agents from each municipality. TPASS awards and manages hundreds of statewide contracts on behalf of more than 200 state agencies and 1,700 local government agencies. With a massive marketplace and billions of dollars in purchasing power, Texas offers abundant opportunities for vendors of a wide variety of goods and services, including minority and women owned businesses. The City has been a member of this CO-OP since 1992.

2. FINDINGS/CURRENT ACTIVITY

The attached form designates the Agent(s) of record for the City. The Agent of record will be listed as the City's contact for any CO-OP correspondence with CPA (Comptroller of Public Accounts).

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council authorize the Mayor to sign as Chairman of the governing body as the approval signature for the City to change and add agents of record with TPASS allowing the City to receive emails and updates from the agency as they arise.

State of Texas CO-OP Agent of Record Name Change Form

Account number: ___M0501___

Entity name: ___City of Copperas Cove_____

E-mail: ___tlmolnes@ci.copperas-cove.tx.us_____

The current Agent (s) of Record for the above mentioned entity are:

1) **Agent's Name and Title:** ___Tracy Molnes, Purchasing Officer_____

(This person will receive all correspondence from CPA)

Signature: _____

2) **Agent's Name and Title:** ___Wanda Bunting, Director of Financial Services_____

Signature: _____

X Check here if additional Agents of Record are enclosed

Approval Signature (signature is REQUIRED and must be one of the following)

- ◆ **Previously approved Agent of Record**
- ◆ **Chairman of the governing board**

Name and Title: ___John Hull, Mayor_____

Signature: _____

Date: _____

If you have questions about this form, please call 512-463-3368.
Please submit the completed form by fax: 512-936-2667 or by email: coop@cpa.state.tx.us.

**State of Texas CO-OP Agent of Record Name Change Form
(Continued)**

3) Agent's Name and Title: Imelda Rodriguez, Assistant Director of Financial Services

Signature: _____

4) Agent's Name and Title: _____

Signature: _____

5) Agent's Name and Title: _____

Signature: _____

6) Agent's Name and Title: _____

Signature: _____

7) Agent's Name and Title: _____

Signature: _____

8) Agent's Name and Title: _____

Signature: _____

City of Copperas Cove City Council Agenda Item Report

March 26, 2009

Agenda Item G-7

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

SUBJECT: Financial Report for the Month ended January 31, 2009.

1. BACKGROUND/HISTORY

Attached is the Monthly Council Report for the month ended January 31, 2009. This report is submitted to the City Council for review. The report provides a detailed analysis of the City's financial condition and results of operations for the month ended January 31, 2009.

2. FINDINGS/CURRENT ACTIVITY

None.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

None.

March 4, 2009

Mayor and City Council Members:

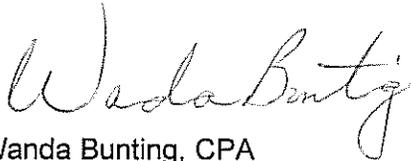
The Finance Department is pleased to submit the Monthly Financial Report for the month of January 2009. Lott, Vernon & Company, P.C., the City's auditors are working with City finance staff to complete the Comprehensive Annual Financial Report (CAFR) for FY 2007-08. The CAFR should be presented to the City Council on March 26, 2009. The fiscal year 2008-09 Budget was adopted by City Council on September 16, 2008. A copy of the 2008-09 Annual Budget and Plan of Municipal Services was provided all City Council members either at the new City Council orientation or at the March 3, 2009 City Council meeting.

Year-to-date revenues through January 2009 are exceeding expenditures in all of the major funds of the City with the exception of the Golf Course Fund. The Operating expenses at the Golf Course are exceeding the operating revenues by \$123,918. This fund has only collected 13.1% of the budget revenues where last fiscal year the operating revenues were at 19.7% of the budget at the end of January. This fund will need to be closely monitored to determine if expenses need to be trimmed back in FY 2008-09 or if a transfer from the General Fund will be necessary in FY 2008-09.

The key economic indicators provide some insight for the financial activity of the City. The hotel occupancy tax collections show an increase from the prior fiscal year. The sales tax revenue, building permits and utility accounts established are all below the prior year, and the unemployment rate in the Killeen/Fort Hood region has increased from the prior year. City staff will continue to monitor revenues and expenditures in all City funds and key economic indicators.

We hope the regular monitoring of the City's financial position will continue to provide the City Council with information that is useful for making sound policy decisions.

Respectfully submitted,



Wanda Bunting, CPA
Director of Financial Services

City of Copperas Cove
Financial Summary by Fund
January 31, 2009

GENERAL FUND

- January year-to-date revenues are above January year-to-date expenditures by \$3,359,162.
- Property tax revenue for January 2009 is \$1,394,737 or 62.6% below \$3,724,865 collected last January due to a significantly larger amount being collected in December 2008. Year-to-date property tax revenue is at \$5,773,087 or 10.7% above prior year-to-date collections.
- Year-to-date sales tax revenue of \$735,483 reflects an \$11,741 or 1.6% increase from the prior fiscal year.
- Year-to-date franchise tax revenue of \$177,852 is \$10,442 or 6.2% above prior year-to-date revenue.
- Interest earnings year-to-date of \$17,730 decreased by \$43,096 or 70.9% under the prior fiscal year-to-date earnings.
- General Fund expenditures year-to-date of \$4,580,952 reflect an increase of 3.3% over prior year-to-date expenditures of \$4,436,614.

WATER & SEWER FUND

- Year-to-date revenues exceeded year-to-date expenses by \$435,618.
- Water revenue totaled \$362,175 for the month. This is \$12,904 or 3.7% above January 2008. Year-to-date water revenue is at \$1,503,359 which is above the prior year-to-date revenue by \$32,654 or 2.2%.
- Sewer revenue totaled \$287,142 for the month. This is \$423 or 0.1% below January 2008. Year-to-date sewer revenue is at \$1,138,358 which is above the prior year-to-date revenue by \$7,688 or 0.7%.
- Interest earnings year-to-date of \$11,226 decreased by \$27,309 or 70.9% below the prior fiscal year-to-date earnings.
- Connect fees produced revenues of \$4,590 for the month; \$16,065 year-to-date.
- Water tap fees year-to-date are \$9,613; \$15,779 below prior year-to-date.
- Sewer tap fees year-to-date are \$2,590; \$4,720 below prior year-to-date.
- Expenses year-to-date of \$2,321,777 reflect an increase of 10.2% over prior year-to-date expenses of \$2,107,633.

SOLID WASTE FUND

- Year-to-date revenues exceeded year-to-date expenses by \$163,204.
- Sanitary landfill fees for January 2009 are \$22,353; compared to \$25,719 in January 2008. Year-to-date revenue is at \$106,779 which is below the prior year-to-date revenue by \$11,813 or 10.0%.
- Refuse collection fees are \$195,298 for the month; an increase of \$1,726 over January 2008. Year-to-date revenue is at \$802,630 which is above the prior year-to-date revenue by \$30,254 or 3.9%.
- Interest earnings year-to-date of \$3,252 decreased by \$8,766 or 72.9% below the prior fiscal year-to-date earnings.
- Expenses year-to-date of \$839,297 reflect an increase of 15.7% over prior year-to-date expenses of \$725,277.

DRAINAGE UTILITY FUND

- Year-to-date revenues exceeded year-to-date expenditures by \$155,906.
- Drainage Utility fees for the month of January are \$70,163; an increase of \$783 or 1.1% above January 2008. Year-to-date revenue is at \$283,058 which is above the prior year-to-date revenue of \$276,876.
- Expenditures year-to-date of \$130,912 reflect a decrease of 37.2% below prior year-to-date expenditures of \$208,452. The decrease is due to significant expenditures in the prior fiscal year related to the consulting fees paid for the 404 mitigation costs.

GOLF COURSE FUND

- Year-to-date expenses exceeded year-to-date revenues by \$123,918.
- Revenues for the month of January totaled \$27,991, compared to revenues for January 2008 of \$26,225. Year-to-date operating revenues are at \$117,573 which is below the prior year-to-date operating revenues by \$35,554 or 23.2%.
- Expenses for the month are \$56,116; \$10,037 above January 2008 expenses. Year-to-date expenses of \$241,491 reflect an increase of 10.6% above prior year-to-date expenses of \$218,327.

City of Copperas Cove
Economic Indicators Summary
January 31, 2009

Unemployment Rate

- The unemployment rate for the month of January 2009 was 6.5%, which is up from January 2008, recorded at 4.9%.

Sales Tax Collections

- Sales tax collections for January 2009 totaled \$163,388, compared to January 2008 collections of \$174,107. Year to date, sales tax collections are at \$735,483 or 1.6% above prior year-to-date collections of \$723,742.
- In addition to the City sales tax collected above, \$367,741 year-to-date was paid to the Copperas Cove Economic Development Corporation.

Water Customers

- During the month of January 2009 there were 11,902 active water accounts.
- January 2008 recorded 11,979 water customers, which indicates a 0.6% or a decrease of 77 water customers from January 2008 to January 2009.

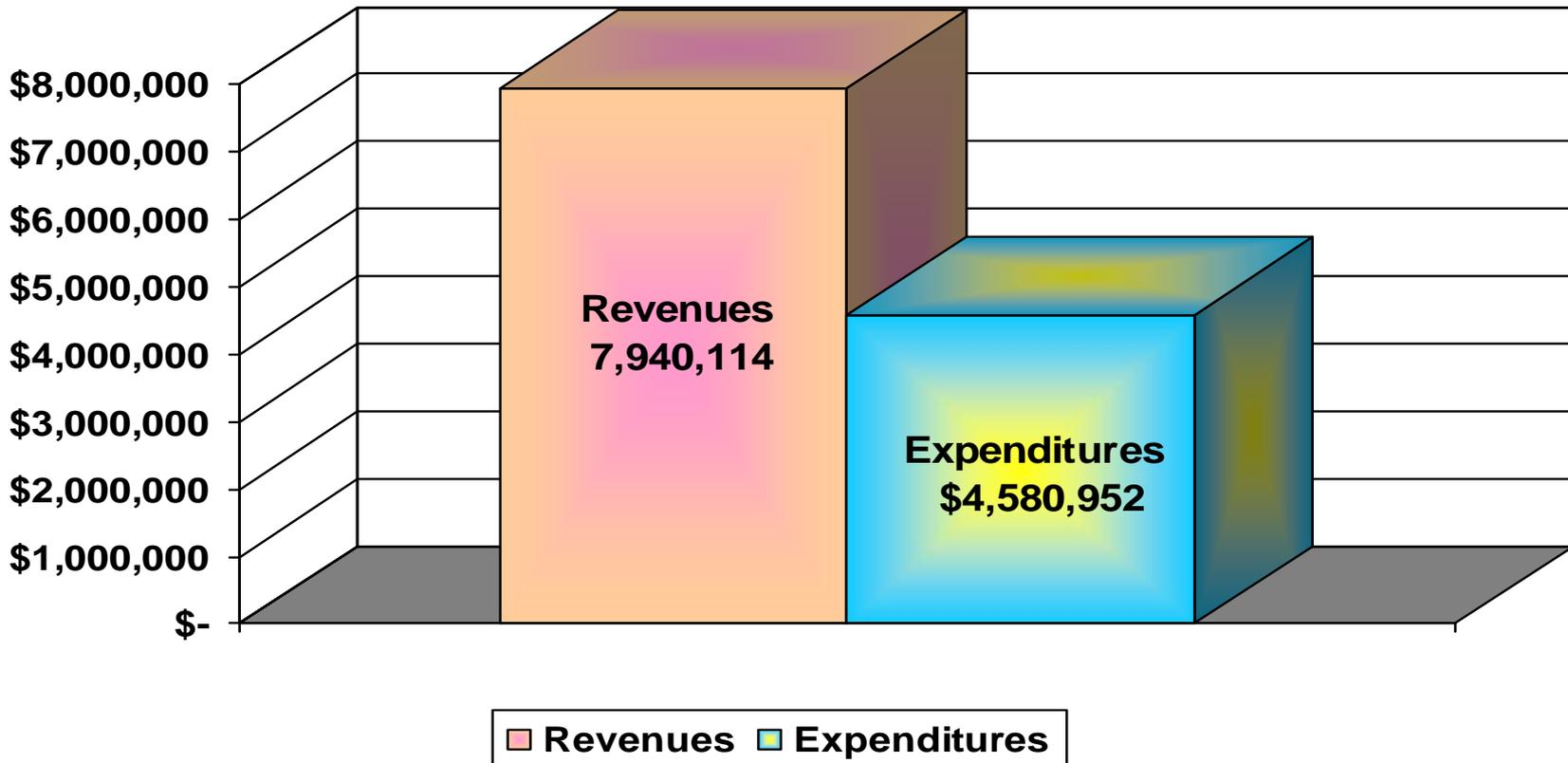
Building Permits

- The total dollar value of building permits issued for January 2009 was \$3,482,308 compared to \$3,264,687 in January 2008.
- 58 building permits were issued in January 2009 which is a decrease of 34 compared to that issued in January 2008. The significant decrease in the number of permits issued is due to a decline in single family and residential homes being built. The number of single family permits totaled 22 in January 2008 and only 5 in January 2009.

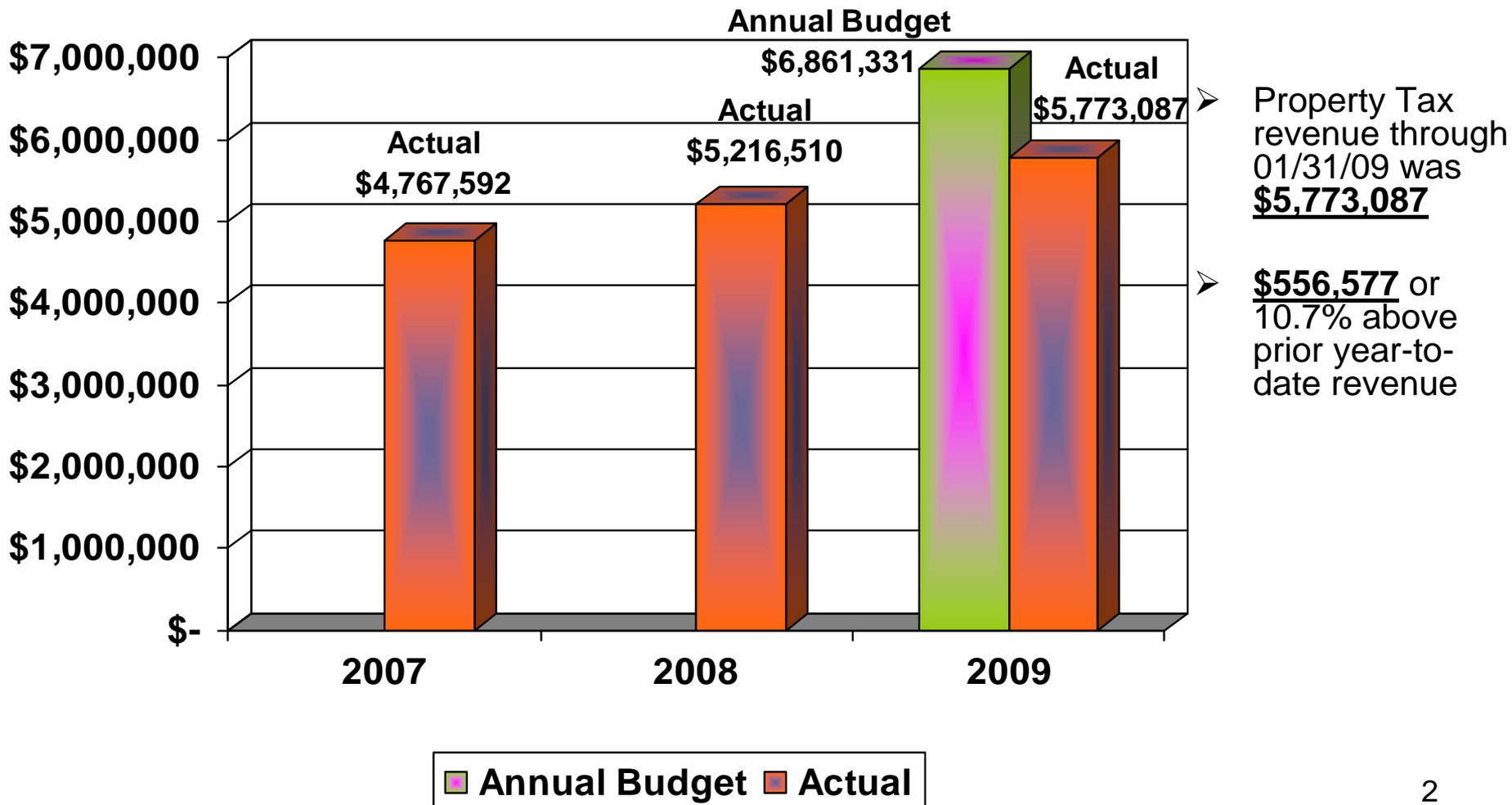
Hotel Occupancy Tax Revenue

- Hotel occupancy tax collections for January 2009 were \$20,516 compared to \$18,608 collected in January 2008. Year to date, hotel occupancy tax collections are at \$70,177 or 77.0% above prior year-to-date collections of \$39,658.

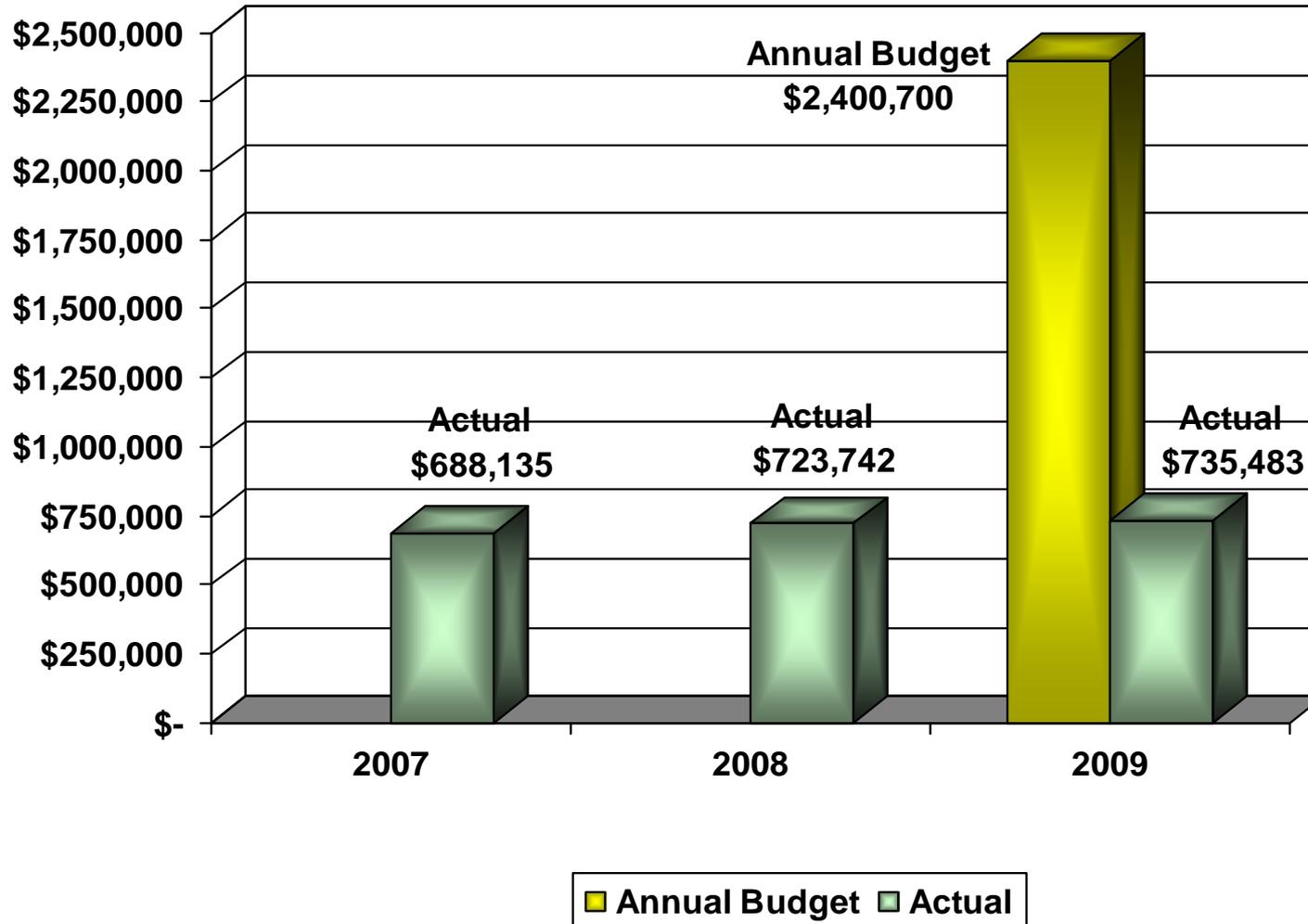
City of Copperas Cove General Fund Revenues vs. Expenditures FYTD (October through January)



City of Copperas Cove General Fund Property Tax Revenue Trends FYTD (October through January)

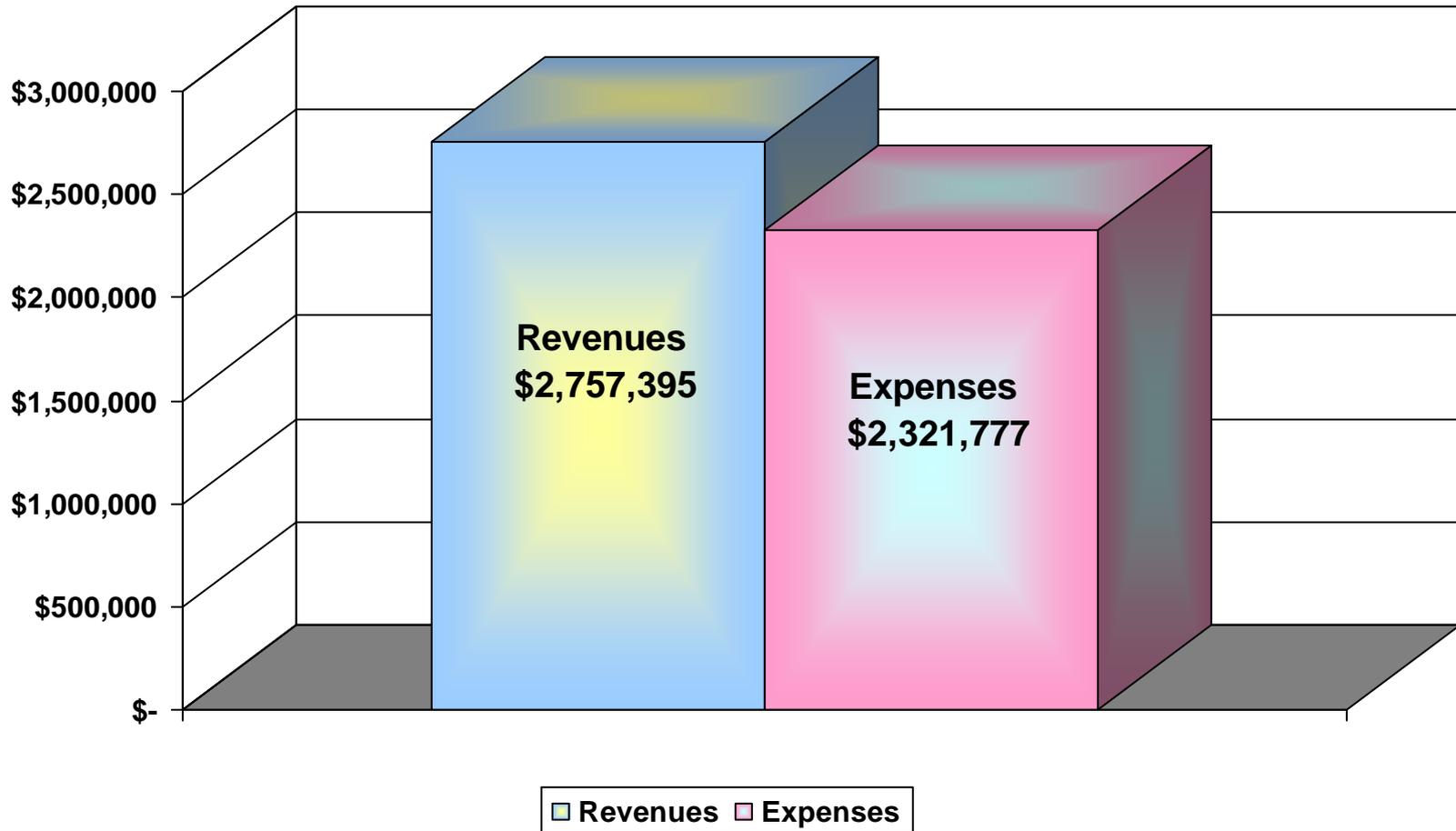


City of Copperas Cove Sales Tax Revenue Trends FYTD (October through January)

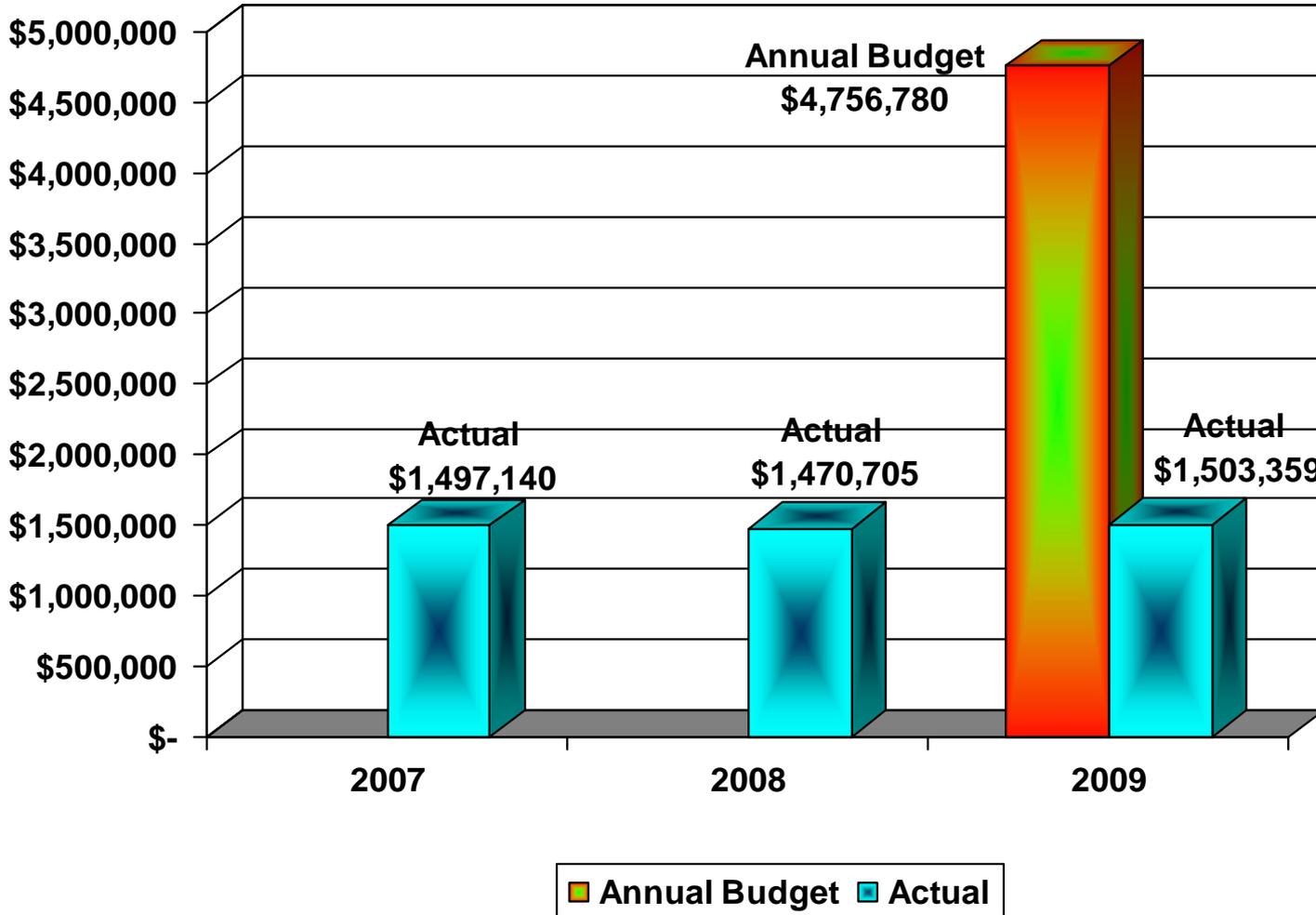


- Sales Tax Revenue through 01/31/09 was **\$735,483**
- **\$11,741** or 1.6% above prior year-to-date Sales Tax Revenue

City of Copperas Cove Water & Sewer Fund Revenues vs. Expenses FYTD (October through January)



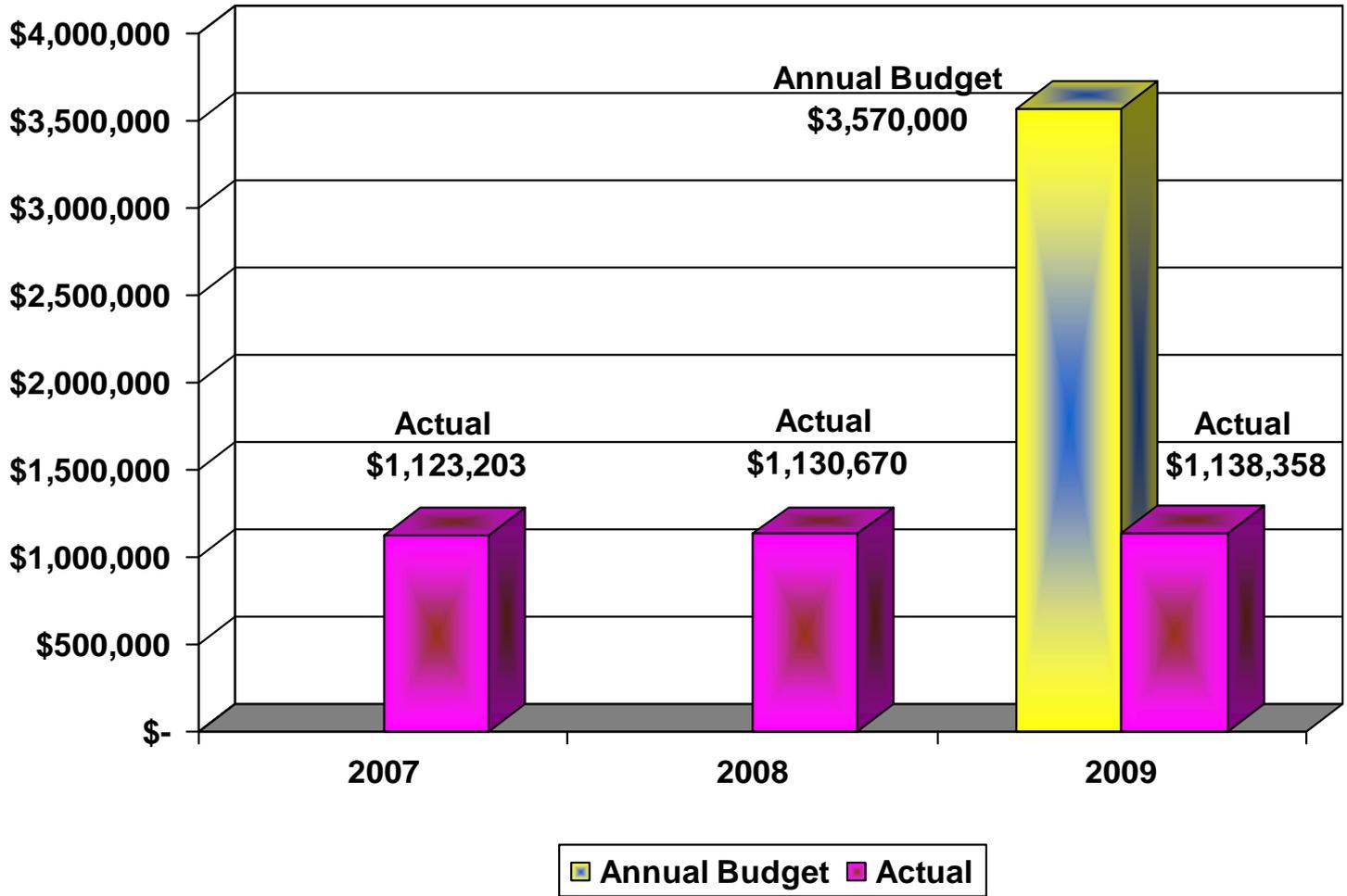
City of Copperas Cove Water Revenue Trends FYTD (October through January)



➤ Water Revenue through 01/31/09 was **\$1,503,359**

➤ **\$32,654** or 2.2% above prior year-to-date revenue

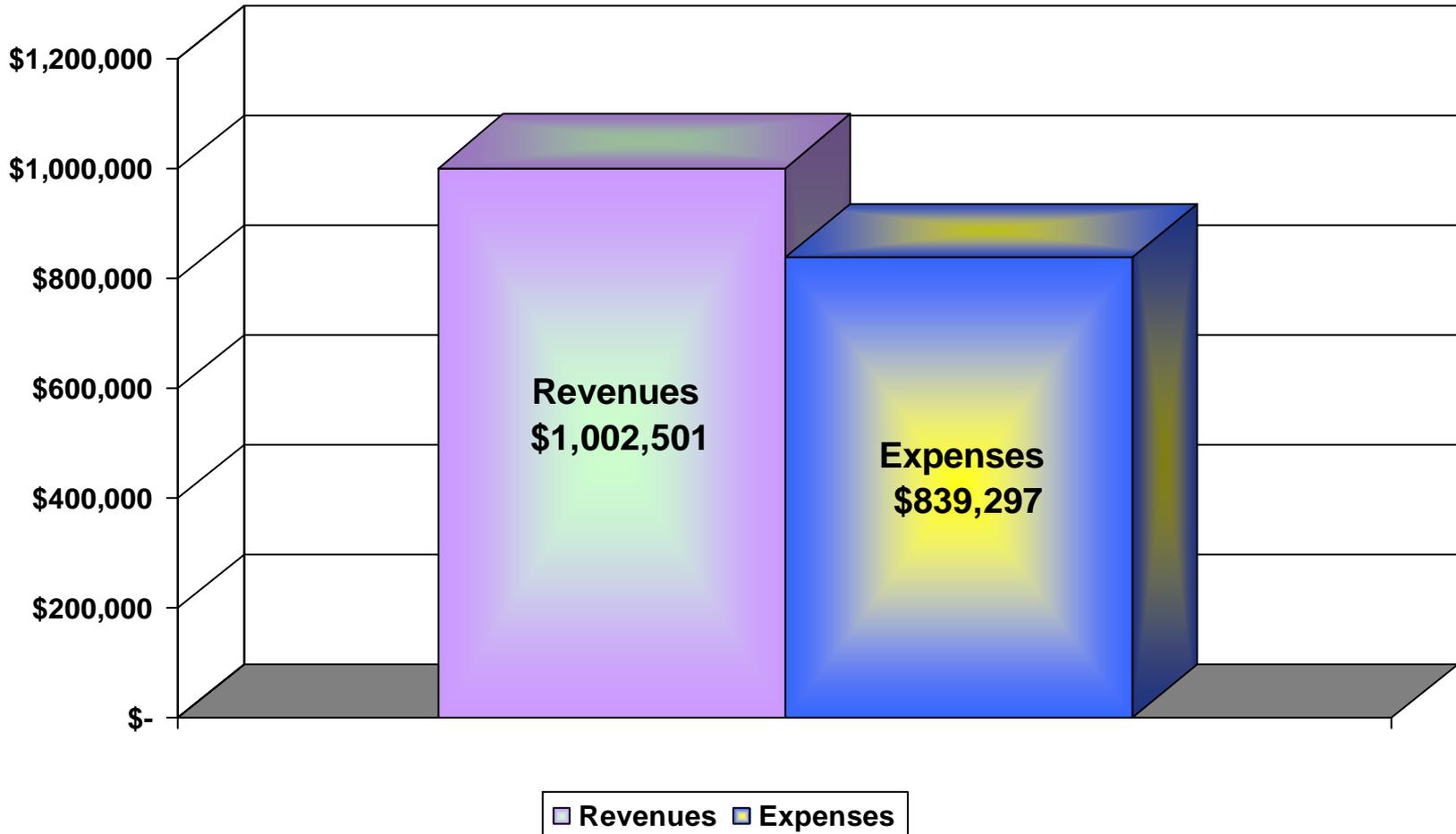
City of Copperas Cove Sewer Revenues FYTD (October through January)



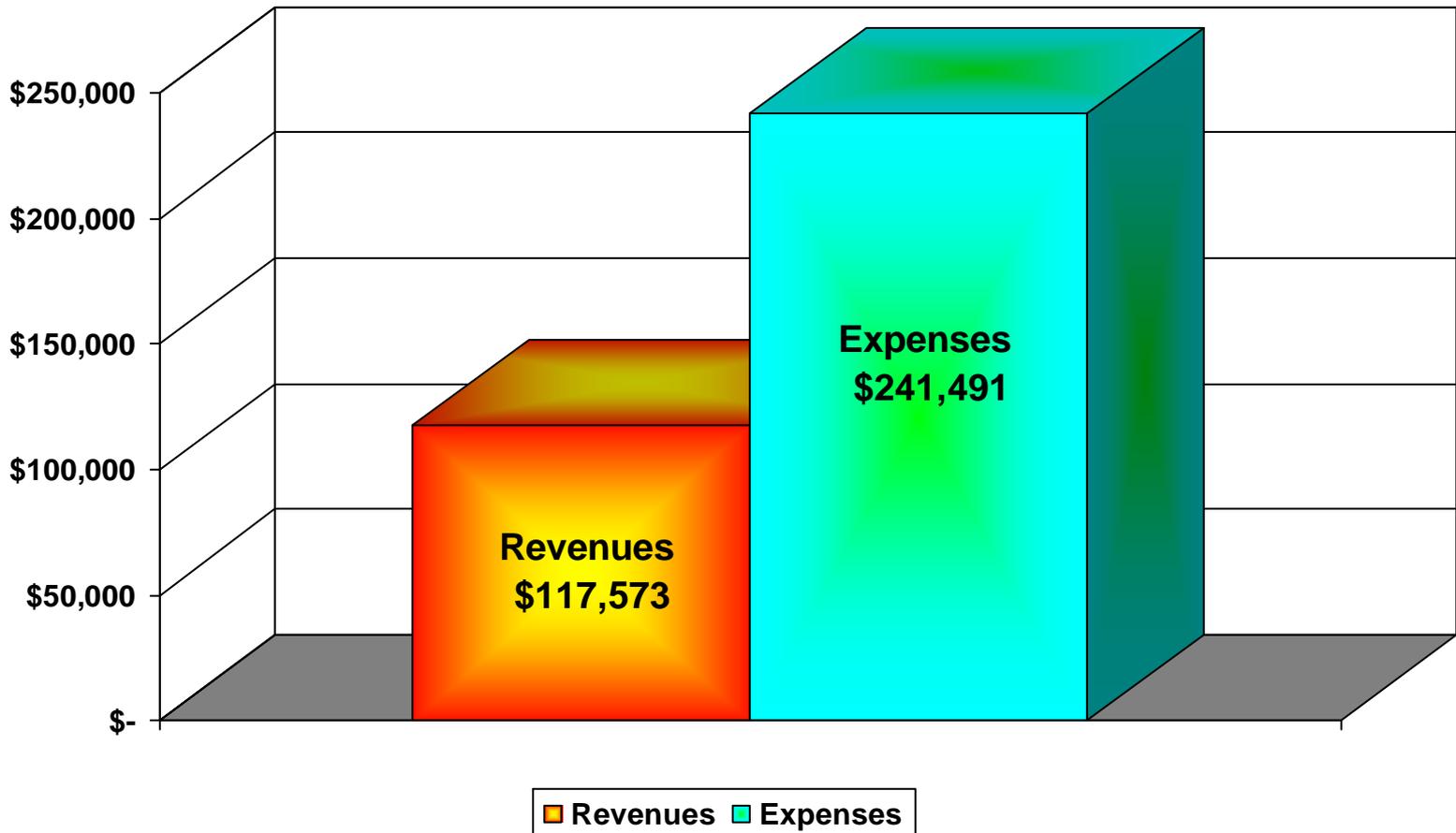
➤ Sewer Revenue through 01/31/09 was **\$1,138,358**

➤ **\$7,688** or 0.7% above prior year-to-date revenue

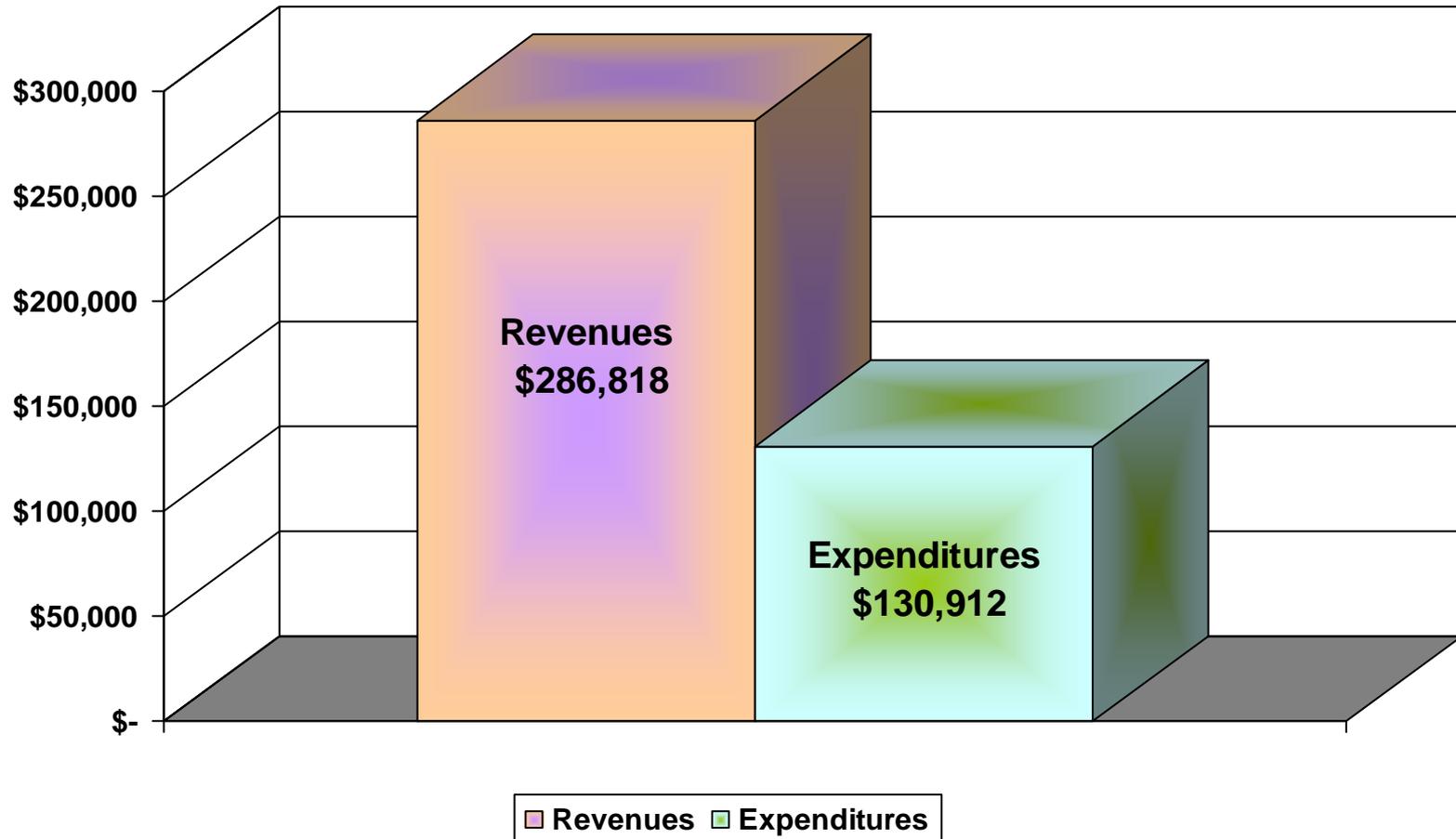
City of Copperas Cove Solid Waste Fund Revenues vs. Expenses FYTD (October through January)



City of Copperas Cove Golf Course Fund Revenues vs. Expenses FYTD (October through January)



City of Copperas Cove Drainage Fund Revenues vs. Expenditures FYTD (October through January)



**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
GENERAL FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
BEGINNING FUND BALANCE				
Unreserved, Designated	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	
Unreserved, Undesignated	2,777,839	5,599,180	3,259,675	
TOTAL BEG. FUND BALANCE	\$ 3,777,839	\$ 6,599,180	\$ 4,259,675	
GENERAL FUND REVENUE				
Taxes				
Current Ad Valorem Taxes	\$ 6,861,331	\$ 1,394,737	\$ 5,773,087	84.1%
Delinquent Ad Valorem Taxes	60,000	9,123	41,026	68.4%
Penalty & Interest	43,000	836	11,316	26.3%
Sales Tax	2,400,700	163,388	735,483	30.6%
Franchise Tax	1,231,000	81,372	177,852	14.4%
TXU Settlement	35,633	0	-	0.0%
Mixed Drink Tax	14,000	3,598	7,435	53.1%
Bingo Tax	100,000	0	28,334	28.3%
Used Oil Revenue-Safety Clean/H&H	500	0	74	14.7%
Subtotal Taxes	\$ 10,746,164	\$ 1,653,055	\$ 6,774,607	63.0%
Licenses & Permits				
License-Bicycle	\$ 100	\$ -	\$ 4	4.0%
License-Contractors	35,000	2,745	18,200	52.0%
License-Animal	5,414	702	1,858	34.3%
Permits-Building	75,000	1,229	8,424	11.2%
Permits-House Moving	50	0	25	50.0%
Permits - Street Cuts	9,000	0	4,930	54.8%
Permits-Electrical	20,000	355	2,210	11.1%
Permits-Solicitors	2,500	380	835	33.4%
Permits-Natural Gas Lines	14,000	75	400	2.9%
Permits-Garage Sales	7,000	190	2,330	33.3%
Permits-Plumbing	34,000	1,250	5,931	17.4%
Permits-Mechanical	16,800	310	1,682	10.0%
License-Taxicabs	300	0	-	0.0%
License-Vicious/Dangerous Animals	1,500	300	600	40.0%
Permits-Car Washes	500	0	15	3.0%
Permits-Signs	1,500	25	275	18.3%
Permits-Swimming Pools	900	0	-	0.0%
Wrecker License	510	0	510	100.0%
Permit-Certificate of Occupancy	2,000	160	640	32.0%
Permits-Alarms	6,200	380	1,120	18.1%
False Alarm Penalties	1,000	0	750	75.0%
Permits-Alcohol License	600	0	240	40.0%
Permits-Well/Gas Drilling	4,000	0	-	0.0%
Subtotal Licenses & Permits	\$ 237,874	\$ 8,101	\$ 50,979	21.4%
Services & Charges				
Swimming Pool Receipts	\$ 53,000	\$ -	\$ 26	0.0%
Community Building Rental	24,500	(2,700)	1,625	6.6%
Misc. Library Receipts	14,790	1,073	3,855	26.1%
Animal Shelter Fees	36,124	2,567	10,783	29.8%
Ambulance Fee Revenue ⁽¹⁾	650,600	69,600	220,386	33.9%
Copy Machines	4,000	329	1,484	37.1%
Mowing/Mowing Liens Revenue	24,000	482	2,087	8.7%
Sale of City Maps	500	28	105	21.0%

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
GENERAL FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
Services & Charges (cont.)				
Service Charge-NSF Checks	11,500	840	4,260	37.0%
Plat Filing Fee Revenue	3,500	750	1,000	28.6%
RV Park Fees	12,000	850	3,885	32.4%
Police Overtime Reimbursement	20,000	1,820	12,743	63.7%
Police Restitution Revenue	3,000	125	387	12.9%
Festival Reimbursements	15,000	0	-	0.0%
Special Events-Seniors	2,000	0	1,760	88.0%
Library Meeting Room Rental	2,800	60	465	16.6%
Open Records Revenue	1,200	10	83	7.0%
Fax Machine Fees	800	0	119	14.8%
Pool Rental Revenue	4,000	50	50	1.3%
Re-Inspection Fees	700	0	100	14.3%
Fire Related Response Revenue	35,000	0	-	0.0%
Animal Tranquilization Fee	350	30	110	31.4%
Disposal of Farm Animals	125	0	-	0.0%
Micro Chip of Animals Revenue	3,500	103	533	15.2%
Subtotal Services & Charges	\$ 922,989	\$ 76,016	\$ 265,845	28.8%
(¹) Recorded net of billing fees.				
Fines & Forfeitures				
Municipal Court Fines	\$ 135,000	\$ 9,221	\$ 34,274	25.4%
Traffic Violation Fines	325,000	32,449	123,534	38.0%
Library Fines	16,000	1,135	4,549	28.4%
Arrest Warrant Income	120,000	8,908	26,560	22.1%
Child Safety Fund	12,000	1,259	4,727	39.4%
City's % of State Court Fines	60,000	13,480	27,688	46.1%
HB 70 Fees	11,000	1,195	4,306	39.1%
Arresting Officer Fees	26,000	2,522	9,231	35.5%
CCISD Liaison Funding	106,584	0	-	0.0%
Admin Fee-Teen Court	12,000	40	200	1.7%
Admin Fee-Defensive Driving	9,000	1,050	3,610	40.1%
Rezone Request Fees	1,600	200	200	12.5%
Variance Request Fees	220	0	110	50.0%
Subtotal Fines & Forfeitures	\$ 834,404	\$ 71,460	\$ 238,988	28.6%
Administration Reimb.				
Admin. Reimb.-W & S Fd	\$ 742,500	\$ 185,625	\$ 247,500	33.3%
Admin. Reimb.-Solid Waste Fd	428,000	107,000	142,667	33.3%
Admin. Reimb.-Drainage Utility Fd	80,000	20,000	26,667	33.3%
Subtotal Admin. Reimb.	\$ 1,250,500	\$ 312,625	\$ 416,833	33.3%
Miscellaneous Revenue				
Interest Earned Revenue	\$ 200,000	\$ 159	\$ 17,730	8.9%
Rental Income	17,280	1,584	6,336	36.7%
Miscellaneous Revenues	150,000	79,512	97,747	65.2%
Insurance Proceeds	500	(6,800)	1,574	314.9%
Cash Over/(Short)	200	(79)	(131)	-65.5%
Food Workers' Registration	15,000	482	4,304	28.7%
Food Establishment Licenses	12,000	0	3,825	31.9%
Police Misc. Revenues	3,000	226	979	32.6%
Bell County Fire Runs Revenue	3,400	0	-	0.0%
County EMS Revenue	40,000	0	-	0.0%

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
GENERAL FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
Miscellaneous Revenue (cont.)				
Maint. & Landscape Revenue-HR Bldg.	2,100	0	-	0.0%
Street Sign Revenue	3,475	0	2,980	85.8%
Auction Proceeds	8,000	95	2,652	33.1%
County Mutual Aid Revenue	54,000	40,015	54,865	101.6%
Subtotal Miscellaneous Rev.	\$ 508,955	\$ 115,194	\$ 192,862	37.9%
TOTAL G. F. REVENUE	\$ 14,500,886	\$ 2,236,451	\$ 7,940,114	54.8%

GENERAL FUND EXPENDITURES				
City Council	\$ 39,400	\$ 591	\$ 7,941	20.2%
City Manager	285,412	17,824	80,335	28.1%
City Secretary/Elections	163,182	14,745	56,667	34.7%
City Attorney	155,062	19,140	62,440	40.3%
Finance	653,360	39,730	216,413	33.1%
Human Resources	240,671	23,314	81,107	33.7%
Information Systems	238,198	18,396	78,004	32.7%
Municipal Court	351,155	27,481	112,504	32.0%
Police	4,762,190	340,774	1,478,551	31.0%
Public Affairs Office	121,389	5,485	12,867	10.6%
Animal Control	240,896	16,478	73,667	30.6%
Fire/EMS	3,175,655	239,376	1,046,829	33.0%
Emergency Management	17,443	11	441	2.5%
Engineering	169,259	14,225	63,022	37.2%
Building & Development Services	293,544	14,576	66,662	22.7%
Streets	819,582	63,893	222,508	27.1%
Parks and Recreation	1,030,046	70,816	310,281	30.1%
Fleet Services	253,226	19,687	87,431	34.5%
Facility Maintenance	111,119	7,352	33,341	30.0%
Planning	210,841	14,714	63,945	30.3%
Library	533,921	42,674	165,123	30.9%
Code & Health	219,402	14,469	59,657	27.2%
Non-Departmental	530,893	191,044	201,215	37.9%
TOTAL GENERAL FUND EXPENDITURES	\$ 14,615,846	\$ 1,216,793	\$ 4,580,952	31.3%
ENDING FUND BALANCE				
Unreserved, Designated	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	
Unreserved, Undesignated	\$ 2,662,879	\$ 6,618,838	\$ 6,618,838	
TOTAL ENDING FUND BALANCE	\$ 3,662,879	\$ 7,618,838	\$ 7,618,838	
IDEAL RESERVE FUND BALANCE	\$ 3,653,962	\$ 3,653,962	\$ 3,653,962	
OVER (UNDER) IDEAL RESERVE FUND BALANCE	\$ 8,917	\$ 3,964,876	\$ 3,964,876	

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
WATER & SEWER FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
BEGINNING FUND BALANCE				
Unreserved, Undesignated	\$ 1,579,636	\$ 2,341,067	\$ 1,730,313	
TOTAL BEGINNING FUND BALANCE	\$ 1,579,636	\$ 2,341,067	\$ 1,730,313	
W & S FUND REVENUES				
Operating Revenues				
Water Revenue	\$ 4,756,780	\$ 362,175	\$ 1,503,359	31.6%
Sewer Revenue	3,570,000	287,142	1,138,358	31.9%
Senior Discount	(140,800)	(10,411)	(44,317)	31.5%
Water Tap Fees	100,000	1,795	9,613	9.6%
Sewer Tap Fees	26,000	400	2,590	10.0%
Connect Fee	60,000	4,590	16,065	26.8%
Meter Box Reset Fee	500	0	-	0.0%
Composting Sales Revenue	12,000	419	1,957	16.3%
Subtotal Operating Revenues	\$ 8,384,480	\$ 646,110	\$ 2,627,625	31.3%
Other Revenues				
Admin Reimb-Drainage	\$ 20,000	\$ 5,000	\$ 6,667	33.3%
Interest Revenue	100,000	0	11,226	11.2%
Late Charge For Billing	270,000	22,972	88,898	32.9%
Riser Forfeiture Revenue	1,000	0	1,100	110.0%
Auction Proceeds	1,000	0	-	0.0%
Insurance Proceeds	0	0	1,093	N/A
Miscellaneous Revenues	54,990	3,486	20,786	37.8%
Subtotal Other Revenues	\$ 446,990	\$ 31,458	\$ 129,770	29.0%
TOTAL W & S FD REVENUES	\$ 8,831,470	\$ 677,568	\$ 2,757,395	31.2%
W & S FUND EXPENSES				
Public Works	\$ 169,683	\$ 13,548	\$ 59,701	35.2%
Utility Administration	593,848	56,540	203,050	34.2%
Water Distribution	1,304,571	107,283	354,374	27.2%
Sewer Collection	555,986	39,684	146,976	26.4%
Wastewater Treatment	1,200,594	134,917	486,823	40.5%
Composting	184,989	11,365	54,496	29.5%
Non-Departmental	4,770,206	489,368	1,016,357	21.3%
TOTAL W & S FUND EXPENSES	\$ 8,779,877	\$ 852,704	\$ 2,321,777	26.4%
ENDING FUND BALANCE				
Unreserved, Undesignated	\$ 1,631,229	\$ 2,165,931	\$ 2,165,931	
TOTAL ENDING FUND BALANCE	\$ 1,631,229	\$ 2,165,931	\$ 2,165,931	
IDEAL RESERVE FUND BALANCE	\$ 2,194,969	\$ 2,194,969	\$ 2,194,969	
OVER (UNDER) IDEAL RESERVE FUND BALANCE	\$ (563,740)	\$ (29,038)	\$ (29,038)	

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
SOLID WASTE FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
BEGINNING FUND BALANCE				
Unreserved, Undesignated	\$ 750,357	\$ 1,060,464	\$ 837,422	
TOTAL BEGINNING FUND BALANCE	\$ 750,357	\$ 1,060,464	\$ 837,422	
SOLID WASTE FUND REVENUE				
Operating Revenue				
Refuse Collection Fees	\$ 2,451,700	\$ 195,298	\$ 802,630	32.7%
Sanitary Landfill Fees	400,000	22,353	106,779	26.7%
Senior Discount	(40,700)	(3,214)	(12,871)	31.6%
Recycling Proceeds	45,000	877	10,724	23.8%
Sale of Scrap Metal	16,000	533	1,361	8.5%
Sale of Kraft Bags	13,000	578	2,525	19.4%
Container Reload Fees	7,500	815	3,335	44.5%
Return Service/Overload Container	500	38	346	69.2%
Roll-Off Rental Income	45,000	971	7,679	17.1%
Rear Load Dumpster Rental	2,000	0	1,312	65.6%
Bulky/White Goods Collection	68,040	12,338	26,521	39.0%
Container Removal from Curb	15,450	0	-	0.0%
Auto Lid Locks	1,000	70	285	28.5%
Miscellaneous Solid Waste Fees	3,274	0	-	0.0%
Subtotal Operating Revenue	\$ 3,027,764	\$ 230,656	\$ 950,626	31.4%
Other Revenue				
Interest Revenue	\$ 28,000	\$ 1	\$ 3,252	11.6%
Late Charge For Billing	123,000	11,486	44,449	36.1%
Auction Proceeds	5,000	0	-	0.0%
Miscellaneous Revenues	1,000	3,961	4,174	417.4%
Subtotal Other Revenue	\$ 157,000	\$ 15,447	\$ 51,875	33.0%
TOTAL SOLID WASTE REVENUE	\$ 3,184,764	\$ 246,104	\$ 1,002,501	31.5%
SOLID WASTE FUND EXPENSES				
Solid Waste Administration	\$ 229,350	\$ 19,406	\$ 77,342	33.7%
Solid Waste Collection - Residential	387,254	35,046	109,574	28.3%
Solid Waste Collection - Recycling	148,667	14,771	44,348	29.8%
Solid Waste Collection - Brush	165,034	13,874	44,440	26.9%
Solid Waste Collection - Commercial	433,744	32,098	131,230	30.3%
Solid Waste Disposal - Transfer Station	1,187,612	78,732	263,043	22.1%
Solid Waste Recycling - KCCB	24,789	1,453	2,132	8.6%
Non-Departmental	553,969	110,561	167,187	30.2%
TOTAL SOLID WASTE EXPENSES	\$ 3,130,419	\$ 305,941	\$ 839,297	26.8%
ENDING FUND BALANCE				
Unreserved, Undesignated	\$ 804,702	\$ 1,000,627	\$ 1,000,627	
TOTAL ENDING FUND BALANCE	\$ 804,702	\$ 1,000,627	\$ 1,000,627	
IDEAL RESERVE FUND BALANCE	\$ 782,605	\$ 782,605	\$ 782,605	
OVER (UNDER) IDEAL RESERVE FUND BALANCE	\$ 22,097	\$ 218,022	\$ 218,022	

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
GOLF COURSE FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
BEGINNING FUND BALANCE				
Unreserved, Undesignated	\$ 109,343	\$ (89,717)	\$ 6,076	
TOTAL BEGINNING FUND BALANCE	\$ 109,343	\$ (89,717)	\$ 6,076	
GOLF COURSE FUND REVENUE				
Green Fees	\$ 229,705	\$ 7,927	\$ 35,503	15.5%
Cart Rental Fees	214,800	7,762	37,693	17.5%
Membership Dues	124,340	850	2,692	2.2%
Cart Storage Fees	36,800	0	-	0.0%
Trail Fees	16,200	72	477	2.9%
Pro Shop Sales	80,000	2,048	9,838	12.3%
Handicap Fees	1,500	0	-	0.0%
Driving Range Fees	40,000	1,869	6,478	16.2%
Snack Bar Revenue F&B	75,000	3,630	13,386	17.8%
Snack Bar Revenue-Beer & Wine	25,000	1,097	4,288	17.2%
Food & Beverage (Non-tax)	1,000	250	385	38.5%
Facility Rental Income	3,000	0	300	10.0%
Swimming Pool Receipts	500	0	-	0.0%
Interest Revenue	50	0	0	0.2%
Special Green Fees	6,500	865	2,741	42.2%
Special Lunch	3,200	157	504	15.7%
Tournament Green Fees	15,500	655	2,181	14.1%
Tournament Cart Fees	12,500	813	1,146	9.2%
Tournament Fees	10,250	0	-	0.0%
Miscellaneous Receipts	140	(5)	(76)	-54.5%
Golf Lesson Revenue	1,000	0	37	3.7%
TOTAL G. C. FD REVENUE	\$ 896,985	\$ 27,991	\$ 117,573	13.1%
GOLF COURSE FUND EXPENSES				
Golf Course Administration	\$ 274,509	\$ 20,866	\$ 92,053	33.5%
Golf Course Concessions	111,969	7,351	26,349	23.5%
Golf Course Maintenance	470,198	27,898	123,089	26.2%
Non-Departmental	23,331	0	-	0.0%
TOTAL GOLF COURSE FUND EXPENSES	\$ 880,007	\$ 56,116	\$ 241,491	27.4%
ENDING FUND BALANCE				
Unreserved, Undesignated	\$ 126,321	\$ (117,842)	\$ (117,842)	
TOTAL ENDING FUND BALANCE	\$ 126,321	\$ (117,842)	\$ (117,842)	
IDEAL RESERVE FUND BALANCE	\$ 220,002	\$ 220,002	\$ 220,002	
OVER (UNDER) IDEAL RESERVE FUND BALANCE	\$ (93,681)	\$ (337,844)	\$ (337,844)	

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
DRAINAGE UTILITY FUND
As of January 31, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Jan. 2009	Total Year to Date	Percent Year to Date
BEGINNING FUND BALANCE				
Unreserved, Undesignated	\$ 72,479	\$ 257,186	\$ 126,827	
TOTAL BEGINNING FUND BALANCE	\$ 72,479	\$ 257,186	\$ 126,827	
DRAINAGE UTILITY FUND REVENUE				
Drainage Utility Fee	\$ 870,000	\$ 70,163	\$ 283,058	32.5%
Subtotal Drainage Utility Revenue	\$ 870,000	\$ 70,163	\$ 283,058	32.5%
Other Revenue				
Miscellaneous Revenue	\$ 710	\$ -	\$ -	0.0%
Interest Revenue	35,000	22	3,760	10.7%
Subtotal Other Revenue	\$ 35,710	\$ 22	\$ 3,760	10.5%
TOTAL DRAINAGE UTILITY REVENUE	\$ 905,710	\$ 70,184	\$ 286,818	31.7%
DRAINAGE UTILITY FUND EXPENDITURES				
Drainage	\$ 467,186	\$ 42,776	\$ 125,031	26.8%
Non-Departmental	344,590	1,861	5,880	1.7%
TOTAL DRAINAGE UTILITY FUND EXPENDITURES	\$ 811,776	\$ 44,637	\$ 130,912	16.1%
Unreserved, Undesignated	\$ 166,413	\$ 282,734	\$ 282,734	
TOTAL ENDING FUND BALANCE	\$ 166,413	\$ 282,734	\$ 282,734	

* This budget reflects the budget amendments that were approved by City Council on 11/03/2008.

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
OTHER FUNDS**

As of January 31, 2009 (FY 2008-09)

Fund Description	Beginning Fund Balance	Revenues	Expenditures	Ending Fund Balance
Special Revenue Funds:				
Recreation Activities Fund	\$ 97,951	\$ 34,635	\$ 39,309	\$ 93,277
Cemetery Fund	2,237	29,623	13,246	18,614
Library Gifts and Memorials	8,571	277	277	8,571
Small Business Revolving Loan Fund	199,163	263	-	199,426
Hotel Occupancy Tax Fund	95,939	70,764	37,561	129,141
Animal Shelter Fund	19,328	14	-	19,342
City-Wide Donation Fund	62,819	19,929	3,992	78,757
Municipal Court Funds	170,799	18,185	6,495	182,489
Sub-Total Special Revenue Funds	\$ 656,807	\$ 173,690	\$ 100,881	\$729,616
Debt Service Fund:				
Tax Interest & Sinking Fund	\$ 366,565	\$ 1,368,777	\$ 13,000	\$ 1,722,342
Sub-Total Debt Service Fund:	\$ 366,565	\$ 1,368,777	\$ 13,000	\$ 1,722,342
Capital Projects Funds:				
2001 C.O. (Capital Equip./Improvements)	\$ 265,028	\$ 1,133	\$ 665	\$ 265,496
2001 C.O. (Water/Wastewater Phase II)	442,518	1,871	115,200	329,189
2003 C.O. (CIP)	494,675	1,636	2,750	493,561
2003 C.O. (W/WW Phase III)	1,335,046	5,228	17,982	1,322,292
2005 C.O. (Water Infrastructure Projects)	1,410,821	5,869	1,046,207	370,483
2006 Tax Notes (CIP)	256,874	1,303	89,744	168,433
2007 C.O. (Police Facility)	5,515,872	24,415	316,765	5,223,522
2008 Tax Supported Note	1,436,314	6,253	246,427	1,196,140
2008 Tax Supported Note (W&S)	1,032,348	4,420	6,760	1,030,008
2008 Tax Supported Note (Golf)	80,770	155	-	80,925
2008 Tax Supported Note (Drainage)	152,012	469	-	152,481
2008A Tax Limited Notes (Tax Supported)	-	1,063,468	179,041	884,427
2008A Tax Limited Notes (W&S)	-	642,115	93,058	549,057
2008A Tax Limited Notes (SW)	-	285,957	5,274	280,683
2008A Tax Limited Notes (Drainage)	-	175,547	29,024	146,523
2008A Tax Limited Notes (Golf)	-	30,103	-	30,103
Sub-Total C.I.P. Funds:	\$ 12,422,278	\$ 2,249,941	\$ 2,148,896	\$ 12,523,323
Total Other Funds	\$ 13,445,650	\$ 3,792,408	\$ 2,262,776	\$14,975,282

City of Copperas Cove, Texas
2001 Certificates of Obligation
(Capital Equipment/Improvements)
As of January 31, 2009

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
90-300-0001	Fund Balance	\$ -	\$ -	265,028
Revenues				
90-390-1001	Bond Proceeds	\$ 1,914,227	\$ 1,914,227	\$ -
90-370-6001	Interest Income	96,255	91,503	1,133
90-370-6005	Miscellaneous Revenue	-	1,500	-
Total Revenues		<u>\$ 2,010,482</u>	<u>\$ 2,007,231</u>	<u>\$ 1,133</u>
Expenditures*				
90-4606-9000-8600	Bond Issuance Costs	\$ 56,766	\$ 56,766	\$ -
90-4606-9000-6050	Inspection Services	3,263	3,263	-
90-4606-3500-xxxx	City-Wide Network	148,622	148,622	-
90-4606-4100-8500	Municipal Court	196,779	196,780	-
90-4606-4300-xxxx	Animal Control Facility	60,119	60,120	-
90-4606-4400-8500	Fire Station No. 3	215,496	215,496	-
90-4606-4400-8300	Fire Equipment	248,855	248,855	-
90-4606-5300-8400	Street Equipment	126,170	126,170	-
90-4606-5300-8500	Reliever Route ROW Acquisition	440,437	172,155	-
90-4606-5400-8505	Ogletree Improvements	394,604	394,604	-
90-4606-5600-8500	Public Works Facility (1/2)	113,119	113,119	-
90-4606-9000-6014	Arbitrage Rebate Service	6,253	6,253	665
Total Expenditures		<u>\$ 2,010,482</u>	<u>\$ 1,742,203</u>	<u>\$ 665</u>
Ending Fund Balance				
90-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 265,028</u>	<u>\$ 265,497</u>

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

City of Copperas Cove, Texas
2001 Certificates of Obligation
(Phase II of Water/Wastewater CIP)
As of January 31, 2009

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
91-300-0001	Fund Balance	\$ -	\$ -	\$ 442,518
Revenues				
91-390-1001	Bond Proceeds	\$ 6,482,383	\$ 6,482,383	\$ -
91-370-6001	Interest Income	344,648	339,666	1,871
Total Revenues		<u>\$ 6,827,031</u>	<u>\$ 6,822,049</u>	<u>\$ 1,871</u>
Expenditures*				
91-4607-9100-8600	Bond Issuance Costs	\$ 165,380	\$ 165,380	\$ -
91-4607-9100-6014	Arbitrage Rebate Service Fee	-	-	2,250
91-4607-9100-6100	Advertising	191	191	-
91-4607-5600-6800	Professional Services	28,743	28,743	-
91-4607-9100-9032	Public Works Facility (1/2)	130,184	130,184	-
91-4607-9100-9034	Turkey Run Pumps & Tank	443,736	443,736	-
91-4607-9100-9036	Hogg Mt. Pumps & Tank	135,545	135,545	-
91-4607-9100-9038	Killeen/CC Water Line	3,206,692	3,206,692	-
91-4607-9100-9040	Turkey Run Tank Rehab.	275,763	275,763	-
91-4607-9100-9042	Joint Pump Station	753,512	753,512	-
91-4607-9100-9044	Grimes Crossing Water Line	503,837	503,837	-
91-4607-9100-9046	Joes Road Water Line	68,981	68,981	-
91-4607-9100-9047	Wolfe Road	75,855	75,855	-
91-4607-9100-9048	Taylor Mountain Pump Stn	220,606	220,606	-
91-4607-9100-9052	Mickan Mountain Rehab	214,078	214,078	-
91-4607-9100-9054	Hughes Mountain Rehab	252,500	25,000	112,950
91-4607-9100-9050	South Wastewater Plant	93,380	93,380	-
91-4607-5100-xxxx	Salaries/Related Expense	38,048	38,048	-
91-4607-9100-9318	Principal - 2001 C/O	220,000	-	-
Total Expenditures		<u>\$ 6,827,031</u>	<u>\$ 6,379,530</u>	<u>\$ 115,200</u>
Ending Fund Balance				
91-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 442,518</u>	<u>\$ 329,189</u>

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

**City of Copperas Cove, Texas
2003 Certificates of Obligation
Tax Supported Capital Projects
As of January 31, 2009**

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
70-300-0001	Fund Balance	\$ -	\$ -	\$ 494,675
Revenues				
70-390-1003	Bond Proceeds	\$ 4,190,000	\$ 4,190,000	\$ -
70-370-6001	Interest Income	231,951	232,009	1,636
70-370-6005	Miscellaneous Revenue	1,953	1,953	-
Total Revenues		\$ 4,423,904	\$ 4,423,962	\$ 1,636
Expenditures				
70-231-0920	Bond Issuance Costs	\$ 82,543	\$ 82,543	\$ -
70-231-0922	Unamortized Bond Discount	20,061	20,061	-
70-4615-4400-9021	Communications System	1,611,545	1,611,545	-
70-4615-4400-9023	Fire Department Pumper Truck	247,064	247,064	-
70-4615-5100-xxxx	Salary/Benefits	5,344	5,344	-
70-4615-4200-9039	Police Department Bldg. Repairs	22,537	22,537	-
70-4615-5300-9029	Improvements to FM 1113	377,386	377,386	-
70-4615-5400-9025	Renovation of Civic Center	132,691	132,691	-
70-4615-5400-9027	Construction of Skate Park	24,750	24,750	-
70-4615-5400-9033	Feeder Road (SE Bypass)	589,637	95,021	-
70-4615-5400-9035	City Hall Roof Repairs	11,441	11,441	-
70-4615-5400-9037	Human Resources Bldg. Repairs	94,312	94,313	-
70-4615-8500-6014	Arbitrage Rebate Service Fee	-	-	2,750
70-4615-8500-9019	Construction of Big Divide	954,535	954,534	-
70-4615-8500-9043	Street Reconstruction	250,058	250,058	-
Total Expenditures		\$ 4,423,904	\$ 3,929,287	\$ 2,750
Ending Fund Balance				
70-300-0001	Fund Balance	\$ -	\$ 494,675	\$ 493,560

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

City of Copperas Cove, Texas
2003 Certificates of Obligation
(Phase III of Water/Wastewater CIP)
As of January 31, 2009

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
71-300-0001	Fund Balance	\$ -	\$ -	\$ 1,335,046
Revenues				
71-390-1003	Bond Proceeds	\$ 9,820,000	\$ 9,820,000	\$ -
71-370-6001	Interest Income	542,531	544,517	5,228
71-390-1001	Developer Contributions	21,085	21,085	-
71-370-6005	Miscellaneous Revenue	167,965	167,966	-
Total Revenues		<u>\$ 10,551,581</u>	<u>\$ 10,553,567</u>	<u>\$ 5,228</u>
Expenditures*				
71-4615-xxxx-xxxx	Bond Issuance Costs	\$ 192,601	\$ 192,601	\$ -
71-4615-xxxx-xxxx	Bond Discount	46,809	46,809	-
71-4615-4400-9021	Communications System	181,613	181,613	-
71-4615-5100-xxxx	Salaries/Benefits	87,689	87,689	-
71-4615-8500-6014	Arbitrage Rebate Service Fee	-	-	9,760
71-4615-8500-9003	Meadow Brook Sewer Project	158,996	158,996	-
71-4615-8500-9005	Hwy 190 Sewer Project	181,203	181,203	-
71-4615-8500-9007	Mountain Top Water Project	565,131	565,131	-
71-4615-8500-9009	Big Divide (Sewer)	630,650	630,650	-
71-4615-8500-9011	Big Divide (Water)	982,358	982,358	-
71-4615-8500-9013	NE WW Plant Expansion	4,399,837	4,399,837	-
71-4615-8100-9041	Utility Admin. Bldg. Repairs	19,526	19,526	-
71-4615-8500-9014	South Plant-Fine Screens	101,500	101,500	-
71-4615-8500-9015	NW WW Plant Expansion	1,134,003	1,134,003	-
71-4615-8500-9017	4th Year Sewer Improvement	845,457	314,242	8,222
71-4615-8500-9021	Water Model Study	84,196	84,196	-
71-4615-8500-9029	FM 1113 Improvement (Sidewalk)	10,066	10,066	-
71-4615-8500-9031	Expansion of Constitution	128,100	128,100	-
71-4615-8500-9322	Principal 2003 CO	230,000	-	-
71-4615-8500-9422	Interest 2003 CO	270,035	-	-
Total Expenditures		<u>\$ 10,249,770</u>	<u>\$ 9,218,519</u>	<u>\$ 17,982</u>
Ending Fund Balance				
71-300-0001	Fund Balance	<u>\$ 301,811</u>	<u>\$ 1,335,046</u>	<u>\$ 1,322,292</u>

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

City of Copperas Cove, Texas
2005 Certificates of Obligation
Water Projects
As of January 31, 2009

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
93-300-0001	Fund Balance	\$ -	\$ -	\$ 1,410,821
Revenues				
93-390-1003	Bond Proceeds	\$ 3,050,000	\$ 3,050,000	\$ -
93-370-6001	Interest Revenue	344,476	321,886	5,869
Total Revenues		<u>\$ 3,394,476</u>	<u>\$ 3,371,886</u>	<u>\$ 5,869</u>
Expenditures*				
93-4616-5100-xxxx	Salary/Benefits	\$ 458	\$ 458	\$ -
93-4616-8500-6014	Arbitrage Rebate Service	-	-	4,715
93-4615-8500-6100	Contractual Services	244	244	-
93-4616-8500-8600	Issuance Costs	62,050	62,050	-
93-4616-8500-9032	East Pump Station	1,423,593	1,071,485	304,332
93-4616-8500-9034	Turkey Run Pump Station	1,184,185	102,883	737,161
93-4616-8500-9036	Hogg Mountain Water Tank	723,946	723,946	-
Total Expenditures		<u>\$ 3,394,476</u>	<u>\$ 1,961,066</u>	<u>\$ 1,046,207</u>
Ending Fund Balance				
93-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 1,410,821</u>	<u>\$ 370,482</u>

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

City of Copperas Cove, Texas
2006 Limited Tax Notes
Capital Equipment/Land & Professional Services
As of January 31, 2009

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
73-300-0001	Fund Balance	\$ -	\$ -	\$ 256,874
Revenues				
73-390-1003	Bond Proceeds	\$ 1,260,000	\$ 1,260,000	\$ -
73-370-6001	Interest Revenue	82,420	82,582	1,303
Total Revenues		<u>\$ 1,342,420</u>	<u>\$ 1,342,582</u>	<u>\$ 1,303</u>
Expenditures*				
73-4617-9900-9500	Bond Issuance Costs	\$ 25,796	\$ 25,796	\$ -
73-4617-9900-6014	Arbitrage Rebate Service Fee	-	-	2,525
73-4617-4200-2200	Postage	20	20	-
73-4617-4200-6800	Professional Services	856,500	599,787	87,219
73-4617-4200-8600	Land	197,134	197,134	-
73-4617-4400-8300	Ambulance	97,525	97,525	-
73-4617-5300-8300	Street Sweeper	165,445	165,445	-
Total Expenditures		<u>\$ 1,342,420</u>	<u>\$ 1,085,708</u>	<u>\$ 89,744</u>
Ending Fund Balance				
73-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 256,874</u>	<u>\$ 168,433</u>

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

**City of Copperas Cove, Texas
2007 Certificates of Obligation
Police Facility
As of January 31, 2009**

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
74-300-0001	Fund Balance	\$ -	\$ -	\$ 5,515,872
Revenues				
74-390-1001	Bond Proceeds	\$ 5,300,000	\$ 5,300,000	\$ -
74-370-6001	Interest Revenue	325,974	272,636	24,415
Total Revenues		<u>\$ 5,625,974</u>	<u>\$ 5,572,636</u>	<u>\$ 24,415</u>
Expenditures*				
74-4618-4200-8600	Bond Issuance Costs	\$ 54,030	\$ 54,030	\$ -
74-4618-4200-6014	Arbitrage Rebate Service Fee	-	-	835
74-4618-4200-2200	Postage	23	23	-
74-4618-4200-6100	Advertising	541	541	588
74-4618-4200-6800	Professional Services	65,000	2,170	-
74-4617-4200-8500	Police Facility	5,506,380	-	315,342
Total Expenditures		<u>\$ 5,625,974</u>	<u>\$ 56,764</u>	<u>\$ 316,765</u>
Ending Fund Balance				
74-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 5,515,872</u>	<u>\$ 5,223,522</u>

* Prior year expenditures have been reconciled to the fund cash balance.

** This budget reflects the Capital Improvement budget amendment that was approved by City Council on 11/03/2008.

City of Copperas Cove, Texas
2008 Limited Tax Notes
Tax Supported
As of January 31, 2009

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
75-300-0001	Fund Balance	\$ -	\$ -	\$ 1,436,314
Revenues				
75-390-1001	Bond Proceeds	\$ 1,485,000	1,485,000	\$ -
75-370-6001	Interest Revenue	-	\$ 13,917	6,253
75-390-6005	Miscellaneous Revenue	83,000	\$ 83,000	-
Total Revenues		\$ 1,568,000	\$ 1,581,917	\$ 6,253
Expenditures*				
75-4190-7500-9500	Bond Issuance Costs	\$ 25,000	\$ 22,894	\$ 25
75-4190-7500-9032	Baseball Field Lighting	58,230	-	42,641
75-4190-7500-9033	Camp Liveoak Renovation	20,000	-	-
75-4190-7500-9034	Cash Receipts - City Wide	17,270	16,471	-
75-4190-7500-9035	Fire Station Reloc. Land	125,000	-	-
75-4190-7500-9036	Playscape - City Park	35,000	33,113	-
75-4190-7500-9037	Playscape - Kate Street	35,000	35,030	-
75-4190-7500-9038	Recreation Center	500,000	9,095	5,000
75-4190-7500-9039	Park renovations	34,500	-	-
75-4190-7500-9040	Library Renovations	50,000	-	2,500
75-4190-7500-9041	Soccer Field Lighting	70,000	-	42,641
75-4190-7500-9042	Active Software (Parks)	15,000	-	-
75-4190-7500-9043	Summers Rd/Street Reconstructio	583,000	29,000	153,622
Total Expenditures		\$ 1,568,000	\$ 145,603	\$ 246,427
Ending Fund Balance				
75-253-0001	Fund Balance	\$ -	\$ 1,436,314	\$ 1,196,140

City of Copperas Cove, Texas
2008 Limited Tax Notes
Water & Sewer Fund (Phase III)
As of January 31, 2009

Account	Description	Total Project Budget	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
76-300-0001	Fund Balance	\$ -	\$ -	\$ 1,032,348
Revenues				
76-390-1001	Bond Proceeds	\$ 1,135,000	1,135,000	\$ -
76-370-6001	Interest Revenue	-	\$ 10,691	4,420
Total Revenues		<u>\$ 1,135,000</u>	<u>\$ 1,145,691</u>	<u>\$ 4,420</u>
Expenditures*				
76-4615-8500-9500	Bond Issuance Costs	\$ 20,000	\$ 18,447	\$ -
76-4615-8500-9034	Turkey Run Pump Station	493,500	115	-
76-4615-8500-9036	Mesa Verde II-380 Agreement	620,750	94,782	6,760
Total Expenditures		<u>\$ 1,134,250</u>	<u>\$ 113,343</u>	<u>\$ 6,760</u>
Ending Fund Balance				
76-253-0001	Fund Balance	<u>\$ 750</u>	<u>\$ 1,032,348</u>	<u>\$ 1,030,008</u>

City of Copperas Cove, Texas
2008 Limited Tax Notes
Golf
As of January 31, 2009

Account	Description	Total Project Budget	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
77-300-0001	Fund Balance	\$ -	\$ -	\$ 80,770
Revenues				
77-390-1001	Bond Proceeds	\$ 80,000	\$ 80,000	\$ -
77-370-6001	Interest Revenue	-	770	155
Total Revenues		<u>\$ 80,000</u>	<u>\$ 80,770</u>	<u>\$ 155</u>
Expenditures*				
77-4310-7400-9044	Golf Cart Storage	\$ 80,000	\$ -	\$ -
Total Expenditures		<u>\$ 80,000</u>	<u>\$ -</u>	<u>\$ -</u>
Ending Fund Balance				
77-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 80,770</u>	<u>\$ 80,925</u>

City of Copperas Cove, Texas
2008 Limited Tax Notes
Drainage
As of January 31, 2009

Account	Description	Total Project Budget	As of	
			FY 2007-08	FY 2008-09
Beginning Fund Balance				
78-300-0001	Fund Balance	\$ -	\$ -	\$ 152,012
Revenues				
78-390-1001	Bond Proceeds	\$ 155,000	\$ 155,000	\$ -
78-370-6001	Interest Revenue	-	1,445	469
Total Revenues		<u>\$ 155,000</u>	<u>\$ 156,445</u>	<u>\$ 469</u>
Expenditures*				
78-4410-7600-9500	Bond Issuance Cost	\$ 5,000	\$ 4,433	\$ -
78-4410-7600-9037	Rolling Heights Drainage	150,000	-	-
Total Expenditures		<u>\$ 155,000</u>	<u>\$ 4,433</u>	<u>\$ -</u>
Ending Fund Balance				
78-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 152,012</u>	<u>\$ 152,481</u>

City of Copperas Cove, Texas
2008A Limited Tax Notes
Tax Supported
As of January 31, 2009

Account	Description	Total Project Budget	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
79-300-0001	Fund Balance	\$ -	\$ -	\$ -
Revenues				
79-390-1001	Bond Proceeds	\$ 1,060,000	\$ -	\$ 1,060,000
79-370-6001	Interest Revenue	-	-	3,468
Total Revenues		<u>\$ 1,060,000</u>	<u>\$ -</u>	<u>\$ 1,063,468</u>
Expenditures*				
79-4190-7500-8200	Furniture	\$ 16,050	\$ -	\$ 7,158
79-4190-7500-8300	Vehicles	312,604	-	77,591
79-4190-7500-8400	General Equipment	43,323	-	11,316
79-4190-7500-8402	Electronic Equipment	233,142	-	61,836
79-4190-7500-8500	Facilities	12,750	-	
79-4190-7500-9045	City Smart Lighting Upgrade	57,800	-	
79-4190-7500-9046	Bradford Drive Road Extension	247,000	-	
79-4190-7500-9047	Summers Rd/Street Reconstructio	115,637	-	
79-4190-7500-9500	Bond Issuance Costs	20,000	-	21,140
Total Expenditures		<u>\$ 1,058,306</u>	<u>\$ -</u>	<u>\$ 179,041</u>
Ending Fund Balance				
79-300-0001	Fund Balance	<u>\$ 1,694</u>	<u>\$ -</u>	<u>\$ 884,427</u>

City of Copperas Cove, Texas
2008A Limited Tax Notes
Water & Sewer
As of January 31, 2009

Account	Description	Total Project Budget	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
80-300-001	Fund Balance	\$ -	\$ -	\$ -
Revenues				
80-390-1001	Bond Proceeds	\$ 640,000	\$ -	\$ 640,000
80-370-6001	Interest Revenue	-	-	2,115
Total Revenues		<u>\$ 640,000</u>	<u>\$ -</u>	<u>\$ 642,115</u>
Expenditures*				
80-4615-8500-8300	Vehicles	\$ 83,408	\$ -	\$ 23,422
80-4615-8500-8400	General Equipment	35,200	-	34,505
80-4615-8500-8500	Facilities	60,500	-	
80-4615-8500-9048	Mesa Verde Sewer Extension	50,272	-	
80-4615-8500-9049	Retrofit One Clarifier at South Plar	220,000	-	
80-4615-8500-9050	Water Tank Rehabs	180,000	-	24,584
80-4615-8500-9500	Bond Issuance Costs	10,000	-	10,548
Total Expenditures		<u>\$ 639,380</u>	<u>\$ -</u>	<u>\$ 93,058</u>
Ending Fund Balance				
80-300-0001	Fund Balance	<u>\$ 620</u>	<u>\$ -</u>	<u>\$ 549,057</u>

City of Copperas Cove, Texas
2008A Limited Tax Notes
Solid Waste
As of January 31, 2009

Account	Description	Total Project Budget	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
81-300-0001	Fund Balance	\$ -	\$ -	\$ -
Revenues				
81-390-1001	Bond Proceeds	\$ 285,000	\$ -	\$ 285,000
81-370-6001	Interest Revenue	-	-	957
Total Revenues		<u>\$ 285,000</u>	<u>\$ -</u>	<u>\$ 285,957</u>
Expenditures*				
81-4430-9500-8400	General Equipment	\$ 203,400	\$ -	\$ -
81-4430-9500-9051	Recycling Center Expansion	75,582	-	-
81-4430-9500-9500	Bond Issuance Cost	5,000	-	5,274
Total Expenditures		<u>\$ 283,982</u>	<u>\$ -</u>	<u>\$ 5,274</u>
Ending Fund Balance				
81-300-0001	Fund Balance	<u>\$ 1,018</u>	<u>\$ -</u>	<u>\$ 280,683</u>

City of Copperas Cove, Texas
2008A Limited Tax Notes
Drainage
As of January 31, 2009

Account	Description	Total Project Budget	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
82-300-0001	Fund Balance	\$ -	\$ -	\$ -
Revenues				
82-390-1001	Bond Proceeds	\$ 175,000	\$ -	\$ 175,000
82-370-6001	Interest Revenue	-	-	547
Total Revenues		<u>\$ 175,000</u>	<u>\$ -</u>	<u>\$ 175,547</u>
Expenditures*				
82-4410-8000-8400	General Equipment	\$ 62,893	\$ -	\$ -
82-4410-8000-9052	Martin Walker Study / Detention D	50,000	-	-
82-4410-8000-9053	Eastside Drainage Infrastructure C	30,000	-	-
82-4410-8000-9054	Tonkawa Village - Katlyn Circle	24,450	-	23,750
82-4410-8000-9500	Bond Issuance Costs	5,000	-	5,274
Total Expenditures		<u>\$ 172,343</u>	<u>\$ -</u>	<u>\$ 29,024</u>
Ending Fund Balance				
82-300-0001	Fund Balance	<u>\$ 2,657</u>	<u>\$ -</u>	<u>\$ 146,523</u>

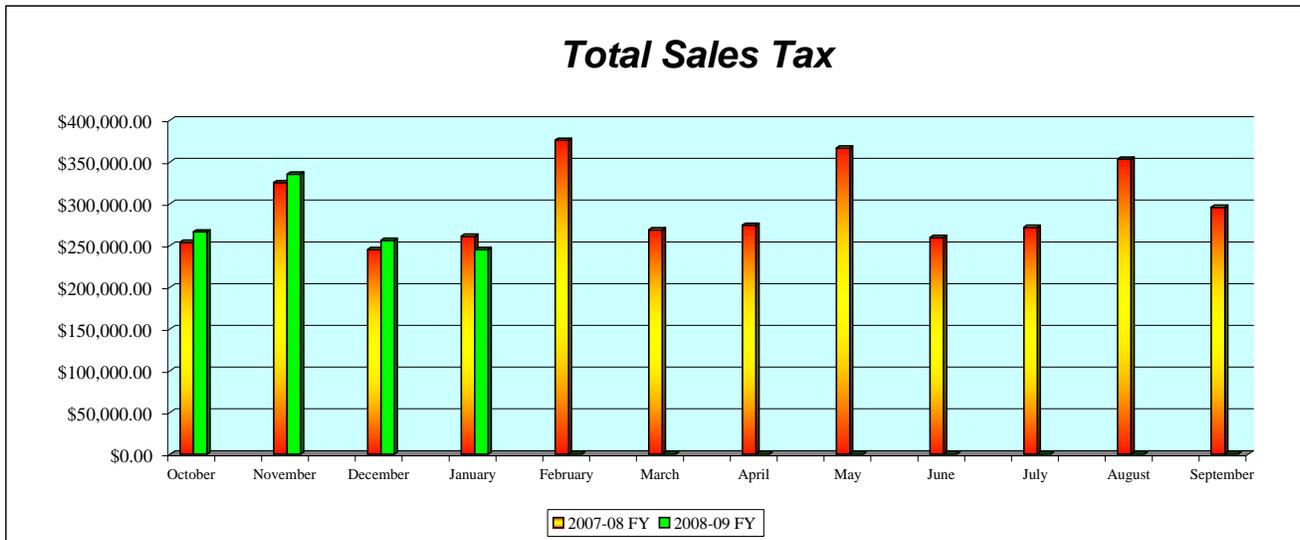
City of Copperas Cove, Texas
2008A Limited Tax Notes
Golf
As of January 31, 2009

Account	Description	Total Project Budget	As of FY 2007-08	FY 2008-09
Beginning Fund Balance				
83-300-0001	Fund Balance	\$ -	\$ -	\$ -
Revenues				
83-390-1001	Bond Proceeds	\$ 30,000	\$ -	\$ 30,000
83-370-6001	Interest Revenue	-	-	103
Total Revenues		<u>\$ 30,000</u>	<u>\$ -</u>	<u>\$ 30,103</u>
Expenditures*				
83-4310-7500-9500	General Equipment	\$ 30,000	\$ -	\$ -
Total Expenditures		<u>\$ 30,000</u>	<u>\$ -</u>	<u>\$ -</u>
Ending Fund Balance				
83-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 30,103</u>

**CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
SCHEDULE OF SALES TAX COLLECTIONS
(WITH COMPARATIVE COLLECTIONS IN FY 2007-08)
As of January 31, 2009 (FY 2008-09)**

Fiscal Year 2007-08	City's Revenue	EDC's Revenue	Total Sales Tax	Fiscal Year 2008-09	City's Revenue	EDC's Revenue	Total Sales Tax
October	\$169,247.52	\$84,623.76	\$253,871.28	October	\$177,513.78	\$88,756.89	\$266,270.67
November	\$216,891.12	\$108,445.56	\$325,336.68	November	\$223,731.52	\$111,865.76	\$335,597.28
December	\$163,496.24	\$81,748.12	\$245,244.36	December	\$170,849.35	\$85,424.68	\$256,274.03
January	\$174,106.89	\$87,053.45	\$261,160.34	January	\$163,388.03	\$81,694.02	\$245,082.05
February	\$250,728.06	\$125,364.03	\$376,092.09	February	\$0.00	\$0.00	\$0.00
March	\$179,172.98	\$89,586.49	\$268,759.47	March	\$0.00	\$0.00	\$0.00
April	\$182,831.28	\$91,415.64	\$274,246.92	April	\$0.00	\$0.00	\$0.00
May	\$244,460.54	\$122,230.27	\$366,690.81	May	\$0.00	\$0.00	\$0.00
June	\$173,098.07	\$86,549.04	\$259,647.11	June	\$0.00	\$0.00	\$0.00
July	\$181,204.83	\$90,602.42	\$271,807.25	July	\$0.00	\$0.00	\$0.00
August	\$235,755.69	\$117,877.85	\$353,633.54	August	\$0.00	\$0.00	\$0.00
September	\$197,206.70	\$98,603.35	\$295,810.05	September	\$0.00	\$0.00	\$0.00
Total	\$2,368,199.92	\$1,184,099.96	\$3,552,299.88	Total	\$735,482.68	\$367,741.34	\$1,103,224.02

NOTE 1 - Total revenues collected for sales tax by the month ending January 31, 2009, in FY 2008-09 was \$1,103,224.02 (\$735,482.68 City's revenues and \$367,741.34 EDC's revenues); total revenues collected for sales tax by the month ending January 31, 2008 in FY 2007-08 was \$1,085,612.66 (\$723,741.77 City's revenues and \$361,870.89 EDC's revenues).



CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
SCHEDULE OF CASH ACCOUNTS AND INVESTMENTS (By Account)
As of January 31, 2009 (FY 2008-09)

FUNDS IN INVESTMENT POOLS	
TEXSTAR	\$ 3,517,354.21
TEXPOOL	23,756,735.45
Subtotal on Funds In Investment Pools	<u>\$ 27,274,089.66</u>
CHECKING ACCOUNTS	
1988 W&S Bond	\$0.00
1994 Fire G.O. Bond Issue	0.00
1994 Fire Station Retainage	0.00
1994 Landfill C O's	0.00
Caddy Shack - Pool Account	0.00
Drainage Utility Reserve	0.00
G.O. Bonds Interest & Sinking	0.00
Master Account	493,720.45
Payroll	5,173.08
Rental Rehab	15,219.53
Golf Course	0.00
State Revolving Fund 1994	0.00
State Revolving Fund 1994 - Cash in Escrow	0.00
W & S Interest & Sinking	0.00
Water & Sewer Revenue	0.00
Law Enforcement Block Grant	8,082.84
Certificate of Obligations Series 1997	0.00
Solid Waste Interest & Sinking	0.00
Library Retainage	0.00
Pending Forfeitures	16,342.11
Small Business Revolving Loan Fund	0.00
1998 G.O. Bond Issue	0.00
1998 G.O. Bond Issue Retainage	0.00
1998 C.O. Bond Issue Retainage	0.00
Community Development	0.00
Subtotal Checking Accounts	<u>\$538,537.99</u>
SAVINGS ACCOUNTS (Per Quarterly Stmt)	
Subdivision Escrow	2,539.04
Subtotal Savings Accounts	<u>\$2,539.04</u>
TOTAL INVESTMENTS & CASH ACCOUNTS	<u>\$27,815,166.69</u>

CITY OF COPPERAS COVE
MONTHLY COUNCIL REPORT
SCHEDULE OF CASH ACCOUNTS AND INVESTMENTS (By Fund)
As of January 31, 2009 (FY 2008-09)

FUND	TOTAL CASH & INVESTMENTS
General Fund	\$8,039,695.61
Water & Sewer Fund	\$3,250,503.17
Solid Waste Fund	\$842,360.03
Youth Activity Fund	\$115,722.94
Drainage Utility Fund	\$969,727.04
Cemetery Fund	\$18,917.48
General Obligation Interest & Sinking Fund	\$1,723,379.60
Curb & Gutter Assessment Fund	(\$7,719.37)
Municipal Golf Course Fund	(\$150,816.61)
Small Business Revolving Loan Fund	\$63,613.28
Library Gifts & Memorials Fund	\$8,571.61
Hotel/Motel Tax Fund	\$150,070.90
Animal Shelter Donations Fund	\$19,342.18
Police Court Order Fund	\$0.00
City-Wide Donations Fund	\$80,383.30
Abandoned Vehicle Auction Fund	\$0.00
City Wide Grants	\$91,752.94
FEMA Grant Funds	\$72,460.64
Fire Special Revenue Fund	\$13,865.05
Tirz	(\$3,453.47)
Mesa Verde II	(\$2,425.00)
457 Deferred cmp	\$0.00
Joint Image Campaign	\$8,520.02
Tx. Parks & Wildlife Grant	\$0.00
Municipal Court Fund	\$192,046.04
Police Restricted Fund	\$18,300.94
Police Federal Seizure Fund	\$2,104.23
Fire/EMS Loan	\$0.00
County Mutual Aid Agreement	\$0.00
Law Enforcement Block Grant Fund	\$10,622.64
Fire Department Grant Fund	(\$3,447.10)
Library Grant Fund	\$27,340.84
Step Grant	\$3,306.65
Tobacco Grant	\$2,688.00
FM 1113 Grant	\$50,178.66
2006 Limited Tax Notes	\$168,434.55
2008 Tax Note	\$1,197,268.92
2008 Tax Note (W/S)	\$1,030,838.61
2008 Tax Note (Drainage)	\$80,990.84
2008 Tax Note (Golf)	\$152,603.56
2008A Limited Tax Notes (Tax Supported)	\$884,427.30
2008A Limited Tax Notes (Water & Sewer)	\$549,057.48
2008A Limited Tax Notes (Solid Waste)	\$280,683.26
2008A Limited Tax Notes (Drainage)	\$146,523.35
2008A Limited Tax Notes (Golf)	\$30,102.58
Reliever Route	\$121,138.87
2005 Certificates of Obligation (Water Projects)	\$403,579.98
2001 Combination Tax & Revenue C/O's (Capital Equip. & Improvements)	\$265,703.60
2001 Combination Tax & Revenue C/O's (Water/Wastewater Phase II CIP)	\$329,455.56
2003 Combination Tax & Revenue C/O's (Capital Equip. & Improvements)	\$413,438.55
2003 Combination Tax & Revenue C/O's (Water/Wastewater Phase III CIP)	\$925,320.32
2007 Combination Tax & Revenue C/O's (Police Facility)	\$5,227,986.92
TOTAL CASH & INVESTMENTS	<u>\$27,815,166.69</u>
RECAP OF CASH & INVESTMENTS:	
INVESTMENTS IN TEXPOOL	\$ 23,756,735.45
INVESTMENTS IN TEXSTAR	3,517,354.21
CASH IN BANK	\$541,077.03
TOTAL CASH & INVESTMENTS	<u>\$ 27,815,166.69</u>

CITY OF COPPERAS COVE
INVESTMENT SCHEDULE
As of January 31, 2009 (FY 2008-09)

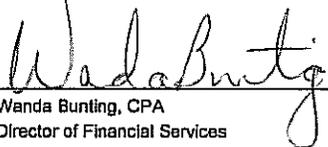
As of January 31, 2009, the City of Copperas Cove's investment portfolio was made up of investments in TEXPOOL, TEXSTAR, and bank deposits with the City's local depository. This portfolio accomplishes the objective of maintaining liquidity while earning a modest yield on invested taxpayers dollars.

TEXPOOL Investments	Market Value 01/01/09	Investments	Redemptions	Accrued Interest	Book Value 01/31/09	Market Value 01/31/09
General Fund	\$ 4,563,601.89	\$ 4,311,700.00	\$ 1,541,700.00	\$ 5,408.28	\$ 7,439,010.17	\$ 7,439,010.17
Water & Sewer Fund	3,133,081.18	600,000.00	-	2,836.69	3,735,917.87	3,735,917.87
Solid Waste Fund	788,200.27	50,000.00	-	642.98	838,843.25	838,843.25
Drainage Utility Fund	832,100.51	50,000.00	-	678.52	882,779.03	882,779.03
Interest & Sinking Fund	843,214.34	765,000.00	-	1,038.76	1,609,253.10	1,609,253.10
Youth Activities Fund	108,233.50	-	-	87.61	108,321.11	108,321.11
Cemetery Fund	-	-	-	-	-	-
Golf Course Interest & Sinking	39.94	-	-	-	39.94	39.94
Small Business Revolving Loan Fund	59,325.70	1,700.00	-	48.54	61,074.24	61,074.24
Hotel/Motel Fund	117,411.28	20,000.00	-	97.07	137,508.35	137,508.35
Municipal Court Special Revenue Fund	178,386.73	-	-	144.36	178,531.09	178,531.09
2008 Tax Supported Note	1,413,081.31	-	135,000.00	1,129.82	1,279,211.13	1,279,211.13
2008 Tax Supported Note/ W&S	1,026,349.74	-	-	830.63	1,027,180.37	1,027,180.37
2008 Tax Supported Note/ Golf	80,925.35	-	-	65.49	80,990.84	80,990.84
2008 Tax Supported Note/ Drainage	151,771.23	-	-	122.84	151,894.07	151,894.07
2001 C/O Bond Fund (Governmental)	256,161.30	-	-	207.30	256,368.60	256,368.60
2001 C/O Bond Fund (W&S Phase II)	328,389.81	-	-	265.75	328,655.56	328,655.56
2007 C/O Police Facility	5,517,456.19	-	-	4,465.23	5,521,921.42	5,521,921.42
Reliever Route	64,177.74	55,000.00	-	57.57	119,235.31	119,235.31
Total TEXPOOL Investments	\$ 19,561,908.01	\$ 5,853,400.00	\$ 1,676,700.00	\$ 18,127.44	\$ 23,756,735.45	\$ 23,756,735.45

TEXSTAR Investments	Market Value 01/01/09	Investments	Redemptions	Accrued Interest	Book Value 01/31/09	Market Value 01/31/09
2003 C/O Project Fund (Governmental)	\$ 346,180.79	\$ -	\$ -	\$ 264.76	\$ 346,445.55	\$ 346,445.55
2003 C/O Project Fund (W&S Phase III)	922,973.84	-	234,000.00	574.63	689,548.47	689,548.47
2005 C/O Project Fund (Water Projects)	793,741.28	-	420,000.00	370.61	374,111.89	374,111.89
2006 Tax Notes - Police Building Project	228,660.92	-	6,500.00	171.22	222,332.14	222,332.14
2008A Limited Tax Notes (Tax Supported)	962,733.97	-	20,000.00	734.20	943,468.17	943,468.17
2008A Limited Tax Notes (Water & Sewer)	601,660.71	-	55,000.00	454.34	547,115.05	547,115.05
2008A Limited Tax Notes (Solid Waste)	280,468.75	-	-	214.51	280,683.26	280,683.26
2008A Limited Tax Notes (Drainage)	145,442.42	-	62,000.00	104.68	83,547.10	83,547.10
2008A Limited Tax Notes (Golf)	30,079.57	-	-	23.01	30,102.58	30,102.58
Total TEXSTAR Investments	\$ 4,311,942.25	\$ -	\$ 680,500.00	\$ 2,911.96	\$ 3,517,354.21	\$ 3,517,354.21

Total Investments	\$ 23,873,850.26	\$ 5,853,400.00	\$ 2,357,200.00	\$ 21,039.40	\$ 27,274,089.66	\$ 27,274,089.66
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This report is in compliance with the investment strategies as approved and the Public Funds Investment Act.


Wanda Bunting, CPA
Director of Financial Services


Imelda Rodriguez
Assistant Director of Financial Services



TEXPOOL

THE TEXAS INVESTMENT SERVICE FOR PUBLIC FUNDS

February 2009

PERFORMANCE

	<i>TexPool</i>	<i>TexPool Prime</i>
As of January 31, 2009		
Current Invested Balance	\$21,824,903,900.06	\$1,813,954,603.71
Weighted Average Maturity (1)*	33 Days	30 Days
Weighted Average Maturity (2)*	61 Days	62 Days
Net Asset Value	1.00063	1.00072
Total Number of Participants	2,158	102
Management Fee on Invested Balance	0.0485%	0.065%
Interest Distributed	\$16,643,864.43	\$1,626,553.53
Management Fee Collected	\$826,580.44	\$84,856.51
Standard & Poor's Current Rating	AAAm	AAAm
January Averages		
Average Invested Balance	\$20,751,378,967.90	\$1,591,077,117.67
Average Monthly Yield, on a simple basis (3)*	0.9529%	1.2098%
Average Weighted Average Maturity (1)*	29 Days	37 Days
Average Weighted Average Maturity (2)*	56 Days	65 Days

*Definitions for Average Weighted Maturity can be found on Page 2.

Economic and Market Commentary – January 31, 2009

Money markets enjoyed a mild January thaw as credit spreads contracted and yields on government paper inched higher. Though one-month LIBOR declined by only three basis points to 0.42%, three-month LIBOR fell by 26 basis points to 1.18% and six-month LIBOR fell by 12 basis points to 1.63%. Meanwhile, repo rates rose from zero to 30 basis points while six-month Treasury bill yields increased from zero to 35 basis points.

While these moves are not dramatic, the cash yield curve is now positively sloped across the Treasury, government agency, and prime sectors from three months out to thirteen months. Investor fears that agency and Treasury yields would remain at zero or below also have subsided, at least for the moment. The uptick in some yields was caused by a bulge in supply and by an increase in bank reserves, which were injected into the financial system by the Fed. Notably, 12-month LIBOR rose modestly late in the month amid downbeat reports on profits, employment and global economic growth.

We do not anticipate that nominal yields or credit spreads will return to what once were considered "normal" any time soon. In fact, the average seven-day yield on taxable money market funds for the week ended January 28th fell to the lowest level in history. There is even a chance that some of the recent uptick in government yields could reverse in coming weeks as investors digest the near-daily onslaught of dismal economic news and policymakers struggle to find a workable solution to the banking crisis.

We made only minor changes to pool holdings early in the month, given our view that the cash market provided little value at that time. However, the steeper curve that emerged in mid-January provided us with the opportunity to buy fixed-rate paper across all sectors at more attractive yields, especially in three- and six-month securities. We also found relative value in some one- and two-month term repos. The floating rate sector, however, continues to suffer from a lack of supply and low nominal yields.

Looking ahead, the Fed is likely to keep policy rates at or near zero for an extended period. With the central bank having run out of traditional monetary ammunition, FOMC meetings have lost their ability to move the cash market. Still, the government is employing a lengthy list of non-traditional remedies, one of which — the Commercial Paper Funding Facility (CPFF) — operated by the Federal Reserve Bank of New York, experienced its first maturities on January 30th. Whether issuers will be able to roll over those borrowings into the traditional cash marketplace beginning in early February will be a key test of whether the recent improvement in sentiment will have staying power.

ANNOUNCEMENTS

New Participants

We would like to recognize and welcome the following entities who joined the TexPool/TexPool Prime program in January 2009:

1. City of Muleshoe
2. Parkside at Mayfield Ranch MUD
3. Town of Pecos City– TexPool and TexPool Prime
4. Fort Bend County MUD 128
5. City of Cuero
6. Georgetown ISD –TexPool Prime

Up Coming Events

2/15/09 – 2/17/09 TASSCUBO Winter Conference in Austin
2/23/09 – 2/27/09 TASBO Annual Conference in San Antonio

Holiday Reminder

In observance of President's Day, TexPool will be closed on Monday, February 16, 2009. All ACH transactions placed on Friday, February 13, 2009 will settle on Tuesday, February 17, 2009. Any transactions placed on Monday, February 16, 2009 will be given a transaction date of Tuesday, February 17, 2009. Please plan accordingly for your liquidity needs.

Announcement

We are pleased to offer TEXPOOL ACADEMY, a series of free on-line training courses that comply with the PFIA and will give you the opportunity to obtain your required hours through the convenience of the TexPool website.

Coming soon: TexPool Vendor Payment, watch for details on www.texpool.com.



TexPool

PORTFOLIO ASSET SUMMARY AS OF January 31, 2009

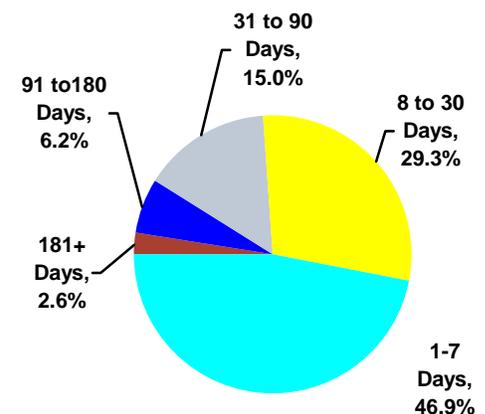
	Book Value	Market Value
Uninvested Balance	\$3,677,147.62	\$3,677,147.62
Accrual of Interest Income	23,549,813.92	23,549,813.92
Interest and Management Fees Payable	(640,991,164.36)	(640,991,164.36)
Payable for Investments Purchased	0.00	0.00
Repurchase Agreements	13,497,367,000.00	13,497,193,660.00
Mutual Fund Investments	0.00	0.00
Government Securities	8,941,301,102.88	8,955,311,170.75
Total	\$21,824,903,900.06	\$21,838,740,627.93

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investors and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

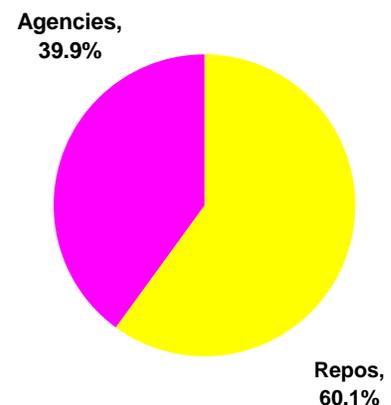
DAILY SUMMARY

Date	Money Mkt Fund Equiv (SEC Std.)	Daily Allocation Factor	TexPool Invested Balance	Market Value Per Share	WAM Days (1)	WAM Days (2)
01/01	1.2376%	0.000033906	\$18,615,048,504.04	1.00119	34	55
01/02	1.2169%	0.000033339	\$19,096,430,348.77	1.00111	32	53
01/03	1.2169%	0.000033339	\$19,096,430,348.77	1.00111	32	53
01/04	1.2169%	0.000033339	\$19,096,430,348.77	1.00111	32	53
01/05	1.1527%	0.000031582	\$19,305,480,641.61	1.00105	31	52
01/06	1.1491%	0.000031481	\$19,493,569,896.70	1.00108	30	53
01/07	1.1113%	0.000030446	\$19,864,731,728.23	1.00104	29	51
01/08	1.1127%	0.000030486	\$20,033,757,789.36	1.00102	29	59
01/09	1.0627%	0.000029116	\$20,481,976,558.60	1.00096	29	58
01/10	1.0627%	0.000029116	\$20,481,976,558.60	1.00096	29	58
01/11	1.0627%	0.000029116	\$20,481,976,558.60	1.00096	29	58
01/12	1.0151%	0.000027810	\$20,667,204,035.62	1.00098	26	55
01/13	0.9889%	0.000027093	\$20,836,505,162.23	1.00098	28	56
01/14	0.9937%	0.000027226	\$20,977,546,861.35	1.00095	27	55
01/15	0.9759%	0.000026737	\$21,069,402,860.68	1.00095	28	56
01/16	0.9397%	0.000025744	\$21,212,428,254.11	1.00088	29	57
01/17	0.9397%	0.000025744	\$21,212,428,254.11	1.00088	29	57
01/18	0.9397%	0.000025744	\$21,212,428,254.11	1.00088	29	57
01/19	0.9397%	0.000025744	\$21,212,428,254.11	1.00088	29	57
01/20	0.7984%	0.000021873	\$21,279,946,379.19	1.00085	27	54
01/21	0.7609%	0.000020846	\$21,339,505,989.98	1.00082	28	55
01/22	0.8032%	0.000022005	\$21,412,357,894.52	1.00081	27	54
01/23	0.7905%	0.000021658	\$21,408,249,980.74	1.00074	28	58
01/24	0.7905%	0.000021658	\$21,408,249,980.74	1.00074	28	58
01/25	0.7905%	0.000021658	\$21,408,249,980.74	1.00074	28	58
01/26	0.7496%	0.000020536	\$21,558,591,842.72	1.00071	26	55
01/27	0.7285%	0.000019960	\$21,663,704,855.63	1.00069	26	55
01/28	0.7314%	0.000020038	\$21,846,346,657.92	1.00067	25	54
01/29	0.7613%	0.000020857	\$21,869,555,424.10	1.00065	27	55
01/30	0.7500%	0.000020547	\$21,824,903,900.06	1.00063	33	61
01/31	0.7500%	0.000020547	\$21,824,903,900.06	1.00063	33	61
Averages	0.9529%	0.000026106	\$20,751,378,967.90		29	56

Portfolio By Maturity
As of January 31, 2009



Portfolio By Type of Investment
As of January 31, 2009



	Number of Participants	Balance
School District	550	\$8,333,456,967.21
Higher Education	53	\$2,481,672,071.12
Health Care	81	\$1,031,175,417.20
Utility District	656	\$2,011,145,953.37
City	426	\$5,685,812,968.93
County	169	\$1,872,760,619.28
Other	223	\$404,235,222.76

Definition of Weighted Average Maturity (1) & (2)

* (1) This weighted average maturity calculation uses the SEC Rule 2A-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.

* (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

TexPool Prime

PORTFOLIO ASSET SUMMARY AS OF January 31, 2009

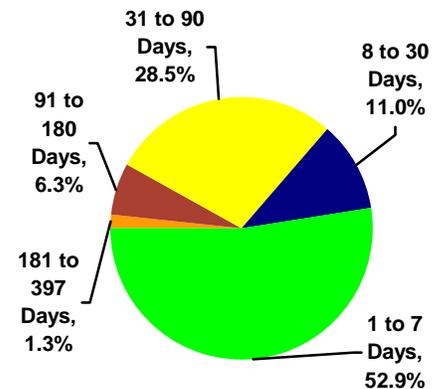
	Book Value	Market Value
Uninvested Balance	\$796.53	\$796.53
Accrual of Interest Income	440,652.07	440,652.07
Interest and Management Fees Payable	(1,626,588.53)	(1,626,588.53)
Payable for Investments Purchased	0.00	0.00
Repurchase Agreements	686,035,000.00	686,035,000.00
Mutual Fund Investments	0.00	0.00
Government Securities	206,442,298.08	207,313,687.00
Commercial Paper	922,662,445.56	923,097,231.80
Bank Instruments	0.00	0.00
Variable Rate Note	0.00	0.00
Total	\$1,813,954,603.71	\$1,815,260,778.87

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investors and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

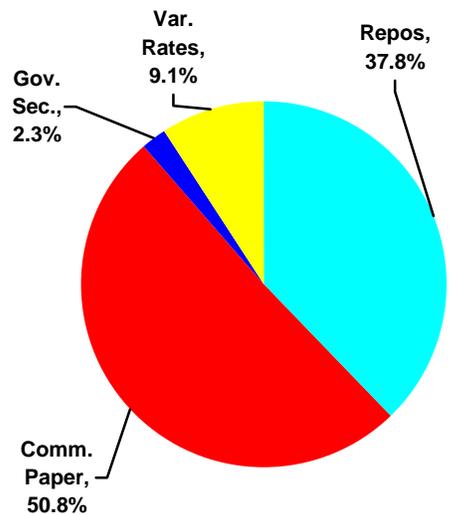
DAILY SUMMARY

Date	Money Mkt Fund Equiv (SEC Std.)	Daily Allocation Factor	TexPool Invested Balance	Market Value Per Share	WAM Days (1)	WAM Days (2)
01/01	1.4033%	0.000038446	\$1,354,566,245.95	1.00149	35	56
01/02	1.3537%	0.000037089	\$1,413,613,622.34	1.00135	33	53
01/03	1.3537%	0.000037089	\$1,413,613,622.34	1.00135	33	53
01/04	1.3537%	0.000037089	\$1,413,613,622.34	1.00135	33	53
01/05	1.3108%	0.000035911	\$1,425,634,365.89	1.00137	31	51
01/06	1.2841%	0.000035180	\$1,425,351,928.78	1.00139	31	51
01/07	1.2649%	0.000034656	\$1,492,757,224.78	1.00133	39	59
01/08	1.2111%	0.000033180	\$1,503,710,496.52	1.00107	42	71
01/09	1.2201%	0.000033427	\$1,510,393,369.54	1.00105	47	75
01/10	1.2201%	0.000033427	\$1,510,393,369.54	1.00105	47	75
01/11	1.2201%	0.000033427	\$1,510,393,369.54	1.00105	47	75
01/12	1.2060%	0.000033042	\$1,559,785,218.37	1.00116	43	70
01/13	1.1209%	0.000030710	\$1,606,643,457.43	1.00105	41	68
01/14	1.1972%	0.000032799	\$1,588,592,334.82	1.00109	42	69
01/15	1.1770%	0.000032247	\$1,617,946,318.21	1.00111	41	67
01/16	1.2114%	0.000033190	\$1,630,422,791.37	1.00100	41	68
01/17	1.2114%	0.000033190	\$1,630,422,791.37	1.00100	41	68
01/18	1.2114%	0.000033190	\$1,630,422,791.37	1.00100	41	68
01/19	1.2114%	0.000033190	\$1,630,422,791.37	1.00100	41	68
01/20	1.1795%	0.000032316	\$1,627,166,764.79	1.00105	38	64
01/21	1.1484%	0.000031462	\$1,653,492,931.30	1.00100	37	63
01/22	1.1946%	0.000032730	\$1,637,179,660.29	1.00097	36	63
01/23	1.1695%	0.000032042	\$1,667,307,964.46	1.00089	37	71
01/24	1.1695%	0.000032042	\$1,667,307,964.46	1.00089	37	71
01/25	1.1695%	0.000032042	\$1,667,307,964.46	1.00089	37	71
01/26	1.1252%	0.000030828	\$1,695,226,341.44	1.00085	34	68
01/27	1.0962%	0.000030033	\$1,749,247,951.17	1.00081	32	65
01/28	1.1262%	0.000030855	\$1,737,006,580.67	1.00081	32	65
01/29	1.1526%	0.000031579	\$1,725,537,585.49	1.00081	32	65
01/30	1.1150%	0.000030549	\$1,813,954,603.71	1.00072	30	62
01/31	1.1150%	0.000030549	\$1,813,954,603.71	1.00072	30	62
Averages	1.2098%	0.000033145	\$1,591,077,117.67		37	65

Portfolio By Maturity As of January 31, 2009



Portfolio By Type of Investment As of January 31, 2009



	Number of Participants	Balance
School District	56	\$1,237,354,818.78
Higher Education	4	\$13,953,534.64
Health Care	6	\$64,512,884.41
Utility District	3	\$173,162,964.77
City	17	\$90,174,002.56
County	10	\$220,467,602.31
Other	6	\$134,380.27

*(3) This current yield for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.

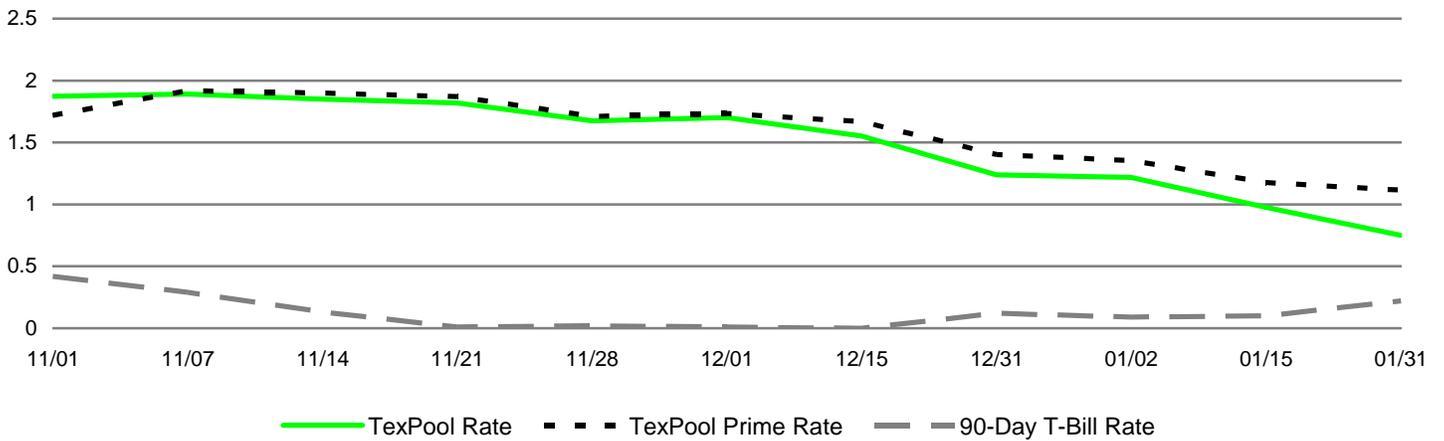


TEXPOOL

THE TEXAS INVESTMENT SERVICE FOR PUBLIC FUNDS

TexPool Participant Services
1001 Texas Ave. 14th Floor
Houston, TX 77002

TEXPOOL & TEXPOOL PRIME VS. 90-DAY TREASURY BILL



TexPool Advisory Board Members

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Pati Buchenau

Jose Elizondo, Jr.
Ron Leverett

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John McGrane

Clay McPhail
Vivian Wood

Additional information regarding TexPool is available upon request:

www.texpool.com • 1-866-839-7665 (1-888-TEX-POOL) • Fax: 866-839-3291



Monthly Newsletter - January 2009

Performance

As of January 31, 2009

Current Invested Balance	\$5,676,377,612.45
Weighted Average Maturity (1)	47 Days
Weighted Average Maturity (2)	73 Days
Net Asset Value	1.000683
Total Number of Participants	667
Management Fee on Invested Balance	0.05%*
Interest Distributed	\$4,251,214.48
Management Fee Collected	\$226,020.59
% of Portfolio Invested Beyond 1 Year	1.25%
Standard & Poor's Current Rating	AAAM

January Averages

Average Invested Balance	\$5,283,039,246.79
Average Monthly Yield, on a simple basis	0.9005%
Average Weighted Average Maturity (1)*	50 Days
Average Weighted Average Maturity (2)*	78 Days

Definition of Weighted Average Maturity (1) & (2)

(1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.

(2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

* The maximum management fee authorized for the TexSTAR Cash Reserve Fund is 12 basis points. This fee may be waived in full or in part in the discretion of the TexSTAR co-administrators at any time as provided for in the TexSTAR Information Statement.

Rates reflect historical information and are not an indication of future performance.

New Participants

We would like to welcome the following entities who joined the TexSTAR program in January 2009:

★ City of Sweetwater

★ Ingram ISD

★ Harris County MUD 365

Holiday Reminder

In observance of the **President's Day holiday**, **TexSTAR will be closed on Monday, February 16, 2009**. All ACH transactions initiated on Friday, February 13th, will settle on Tuesday, February 17th.

Economic Commentary

The effects of the financial crisis extended rapidly through the broader economy in January, with large numbers of layoffs announced and economists revising down growth estimates across many sectors of the economy. Forecasts are projecting longer and more painful paths toward economic recovery as data have shown precipitous drops in consumer confidence, employment, housing and business investment.

The consumer continues to be battered by the onslaught of broad-based job uncertainty, as well as falling equity prices, declining house prices and reduced credit availability. A record number of people have filed for continuing unemployment claims insurance in January, exceeding 4.75 million, which has had a dampening effect on consumer spending. Personal savings rates rose to 3.6% in December from 0.8% in August. There has been an acceleration in house price declines as foreclosure-induced sales now make up approximately 45% of existing home sales. Businesses appear no more confident than consumers and are scaling back equipment investment wherever possible, resulting in some of the lowest spending levels since 1958. Treasuries lost ground in January as concerns about rising supply and the Fed's ambiguity surrounding its potential purchases of long-term Treasuries contributed to the sell-off. Treasury yields rebounded from year-end, with the yield of the three-month Tbill up 15 bps ending at 0.23%.

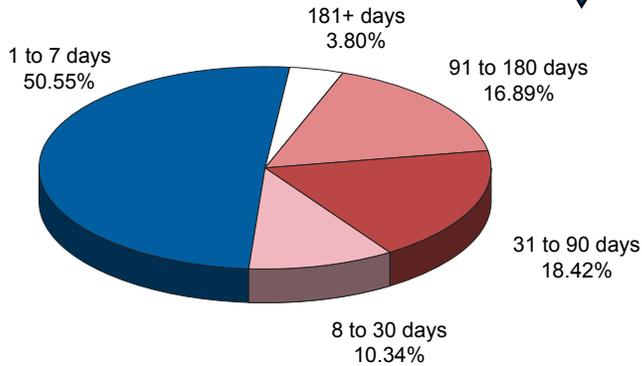
Unemployment is expected to continue to rise through Q2 2010 and exceed 8.4%. However, given the spectrum of government interventions and their possible outcomes, the risks towards experiencing persistent deflation are low. As the Fed has acknowledged in its statements, the fed funds target rate is anticipated to remain on hold at its low level for the foreseeable future. Particularly important to the trajectory of the economy over the next quarters will be the form taken by the tremendous government actions. The manner in which the government can efficiently restore consumer and businesses confidence and shore up bank and household balance sheets will control the speed at which the economy recovers.

This information is an excerpt from an economic report dated January 2009 provided to TexSTAR by JP Morgan Asset Management, Inc., the investment manager of the TexSTAR pool.

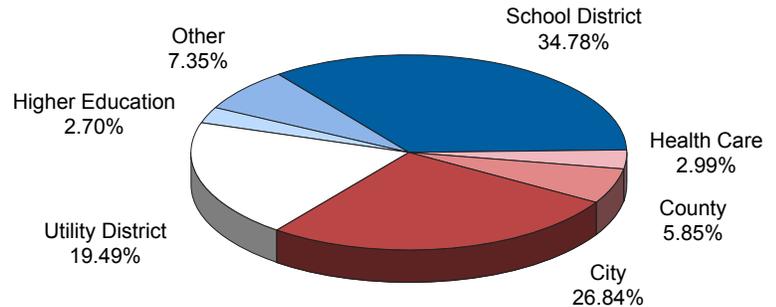
For more information about TexSTAR, please visit our web site at www.texstar.org.

Information at a Glance

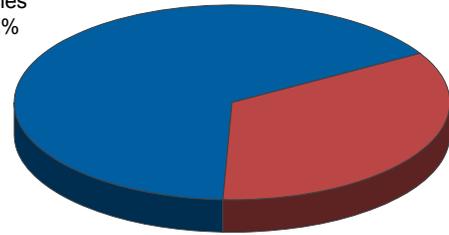
Portfolio by Type of Investment As of January 31, 2009



Distribution of Participants by Type As of January 31, 2009



Agencies
66.02%



Portfolio by Maturity As of January 31, 2009

Performance

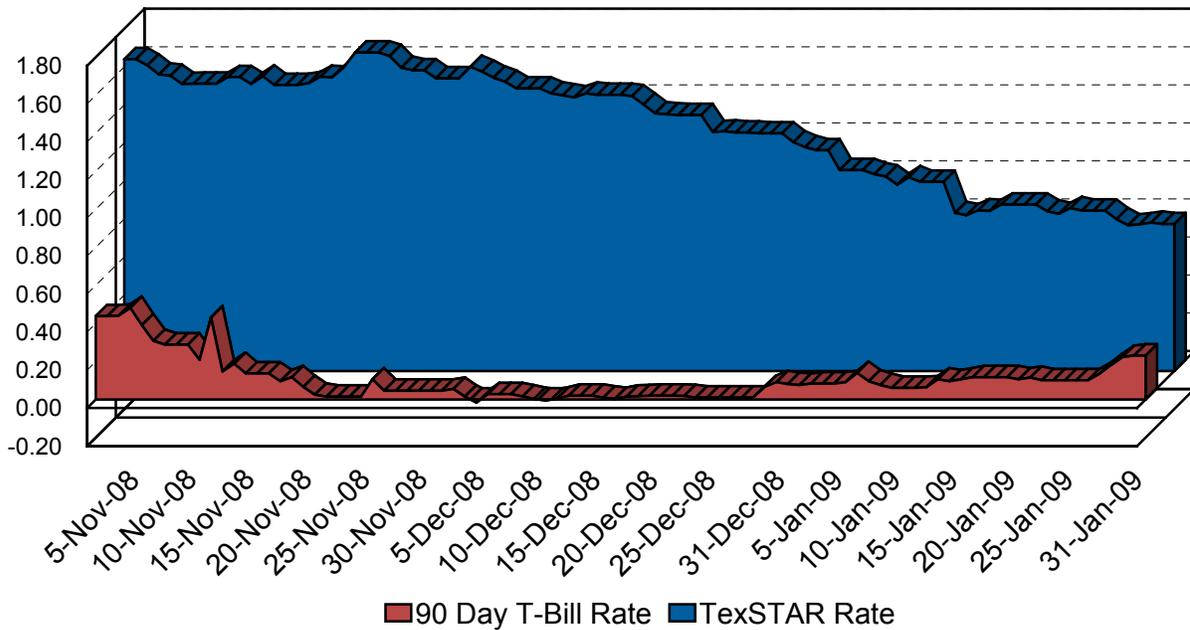
Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Jan 09	0.9005%	\$ 5,676,377,612.45	\$ 5,680,297,695.81	1.000683	50	78	667
Dec 08	1.3793%	4,993,884,782.18	4,999,322,863.96	1.001075	48	81	664
Nov 08	1.5651%	4,516,705,034.64	4,520,414,835.22	1.000821	37	76	663
Oct 08	1.7825%	4,653,785,653.26	4,652,712,677.18	0.999727	39	82	659
Sep 08	2.2986%	5,252,346,054.07	5,248,471,023.31	0.999262	34	81	650
Aug 08	2.2120%	4,936,314,476.42	4,933,265,676.60	0.999370	36	87	647
Jul 08	2.1874%	5,328,247,286.85	5,325,742,811.75	0.999529	30	84	643
Jun 08	2.2467%	5,450,912,795.58	5,448,966,529.06	0.999642	31	86	637
May 08	2.2194%	5,893,819,751.64	5,893,907,633.72	1.000013	28	87	627
Apr 08	2.4396%	6,349,528,618.20	6,349,341,491.76	0.999970	21	82	623
Mar 08	2.9807%	6,635,062,776.30	6,636,736,509.65	1.000252	17	82	616
Feb 08	3.4224%	6,294,186,095.49	6,296,863,425.91	1.000401	17	82	609
Jan 08	4.2033%	5,919,661,192.90	5,923,891,294.00	1.000714	22	80	603

Portfolio Asset Summary as of January 31, 2009

	Book Value	Market Value
Uninvested Balance	\$ 125.12	\$ 125.12
Accrual of Interest Income	7,062,533.22	7,062,533.22
Interest and Management Fees Payable	(4,276,600.97)	(4,276,600.97)
Payable for Investment Purchased	0.00	0.00
Repurchase Agreements	1,927,992,000.00	1,927,992,000.00
Government Securities	3,745,599,555.08	3,749,519,638.44
Total	\$ 5,676,377,612.45	\$ 5,680,297,695.81

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of TexSTAR. The only source of payment to the Participants are the assets of TexSTAR. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact TexSTAR Participant Services.

TexSTAR versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The TexSTAR management fee may be waived in full or in part at the discretion of the TexSTAR co-administrators and the TexSTAR rate for the period shown reflects waiver of fees. This table represents investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the TexSTAR pool to the T-Bill Yield, you should know that the TexSTAR pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill.

Daily Summary for January 2009

Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	TexSTAR Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
1/1/2009	1.1607%	.000031800	\$4,993,884,782.18	1.001075	47	73
1/2/2009	1.0567%	.000028950	\$4,987,727,283.95	1.001068	46	72
1/3/2009	1.0567%	.000028950	\$4,987,727,283.95	1.001068	46	72
1/4/2009	1.0567%	.000028950	\$4,987,727,283.95	1.001068	46	72
1/5/2009	1.0348%	.000028351	\$5,099,773,025.31	1.000934	45	70
1/6/2009	1.0220%	.000028001	\$5,096,907,597.00	1.000988	45	70
1/7/2009	0.9794%	.000026832	\$5,161,874,852.09	1.000979	45	73
1/8/2009	1.0190%	.000027917	\$5,072,706,160.79	1.001085	52	83
1/9/2009	0.9943%	.000027240	\$5,205,354,930.62	1.001089	49	81
1/10/2009	0.9943%	.000027240	\$5,205,354,930.62	1.001089	49	81
1/11/2009	0.9943%	.000027240	\$5,205,354,930.62	1.001089	49	81
1/12/2009	0.8310%	.000022768	\$5,292,980,477.44	1.001086	54	82
1/13/2009	0.8188%	.000022433	\$5,299,536,416.74	1.001089	55	83
1/14/2009	0.8449%	.000023149	\$5,254,195,340.77	1.001094	55	83
1/15/2009	0.8417%	.000023061	\$5,318,587,745.20	1.001085	53	82
1/16/2009	0.8747%	.000023964	\$5,272,299,419.80	1.000980	52	80
1/17/2009	0.8747%	.000023964	\$5,272,299,419.80	1.000980	52	80
1/18/2009	0.8747%	.000023964	\$5,272,299,419.80	1.000980	52	80
1/19/2009	0.8747%	.000023964	\$5,272,299,419.80	1.000980	52	80
1/20/2009	0.8393%	.000022994	\$5,209,157,603.65	1.000975	52	80
1/21/2009	0.8259%	.000022627	\$5,332,165,536.14	1.000911	50	80
1/22/2009	0.8566%	.000023469	\$5,333,504,375.88	1.000869	51	80
1/23/2009	0.8434%	.000023106	\$5,393,402,555.84	1.000787	50	78
1/24/2009	0.8434%	.000023106	\$5,393,402,555.84	1.000787	50	78
1/25/2009	0.8434%	.000023106	\$5,393,402,555.84	1.000787	50	78
1/26/2009	0.7978%	.000021858	\$5,489,994,181.26	1.000775	50	78
1/27/2009	0.7656%	.000020974	\$5,517,751,244.33	1.000771	51	78
1/28/2009	0.7714%	.000021134	\$5,566,041,449.29	1.000744	50	77
1/29/2009	0.7802%	.000021374	\$5,533,748,647.05	1.000729	50	76
1/30/2009	0.7724%	.000021162	\$5,676,377,612.45	1.000683	47	73
1/31/2009	0.7724%	.000021162	\$5,676,377,612.45	1.000683	47	73
Average	0.9005%	.000024671	\$5,283,039,246.79		50	78

TexSTAR Participant Services
First Southwest Asset Management, Inc.
325 North St. Paul Street, Suite 800
Dallas, Texas 75201



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<i>Monte Mercer</i>	<i>North Central TX Council of Government</i>	<i>Advisory Board</i>
<i>Len Santow</i>	<i>Griggs & Santow</i>	<i>Advisory Board</i>
<i>S. Renee Tidwell</i>	<i>Tarrant County</i>	<i>Advisory Board</i>

For more information contact TexSTAR Participant Services ★ 1-800-TEX-STAR ★ www.texstar.org



City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. G-8

Contact – Tim Molnes, Police Chief, 547-4274
tmolnes@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing street closures for 7th Street and Avenue D and the 17th Street crossing for the Copperas Cove High School Shattered Dreams Project.

1. BACKGROUND/HISTORY

The Copperas Cove High School in coordination with the PAL (Peer Assistance Leadership) Program is coordinating the 2009 Shattered Dreams Project. The mission of the project is to reach out to the students at Copperas Cove High School and raise awareness of how serious drinking and driving can be, with an emphasis on drinking and driving on Prom night.

2. FINDINGS/CURRENT ACTIVITY

The Shattered Dreams Project is requesting street closures for 7th Street and Avenue D and the 17th Street crossing in order to allow the Shattered Dreams car crash to proceed between the times of 8:00 a.m. to 10:15 a.m. on Tuesday, April 7, 2009.

3. FINANCIAL IMPACT

The City does incur some costs associated with this event due to temporary road closures by the Street Department and traffic/crowd control by the Police Department, but the costs are minimal and do not warrant any written terms or conditions.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends approval of the requested street closure. Upon Council approval, information copies of agenda item, the letter of request and street closure map will be furnished to the following city departments: Engineering, Fire, Police, Public Works, and Streets.

Cheryl Forester - Police Dept.

From: Eddie Wilson - Police Dept.
Sent: Tuesday, March 10, 2009 3:13 PM
To: Cheryl Forester - Police Dept.
Subject: FW: Shattered Dreams April 7

From: Esperanza Traino [mailto:esperanza@ccisd.com]
Sent: Tuesday, March 10, 2009 2:58 PM
To: Andrea Gardner - City Manager; Lisa Wilson - Executive Secretary
Cc: Eddie Wilson - Police Dept.; Tim Molnes - Police Chief; Jane Lees - City Secretary
Subject: Shattered Dreams April 7

Good Afternoon Mrs. Gardner,

PAL program at Copperas Cove High School would like to conduct the Shattered Dreams Mock Crash on April 7, 2009 using Avenue D as the location for the mock crash vehicles.

We would like to request an "exception to policy" in adding our request to the agenda for the City Council meeting coming up for a "road closure" of Avenue D from 8am – 1015 am on April 7 to help facilitate the Shattered Dreams project.

If possible, please consider our request. We will not be able conduct Shattered Dreams logistically later due to up coming testing at the High School.

We believe adding the Shattered Dreams program to our community will serve as a reminder to everyone about the dangerous effects of drinking and driving. More importantly, we hope to reach many students at the high school during prom season and get the word out about the dangers involved in drinking and driving.

This year's Shattered Dreams committee members include students that have lose loved one to a drunk driver. They are passionate about it.

You can contact me at 254-681-1453 (cell) or at the High School 254-547-6622 ext 341. I am in classes most of the day however if you call about noon, I should be in my conference hour.

Thank you,
Esperanza Traino
Career and Technology Department
BIMM/PAL/Teen Leadership Instructor/Sponsor
Copperas Cove High School
254-547-2534
esperanza@ccisd.com

3/10/2009

Shattered Dreams Project 2009
Street Closures
7th Street & Avenue D and 17th Street Crossing



City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. G-9

Contact – Andrea M. Gardner, City Manager, 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the Mayor of the City of Copperas Cove to address a letter to the Texas Department of Housing and Community Affairs that clearly defines the City's intentions to defer application submission for the Texas Neighborhood Stabilization Program to Fort Hood Area Habitat for Humanity.

1. BACKGROUND/HISTORY

The Neighborhood Stabilization Program (NSP) is a HUD-funded program authorized by HR3221, the "Housing and Economic Recover Act of 2008" (HERA). This program provides a supplemental allocation to the Community Development Block Grant (CDBG) Program for the redevelopment of abandoned and foreclosed homes and residential properties.

The availability and use of these funds is subject to:

- CDBG regulations
- The federal HOME Investment Partnerships Program (HOME) regulations
- Texas Government Code Chapter 2306
- Other federal regulations

Texas will receive approximately \$173,000,000, with \$71,000,000 planned and identified by HUD as a direct allocation to 13 cities and counties with the greatest need as determined by HUD. The Texas Department of Housing and Community Affairs along with the Office of Rural and Community Affairs (ORCA) and the Texas State Affordable Housing Corporation (TSAHC) are working together to administer the remaining \$102 million in funds with TDHCA assuming the lead role.

2. FINDINGS/CURRENT ACTIVITY

City staff was contacted by Gene Bauer with Fort Hood Area Habitat Humanity inquiring about the City's desire to participate in the Neighborhood Stabilization Program. Mr. Bauer reported that Bell County received \$1 million in direct support through the program. Mr. Bauer stated should the City decide not to

participate in the program, Habitat for Humanity could apply by deferring the application process to Habitat for Humanity.

Currently, the City does not have sufficient staff to oversee the operational function of repairing and restoring properties, thus City staff recommends deferring the application process to Habitat for Humanity.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City Staff recommends that the City Council authorize the Mayor of the City of Copperas Cove to address a letter to address a letter to the Texas Department of Housing and Community Affairs that clearly defines the City's intentions to defer application submission for the Texas Neighborhood Stabilization Program to Fort Hood Area Habitat for Humanity.

(City Letterhead)

March 26, 2009

Texas Department of Housing & Community Affairs
221 E. 11th Street
Austin, TX 78701

To Whom It May Concern:

The City of Copperas Cove appreciates the opportunity to apply for “Housing and Economic Recovery Act of 2008” funding for the redevelopment of abandoned and foreclosed homes and residential properties. However, at the current time the City has selected to defer the application process to Fort Hood Area Habitat for Humanity. Habitat for Humanity is better suited to meet the requirements of the funds at this time.

The City of Copperas Cove supports Fort Hood Area Habitat for Humanity in efforts to seek funding through the HERA. Thank you for your time and cooperation.

Sincerely,

John A. Hull, Mayor
City of Copperas Cove

Cc: Gene Bauer, Fort Hood Area Habitat for Humanity

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item H-1

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

SUBJECT: **Public Hearing on Ordinance No. 2009-05, amending the 2008-09 fiscal year budget for the City of Copperas Cove.**

1. BACKGROUND/HISTORY

The 2008-09 budget was adopted on September 16, 2008 with a budget amendment approved on November 3, 2008. According to Section 6.16(b)(1) of the Copperas Cove City Charter, in order for the City Council to amend the 2008-09 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. The second Public Hearing will be on April 7, 2009.

2. FINDINGS/CURRENT ACTIVITY

The General Fund requires a redistribution of \$24,700 and an increase of \$55,472 in expenditure appropriations. Revenue appropriation increases reflect a total of \$15,690 which offsets a portion of the expenditure appropriations. The remaining needs are covered by an increase in the fund balance due to additional revenue and the release of various department expenditure budgeted funds in the prior fiscal year. The fund balance will be reconciled to cash and the annual audit once the annual audit is finalized. The final adjustment will be made to the fund balance at that time. With this update, the City still maintains a fund balance that meets the ideal fund balance as recommended in the City ordinance.

General Fund revenue increases include the following:

- Miscellaneous Revenues \$ 15,690

Miscellaneous revenue increases included funds that were from prior year Fire/EMS related Hurricane Dolly assistance and wildfire funds that were received from the Texas Forestry Service.

In order to adequately fund the expenditures for the following departmental budgets, a budget amendment is required:

- City Council \$2,840
- Information Systems \$1,040
- Public Affairs Office (\$6,000)
- Fire/EMS \$38,690
- Building & Development (\$18,700)
- Planning \$1,606
- Code & Health Compliance \$500
- Non-Departmental \$35,496

The redistribution of appropriations includes the following:

- Salary savings in the Public Affairs Office and in Building and Development are being allocated to the City Council budget for Public Relations costs. Funds are also for a projector for Information Systems and Planning for floodplain testing & coursework and a maintenance contract for new equipment. Fire Department requires additional funds for roof repairs at Central Station and vehicle repair and maintenance costs. Code and Health Compliance also requires additional funds for vehicle repair and maintenance costs.

Increases include:

- Funds are included in Non-Departmental to complete assessments for renovations to a current City facility and a potential City facility for the future.
- Funds are also included in Non-Departmental for the agenda item that was passed on March 3, 2008 for the oil and gas contract services.

The Water and Sewer Fund requires a redistribution of \$328,608 and funds in the amount of \$66,317 would have been released to fund balance due to debt service being paid out of the 2008 Tax Notes which is a result of the cancellation of the economic development agreement between the City and Mesa Verde Partnership.

But for a necessary \$300,000 increase in expenditure appropriation for the design and engineering contract for the “East End Infrastructure” project, the fund balance in the water and sewer fund would have improved considerably from that included in the adopted FY 2008-09 budget. This increase is required due to economic development contractual agreements that were previously put into place. A reimbursement resolution will be included on the April 7, 2009 City Council agenda that will allow for reimbursement to the Water and Sewer operating fund after the general obligation bond debt is issued in FY 2010. With City Council’s approval of the reimbursement resolution, the use of these operating funds on a temporary basis for the design and engineering contract should not impact the City’s bond rating.

The budget amendment includes the following appropriation changes:

- Wastewater Treatment \$328,608
- Non-Departmental (\$394,925)
- Non-Departmental \$300,000

The redistribution includes debt services payments in Non-Departmental that are being moved to the 2008 Tax Notes. These funds will be used for an increase of \$250,000 for electric utility in Wastewater Treatment. There is an outside review being completed by TriStem on the City's electric utility billings due to the large increases we have been experiencing. In addition to the utility, there are also funds included in Wastewater required to satisfy the contract for the retrofit of a clarifier at the south wastewater treatment plant that will be presented to City Council at the April 7th City Council meeting for approval. There are also funds included for the new Wastewater permit application fees and related required advertising costs.

The 2008 Tax Notes (Water & Sewer) will require a redistribution of \$510,000 from the Mesa Verde II – 380 Agreement to cover principal payments for various debt and fund shortages for the Turkey Run Pump Station project.

The 2008A Tax Notes (Water & Sewer) will require a redistribution of \$50,272 from the Mesa Verde Sewer Extension project to cover additional funds required for the retrofit of a clarifier at the south wastewater treatment plant.

The Interest and Sinking Fund will require an increase of \$12,625 in expenditure appropriations and a revenue appropriation increase of \$12,625 to offset the expenditure increase. The expenditure increase is to cover arbitrage rebate service fees. The revenue increase is to property taxes due to collecting over the current budget.

The Hotel Occupancy Tax Fund will require an increase of \$23,843 in expenditure appropriations. The expenditure increase is to cover up to \$3,000 in disbursements to the Copperas Cove County Opry. This would be the largest amount that could be released by City Council in FY 2008-09 based on the contract that was approved by City Council at the March 3, 2009 City Council meeting. There are also funds included for a projector replacement at the Civic Center and funds to cover principal and interest payments for a possible 2009 Tax Note issuance for the Allin House roof renovation and Civic Center improvements to include conference tables, flooring, and kitchen and restroom upgrades.

The Court Technology Fund will require an increase of \$11,400 in expenditure appropriations. The expenditure increase is to cover a maintenance contract for their current software system and additional training requirements related to the conversion to the new Incode software system.

The Library Grants Fund will require an increase in expenditure appropriations in the amount of \$3,539. The increase in appropriations is being funded by the Lone Star Library grant revenues totaling \$3,539.

3. FINANCIAL IMPACT

See attached ordinance and proposed amendments.

4. ACTION OPTIONS/RECOMMENDATION

City Staff recommends that the City Council hold a public hearing on Ordinance No. 2009-05 amending the fiscal year 2008-09 Budget.

ORDINANCE NO. 2009-05

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, 2008, AND ENDING ON SEPTEMBER 30, 2009; 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, 2008 to September 30, 2009; 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, 2008 to September 30, 2009, 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 7th day of April 2009, 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.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

**CITY OF COPPERAS COVE, TEXAS
FISCAL YEAR 2008-09 BUDGET
GENERAL FUND**

SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Description	Actual FY 2007-08	Budget* FY 2008-09	Proposed Amendment	Amended Budget FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 2,279,959	\$ 2,777,839	\$ 50,000	\$ 2,827,839
Prior Yr Enc Voided in Current Yr	53,721	-	-	-
Prior Period Adjustment	600,980	-	-	-
Unreserved, Designated	1,000,000	1,000,000	-	1,000,000
TOTAL BEGINNING FUND BALANCE	\$ 3,934,660	\$ 3,777,839	\$ 50,000	\$ 3,827,839
REVENUES:				
Taxes	\$ 9,978,493	\$ 10,746,164	\$ -	\$ 10,746,164
Permits & Licenses	220,202	237,874	-	237,874
Charges for Services	803,889	922,989	-	922,989
Fines	753,080	834,404	-	834,404
Administrative Reimbursements	1,300,500	1,250,500	-	1,250,500
Miscellaneous Revenue	483,727	508,955	15,690	524,645
TOTAL REVENUES	\$ 13,539,891	\$ 14,500,886	\$ 15,690	\$ 14,516,576
TOTAL FUNDS AVAILABLE	\$ 17,474,551	\$ 18,278,725	\$ 65,690	\$ 18,344,415
EXPENDITURES:				
City Council (21)	\$ 30,252	\$ 39,400	\$ 2,840	\$ 42,240
City Manager (22)	199,730	285,412	-	285,412
City Secretary (23)	133,462	163,182	-	163,182
City Attorney (24)	133,273	155,062	-	155,062
Finance (Incl. Purchasing) (31)	550,358	653,360	-	653,360
Human Resources (34)	177,876	240,671	-	240,671
Information Systems (35)	194,775	238,198	1,040	239,238
Municipal Court (41)	333,868	351,155	-	351,155
Police (42)	4,057,023	4,762,190	-	4,762,190
Public Affairs Office (4250)	52,716	121,389	(6,000)	115,389
Animal Control (43)	204,901	240,896	-	240,896
Fire/EMS (44)	3,020,474	3,175,655	38,690	3,214,345
Emergency Management (4420)	6,588	17,443	-	17,443
Engineering (51)	135,701	169,259	-	169,259
Building Development (52)	285,707	293,544	(18,700)	274,844
Streets (53)	1,040,458	819,582	-	819,582
Parks and Recreation (54)	895,698	1,030,046	-	1,030,046
Fleet Services (55)	232,269	253,226	-	253,226
Public Works (56)	39,508	-	-	-
Facility Maintenance (57)	166,506	111,119	-	111,119
Planning (61)	156,602	210,841	1,606	212,447
Library (71)	517,844	533,921	-	533,921
Code & Health (72)	155,274	219,402	500	219,902
Non-Departmental (75)	494,013	530,893	35,496	566,389
TOTAL EXPENDITURES	\$ 13,214,876	\$ 14,615,846	\$ 55,472	\$ 14,671,318
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 3,259,675	\$ 2,662,879	-	\$ 2,673,097
Unreserved, Designated	1,000,000	1,000,000	-	1,000,000
TOTAL ENDING FUND BALANCE	\$ 4,259,675	\$ 3,662,879	\$ 10,218	\$ 3,673,097
IDEAL FUND BALANCE	\$ 3,303,719	\$ 3,653,962	\$ 13,868	\$ 3,667,830
OVER (UNDER) IDEAL FUND BALANCE	\$ 955,956	\$ 8,918	\$ (3,650)	\$ 5,268

*This budget reflects a 2008-09 budget amendment that was approved by City Council on November 3rd.

**CITY OF COPPERAS COVE
FISCAL YEAR 2008-09 BUDGET
WATER & SEWER FUND
SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2007-08	Budget* FY 2008-09	Proposed Amendment	Amended Budget FY 2008-09
BEGINNING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,730,982	\$ 1,579,636	\$ -	\$ 1,579,636
Prior Yr Enc Voided in Current Yr	7,117	-	-	-
Prior Period Adjustment	77,449	-	-	-
TOTAL BEGINNING FUND BALANCE	\$ 1,815,548	\$ 1,579,636	\$ -	\$ 1,579,636
Water Revenue	\$ 4,942,575	\$ 4,756,780	\$ -	\$ 4,756,780
Sewer Revenue	3,497,471	3,570,000	-	3,570,000
Senior Citizen Discount	(142,081)	(140,800)	-	(140,800)
Water Tap Fees	79,954	100,000	-	100,000
Sewer Tap Fees	23,060	26,000	-	26,000
Connect Fee	59,650	60,000	-	60,000
Meter Box Reset Fee	325	500	-	500
Subtotal	<u>8,460,954</u>	<u>\$ 8,372,480</u>	<u>\$ -</u>	<u>\$ 8,372,480</u>
Composting Sales Revenue	\$ 11,471	\$ 12,000	\$ -	\$ 12,000
Admin Reimb-Drainage	20,000	20,000	-	20,000
Interest Revenue	83,344	100,000	-	100,000
Late Charge For Billing	251,855	270,000	-	270,000
Miscellaneous Revenues	55,914	54,990	-	54,990
Insurance Proceeds	779	-	-	-
Riser Forfeiture Revenue	790	1,000	-	1,000
Auction Proceeds	-	1,000	-	1,000
Subtotal	<u>424,153</u>	<u>458,990</u>	<u>-</u>	<u>458,990</u>
TOTAL REVENUE	\$ 8,885,107	\$ 8,831,470	\$ -	\$ 8,831,470
TOTAL FUNDS AVAILABLE	\$ 10,700,655	\$ 10,411,106	\$ -	\$ 10,411,106
EXPENSES:				
Water & Sewer Operations (80)	\$ 157,477	\$ 169,683	\$ -	\$ 169,683
Utility Administration (81)	545,749	593,848	-	593,848
Water Distribution (82)	1,170,106	1,304,571	-	1,304,571
Sewer Collection (83)	449,440	555,986	-	555,986
Wastewater Treatment (84)	1,285,667	1,200,594	328,608	1,529,202
Composting (84-01)	160,577	184,989	-	184,989
Non-Departmental (85)	5,201,326	4,770,206	(94,925)	4,675,281
TOTAL EXPENSES	\$ 8,970,342	\$ 8,779,877	\$ 233,683	\$ 9,013,560
ENDING FUND BALANCE:				
Unreserved, Undesignated	\$ 1,730,313	\$ 1,631,229	\$ (233,683)	\$ 1,397,546
TOTAL ENDING FUND BALANCE	\$ 1,730,313	\$ 1,631,229	\$ (233,683)	\$ 1,397,546
IDEAL FUND BALANCE	\$ 2,242,586	\$ 2,194,969	\$ 58,421	\$ 2,253,390
OVER (UNDER) IDEAL FUND BALANCE	\$ (512,273)	\$ (563,740)	\$ (292,104)	\$ (855,844)

*This budget reflects a 2008-09 budget amendment that was approved by City Council on November 3rd.

NOTICE OF PUBLIC HEARING

On March 26, 2009, 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 2008-09 Budget for the City of Copperas Cove. The March 26, 2009 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 2008-09 Annual Budget are as follows:

	Increase (Decrease)
General Fund	
Beginning Fund Balance	\$50,000
Revenues	\$15,690
Expenditure Appropriations	\$55,472
Water and Sewer Fund	
Expense Appropriations	\$233,683
Interest and Sinking Fund	
Revenues	\$12,625
Expenditure Appropriations	\$12,625
Hotel Occupancy Tax Fund	
Expenditure Appropriations	\$23,843
Court Technology Fund	
Expenditure Appropriations	\$11,400

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-1

Contact – Joseph R. Pace, Municipal Court Supervisor, (254) 542-8934
jpace@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on Resolution No. 2009-11, authorizing the Copperas Cove Municipal Court to accept online credit card payments through the Company of Tyler Technologies at no cost to the City.

1. BACKGROUND/HISTORY

During the March 10, 2008, Council/Staff Retreat, the concept and funding options were presented to the City Council for consideration. As a result of the direction provided by Council, funding for transition from the Municipal Court current software program to INCODE (Tyler Technologies) was included in the FY 2009 Proposed Budget.

On September 16, 2008, the FY 2009 Proposed Budget was adopted by the City Council to include funding for the purchase of the INCODE software.

On November 3, 2008, the City Council authorized the City Manager to enter into an agreement between the City of Copperas Cove and Tyler Technologies for the purchase of the INCODE software.

On December 9, 2008, the City Manager signed the contract with Tyler Technologies for the INCODE software.

2. FINDINGS/CURRENT ACTIVITY

The Municipal Court data transfer was completed between LT Systems and Tyler Technologies. Initial training of court staff with the INCODE software scheduled for the week of March 9, 2009, through March 13, 2009, and live court training the week of April 13th.

3. FINANCIAL IMPACT

Acceptance of Online Payments at no cost to the City.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council approve Resolution No. 2009-11, thus approving the request to accept credit card payments through the company of Tyler Technologies at no cost to the City.

RESOLUTION NO. 2009-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS APPROVING THE REQUEST TO ACCEPT CREDIT CARD PAYMENTS THROUGH THE COMPANY OF TYLER TECHNOLOGIES AT NO COST TO THE CITY.

WHEREAS, the City Council of the City of Copperas Cove at their Regular Meeting on Thursday, March 26, 2009, voted to approve Tyler Technologies to approve services concerning credit card payment at no cost to the City of Copperas Cove.

WHEREAS, Tyler Technologies will provide information handouts and stickers to put on our pre-warrants concerning this topic;

WHEREAS, Tyler Technologies will set up a web page service where defendants can go online to arrange their payment. The company will then email the information to Court and fiancé so the accounts can be reconciled;

WHEREAS, the defendants will be charged a convenience fee and their credit card transaction deposited within two business days; and

WHEREAS, the general efficiency of the City of Copperas Cove Municipal Court will increase due to the accessibility of payments on the internet rather in person at the municipal court building.

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

Online payments will be accepted through the internet web page service provided by Tyler Technologies.

PASSED, APPROVED, AND ADOPTED on this 26th day of March 2009 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.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-10

Contact – Andrea M. Gardner, City Manager, 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the Mayor to execute an Image Campaign Agreement with the Copperas Cove Independent School District, the Copperas Cove Economic Development Corporation and the Copperas Cove Chamber of Commerce.

1. BACKGROUND/HISTORY

In 1999, the City of Copperas Cove, the Copperas Cove Independent School District, the Copperas Cove Economic Development Corporation and the Copperas Cove Chamber of Commerce entered into a Letter of Agreement for the Copperas Cove Image Campaign. The mission of the agreement was "The primary function of the committee will be to enhance the exposure and positive recognition of Copperas Cove as a progressive, family oriented community." Furthermore, the original agreement stated the continuation of the Image Campaign will be mutually agreed upon by all parties and a new Letter of Agreement will be signed. The funding of the Image Campaign will be revisited each year.

2. FINDINGS/CURRENT ACTIVITY

During a review of all contracts and agreements, the City Manager requested review of the Image Campaign by the City Attorney. As such, the City Attorney recommended a new Image Campaign Agreement be executed by all entities as stated in the 1999 agreement. Thus, the City Attorney prepared a new Image Campaign Agreement that is attached for review and consideration.

The agreement was executed by the Copperas Cove Independent School District on February 10, 2009, the Copperas Cove Chamber of Commerce on February 12, 2009 and the Copperas Cove Economic Development Corporation on February 26, 2009.

The agreement will be effective through September 30, 2009 and will require annual acceptance by each entity.

3. FINANCIAL IMPACT

The agreement sets the City's contribution for October 1, 2008 through September 30, 2009 at \$10,000. This amount is included in the FY 2009 Adopted Budget in the General Fund.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council authorize the Mayor to execute the Image Campaign Agreement between the City of Copperas Cove, the Copperas Cove Independent School District, the Copperas Cove Economic Development Corporation and the Copperas Cove Chamber of Commerce.

IMAGE CAMPAIGN AGREEMENT

THE STATE OF TEXAS §
 §
CORYELL COUNTY §

This Image Campaign Agreement ("Agreement") is made and entered by and between the City of Copperas Cove, Texas, (the "City"), the Copperas Cove Independent School District (the "CCISD"), the Copperas Cove Chamber of Commerce (the "Chamber") and the Copperas Cove Economic Development Corporation (the "CCEDC").

I Purpose

The purpose of this agreement is create a coalition committee (the "Committee") for the purpose of communicating a positive, consistent image for Copperas Cove, building pride and a sense of unity by developing a marketing plan with defined objectives, target market and evaluation measurements.

II Members

The Copperas Cove ISD, City, Chamber and EDC. There is one representative from each entity, appointed by their respective board of directors/council or administration. A prior member has the option to participate upon committing the same level of financial contribution as the other entities. In addition, any funds in arrears are also due in full at the time of the initiation of the agreement.

III Member Responsibilities

1. Each Member shall appoint one Committee Member and one Alternate Committee member to the committee.
2. Provide certain agreed upon contributions for use to towards accomplishing the purpose of the agreement as follows:
 - a. The City \$10,000.00
 - b. The Chamber \$10,000.00
 - c. The CCEDC \$10,000.00

d. The CCISD \$ 8,000.00

3. Secure approval through council or board action, the marketing plan and authorize contractual agreements and expenditures for the purpose of plan implementation.

4. The City shall act as the Committee's depository and fiscal agent, is authorized to sign agreements and expend funds on behalf of the Committee, with all of such actions being binding to all Members.

5. EACH MEMBER AGREES TO INDEMNIFY AND HOLD HARMLESS THE OTHER FOR ANY CAUSE OF ACTION ARISING OUT OF THIS AGREEMENT.

IV

Committee Responsibilities

1. After completing an industry analysis, market analysis and reviewing competition, the Committee shall develop objectives with quantitative benchmarks, measurement methods, criteria for success and timelines. After setting these objectives, the Committee shall develop a strategy with clear and concise articulation of how the plan will achieve its objectives. Following the timeline set, the Committee shall execute the plan. Evaluation of the plan is the first step in setting goals for the following year.

2. Each Member has the responsibility to communicate the execution actions and present the proposed plan to their respective board/council for action.

3. Implementation of the plan begins in October.

4. The marketing plan is implemented by the Members of the Committee and any outside contractors/suppliers/designers as is deemed necessary by the Committee.

V

Meetings

The committee shall meet annually to evaluate the current plan, set objectives, approve artistic concept and define Member's responsibilities for the upcoming year. This meeting is mandatory.

The established marketing plan is executed as established, unless it becomes necessary to address emerging issues in Copperas Cove or at Fort Hood. This type of action would require a special meeting with all entities represented.

**VI
Measurements**

Goals that address the mission shall be evaluated and specified strategies to address these goals shall be planned. Marketing strategies shall be based on effective reach and frequency to agreed target markets. Recruiting relocated soldiers and promoting tourism are the goals of the marketing strategy.

**VI
Duration**

This Agreement shall become effective upon the date of the final signature hereto and shall remain in effect until September 30, 2009.

EXECUTED on this the _____ day of _____, 2009.

CITY:

Date: _____

CCISD:

Rose Cameron

Date: 2-10-09

CHAMBER:

Martha A. Smith

Date: 2-12-09

CCEDC:

Dan J. R. Gay

Date: 2-26-09

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-11

Contact – Andrea M. Gardner, City Manager, 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the rental fees for use of the City of Copperas Cove Civic Center in the amount of \$250 be waived for a Benefit Concert planned for Trinity Doyle.

1. BACKGROUND/HISTORY

On January 27, 2009, the City Manager received an email from Jill Charles requesting the rental fee associated with the rental of the Copperas Cove Civic Center be waived for a benefit concert planned for Trinity Doyle. The City Manager notified Ms. Charles that the request would require City Council approval.

2. FINDINGS/CURRENT ACTIVITY

On February 25, 2008, Jill Charles contacted the City Manager's Office to request Council consideration of the matter.

City staff does not recommend waiver of the fee, although the benefit is for a positive cause because the requests for future waivers will increase, thus reducing the general fund revenues utilized to offset the expenses associated with maintaining the facility.

3. FINANCIAL IMPACT

The fee associated with the rental of the Copperas Cove Civic Center is \$250.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council deny the request to waive the \$250 rental fee associated with the rental of the Copperas Cove Civic Center for a benefit concert.

3/26

PHONE MEMO	TO	DATE	TIME	AM PM									
	FROM	PHONE ()											
	OF	CELL ()											
		FAX ()											
MESSAGE	Willing to ask Council - put on agenda for 3rd meeting in March. Would like to hold credit after Spring Break. Will you ask council												
	E-MAIL ADDRESS		SIGNED										
													
PHONED	<input checked="" type="checkbox"/>	CALL BACK	<input checked="" type="checkbox"/>	RETURNED CALL	<input type="checkbox"/>	WANTS TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>	WAS IN	<input type="checkbox"/>	URGENT	<input type="checkbox"/>

Andrea Gardner - City Manager

From: takeittothecross@jillcharles.com
Sent: Tuesday, January 27, 2009 5:57 PM
To: jill.charles@us.army.mil
Subject: Fwd: Benefit concert at the Civic Center in Copperas Cove March 14th,2009

----- Original Message -----

From:
To: agardner@ci.copperas-cove.tx.us
Sent: Mon Jan 26 13:18
Subject: Fwd: Benefit concert at the Civic Center in Copperas Cove March 14th,2009

Andrea,

My name is Jill Charles. I believe we have meet at several functions that I have sang at over the past few years. I am writing as I was told to contact you by letter with a request.

I have a friend whose granddaughter was born with Spina Bifida. She is in need of medicalcare and the expense are great. The family needs help. I felt strongly to help by doing a benefit concert.

I was approached by the people that run the Cove Oprey about singing at the Oprey and I had another idea instead. I have been in several singing competitions this year and was fortunate to have met some other awesome talent. I have spoken with most of them and they have agreed to help for this event . We would like to use the Civic Center fro the event. Woud you wave the fees for this as we are giving of our time?

We would like to do the concert for 2 hours. We would play Country, Contemporary Christian/Gospel and some R&B,Pop and light Rock. We would charge \$3.00 for adults and \$2.00 for children. That would go to the family. Food can be sold by the Oprey and they can keep that. I have 8 artists and I am hoping for 12. I have contacts with News, TV and radio for free advertising. I am calling the concert, A Gift of Love. The name of the little girl is: Trinity Doyle. Her grandmother is Donna Doyle.

My web-site is : www.jillchalres.com My e-mail addresses are: jill.charles@us.army.mil and takeittothecross@jillcharles.com

I can be reached at: 254-238-7917-home or 254-432-1287-cell. Please consider this and get back with me no later than Tueaday Feb. 2nd at the latest as I am making plans. I need to know I have the facility secure. God Bless you in your consideration. Thank you!

Sincerely,

Jill Charles

3/5/2009

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-12

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

SUBJECT: Consideration and action on reviewing the Future Land Use Plan.

1. BACKGROUND/HISTORY

Recently, the City Council reviewed and approved a rezoning case adjacent to F.M. 116 that rezoned a property from R-1 Single Family Residential District to B-3, Local Business District. The approval to B-3, Local Business District, was the second case of a business district being located in a single family residential district in the immediate area.

However, the approval is inconsistent with the current version of the Future Land Use Plan. Thus, the Future Land Use Plan should be reviewed and if appropriate, the plan should be modified to meet the future needs of the City.

The Planning and Zoning Commission is the committee that serves the City Council in review of land use planning and zoning related issues. This seven member commission is appointed by the City Council and serves at the will of the City Council. In the past, the Council appointed an Ad Hoc Committee to undertake such a review, titled the Comprehensive Plan Committee.

2. FINDINGS/CURRENT ACTIVITY

The Council decision to approve the B-3 zoning for two or more businesses that were formerly zoned single family residential created an inconsistency with the current version of the Future Land Use Plan and the City's Comprehensive Plan.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council consider reviewing the Future Land Use Plan, providing direction to the Planning and Zoning Commission, or appointing an Ad Hoc Committee to complete an initial review.

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-13

Contact – Andrea M. Gardner, City Manager, 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on adopting Ordinance 2009-06, repealing §18-29 of the City of Copperas Cove Code of Ordinances Chapter 18.

1. BACKGROUND/HISTORY

An Ordinance was adopted on November 17, 1964 that includes §73, which states “It shall be unlawful for any person operating an automobile or other gasoline propelled vehicle to drive same into or through any garage or gasoline station in the City of Copperas Cove without coming to a full stop while in such garage or gasoline station.” The Ordinance was codified with an effective date of March 26, 1970, establishing Chapter 25 as the Traffic Code and §25-32 provides the regulatory language for “Driving through gasoline station.”

The current chapter regulating Traffic is Chapter 18 and the current section providing regulatory language for “Driving through gasoline station” is §18-29.

2. FINDINGS/CURRENT ACTIVITY

In January 2009, the City Manager, Police Chief, Municipal Court Supervisors, the Mayor and members of the City Council received an email from a citizen complaining of receiving a citation for offense that was not in violation of Ordinance 18-29. The City Manager forwarded the email to the City Attorney for legal review and opinion. As such, the statutory authority cited was the Texas Transportation Code 545.423 entitled “Crossing Property” which (b) of that section states that a driver “may not cross or drive in...a parking lot, or business or residential entrance...to turn right or left from one highway to another highway.” The conclusion of the City Attorney is an ordinance or charter provision of a home-rule city that attempts to regulate a subject matter preempted by a state statute is unenforceable to the extent it conflicts with the state statute. Thus, City of Copperas Cove Ordinance 18-29 provides a defense/exception to Texas Transportation Code 545.423 and because the City’s ordinance attempts to make the state version less stringent, Ordinance 18-29 is unenforceable. The City Attorney’s recommended corrective action is to repeal §18-29 of the City of Copperas Cove Code of Ordinances Chapter 18.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council adopt Ordinance 2009-06, repealing §18-29 of the City of Copperas Cove Code of Ordinances Chapter 18.

ORDINANCE NO. 2009-06

AN ORDINANCE REPEALING SECTION 73 OF AN ORDINANCE PASSED ON NOVEMBER 17, 1964 OF THE CITY OF COPPERAS COVE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Copperas Cove is a home rule municipality incorporated under the authority of Article XI, Section 5 of the Texas Constitution; and

WHEREAS, an ordinance of the City of Copperas Cove was passed on November 17, 1964 regulating traffic; and

WHEREAS, §73 of the ordinance passed on November 17, 1964 permitted any person operating an automobile or other gasoline propelled vehicle to drive into or through any garage or gasoline station in the City of Copperas Cove provided the person operating the automobile or other gasoline propelled vehicle came to a full stop while in such garage or gasoline station; and

WHEREAS, the ordinance passed on November 17, 1964 was codified with an effective date of March 26, 1970; and

WHEREAS, §25-32 was established on March 26, 1970 as the section regulating “driving through gasoline station”; and

WHEREAS, the City of Copperas Cove Code of Ordinances currently regulating traffic is Chapter 18; and

WHEREAS, the current Section of the traffic code regulating “Driving through gasoline station” is established as §18-29; and

WHEREAS, the City of Copperas Cove Code of Ordinances Chapter 18 has not been substantially reviewed for the purposes of determining its effects or the need for revision since its codification in 1970; and

WHEREAS, the City Council of the City of Copperas Cove has determined that an ordinance or charter provision of a home-rule city that attempts to regulate a subject matter preempted by a state statute is unenforceable to the extent it conflicts with the state statute ; and

WHEREAS, the City Council of the City of Copperas Cove has determined that §18-29 of the City of Copperas Cove Traffic Code provides an exception to Texas Transportation Code § 545.423; and

WHEREAS, the City Council of the City of Copperas Cove has determined that because §18-29 of the City of Copperas Cove Traffic Code attempts to make the state code less stringent, §18-29 is unenforceable.

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

SECTION 1: The City Council of the City of Copperas Cove hereby repeals §18-29 of the City of Copperas Cove Code of Ordinances Chapter 18.

SECTION 2: This Ordinance shall take effect immediately upon passage.

SECTION 3: This Ordinance shall not affect the any other section of the City of Copperas Cove Code of Ordinances Chapter 18 currently in existence.

PASSED, APPROVED AND ADOPTED this 26th day of March 2009 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.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-2

Contact – Tracy Molnes, Purchasing Officer – 547-4221
tmolnes@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the City Manager to enter into a contract with Onvia, Inc.

1. BACKGROUND/HISTORY

Onvia will provide the City of Copperas Cove with access to its Onvia DemandStar system with no fees to the City. DemandStar is an Internet-based electronic information system designed to process, distribute, and archive information pertaining to the procurement process for the City.

2. FINDINGS/CURRENT ACTIVITY

Onvia will automatically notify suppliers that are registered members of the Onvia DemandStar system, and have opted to receive notification service connecting them to the City's solicitations for formal bids, proposals, and quote requests via electronic mail or facsimile. The attached agreement may be terminated at any time by either party upon 30 days prior written notice to the other party.

This service will provide the following:

- Expand our contact/notification through the web site by reaching a larger vendor base for all bid documents.
- Provide additional resources to the City in developing and research relating to bid specifications.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council authorize the City Manager to enter into the attached agreement with Onvia DemandStar for the City to provide web based services to potential bidders.

**SERVICE AGREEMENT
BETWEEN
ONVIA, INC.
AND
CITY OF COPPERAS COVE, TEXAS**

1. Introduction

This Service Agreement (“Agreement”) is entered into between Onvia, Inc. (“Onvia”), a Delaware corporation and the City of Copperas Cove, Texas (“Institution”).

2. Services Rendered

Onvia will provide the Institution with access to its Onvia DemandStar system, which is an Internet-based electronic information system designed to process, distribute, and archive information pertaining to the procurement process of the Institution.

3. Onvia Responsibilities

- To allow the Institution to use the Onvia DemandStar system through the Web site located at www.demandstar.com to post documentation to and communicate with suppliers about its solicitations for formal bids, proposals, and informal quote requests.
- To automatically notify suppliers that are registered members of the Onvia DemandStar system, and have opted to receive notification service connecting them to the Institution of the Institution’s solicitations for formal bids, proposals, and quote requests via electronic mail or facsimile.
- To provide links to the Onvia DemandStar Web site through the Web site of the Institution, which will: (a) allow anyone to view bid and proposal information posted to the Onvia DemandStar system by the Institution, (b) allow bid and proposal documents to be electronically downloaded or mail ordered, and (c) allow suppliers to register for memberships and subscriptions to the Onvia DemandStar system.
- To provide customer service support to the Institution and suppliers.
- To supply the Institution with reference information and instructional materials to facilitate its notification to suppliers of its decision to utilize the Onvia DemandStar system.

4. Institution Responsibilities

- To make reasonable efforts to enter all formal and informal purchase request items into the Onvia DemandStar system.
- To enter planholder information into the Onvia DemandStar system for any suppliers that obtain bid or proposal documents through a source other than the Onvia DemandStar system (this process ensures that Onvia can deliver newly issued addenda notification to all planholders, which reduces the likelihood of protests due to required information not being delivered to bidders and respondents).
- To notify the Institution’s suppliers of its decision to utilize the Onvia DemandStar system.

5. Charge for Service

The service will be provided free of charge to the Institution.

6. Intellectual Property Rights

Any copyrightable works, ideas, discoveries, inventions, patents, products, trade secrets, software, trade marks, trade names, service marks, license rights, or other intellectual property rights (collectively, "Intellectual Property Rights") developed in whole or in part by Onvia in connection with the services will be the exclusive property of Onvia. Ownership and all intellectual property rights in the Onvia DemandStar system and in all ideas, processes and works of authorship created in whole or in part during the term of this Agreement by Onvia belong exclusively to Onvia. The Institution acknowledges such ownership and intellectual property rights in the Onvia DemandStar System, acknowledges that any such work is not a work made by Onvia for hire, and agrees that the Institution will not assert any actions to the contrary.

7. Confidentiality

Onvia and the Institution each agree not to use any confidential or proprietary information disclosed to it by the other party for its own use or for any purpose other than for the provision of the services pursuant to this Agreement. Each party agrees that it shall take all reasonable measures to protect the secrecy of and avoid disclosure or use of the confidential information of the other party in order to prevent it from falling into the public domain or the possession of persons other than those persons authorized under this Agreement to have any such information.

8. Warranty

Onvia shall provide the services and meet its obligations under this Agreement with due care and skill and in a timely and professional manner. Other than as provided in this Agreement, neither party provides any express or implied warranties, including, but not limited to the implied warranties of merchantability and fitness for a particular purpose.

9. Relationship of the Parties

Onvia, in furnishing the services, is acting as an independent contractor. In addition, Onvia is not acting as the custodian of the Institution's public records, has not been entrusted with any records belonging to the Institution or the availability of such records for public inspection and copying in accordance with the laws of the State of Texas.

10. Entire Agreement

This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements, whether written or oral, with respect to the subject matter contained in this Agreement.

11. Severability

If any provision of this Agreement is found to be illegal or otherwise unenforceable in any respect, that provision will be deemed to be restated to reflect as nearly as possible the original intent of the parties in accordance with applicable law. The remainder of this Agreement will remain in full force and effect.

12. Governing Law

This Agreement will be governed by and construed in accordance with the laws of the State of Washington, without regard to its choice of law principles.

13. Attorneys' Fees

In the event of litigation, the prevailing party shall be entitled to receive reasonable attorneys' fees and costs.

14. Term of Agreement and Termination

This Agreement will be effective on the date of its execution by the Institution. This Agreement does not have a specified term. This Agreement may be terminated at any time by either party upon 30 days prior written notice to the other party.

15. Amendments

No amendment or modification of this Agreement shall be valid or binding unless set forth in writing and duly executed and delivered by each of the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the date set forth above.

By

ONVIA, INC.

CITY OF COPPERAS COVE, TEXAS

Signature

Signature

Printed Name

Printed Name

Title

Title

Date

Date

Exhibit A

Definitions of terms used in this Agreement

Institution: The legal entity that entered into this Agreement with Onvia, Inc., may also be described using the term, “agency”.

Plan Holder: Any entity that has obtained a copy of the primary governing document of a solicitation for a formal purchase request, such as a bid or proposal.

Supplier: Any provider of goods or services, may also be known as a vendor or contractor.

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item I-3

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

SUBJECT: Presentation of Fiscal Year 2008 Comprehensive Annual Financial Report.

1. BACKGROUND/HISTORY

Article 8, Section 8.01 of the City Charter requires preparation, as of the end of each fiscal year, a complete financial statement and report. The accounting firm of Lott, Vernon & Company, P.C. was selected by the City Council to perform this year's audit in compliance with GASB34. This requirement has been complied with, and the auditors' opinion has been included in the report which is attached as an exhibit.

2. FINDINGS/CURRENT ACTIVITY

The financial statements attached present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Copperas Cove, Texas as of September 30, 2008, and the respective changes in financial position and cash flows, where applicable, thereof for the year ended in conformity with accounting principles generally accepted in the United States of America.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the acceptance of the Comprehensive Annual Financial Report for fiscal year ending September 30, 2008.

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-4

Contact – Ken Wilson, Director of Community Services, 547-4221
kwilson@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on rejecting all proposals received for the Request for Proposal No. 2008-10-54, for design and engineering of a new indoor aquatics and recreation facility.

1. Background/History

On June 25, 2008, City staff received proposals for design and engineering of a new indoor aquatics and recreation facility. Proposals were received from Brinkley Sargent Architects, Barkley Rinker Seacat, Winkerton Hooker Jeffery and Moman Architects.

2. FINDINGS/CURRENT ACTIVITY

On June 25, 2008, the City of Copperas Cove received Request for Proposals for design and engineering of a new indoor aquatics and recreation facility. On July 3, 2008, the proposals were opened and evaluated by City staff. On July 16, 2008 presentations were made to the selection committee. Due to the defeat of Proposition 2 in the November 2008 election, City staff recommends the City Council reject the proposals for the design and engineering of a new indoor aquatics and recreation facility until funding is secured for this project.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council reject all proposals received for the Request for Proposals No. 2008-10-54; design and engineering of a new indoor aquatics and recreation facility.

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-5

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

SUBJECT: Consideration and action on Resolution No. 2009-10, endorsing certain legislative changes to enhance the competitive electric market supported by Cities Aggregation Power Project (CAPP), Inc.

1. Background/History

The City of Copperas Cove is a member of Cities Aggregation Power Project, Inc. ("CAPP"). The CAPP Board of Directors has voted to authorize certain legislative efforts on behalf of its members during the 81st Texas Legislative Session. CAPP will capitalize on the presence its members established in the last three legislative sessions to apprise legislators of CAPP Cities' perspective on electric issues and to recommend legislative action.

2. FINDINGS/CURRENT ACTIVITY

In 1999, Texas lawmakers adopted Senate Bill 7, the state's electric deregulation law. The legislation expanded competition in the wholesale electricity market and opened the door to competition among electric retailers. Proponents of the legislation promised lower electric prices.

Unfortunately, the reality has been otherwise. Although Texans paid electric prices well below the national average during the decade before Senate Bill 7 was passed, customers in deregulated parts of the state now pay prices above the national average. In fact, residential electric prices have increased by a greater percentage in Texas than in almost every other state – including every other deregulated state with retail competition.

CAPP believes that many of the current problems that keep the market from achieving the promise of full competition stem from defects in the deregulated electricity market. For example, some generators are able to exercise monopoly-like control in large swaths of Texas. That has hindered healthy competition. Efforts to address market design issues by ERCOT have been misguided, mismanaged, gone over budget and fallen behind schedule.

As an active market participant, CAPP is in the unique position to identify problems that have developed in the deregulated marketplace and provide a consumer's perspective to legislators interested in fixing those problems.

Based upon this point of view, CAPP has created a legislative agenda that aims to transition the electric market from a deregulated market to a truly competitive one by limiting market power, eliminating cost shifting, and creating competitive options for all customers. The CAPP legislative agenda items reflect CAPP's desire for a truly healthy electric market where consumers can save and competition can flourish. Such a market—one where power remains affordable and reliable—will mean more economic development for Texas cities, and a better standard of living for our citizens.

Legislative change is necessary to better protect cities' budgets, enhance cities' ability to protect their citizens, and increase competition among retail providers. The following changes are proposed by the CAPP Board:

- All generators, regardless of size, should explicitly be barred from the unlawful exercise of market power. Current regulations exempt smaller generators from market power prohibitions.
- Entities harmed by wholesale market abuse such as municipalities, commercial customers or retail electric providers should be given explicit standing to participate in enforcement actions brought by the Public Utility Commission ("PUC"). Affected parties are currently barred from participating in such proceedings.
- Ownership and control of generation capacity should be limited to no more than twenty percent (20%) of total generation capacity within the functional market (ERCOT zone) in order to enhance competition and mitigate market power and the ability of any one generator to affect prices. In the alternative, the PUC should be directed to create a single ERCOT-wide market with uniform congestion pricing.
- Permit cities to create and implement opt-out citizen aggregation programs, or alternatively to become Retail Electric Providers or Municipally Owned Utilities.
- Direct the Electric Reliability Council of Texas ("ERCOT"), the organization that administers the state power grid, to abandon all efforts to transition to a nodal market and direct the PUC to open a proceeding to consider other market design options.

The CAPP Board, made up exclusively of City representatives, requests that the City Council pass the attached resolution endorsing CAPP's legislative agenda.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council adopt Resolution No. 2009-10 by taking a vote of the City Council.

RESOLUTION NO. 2009-10

A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, ENDORSING CERTAIN LEGISLATIVE CHANGES TO ENHANCE THE COMPETITIVE ELECTRIC MARKET SUPPORTED BY CITIES AGGREGATION POWER PROJECT, INC.

- WHEREAS,** the City is a member of Cities Aggregation Power Project, Inc. ("CAPP"), a non-profit organization created by cities throughout Texas to secure affordable energy for its members in the deregulated electric market; and
- WHEREAS,** affordable and reliable power means economic development for our cities and a better standard of living for our citizens; and
- WHEREAS,** by deregulating the retail electric market, Senate Bill 7 of 1999 ("SB 7") intended to allow competitive forces to drive down the price of electricity; and
- WHEREAS,** CAPP's seven-year experience with the deregulated market, including negotiating power contracts with several different retail electric providers, indicates that the Texas electric retail market has failed to develop into a truly competitive market as envisioned by the Texas Legislature and that prices are higher, not lower, after deregulation; and
- WHEREAS,** competition has failed to develop in the deregulated electric market because certain power generation companies own or control enough generation capacity to exercise market power to the detriment of customers and non-affiliated retail electric providers; and
- WHEREAS,** alleged market power abuse inquiries conducted by the Public Utility Commission ("PUC") are hampered by the lack of adequate resources because the parties hurt by the illegal activity, like cities, are not allowed to participate in the investigations; and
- WHEREAS,** residential customers in Texas communities are unable to obtain lower power prices that may be available to them through bulk purchasing because current law makes the creation of citizen aggregation groups unworkable; and
- WHEREAS,** the Electric Reliability Council of Texas ("ERCOT") is expected to spend at least \$660 million to implement a nodal market in Texas, an unproven market design program that is several years behind schedule and several hundred million dollars over budget; and

WHEREAS, the City supports all legislative initiatives that promote a truly healthy electric market where competition can flourish and consumers can save money; and

WHEREAS, the City endorses efforts proposed by CAPP to modify the electric deregulation legislation to enhance competition, implement the original intent of SB 7 and reduce costs to the City and its residents.

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

I.

The City supports the introduction and adoption of legislation in the 81st Session of the Texas State Legislature that promotes affordable power and the transition of the Texas electric market from a deregulated market to a fully competitive one. Specifically, the City supports legislation that will address the following issues:

- All generators, regardless of size, should explicitly be barred from the unlawful exercise of market power.
- Ownership and control of generation capacity should be limited to no more than twenty percent (20%) of total generation capacity within the market in order to enhance competition and mitigate market power and the ability of any one generator to affect prices. This is in accordance with basic anti-trust principles and as originally designed in SB 7, although the "market" should be redefined as the functional market (an ERCOT zone) to reflect real-world conditions. In the alternative, the PUC should be directed to create a single ERCOT-wide market with uniform congestion pricing.
- Entities such as municipalities, commercial customers or retail electric providers harmed by wholesale market abuse should be given explicit standing to participate in market power abuse enforcement actions brought by the PUC.
- Cities should be permitted to create citizen aggregation groups to combine the power needs of residents that have not specifically asked to be excluded in order to facilitate bulk power purchasing and enhance the opportunities for residential customers to benefit from deregulation and benefit the entire state by increasing competition. Citizens who have signed a contract with a retail provider would be excluded, as would those citizens who otherwise opt out.
- All efforts to transition to a nodal market in ERCOT should be abandoned and other market design options that benefit all market participants should be considered.

II.

A copy of the resolution shall be sent to the elected lawmakers representing the City's interests in the Texas House and Senate and to the Chairman and legal counsel of CAPP.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS, this 26th day of March 2009, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Coppers Cove, Texas, 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.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

MEMORANDUM

TO: CAPP Members

FROM: Kristen Doyle
Geoffrey Gay

DATE: January 21, 2009

RE: **Action Needed – Resolution Supporting CAPP 2009 Legislative Agenda**

The CAPP Board recommends that each CAPP member place consideration of the attached resolution on the agenda for your next scheduled council meeting and forward the signed resolution to the senators and representatives that represent your area. A model staff report, a one page summary of CAPP's critical legislative issues, and a draft cover letter to be signed by the Mayor are also attached. If you have questions about your legislative delegation or their contact information, our paralegal, Gary Stiffler (gstiffler@lglawfirm.com, 512/322-5893) can assist you.

It is important that your council take action on the resolution and provide copies of the signed resolution to your legislative delegation. The most effective lobbying will be done by constituents. When legislators are asked by the utility lobby why they favor something CAPP advocates, they need to be able to indicate that they are responding to constituent needs. Your help is critical.

Legislation has been drafted to address the issues raised in CAPP's legislative agenda. Sponsors will be found as soon as committees are announced and assignments are made, which we expect to occur sometime in early February. Also in late January/early February, CAPP plans to release a comprehensive report about electric deregulation in Texas. This report will be one of the first major reports about the positive and negative aspects of deregulation written from the consumer's perspective. The report will be made available to all legislators. We will provide you with more information about this report once we are closer to the release date.

Also attached is the first of a series of legislative updates that will be distributed to all CAPP members during the 81st Session. This document, as well as all other documents that are distributed to CAPP members, can be found on the CAPP website, www.capptx.com.

If you have any questions or need additional information, please contact Kristen (kdoyle@lglawfirm.com or 512/322-5820). Please provide our office with a copy of the adopted resolution.

Overview

In 1999, Texas lawmakers adopted Senate Bill (SB) 7, the state's electric deregulation law. The legislation expanded competition in the wholesale electricity market and opened the door to competition among electric retailers.

Supporters sold the legislation by promising lower rates.

Unfortunately, the reality has been otherwise. During the decade before SB 7, Texans paid electric prices well below the national average. In the

years since market restructuring, Texans paid above the national average. Not only that, but residential electric prices have increased by a greater percentage in Texas than in almost every other state in the union – including every other deregulated state with retail competition.

CAPP believes that many of the current problems stem from defects in the wholesale electricity market.

Generators, for instance, have managed to exercise monopoly-like control in large swaths of Texas.

That has hindered healthy competition. At the same time, efforts to address problems by the Electric Reliability Council of Texas (ERCOT) have been misguided, mismanaged, gone over budget and fallen behind schedule.

Critical Legislative Issues AT A GLANCE

MARKET POWER ISSUES

1. All generators, regardless of size, should explicitly be barred from the unlawful exercise of market power. Current regulations exempt smaller generators from market power prohibitions.
2. Entities harmed by wholesale market abuse – such as municipalities, commercial customers or retail electric providers – should be given explicit standing to participate in enforcement actions brought by the Public Utility Commission (PUC). Affected parties are currently barred from participating in such proceedings.
3. Ownership and control of generation capacity should be limited to no more than 20 percent of total generation capacity within the functional market (ERCOT zone) in order to enhance competition and mitigate market power and the ability of any one generator to affect prices. In the alternative, the PUC should be directed to create a single ERCOT-wide market with uniform congestion pricing.

ERCOT ISSUES

1. Direct ERCOT, the organization that administers the state power grid, to abandon all efforts to transition to a nodal market and direct the PUC to open a proceeding to consider other market design options.

CITIZEN AGGREGATION

1. Permit cities to create and implement opt-out citizen aggregation programs, or alternatively to become Retail Electric Providers or Municipally Owned Utilities.

King's \$300 Million Clean Coal Initiative

Investors in so-called “clean coal” technology may soon have 300 million more reasons to start building in Texas.

House Bill 469, filed late last month by state Rep. Phil King, R-Weatherford, would provide up to \$100 million in tax credits for the first three power plant construction projects to make use of integrated gasification combined cycle, or IGCC, technology.

King's bill stipulates that each plant must have a capacity of at least 200 megawatts and must include technology to sequester at least 60 percent of the carbon dioxide it emits. Cutting-edge IGCC plants with such carbon capture technology can cost 50 percent more than traditional coal-fired generators.

King said that the added expense has scared away plenty of investors. The former chair of the Regulated Industries Committee told Elizabeth Souder of the Dallas Morning News that “people are afraid, the industry's afraid, to go and try to build a clean coal plant -- I call it the prototype penalty.”

By capturing the carbon emissions, the plants supported by House Bill 469 could also reduce the green house gases that contribute to global warming. Interestingly, King is on record as questioning whether human activity impacts climate change.

King, who also frequently describes himself as a champion of the free market, sponsored legislation in 2007 to provide government support for investors in nuclear energy. King's newest bill supporting IGCC plants would provide franchise tax credits even to entities that pay no such taxes.

-- Jake Dyer

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-6

Contact – John Hull, Mayor, 547-4221
jhull@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on the Mayor’s recommendation for a Council Member to serve as an alternate liaison to the Economic Development Corporation (EDC).

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

At the March 3, 2009 Regular Council Meeting, new council assignments to various committees and boards, as recommended by Mayor Hull were approved by the City Council.

At that meeting, Council Member Downard was nominated and approved to serve as the Council liaison to the EDC. A request was made to appoint an alternate liaison at a future meeting of the Council.

FINANCIAL IMPACT

None.

3. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the Mayor nominate a Council Member to serve as an alternate liaison for the EDC.

COUNCIL COMMITTEE ASSIGNMENTS

(A) = Alternate

AS OF MARCH 3, 2009

Committee	Mayor John Hull	1 Cheryl Meredith	2 Larry D. Sheppard	3 Chuck Downard	4 Danny Palmer	5	6 Willie C. Goode	7 Frank Seffrood	City Manager Andrea M. Gardner	Dev. Serv. Carl Ford
Adopt-A-Fort Hood-Unit		X		X						
Central Texas Council of Governments Executive Committee	X								X (A)	
Central Texas Deployment Task Force				X		X				
Deer Committee			X		X					
Downtown Zoning Committee			X					X		
Economic Development Corporation (Council Liaison)				X						
Hill Country Transit District Board of Directors	X								X (A)	
Housing Authority						X	X (A)			
K-TUTS Policy Board	X								X (A1)	X (A2)
Ministerial Alliance Representative							X			
Oil & Gas Committee					X		X			
Ordinance Review Committee					X					
Sex Offender Ordinance Committee		X								
Strategic Planning Committee						X		X		
Records Management Committee							X			
Transportation Committee								X		

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-7

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

SUBJECT: Consideration and action on approval of Ordinance No. 2009-07, adopting revised Sign Regulations.

1. BACKGROUND/HISTORY

On November 3, 2008, proposed changes to the City's Sign Ordinance was discussed by City Council. Furthermore, on November 3, 2008 the City Council amended the City's Sign Ordinance principally to provide regulations pertaining to Changeable Electronic Variable Message Sign (CEVMS). The amendments were codified by Ordinance No. 2008-43 (November 3, 2008).

FINDINGS/CURRENT ACTIVITY

The City Council will be considering the revision of the City's Sign Ordinance to include the following:

- (1) During the workshop discussion on November 3, 2008, City Staff informed the City Council that the sign ordinance may require additional revision to update or address specific items as these may arise.
- (2) As such, City staff has discovered the existing sign ordinance precludes an applicant locating a sign in a specific location due to the proximity of an existing illegal or unapproved sign.
- (3) There is a need to provide applicants for new signs the opportunity to place signs that are currently restricted only because the proposed sign location is too close in proximity to an existing illegal or unapproved sign.

The approval of this ordinance will revise the City's Sign Ordinance to allow specific relief to applicants for new CEVMS or billboard signs from the current regulations that forbid signs from be located within a specified minimum distance from certain existing signs regardless of the legal status of the existing signs.

Attached are the proposed revisions to the Sign Regulations, along with the adopting ordinance, for action, as desired by the City Council.

All attachments have been reviewed and approved by the City Attorney.

2. FINANCIAL IMPACT

N/A.

3. ACTION OPTIONS/RECOMMENDATION

City staff recommends approval.

ORDINANCE NO. 2009-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE SECTION 16.5-8 OF THE COPPERAS COVE CODE OF ORDINANCES REGARDING SIGN REGULATION.

WHEREAS, the City Council finds that the regulation of signage within the City's municipal limits and extraterritorial jurisdiction is in the best interest of its citizens and protects the health, safety, and welfare of the community; and

WHEREAS, the City Council finds that proper spacing between signs is essential to accomplish the goals of the previously enacted sign regulations; and

WHEREAS, the City Council finds that proper spacing is needed regardless of non-conforming or legal use; and

WHEREFORE, the City Council hereby enacts this amendment to Section 16.5-8 of the City of Copperas Cove Code of Ordinances.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL THAT SECTION 16.5-8 OF THE COPPERAS COVE CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

Sec. 16.5-8. Billboards and other off-premise signs

(b) *Spacing and location.*

...

(2) An off-premise billboard sign may not be erected within two thousand six hundred forty (2,640) feet (1/2 mile) of another existing or previously approved off-premise billboard sign nor within eight hundred (800) feet of a CEVMS sign on either side of the roadway and no closer than fifteen (15) feet to the right-of-way.

(3) An off-premise CEVMS sign must not be erected within eight hundred (800) feet of another existing or previously approved off-premises sign on either side of the roadway, and no closer than fifteen (15) feet of the right-of-way.

...

(9) For purposes of this subsection, “existing or previously approved” off-premise sign or off-premise billboard sign shall include, but not be limited to:

A. All previously erected signs in existence at the time of a sign permit application, regardless of whether the previously erected sign:

_____ i. _____ is a legal non-conforming sign;

_____ ii. _____ is an illegal non-conforming sign; or

_____ iii. _____ has received approval or a permit from the Texas Department of Transportation;

B. All off-premise signs or off-premise billboard signs, regardless of whether or not construction has begun, which have received a sign permit from the City of Copperas Cove prior to the permit application of another applicant whose sign location would be in violation of this subsection.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, this 26th day of March 2009; at a regular called meeting which 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.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

City of Copperas Cove

City Council Agenda Item Report

March 26, 2008

Agenda Item No. I-8

Contact – Andrea M. Gardner, City Manager, 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on approving Ordinance No. 2009-04, revising the City Council's Rules of Meetings and Order of Business.

1. BACKGROUND/HISTORY

On March 3, 2009, City Council and staff conducted a workshop of the City Council to discuss the existing ordinance for the Council's Rules of Meetings and Order of Business (Ordinance 2000-26). A copy of the existing ordinance is attached for reference and review.

Ordinance No. 2000-26 (Section 2-62. Review of city council procedures) reads, "The city council will review and revise the city council Rules of Order and Procedure as needed, and at a minimum, every two years." Thus, a review and necessary revisions are in order at this time.

The following changes/deletions were recommended by City staff and the City Attorney during the workshop:

Subdivision 1. Authority

- Delete the reference to the City Charter (Section 2-55) and rename Section 2-55 Ad Hoc Committees.
- The renumbering of Ad Hoc Committees created the need to rename Section 2-55.1 from Ad Hoc Committees to Council Member Appointments and Assignments.
- Change the language for Council Member Appointments and Assignments to "The mayor nominates and the city council confirms council member appointments...The representative will report to the city council on the activities of these organizations no less than quarterly."
- Section 2-55.2 was recommended to be renamed to Council Member Participation in Community Activities.
- Section 2-55.3 was recommended for deletion.
- Section 2-55.4 was recommended for deletion.

Subdivision II. Regular Meetings

- Delete the following language from Section 2-56 (Regular meetings), “City charter section 2.09 provides that 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.
- Delete Mayor and council member attendance (Section 2-56.1) and rename Section 2-56.1 to Workshops.
- Delete the following language from 2-56.1(a), “A quorum is not required for any Workshop.”
- Recommended deletion of all language in 2-56.1(b).
- Renumber the current Section 2-56.1(c) to 2-56.1(b).
- Recommend changing the language for renumbered 2-56.1(b) to “Non-Regularly scheduled workshop meetings may be called by the Mayor, the City Manager, or any Council member subject to approval of five or more members of the City Council.”
- Rename Section 2-56.2 to Attendance by the public.
- Recommended deleting the language in existing 2-56.9(a).
- Recommended renumbering 2-56.9(b) to 2-56.2(a).
- Recommended adding 2-56.2(b) with the following language, “During Workshops of the City Council, citizens will be allowed to speak on the subject(s) under discussion during *Public Comment* after being recognized by the CHAIR for two (2) minutes each not to exceed ten (10) minutes total.”
- Recommended adding 2-56.2(c) with the following language, “The Mayor may request the City Manager to provide additional information on a matter of general interest to the full City Council, the public at large and to the citizen making the comment.
- Recommended Deleting Section 2-56.3.
- Recommended Deleting Section 2-56.4.
- Recommended Deleting Section 2-56.5.
- Recommended Deleting Section 2-56.6.
- Recommended Deleting Section 2-56.7.
- Recommended Deleting Section 2-56.8.
- Recommended Renumbering 2-56.9 to 2-56.2.
- Recommended Deleting 2-56.10.

Subdivision III. Order of Business

- Recommended adding Public Comment to Section 2-57 (General Order) to the Workshop agenda.
- Recommended changing the language to Section 2-57.1(c) (Placement of an item on an agenda) to the following, “Should a city council member...they wish to appear on the next agenda, prepare an Agenda Item Report and submit the completed Agenda Item Report prior to the deadline for agenda items. The city secretary will provide the necessary

statement form. This form may be submitted to the city manager or the city secretary.

- Recommended deletion of “little or” from 2-57.5(a).
- Recommended changing the language in Section 2-57.6 (Announcements) to “Members of the city council, the Mayor or the City Manager have the opportunity to notify others of community events, functions and other activities. This item shall be included on all meetings of the City Council.”

Subdivision IV. Rules of Conduct

- Recommended deletion of 2-58.8(1) and renumber the remaining items.
- Recommended changing the language in existing 2-58.8(5)/proposed 2-58-8(4) to, “Once the matter has been fully discussed, the mayor will call for public input. Upon completion of public input, the Mayor call for a vote, thus no further discussion will be allowed.”
- Recommended deleting the language, “No action of the council shall be valid or binding unless adopted by the affirmative vote of four (4) or more members of the council, except as required by city Charter or state law.”, from Section 2-58.9 (Voting).
- Recommended deleting all language for tie votes.
- Recommended deleting all language for Charter or statute requirements.

Subdivision V. Public Hearings

- Recommended relocating “Mayor opens the Public Hearing.” From number 6 to number 2, thus creating the need to renumber several items under procedures for public hearings.
- Recommended deleting the opening paragraph under Section 2-59.2 (Public discussion at hearings).
- Recommended deleting “Time limits” language in Section 2-59.2.
- Renumber “Questions of speakers” from item 2 to item 1.
- Renumber “Materials for public record” from item 3 to item 2.
- Renumber “Germane comments” from item 4 to item 3.

Subdivision VI. Addressing the City Council

- Recommended deleting “Staff presentations”.
- Recommended renumbering “Oral presentations by members of the public” from Section 2-60.1 to 2-60.
- Recommended deleting “All citizens attending any council meeting will be asked to sign a roster to be provided. This roster will be retained by the city secretary as a matter of record.”
- Recommended deleting “Prior to the meeting or during the meeting prior to a matter being reached, persons wishing to address the city council should complete a public meeting appearance card and present it to the city secretary.”

- Recommended renumbering “Waiver of rules” from Section 2-60.6 to 2-60.1.
- Recommended renumbering “Non-exclusive rules” from Section 2-60.7 to 2-60.2.
- Recommended deleting “Citizen’s forum”.
- Recommended deleting Section 2-60.3.
- Recommended deleting Section 2-60.4.
- Recommended deleting Section 2-60.5.
- Recommended deleting Section 2-60.6.
- Recommended deleting Section 2-60.7.

Subdivision VII. Councilmember Administrative Support

- Recommended renaming Subdivision VII from “Councilmember Administrative Support” to “Procedures Administration”.
- Recommended deleting language in Section 2-61.
- Recommended renaming Section 2-61 from “Mail” to “Review of city council procedures” utilizing the existing language from Section 2-62.
- Recommended deleting language in Section 2-61.1.
- Recommended renaming Section 2-61.1 from “City council correspondence” to “Adherence to procedures”.
- Recommended deleting language in Section 2-61.2.
- Recommended renaming Section 2-61.2 from “Clerical Support” to “City Attorney as procedure advisor”.
- Recommended deleting language in Section 2-61.3.
- Recommended renaming Section 2-61.3 from “Master calendar” to “Applicability of procedures”.
- Recommended deleting language in Section 2-61.4.
- Recommended renaming Section 2-61.4 from “Request for research or information” to “Conflict with charter”.
- Recommended deleting Section 2-61.5.

Subdivision VIII. Procedures Administration

- Recommended deleting Section 2-62.
- Recommended relocating contents of Section 2-62 to 2-61.
- Recommended deleting Section 2-62.1.
- Recommended relocating contents of Section 2-62.1 to 2-61.1.
- Recommended deleting Section 2-62.2.
- Recommended relocating contents of Section 2-62.2 to 2-61.2.
- Recommended deleting Section 2-62.3.
- Recommended relocating contents of Section 2-62.3 to 2-61.3.
- Recommended deleting Section 2-62.4.
- Recommended relocating contents of Section 2-62.4 to 2-61.4.

2. FINDINGS/CURRENT ACTIVITY

During review at the March 3, 2009 Workshop and after further review by City staff, the following additional changes were recorded:

- Delete item J on the Regular meeting agenda. This change would require all staff reports to be included on the consent agenda and should City Council wish to inquire about the contents of the report, the item may be removed from the consent agenda for discussion.
- Change item J on the Regular meeting agenda to "Reports from Outside Entities, Advisory Committees and Boards."
- Section 2-57.5 (Consent agenda) would include staff reports.
- Correct Section 2-56.2 (Attendance by the public) to include item (b) to read, "During Regular and Special Meetings of the City Council, citizens will be allowed to speak on items not on the regular agenda during citizen's forum for a total of five (5) minutes per person with an additional two (2) minutes at the Chair's discretion not to exceed thirty (30) minutes total and on items on the regular agenda upon completion of council deliberation of each item for a total of five (5) minutes per person not to exceed thirty (30) minutes total. Time may not be donated from one citizen to another."
- Correct Section 2-56.2 (Attendance by the public) to include item (c) to read, "The Mayor may request the City Manager to provide additional information on a matter of general interest to the full City Council, the public at large and to the citizen making the comment."
- Correct Section 2-56.2 (Attendance by the public) to include item (d) to read, "During Workshops of the City Council, citizens will be allowed to speak on the subject(s) under discussion during *Public Comment* after being recognized by the CHAIR for two (2) minutes each not to exceed ten (10) minutes total."
- Section 2-60 changed to include appropriate labeling by adding a (3) prior to "Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided."

Other minor housekeeping issues were addressed that do not affect the language or the intent of the language provided in the ordinance.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the Council approve Ordinance 2009-04, revising the City Council's Rules of Meetings and Order of Business.

ORDINANCE NO. 2009-04

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE CURRENT CITY COUNCIL RULES OF MEETINGS AND ORDER OF BUSINESS; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS AMENDMENT; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Copperas Cove is a home rule municipality incorporated under the authority of Article XI, Section 5 of the Texas Constitution; and

WHEREAS, the City of Copperas Cove Charter under Section 2.10, Rules of procedure, requires the council, by ordinance, determine its own rules and order of business; and

WHEREAS, an ordinance of the City of Copperas Cove was passed on September 5, 2000 approving the City Council Rules of Meetings and Order of Business; and

WHEREAS, § 2-62 of Ordinance 2000-26 requires the City Council to review and revise the City Council Rules of Meetings and Order of Business, as needed, and at a minimum, every two years; and

WHEREAS, the City of Copperas Cove Code of Ordinances Chapter 2, Article III, Division 2 has not been substantially reviewed for the purposes of determining its effects or the need for revision since its approval in 2000; and

WHEREAS, the City Council of the City of Copperas Cove has determined that an ordinance expressing the Rules of Meetings and Order of Business is outdated and requires revision.

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

SECTION 1: Should any section, clause or provision of this ordinance be declared by 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 2: This Ordinance shall take effect immediately upon passage.

SECTION 3: This Ordinance shall not affect the any other section of the City of Copperas Cove Code of Ordinances Chapter 2 currently in existence.

SECTION 4: That the revised City Council Rules of Meetings and Order of Business are attached to this Ordinance as "Exhibit 1" which is incorporated herein by reference and is hereby adopted as presented.

PASSED, APPROVED AND ADOPTED this 26th day of March 2009 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.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

DIVISION 2. RULES OF MEETINGS AND ORDER OF BUSINESS*

***Editor's note:** Ord. No. 2000-26, § 1, adopted Sept. 5, 2000, repealed the provisions of §§ 2-55--2-60 which pertained to city council rules of meetings and order of business. Ord. No. 2000-26 has replaced former §§ 2-55--2-60 with Subdivisions I--VIII (§§ 2-55--2-62.4), which pertain to similar provisions regarding the city council. Former §§ 2-55--2-60 derived from Ord. No. 1986-3, §§ A--F, adopted January 7, 1986.

Subdivision I. Authority

Sec. 2-55. AD HOC COMMITTEES.

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.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-55.1. . COUNCIL MEMBER APPOINTMENTS AND ASSIGNMENTS

The mayor nominates and the city council confirms council member appointments to outside agencies, committees, task forces, boards and commissions. Council members provide a link for representing the values, beliefs and position of the city council to these entities. The representative will report to the city council on the activities of these organizations no less than quarterly.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-55.2. COUNCIL MEMBER PARTICIPATION IN COMMUNITY ACTIVITIES

From time to time, council members may choose to participate in community activities, committees, events and task forces. When a council member participates in these types of activities, the council member is acting as an interested party rather than acting on behalf of the city council. Acting or participating on behalf of the city council is limited to those instances when the city council has formally designated the council member as its representative for the matter.

(Ord. No. 2000-26, § 1, 9-5-00)

Subdivision II. Council Meetings

Sec. 2-56. REGULAR MEETINGS.

The regular meetings of the city council shall be held on the first and third Tuesday of each month except for December. In December, one regular meeting will be held on the first Tuesday. The meetings may be held in the city council chambers and begin at 7:00 p.m.

(1) *Other locations.* The city council may, occasionally, elect to meet at other locations and, upon such election, shall give the public notice of the change of location in accordance with state law.

(2) *Location during local emergency.* If by reason of fire, flood or other emergency, it is unsafe to meet in the city council chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the mayor or, in the mayor's absence by the mayor pro tem or the city manager.

(3) *Cancellation of meetings.* When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for such day shall be deemed canceled unless otherwise specified by the city council. To ensure two (2) regular city council meetings are held during necessary months, the meeting to be canceled shall be rescheduled at a regular city council meeting prior to a conflicting holiday. At other times, when the city council deems appropriate, one (1) or more regular meetings may be canceled and rescheduled by a majority vote of the city council.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-56.1. WORKSHOPS.

(a) The purpose of a workshop is to discuss in depth or explore matters of interest to the city, such as a meeting with one (1) of the city's appointed committees or the council alone may wish to explore a matter in great detail. The time, place and purpose will be stated on all legally posted notices. City council shall not take formal action on items presented at a workshop.

(b) Non-regularly scheduled workshop meetings may be called by the Mayor, the City Manager, or any Council member subject to approval of five or more members of the City Council.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-56.2. Attendance by the Public

(a) Citizens and other visitors attending city council meetings and workshops shall observe the same rules of propriety, decorum and good conduct applicable to members of the city council.

(b) During Regular and Special Meetings of the City Council, citizens will be allowed to speak on items not on the regular agenda during citizen's forum for a total of five (5) minutes per person with an additional two (2) minutes at the Chair's discretion not to exceed thirty (30) minutes total and on items on the regular agenda upon completion of council deliberation of each item for a total of five (5) minutes per person not to exceed thirty (30) minutes total. Time may not be donated from one citizen to another.

+ (c) The Mayor may request the City Manager to provide additional information on a matter of general interest to the full City Council, the public at large and to the citizen making the comment.

+ (d) During Workshops of the City Council, citizens will be allowed to speak on the subject(s) under discussion during *Public Comment* after being recognized by the CHAIR for two (2) minutes each not to exceed ten (10) minutes total.

Subdivision III. Order of Business

Sec. 2-57. GENERAL ORDER.

City council meetings will be generally conducted in the following order, unless otherwise specified. An executive session may be held at any time during a meeting consistent with applicable state law.

(1) *Workshop agenda.*

a. Call to order.

b. Roll call.

- c. Workshop items.
- d. Public Comment
- e. Adjourn.

(2) *Regular meeting agenda*

- a. Call to order.
- b. Invocation and pledge of allegiance.
- c. Roll call.
- d. Announcements.
- e. Public recognition.
- f. Citizen's forum.
- g. Consent agenda.
- h. Public hearings/action.
- i. Action items.
- j. Reports from outside entities, advisory committees and boards.
- k. Items for future agendas.
- l. Executive session.
- m. Reconvene into open session for possible action resulting from any items posted and legally discussed in executive session.
- n. Adjourn.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-57.1. PLACEMENT OF AN ITEM ON AN AGENDA.

- (a) All items for placement on an agenda shall be coordinated through the city manager. The city manager shall be responsible for coordinating items and supporting documentation for the agenda for timely submission to the city secretary.
- (b) Members of city council wishing to place any item on an agenda may do so, with consent of two (2) other council members, at the end of a council meeting during the section provided for "items for future agendas."
- (c) Should a city council member need an item placed on the agenda before council convenes in a council meeting, the council member shall obtain a signed statement from two (2) additional city council members explaining the item they wish to appear on the next agenda, prepare an Agenda Item Report and submit the completed Agenda Item Report prior to the deadline for agenda items. The city secretary will provide the necessary statement form. This form may be submitted to the city manager or the city secretary.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-57.2. AGENDA OFFICER.

- (a) The city secretary shall be the agenda officer with responsibility for proper and legal posting of the agenda.
- (b) The city secretary will assume responsibility for issuing to newspaper, radio, and television stations a copy of the agenda advising them of any scheduled meeting.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-57.3. NUMBERING AND INDEXING OF AGENDA ITEMS.

All items of any nature shall be numbered consecutively for purposes of consideration on the agenda. Upon passage, the city secretary shall separately index all ordinances and resolutions.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-57.4. PUBLIC RECOGNITION.

All special presentations and announcements will be scheduled and coordinated through the city secretary for placement on the agenda. A period of time, not to exceed fifteen (15) minutes, will be set aside for public recognition at each city council meeting.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-57.5. CONSENT AGENDA.

- (a) The consent agenda shall contain routine, non-controversial items that require city council action but require no city council deliberation. All items on the consent agenda shall be considered in one (1) motion unless removed.
- (b) Examples of routine business found on consent agendas include, but are not limited to:
- (1) Approval of license applications and bonds.
 - (2) Approval of minutes.
 - (3) Approval of payment for contracts.
 - (4) Bid and contract awards.
 - (5) Set date for hearings.
 - (6) Appointments.
 - (7) Resignations.
 - (8) Staff Reports.
- (c) Agenda items removed from the consent agenda by the request of council members or staff will be considered after approval of the entire consent agenda.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-57.6. ANNOUNCEMENTS.

Members of the city council, the Mayor or the City Manager have the opportunity to notify others of community events, functions and other activities. This item shall be included on all meetings of the City Council.
(Ord. No. 2000-26, § 1, 9-5-00)

Subdivision IV. Rules of Conduct

Sec. 2-58. GENERAL PROCEDURE.

These rules, consistent with the city Charter, any applicable city ordinance, statute or other legal requirement, and "Robert's Rules of Order Newly Revised" shall govern the proceedings of the city council.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.1. AUTHORITY OF THE CHAIR.

- (a) Subject to appeal to the full city council, the mayor shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the observation of the business of the city council by ruling any such matter out of order. In so ruling, the mayor shall be courteous and presume that the moving party is acting in good faith.

(b) Any member of the city council may move to require enforcement of the rules, and the affirmative vote of a majority of the city council shall require the presiding officer to act.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.2. MAYOR TO FACILITATE COUNCIL MEETINGS.

In the role of facilitator, the mayor will assist the city council in focusing agenda discussions and deliberations.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.3. COUNCIL DELIBERATION AND ORDER OF SPEAKERS.

The mayor has been delegated the responsibility to control the debate and the order of speakers. Speakers will generally be called upon in the order of the request to speak. With the concurrence of the mayor, a council member holding the floor may address a question to another council member and that council member may respond while the floor is still held by the council member asking the question. A council member may opt not to answer a question while another council member has the floor.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.4. LIMIT DELIBERATIONS TO ITEM AT HAND.

Council members will limit their comments to the subject matter, time or motion being currently considered by the city council.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.5. LENGTH OF COUNCIL COMMENTS.

Council members will govern themselves as to the length of their comments or presentation. As a courtesy, the mayor will signal by hand to a council member who has been speaking for over five (5) minutes. This procedure is not meant to limit debate or to cut comments short but rather to assist council members in their efforts to communicate concisely.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.6. OBTAINING THE FLOOR.

Any member of the city council wishing to speak must first obtain the floor by being recognized by the mayor. The mayor must recognize any council member who seeks the floor when appropriately entitled to do so. When two (2) or more members wish to speak, the presiding officer shall name the member who is to speak first. No member of the city council shall interrupt another while speaking except to make a point of order or to make a point of personal privilege.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.7. MOTIONS.

Motions may be made by any member of the city council. Any member of the city council, other than the person offering the motion, may second a motion.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.8. PROCEDURES FOR MOTIONS.

The following is the general procedure for making motions:

(1) A council member who wishes to make a motion should do so through a verbal request to the mayor.

(2) A council member who wishes to second a motion should do so through a verbal request to the mayor. Before a motion can be considered or debated it must be seconded.

(3) Once the motion has been properly made and seconded, the mayor shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any council member recognized by the mayor.

(4) Once the matter has been fully discussed, the mayor will call for public input. Upon the completion of public input, the Mayor calls for a vote, thus no further discussion will be allowed. (Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-58.9. VOTING.

Voting, except on unanimous votes, shall be by roll call and the ayes, nays and abstentions shall be recorded in the minutes.

(1) *Abstention.*

a. A member shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the item, or he will be directly affected by the decision of the council.

He/she shall do so by filing an affidavit with the city secretary prior to any discussion or action on such items.

b. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his application, other than in the public hearing. If a member does disqualify himself, he shall state his reason for abstention.

c. When a council member abstains or excuses himself/herself from a portion of a council discussion or vote because of a legal conflict of interest, the council member must briefly state the nature of the conflict in an affidavit. State law requires the inclusion of this information in the record.

(Ord. No. 2000-26, § 1, 9-5-00)

State law references: V.T.C.A. Transportation Code, § 313.053; V.T.C.A. Local Gov't Code, § 2.11.006(d).

Sec. 2-58.10. NON-OBSERVANCE OF RULES.

Rules adopted to expedite and facilitate the transaction of the business of the city council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by the city council.

(Ord. No. 2000-26, § 1, 9-5-00)

Subdivision V. Public Hearings

Sec. 2-59. GENERAL PROCEDURE.

The city council procedure for the conduct of public hearings is generally as follows:

(1) Mayor reads listed topic information for public hearing.

(2) Mayor opens the Public Hearing.

(3) Staff presents its report.

(4) Council members may ask questions of staff.

(5) The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony. The applicant or appellant shall have a total of fifteen (15) minutes for a presentation when recognized by the mayor or presiding officer.

The initial comments or presentation shall be limited to ten (10) minutes and the rebuttal or concluding comments shall be limited to five (5) minutes.

- (6) Council members may ask questions of the applicant and/or appellant.
- (7) Members of the public are provided with the opportunity to speak for or against the issue.
- (8) The public hearing is closed.
- (9) The city council deliberates and takes action.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-59.1. CONTINUANCE OF HEARINGS.

Any public hearing being held, noticed or ordered to be held by the city council may, by order, notice or motion, be continued to any subsequent meeting.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-59.2. PUBLIC DISCUSSION AT HEARINGS.

(1) *Questions of speakers.* Members of the city council who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue.

(2) *Materials for public record.* All persons interested in the matter being heard by the city council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the city secretary's office as part of the record of the hearing, with the requirements of state law.

(3) *Germane comments.* During the public hearing, no person will be permitted to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the mayor, but may be appealed to the full city council.

(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-59.3. COMMUNICATIONS AND PETITIONS.

Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the mayor. A reading in full shall take place if requested by any member of the city council.

(Ord. No. 2000-26, § 1, 9-5-00)

Subdivision VI. Addressing the City Council

Sec. 2-60. ORAL PRESENTATIONS BY MEMBERS OF THE PUBLIC. The following procedures will guide oral presentations by members of the public at city council meetings:

- (1) When called upon, the person should come to the podium state his/her name and address for the record, and, if speaking for an organization or other group, identify the group.
- (2) All remarks should be addressed to the city council as a whole, not to individual members.

(3) Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-60.1. WAIVER OF RULES.

Any of the foregoing rules may be waived or suspended by a majority vote of the council members when it is deemed that there is good cause to do so, based upon the particular circumstances involved. (Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-60.2. NON-EXCLUSIVE RULES.

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the city council, or of its presiding officer, to govern the conduct of city council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the City.

Subdivision VII. Procedures Administration

Sec. 2-61. REVIEW OF CITY COUNCIL PROCEDURES.

The city council will review and revise the city council Rules of Order and Procedure as needed, and at a minimum, every two years.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-61.1. ADHERENCE TO PROCEDURES.

During city council discussions, deliberations and proceedings, the mayor has been delegated the primary responsibility to ensure that the city council, staff and members of the public adhere to the council's adopted procedures.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-61.2. CITY ATTORNEY AS PROCEDURE ADVISOR.

The city attorney assists the mayor and city council as a resource and as an advisor for interpreting the city council's adopted rules and procedures.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-61.3. APPLICABILITY OF PROCEDURES.

The city council rules of order and procedures shall also apply to the city council when sitting as the City's representative with other entities and agencies. The role of mayor and mayor pro tem shall be interchangeable with chair and vice chair, or president and vice president when sitting as the City's representative with another entity.
(Ord. No. 2000-26, § 1, 9-5-00)

Sec. 2-61.4. CONFLICT WITH CHARTER.

Should any section, clause, or provision of this policy be declared in conflict with the city Charter, the city Charter shall prevail.
(Ord. No. 2000-26, § 1, 9-5-00)

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. I-9

Contact – Andrea M. Gardner, City Manager, 547-4221
agardner@ci.copperas-cove.tx.us

SUBJECT: Consideration and action authorizing the City Manager to enter into a contract with First Southwest Asset Management, Inc. for professional services related to arbitrage rebate.

1. BACKGROUND/HISTORY

The existing contract with First Southwest Asset Management, Inc. was executed on November 4, 2003. The term of the contract was for a period of five (5) years from the date of acceptance, thus terminated on November 4, 2008.

2. FINDINGS/CURRENT ACTIVITY

On November 11, 2008, City staff received a request from First Southwest Asset Management, Inc. to renew the agreement for another five (5) year period. First Southwest has been providing arbitrage rebate services to the City since May 1997 and City staff is satisfied with the services provided.

3. FINANCIAL IMPACT

The base fee in the attached agreement will remain the same as the base fee in the expired agreement. The base fee is charged annually per issue, with additional fees charged for more complex scenarios. The proposed fee structure provides for a reduction in the annual fee once certain proceeds are spent.

Fees associated with arbitrage calculations are authorized by law to be paid from the operating funds of the City or the bond funds associated with the issuance. Most often, the City expends the funds within the required timeframe to avoid payment to the Internal Revenue Service for positive arbitrage; however, the fee for the arbitrage calculations is still required regardless of positive or negative arbitrage.

Arbitrage calculation fees and possible payments due to the IRS were not included in the operating funds of the FY 2009 Adopted Budget; therefore, a budget amendment would be required if not paid from the appropriate bond fund.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends authorizing the City Manager to enter into an Agreement with First Southwest Asset Management, Inc. for professional services related to arbitrage rebate.

**AGREEMENT FOR
ARBITRAGE REBATE COMPLIANCE SERVICES
BETWEEN
CITY OF COPPERAS COVE, TEXAS
(Hereinafter Referred to as the "Issuer")
AND
FIRST SOUTHWEST ASSET MANAGEMENT, INC.
(Hereinafter Referred to as "First Southwest")**

It is understood and agreed that the Issuer, in connection with the sale and delivery of certain bonds, notes, certificates, or other tax-exempt obligations (the "*Bonds*"), will have the need to determine to what extent, if any, it will be required to rebate certain investment earnings (the amount of such rebate being referred to herein as the "*Arbitrage Amount*") from the proceeds of the Bonds to the United States of America pursuant to the provisions of Section 148(f)(2) of the Internal Revenue Code of 1986, as amended (the "*Code*"). For purposes of this Agreement, the term "Arbitrage Amount" includes payments made under the election to pay penalty in lieu of rebate for a qualified construction issue under Section 148(f)(4) of the Code.

We are pleased to submit the following proposal for consideration; and if the proposal is accepted by the Issuer, it shall become the agreement (the "*Agreement*") between the Issuer and First Southwest effective at the date of its acceptance as provided for herein below.

1. This Agreement shall apply to all issues of tax-exempt Bonds delivered subsequent to the effective date of the rebate requirements under the Code, except for (i) issues which qualify for exceptions to the rebate requirements in accordance with Section 148 of the Code and related Treasury regulations, or (ii) issues excluded by the Issuer in writing in accordance with the further provisions hereof, (iii) new issues effected in a fashion whereby First Southwest is unaware of the existence of such issue, (iv) issues in which, for reasons outside the control of First Southwest, First Southwest is unable to procure the necessary information required to perform such services.

Covenants of First Southwest

2. We agree to provide our professional services in determining the Arbitrage Amount with regard to the Bonds. The Issuer will assume and pay the fee of First Southwest as such fee is set out in Appendix A attached hereto. First Southwest shall not be responsible for any extraordinary expenses incurred on behalf of Issuer in connection with providing such professional services, including any costs incident to litigation, mandamus action, test case or other similar legal actions.
3. We agree to perform the following duties in connection with providing arbitrage rebate compliance services:
 - a. To cooperate fully with the Issuer in reviewing the schedule of investments made by the Issuer with (i) proceeds from the Bonds, and (ii) proceeds of other funds of the Issuer which, under Treasury Regulations Section 1.148, or any successor regulations thereto, are subject to the rebate requirements of the Code;
 - b. To perform, or cause to be performed, consistent with the Code and the regulations promulgated thereunder, calculations to determine the Arbitrage Amount under Section 148(f)(2) of the Code; and
 - c. To provide a report to the Issuer specifying the Arbitrage Amount based upon the investment schedule, the calculations of bond yield and investment yield, and other information deemed relevant by First Southwest. In undertaking to provide the services set forth in paragraph 2 and this paragraph 3, First Southwest does not assume any responsibility for any record retention requirements which the Issuer may have under the Code or other applicable laws, it being understood that the Issuer shall remain responsible for compliance with any such record retention requirements.

Covenants of the Issuer

4. In connection with the performance of the aforesaid duties, the Issuer agrees to the following:
 - a. The fees due to First Southwest in providing arbitrage rebate compliance services shall be calculated in accordance with Appendix A attached hereto. The fees will be payable upon delivery of the report prepared by First Southwest for each issue of Bonds during the term of this Agreement.
 - b. The Issuer will provide First Southwest all information regarding the issuance of the Bonds and the investment of the proceeds therefrom, and any other information necessary in connection with calculating the Arbitrage Amount. First Southwest will rely on the information supplied by the Issuer without inquiry, it being understood that First Southwest will not conduct an audit or take any other steps to verify the accuracy or authenticity of the information provided by the Issuer.
 - c. The Issuer will notify First Southwest in writing of the retirement, prior to the scheduled maturity, of any Bonds included under the scope of this Agreement within 30 days of such retirement. This notification is required to provide sufficient time to comply with Treasury Regulations Section 1.148-3(g) which requires final payment of any Arbitrage Amount within 60 days of the final retirement of the Bonds. In the event the Issuer fails to notify First Southwest in a timely manner as provided hereinabove, First Southwest shall have no further obligation or responsibility to provide any services under this Agreement with respect to such retired Bonds.
5. In providing the services set forth in this Agreement, it is agreed that First Southwest shall not incur any liability for any error of judgment made in good faith by a responsible officer or officers thereof and, except to the limited extent set forth in this paragraph, shall not incur any liability for any other errors or omissions, unless it shall be proved that such error or omission was a result of the gross negligence or willful misconduct of said officer or officers. In the event a payment is assessed by the Internal Revenue Service due to an error by First Southwest, the Issuer will be responsible for paying the correct Arbitrage Amount and First Southwest's liability shall not exceed the amount of any penalty or interest imposed on the Arbitrage Amount as a result of such error.

Bonds Issued Subsequent to Initial Contract

6. The services contracted for under this Agreement will automatically extend to any additional Bonds (including financing lease obligations) issued during the term of this Agreement, if such Bonds are subject to the rebate requirements under Section 148(f)(2) of the Code. In connection with the issuance of additional Bonds, the Issuer agrees to the following:
 - a. The Issuer will notify or cause the notification, in writing, to First Southwest of any tax-exempt financing (including financing lease obligations) issued by the Issuer during any calendar year of this Agreement, and will provide First Southwest with such information regarding such Bonds as First Southwest may request in connection with its performance of the arbitrage rebate services contracted for hereunder. If such notice is not provided to First Southwest with regard to a particular issue, First Southwest shall have no obligation to provide any services hereunder with respect to such issue.
 - b. At the option of the Issuer, any additional Bonds to be issued subsequent to the execution of this Agreement may be excluded from the services provided for herein. In order to exclude an issue, the Issuer must notify First Southwest in writing of their intent to exclude any specific Bonds from the scope of this Agreement, which exclusion shall be permanent for the full life of the Bonds; and after receipt of such notice, First Southwest shall have no obligation to provide any services under this Agreement with respect to such excluded Bonds.

Effective Date of Agreement

7. This Agreement shall become effective at the date of acceptance by the Issuer as set out herein below and remain in effect thereafter for a period of five (5) years from the date of acceptance, provided, however, that this Agreement may be terminated with or without cause by the Issuer or First Southwest upon thirty (30) days prior written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to First Southwest for services provided and extraordinary expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated prior to the completion of its stated term, all records provided to First Southwest with respect to the investment of monies by the Issuer shall be returned to the Issuer as soon as practicable following written request by Issuer. In addition, the parties hereto agree that, upon termination of this Agreement, First Southwest shall have no continuing obligation to the Issuer regarding any arbitrage rebate related services contemplated herein, regardless of whether such services have previously been undertaken, completed or performed.

Acceptance of Agreement

8. This Agreement is submitted in duplicate originals. When accepted by the Issuer in accordance with the terms hereof, it, together with Appendix A attached hereto, will constitute the entire Agreement between the Issuer and First Southwest for the purposes and the consideration herein specified. In order for this Agreement to become effective, it must be accepted by the Issuer within sixty (60) days of the date appearing below the signature of First Southwest's authorized representative hereon. After the expiration of such 60-day period, acceptance by the Issuer shall only become effective upon delivery of written acknowledgement and reaffirmation by First Southwest that the terms and conditions set forth in this Agreement remain acceptable to First Southwest.

Governing Law

9. This Agreement will be governed by and construed in accordance with the laws of the State of Texas, without regard to its principles of conflicts of laws.

Acceptance will be indicated on both copies and the return of one executed copy to First Southwest.

Respectfully submitted,

FIRST SOUTHWEST ASSET MANAGEMENT, INC.

By Hill A. Feinberg

Hill A. Feinberg, Chairman & Chief Executive Officer

Date _____

ISSUER'S ACCEPTANCE CLAUSE

The above and foregoing is hereby in all things accepted and approved by _____, on this the _____ day of _____, _____.

By _____
Authorized Representative

Title _____

Printed Name _____

APPENDIX A - FEES

The Bonds to be covered initially under this contract include all issues of tax-exempt bonds delivered subsequent to the effective dates of the rebate requirements, under the Code, except for issues which qualify for exceptions to the rebate requirements in accordance with Section 148 of the Code and related Treasury Regulations. The fee for each of the Bonds included in this contract shall be as follows; however, the maximum charged for a given issue per computation year will not exceed \$3,000:

Description	Annual Fees Per Issue Per Computation Year (1)
Base Fee Per Computation Year:	\$2,000
Special Discount for Electronic Data Submission (see Note 2 below)	25%
<i>Additional Charges for Special Services Related to:</i>	
Debt Service Reserve Funds	\$500
Commingled Funds	\$500
Transferred Proceeds	\$500
Debt Service Fund Residual Calculations (Excess Tax Collections)	\$500
\$100,000 Test for Debt Service Funds	\$500
Variable/Floating Rate Bond Issue	\$1,000
Yield Restriction Analysis/Yield Reduction Computation	\$500
Universal Cap	\$500
Calculation of Late Interest Amount	\$500
Premium for Quick Turnaround (Preliminary or Final Liability Numbers within 21 days or less)	\$500
Preparation of IRS Refund Request	(3)
Commercial Paper:	
Per allocated issue to perform arbitrage rebate computation	\$4,000
Penalty Calculations:	
Semiannual fee for each issue of Bonds, regardless of issue size.	\$1,000

- (1) A "Computation Year" represents a one year period from the delivery date of the issue to the date that is one calendar year after the delivery date, and each subsequent one-year period thereafter. Therefore, if a calculation is required that covers more than one "computation year," the annual fee is multiplied by the number of computation years contained in the calculation being performed. For example, if the first calculation performed for an issue covers three computation years, the fee for that calculation would be three times the annual fees stated above.
- (2) The data should be provided electronically in MS Excel or ASCII text file (comma delimited text preferred) with the date, description, dollar amount, and an activity code (if not in debit and credit format) on the same line in the file.
- (3) Fee based upon complexities involved and estimated time to complete request.

EXPLANATION OF ADJUSTMENTS TO BASE FEE

1. **Debt Service Reserve Funds.** The authorizing documents for many revenue bond issues require that a separate fund be established (the "Reserve Fund") into which either bond proceeds or revenues are deposited in an amount equal to some designated level, such as average annual debt service on all parity bonds. This Reserve Fund is established for the benefit of the bondholders as additional security for payment on the debt. In most instances, the balance in the Reserve Fund remains stable throughout the life of the bond issue. Reserve Funds, whether funded with bond proceeds or revenues, must be included in any calculations of rebate.
2. **Commingled Fund Allocations.** By definition, a commingled fund means that the proceeds of any particular bond issue have been deposited in a fund that contains amounts that are not part of that bond issue. It is common for issuers to commingle bond proceeds with either operating revenues or other bond proceeds. The arbitrage regulations, while permitting the commingling of funds, require that bond proceeds be "carved-out" for purposes of calculating rebate. Interest must be allocated to the portion of the commingled fund that represents bond proceeds of the issue in question.
3. **Transferred Proceeds Calculations.** When a bond issue is refinanced (refunded) by another issue, special services relating to "transferred proceeds" calculations may have to be performed. Under the regulations, when proceeds of a

refunding issue are used to pay principal on a prior issue, a pro rata portion of the refunded bond proceeds are treated as “transferred” to the refunding issue. Although no funds are physically transferred from one issue to another, it is often necessary to perform these calculations for rebate purposes.

4. **Debt Service Fund Residual Calculations.** Because tax rates are established using an estimated collection percentage, the balance in the debt service fund (often referred to as the Interest & Sinking Fund) may exceed the amount necessary to pay the current year’s debt service requirements. Any such excess amounts in a debt service fund must be treated as a “reserve fund,” thereby subjecting the excess balance to the rebate requirements. To the extent that any amounts deposited in the debt service fund remain for more than thirteen months on a first-in, first-out basis, that excess is classified as a “reserve fund portion” until used for payment of debt service. Special services are required to complete these debt service fund residual calculations.
5. **\$100,000 Test for Debt Service Funds.** The Code requires that a bona fide debt service fund be included in the arbitrage rebate computation if it earns \$100,000 or more in a given bond year and if the issue is not a private activity bond and a long-term fixed rate issue.
6. **Variable/Floating Rate Bond Issues.** Special services are also required to perform the arbitrage rebate calculations for variable rate bonds. A bond is a variable rate bond if the interest rate paid on the bond is dependent upon an index which is subject to changes subsequent to the issuance of the bonds. The computational requirements of a variable rate issue are more complex than those of a fixed rate issue and, accordingly, require significantly more time to calculate. For example, it is necessary to evaluate both a five-year yield as well as one-year yield increments to determine which yield is most beneficial to the issuer.
7. **Yield Restriction Analysis/Yield Reduction Computations.** The Code provides that proceeds of a bond issue may not be invested above the yield on the bond unless an applicable exception applies which provides a temporary period during which proceeds are not yield restricted. First Southwest provides analysis to determine the amount of proceeds which must be yield restricted and provides computations to verify that the proceeds have been properly restricted. In addition, the 1993 Treasury Regulations provide that a yield reduction payment may be made in lieu of yield restricting proceeds. First Southwest will provide the necessary computations to determine the amount of yield reduction payment which must be made.
8. **Universal Cap.** Current regulations provide an overall limitation on the amount of gross proceeds allocable to an issue. In certain circumstances, it is necessary to deallocate proceeds from an issue. First Southwest reviews the universal cap limitation for each bond issue at the appropriate time periods and, if necessary, performs the deallocation of proceeds.
9. **Calculation of Late Interest Amount.** Additional calculations are required if an arbitrage rebate payment is not filed within the time permitted by the regulations. A fee is charged to compute the late interest amount from the time that the payment was originally due until the time the payment is made.

The fee for any Bonds under this contract shall only be payable if a computation is required under Section 148(f)(2) of the Code. In the event that any of the Bonds, fall within an exclusion to the computation requirement as defined by Section 148 of the Code or related regulations and no calculations were required by First Southwest to make that determination, no fee will be charged for such issue. For example, certain bonds are excluded from the rebate computation requirement if the proceeds are spent within specific time periods. In the event a particular issue of Bonds fulfills the exclusion requirements of the Code or related regulations, the specified fee will be waived by First Southwest if no calculations were required to make the determination.

Recognizing that computational complexities are reduced when all or the majority of the gross proceeds of an issue are expended, it is First Southwest’s policy to reduce fees to the following levels, as appropriate:

Per issue fees for each circumstance itemized below shall be:

o Proceeds expended in prior year. Liability updated and report issued.	\$750
o Debt Service Residual Calculation only.	\$1,250
o Reserve Fund calculation only.	\$1,250
o Escrow Fund only.	\$1,250
o Rebate Fund only.	\$1,250
o Yield Restriction/Yield Reduction Computation only.	\$2,000

First Southwest’s fees are payable upon delivery of the report prepared by First Southwest, the first report to be made following one year from the date of delivery of the Bonds and on each computation date thereafter during the term of the Agreement. The fees for computations of the Arbitrage Amount which encompass more, or less, than one Computation Year of investment data performed during the same computation period shall be prorated to reflect the longer, or shorter, period of work performed during that period.

City of Copperas Cove

City Council Agenda Item Report

March 26, 2009

Agenda Item No. J-1

Contact – Robin Crouse, (254) 285-2137

SUBJECT: Presentation update from the United Services Organization (USO).

1. BACKGROUND/HISTORY

During the fiscal year 08-09 budget process, the USO submitted a funding request in the amount of \$5,000 to help cover operational and program costs for the Fort Hood Interpretive Center and morale boosting activities for our soldiers and military community. City Council adopted the 08-09 budget to include this request.

2. FINDINGS/CURRENT ACTIVITY

The USO provided support services to the 1st Cavalry Division troops deploying to Iraq in late 2008 and early 2009. It is the responsibility of the USO to provide an annual report on revenues and expenditures related to supporting our troops.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

None.

City of Copperas Cove City Council Agenda Item Report

March 26, 2009

Agenda Item No. J-2

Contact – Francie Charles, Boys and Girls Club of Copperas Cove, 547-5578
fcharles@cbgclub.org

SUBJECT: Presentation update from the Boys & Girls Club of Copperas Cove on what the City can look forward to this summer concert season.

1. BACKGROUND/HISTORY

The Boys and Girls Club of Copperas Cove was approved by City Council during the FY 2008-09 budget process to receive Hotel Occupancy Tax funds by qualifying under “Performing of the Arts” category for performances at “Music at the Gap”.

2. FINDINGS/CURRENT ACTIVITY

The “Music at the Gap” events will be held on June 20, 2009, July 18, 2009 and August 8, 2009. It is the responsibility of The Boys and Girls Club of Copperas Cove to provide an annual report on revenue, expenditures, and performance measures related to this event.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

None.