



**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 **21st day of April 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. Proclamation: Fair Housing 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 April 7, 2009 regular council meeting. ***Stefanie Brown, Deputy City Secretary***
2. Consideration and action to reject all bids for dry cleaning services for police uniforms. ***Eddie Wilson, Police Lieutenant***
3. Consideration and action on authorizing the release of funds from the General Fund public relations account to the United Services Organization (USO). ***Wanda Bunting, Director of Financial Services***

4. Residential and commercial development, quarterly update. **Carl Ford, Director of Development Services**
5. Consideration and action on granting Council Member Bill L. Stephens, Position 5, an excused absence for the April 21, 2009 Regular Council Meeting. **Jane Lees, City Secretary**
6. Consideration and action on authorizing the Mayor to execute a Memorandum of Understanding between the City of Copperas Cove, Fort Hood, The City of Gatesville, the City of Harker Heights, and the City of Killeen regarding the Cen-Tex Sustainable Communities Partnership. **Carl Ford, Director of Development Services**

H. PUBLIC HEARINGS/ACTION

1. Public hearing, consideration and action on an ordinance providing a zoning change for 0.461 acre tract out of the W. P. Hardeman Survey, Abstract #454, locally known as the 1549 East Highway 190, from B-4 Business District to B-5 Business District, providing a savings clause; and declaring an effective date. **Carl Ford, Director of Development Services**

I. ACTION ITEMS

1. Consideration and action upon adopting a Resolution opposing House Bill 4441. **Wesley Wright, P.E., City Engineer**
2. Report and possible discussion of legal opinion on the irregularities of the Copperas Cove Economic Development Corporation/Cinergy Cinemas' changeable electronic variable message sign, CEVMS. **Charles E. Zech, City Attorney**
3. Consideration and action on authorizing the City Manager to execute a contract with Horseshoe Construction, Inc. for the Community Development Block Grant (CDBG) Sewer Rehabilitation Project. **Robert M. McKinnon, Public Works Director**
4. Consideration and action on a resolution approving the attached General Legislative Policy of the City of Copperas Cove. **Andrea M. Gardner, City Manager**
5. Consideration and action on commissioner appointments to fill vacancies on the Planning and Zoning Commission. **Carl Ford, Director of Development Services**
6. Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

7. Consideration and action on rejecting all bids received for the construction of a golf cart storage facility and directing and authorizing staff to re-bid the project. **Mike Chandler, Golf Course General Manager**

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

K. ITEMS FOR FUTURE AGENDAS

L. EXECUTIVE SESSION

1. Pursuant to §551.074 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee—Jane Lees, City Secretary.

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 _____, April 17, 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,** The Central Texas Council of Governments is organized in accordance with Section 391 of the Local Government Code; and
- WHEREAS,** The Central Texas Council of Governments encompasses the region of Bell, Coryell, Hamilton, Lampasas, Milam, Mills, and San Saba counties; and
- WHEREAS,** The Governor of Texas has designated the Central Texas Council of Governments areas as State Planning Region #23; and
- WHEREAS,** The Central Texas Council of Governments is a recipient of Texas Community Development Program (TCDP) funds and must perform a well publicized activity to further fair housing opportunity within the seven-county region before final reimbursement under the current contract's expiration on August 31, 2009; and
- WHEREAS,** April is Fair Housing Month and the year of 2009 is the forty first anniversary of the passing of the Fair Housing Act.

NOW THEREFORE, BE IT PROCLAIMED by the City of Copperas Cove, Texas that the month of April 2009 be declared as:

“Fair Housing Month in the Central Texas Region.”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Copperas Cove to be affixed this 21st day of April 2009.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

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

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

Pastor Stephen Schmidt, of Grace United Methodist Church, 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
Bill L. Stephens
Willie C. Goode
Frank Seffrood

ALSO PRESENT

Andrea M. Gardner, City Manager
Miguel Matos, City Attorney
Stefanie Brown, Deputy City Secretary

D. ANNOUNCEMENTS

Council Member Downard announced that there is a blood drive this Saturday at the National Bank from 12 – 3 p.m.

Council Member Goode announced that there are applications in the back to volunteer for City Committees.

E. PUBLIC RECOGNITION

1. Proclamation: National Library Week, April 12 – 18, 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Terri Swenson, Acting Interim Library Director.

2. Proclamation: Public Safety Telecommunicators Week, April 12-18, 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented the proclamation to both Danny Austin, Copperas Cove Police Department, and Cindy Bridges, Central Texas Council of Governments 9-1-1 Education Coordinator.

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.

Bill Thomas, 1110 Cummings Avenue.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the March 26, 2009 special council meeting. **Jane Lees, City Secretary**

2. Consideration and action on approval of minutes from the March 26, 2009 regular council meeting. **Jane Lees, City Secretary**

3. Financial Report for the Month ended February 28, 2009. **Wanda Bunting, Director of Financial Services**

6. Consideration and action on a Resolution authorizing and supporting the City Manager in the submission of a grant application to the Texas Department of Transportation, Texas Traffic Safety Program for a Selective Traffic Enforcement Program (STEP) Click It or Ticket (CIOT) Mobilization grant. **Eddie Wilson, Police Lieutenant**

8. Consideration and action by City Council to make revisions to the bylaws for the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Executive Director**

Council Member Downard requested that items G-4 & G-5 be removed from the Consent Agenda. Council Member Stephens requested that item G-7 be removed from the Consent Agenda.

Council Member Willie Goode made a motion to approve consent items G-1, G-2, G-3, G-6, and G-8. Council Member Frank Seffrood seconded the motion, and with a unanimous vote, motion carried.

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

Council Member Palmer made a motion to approve item G-4 as read and clarified by Mr. Wright. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

5. Consideration and action on a Resolution authorizing and supporting the City Manager in the submission of a grant application to the U. S. Department of Justice, Office of Community Oriented Policing Services (COPS) for a COPS Hiring Recovery Program Grant. **Tim Molnes, Police Chief**

Council Member Downard made a motion to approve item G-5 as read and clarified by Chief Molnes. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on a Resolution adopting the investment policy of the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Council Member Stephens made a motion to approve item G-7 as read and clarified by Ms. Bunting. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public Hearing, consideration and action on Ordinance amending the 2008-09 fiscal year budget for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Mayor Hull opened the public hearing.

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

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing.

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

I. ACTION ITEMS

1. Consideration and action on authorizing the City Manger to execute a contract with Matous Construction for the South Wastewater Treatment Plant 2009 Clarifier Rehabilitation Project. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item I-1.

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

2. Consideration and action on award of a bid to Cove Heritage Developers, LLC for the construction of a golf cart storage facility. **Mike Chandler, Golf Course General Manager**

Mike Chandler, Golf Course General Manager, gave an overview of agenda item I-2.

No motion made. No action taken.

3. Consideration and action on an Ordinance modifying existing school zone limits associated with Clements-Parsons Elementary School. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-3.

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

4. Consideration and action on authorizing the City Manager to enter into a municipal solid waste transportation agreement with Comal Transportation LLC for a term of two years, with successive one year renewal options based upon mutual agreement. **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste, gave an overview of agenda item I-4.

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

5. Consideration and action on authorizing the City Manger to enter into a municipal solid waste disposal agreement with Waste Management of Texas Inc. for a term of two years, with successive one year renewal options based upon mutual agreement. **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste, gave an overview of agenda item I-5.

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

6. Consideration and action on a Resolution expressing intent to finance expenditures to be incurred. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-6.

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

The Resolution caption is as follows:

RESOLUTION NO. 2009-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED.

7. Consideration and action on a Resolution authorizing the City Manager to execute an Interlocal Agreement with the Texas Department of Transportation for the purpose of excavation and storage of landfill materials. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-7.

Council Member Palmer made a motion to approve agenda item I-7. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2009-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF EXCAVATION AND STORAGE OF LANDFILL MATERIALS.

8. Consideration and action on authorizing the City Manger to execute a professional services agreement with River City Engineering for engineering services of the Eastside Infrastructure Improvements Project. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-8.

Council Member Palmer made a motion to approve agenda item I-8. Council Member Goode seconded the motion. A roll call vote was taken:

Cheryl L. Meredith	For
Larry Sheppard	For
Chuck Downard	Against
Danny Palmer	Against
Bill L. Stephens	For
Willie Goode	For
Frank Seffrood	For

Motion carried five to two.

9. Consideration and action authorizing the City Manager to execute an Agreement between the City of Copperas Cove and James Warren Clark II and Wesley Atkinson concerning a land exchange between the City and Fort Hood. **Andrea Gardner, City Manager**

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

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

10. Consideration and action on an Ordinance amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

Item pulled from the agenda. No action taken.

11. Consideration and action on requesting a legal opinion from the City Attorney regarding the irregularities of the Copperas Cove Economic Development Corporation/Cinergy Cinemas' changeable electronic variable message sign, CEVMS. **Chuck Downard, Council Member Place 3**

Chuck Downard, Council Member Place 3, gave an overview of agenda item I-11.

The following citizens made comments on this item: Bill French, 2807 Primrose Road; Dan Yancy, 1601 Buckboard Trail; and Roger O'Dwyer, 1703 Highland.

Council Member Downard made a motion to approve agenda item I-11. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

12. Consideration and action on the appointment/reappointment of individuals to the Library Advisory Board. **Terry Swenson, Acting Interim Library Director**

Terry Swenson, Acting Interim Library Director, gave an overview of agenda item I-12.

Council Member Seffrood made a motion to appoint Margie Holt and reappoint Palumbo to the Library Advisory Board from April 7, 2009 through March 30, 2012. Council Member Danny Palmer seconded the motion, and with a unanimous vote, motion carried.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Presentation update on Fort Hood USO activities. **Robin Crouse, Program Manager**

Robin Crouse, Program Manager, gave a presentation update on Fort Hood USO activities.

2. Presentation of the Copperas Cove Economic Development Corporation 2007-2008 Audited Financial Statements, current Budget Narrative, and update of the CCEDC Retention Activities and Workshops. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

Jerry Conner, Executive Director of the Copperas Cove Economic Corporation, gave a presentation of the 2007-08 audited financial statements, current budget, and the retention activities and workshops. Michael Firth of Lott, Vernon & Company spoke on the audited financial statement. Leo Sullivan of the Copperas Cove Economic Development Corporation spoke on small business retention activities.

K. ITEMS FOR FUTURE AGENDAS

Council Member Stephens requested that the item for the legal opinion on the CCEDC message sign be placed on the next agenda. There was concurrence from Council Members.

Council Member Palmer requested that an item be placed on the next agenda to appoint volunteers to the Planning and Zoning Board. There was concurrence from Council Members.

L. EXECUTIVE SESSION

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

The Council adjourned to Executive Session at 9:12 p.m.

M. 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 9:35 p.m. Mayor Hull announced that there was no action to be taken as a result of Executive Session.

N. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 9:35 p.m.

John Hull, Mayor

ATTEST:

Stefanie Brown, Deputy City Secretary

City of Copperas Cove

City Council Agenda Item Report

April 21, 2009

Agenda Item No. G-2

Contact – Eddie Wilson, Police Lieutenant - 547-4274
ewilson@ci.copperas-cove.tx.us

SUBJECT: Consideration and action to reject all bids for dry cleaning services for police uniforms.

1. BACKGROUND/HISTORY

During the FY 2008/2009 budget process, funds in the amount of \$58,320 were approved by City Council allowing the Police Department to implement a dry cleaning service for Police Uniforms.

2. FINDINGS/CURRENT ACTIVITY

City staff advertised for bid on February 13, 2009, and February 20, 2009. Invitations to bid and bid specifications were distributed to local vendors. On March 5, 2009, all bids that were received were opened. Bids were received from Best Cleaners of Copperas Cove, Texas, Holiday Cleaners of Copperas Cove, Texas, Suns Cleaners of Killeen, Texas and Zip Cleaners of Copperas Cove, Texas. Attached is a breakdown of the bids received. The reasons for rejection for each company are listed below.

Best Cleaners erred in their proposal and withdrew their bid.

Holiday Cleaners' bid exceeded our budgeted amount.

Suns Cleaners did not provide a bid on uniform set prices and is located in Killeen, Texas. They did state that the uniforms could be dropped off with another cleaning business in Copperas Cove, but that business did not participate in the bid process.

Zip Cleaners' bid exceeded our budgeted amount.

When the bid specifications were distributed, the approximate number of uniforms for a six-month period was provided. This method was used due to the fact that a quorum did not exist with the City Council for several months; therefore, the ability to bring bids before the Council for action could not happen.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council reject all bids in response to Bid No. 2009-04-42, Dry Cleaning Services for Police Uniforms and allow City Staff to re-bid.

2009-04-42 Dry Cleaning Police Uniforms		BEST CLEANERS		HOLIDAY CLEANERS		SUNS CLEANERS		ZIP CLEANERS	
	Est. Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
Long Sleeve Shirts	3375	1.35	\$ 4,556.25	\$ 3.65	\$ 12,318.75	\$ 1.95	\$ 6,581.25	\$ 2.50	\$ 8,437.50
Short Sleeve Shirts	3375	1.35	\$ 4,556.25	\$ 3.65	\$ 12,318.75	\$ 1.95	\$ 6,581.25	\$ 2.50	\$ 8,437.50
Trousers	6750	1.35	\$ 9,112.50	\$ 3.90	\$ 26,325.00	\$ 1.95	\$ 13,162.50	\$ 2.50	\$ 16,875.00
Jackets	112	4.50	\$ 504.00	\$ 6.70	\$ 750.40	\$ 2.25	\$ 252.00	\$ 5.00	\$ 560.00
			\$ 18,729.00		\$ 51,712.90		\$ 26,577.00		\$ 34,310.00

	Est. Qty	Unit Price	Extended Price						
Cleaning as a set.									
Long Sleeve & Trou	3375	1.35	\$ 4,556.25	\$ 7.55	\$ 25,481.25	NO BID	\$ -	\$ 5.00	\$ 16,875.00
Short Sleeve & Trou	3375	1.35	\$ 4,556.25	\$ 7.55	\$ 25,481.25	NO BID	\$ -	\$ 5.00	\$ 16,875.00
Jackets	112	4.50	\$ 504.00	\$ 6.70	\$ 750.40	\$ 2.25	\$ 252.00	\$ 5.00	\$ 560.00
			\$ 9,616.50		\$ 51,712.90		\$ 252.00		\$ 34,310.00

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. G-3

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 from the General Fund public relations account to the United Services Organization (USO).

1. BACKGROUND/HISTORY

During the FY 2008-09 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 the soldiers and military community. On September 16, 2008 the FY 2008-09 Budget was adopted by City Council.

2. FINDINGS/CURRENT ACTIVITY

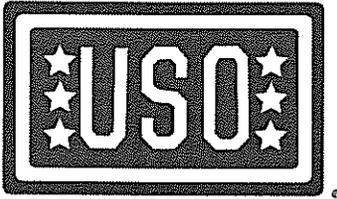
During the budget process, all entities were notified of the requirement to provide the City Council a presentation update prior to seeking funding payment. Thus, on April 7, 2009, the USO provided a presentation update to City Council related to the programs that are available due to the help that these funds provide.

3. FINANCIAL IMPACT

At this time, the City has a request for \$5,000 that is included in the FY 2008-09 General Fund public relations account in the adopted budget.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that City Council authorize the release of funds in the amount of \$5,000 from the General Fund public relations account to the USO.



USO of Fort Hood

Building 1871 50th Street
Fort Hood, Texas 76544
Office (254)285-2137
Fax (254) 285-2188

March 02, 2009

Help us serve those who serve us.

Military members and their families know that there is one place that they can turn to and find a helping hand, a warm voice and a home away from home. Since August of 2001, the United Services Organization of Fort Hood (USO) has consistently delivered its special brand of comfort, and morale boosting activities to our military community. The City of Copperas Cove has always supported Fort Hood in its efforts to make it The Great Place, and Fort Hood USO is asking the City of Copperas Cove for \$5,000 to help continue this mission.

The USO of Fort Hood has been operating from its new center. The building houses the Fort Hood Interpretive Center on the first floor. The center contains exhibits along with 2 three dimensional sculptures of a hellcat and an apache helicopter, which are fitted with 8 computer stations hosting interactive games.

On the 2nd level, The USO of Fort Hood offers 16 computer stations, wireless internet access, a 12 seat theater, an arcade, two foosball tables, three X-Box stations and a coffee bar. Everything has been custom made to fit this building, making it a very special Home Away From Home for our service members and their families.

Through our programs, Roll Call Friday, Motor Pool Monday, United Through Reading, Operation Care Package and Operation Enduring Care we have continued to serve those who serve our country. We have helped over 46,000 Fort Hood troops and 20,000 Reservist and National Guard units deploy to Iraq, Kuwait, and Afghanistan. In addition deployments, we support Family Readiness Groups with morale boosting events for the families while they await the return of their soldiers. Our mobile cantina provides troop support at various locations on base and in the field.

By supporting the USO, Americans show their appreciation and express their gratitude to the men and women who defend us. All funds raised within Copperas Cove remain designated for the USO Fort Hood and to support the troops that reside within our community. In order to operate on an annual basis the USO Fort Hood needs \$210,000 to cover operational and program costs. With this gift of \$5,000, you can make an immediate gesture to the men and women who serve our country and help the USO continue to touch their spirit, to comfort them, to simply and heartfully thank them for the extraordinary gift they give us all. Until every one comes home.

I hope we can count on you to help.

On behalf of the Fort Hood USO and the men and women who bravely serve our nation, we thank you for your consideration.

Best regards,

Robin Crouse

Robin Crouse
Center Director

City of Copperas Cove

City Council Agenda Item Report

April 21, 2009

Agenda Item No. G-4

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

SUBJECT: Residential and commercial development, quarterly update.

1. BACKGROUND/HISTORY

The City Council receives regular quarterly reports of the status and progress of new or ongoing residential and commercial development within the City's municipal boundaries.

2. FINDINGS/CURRENT ACTIVITY

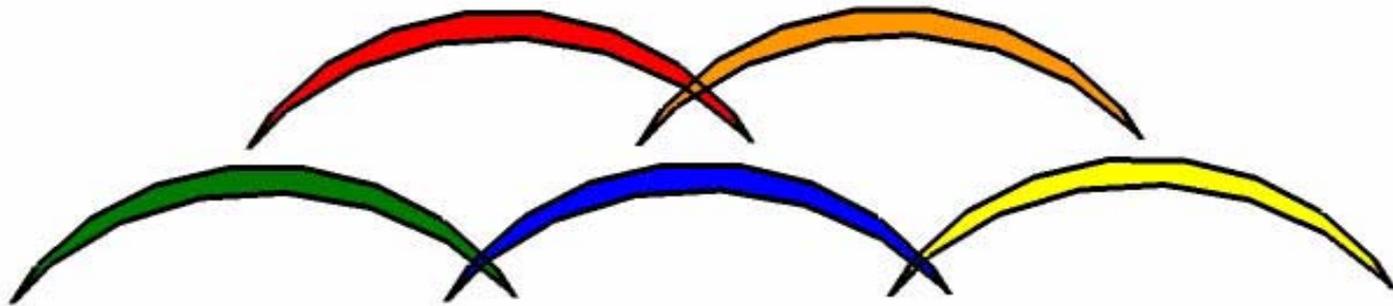
This quarterly update of residential and commercial development for January through March of the year 2009 is provided at the request of the City Manager.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council review and accept the quarterly report of residential and commercial development for the months of January through March 2009.



City of Copperas Cove
Development Projects
Quarterly Report
January – March 2009

Residential Subdivisions

Northwest

- **House Creek North**
 - Phase 3: 5 houses under construction
- **Skyline Flats**
 - Phase 1 50 of 100 SF completed
 - Phase 2 Plat approved. Utility placement
 - Phase 3 No activity
- **Summer Place**
 - Zoned for 2F residential
 - Permits let – planned for 64 two family units
 - Five structures under construction

Residential – Northwest continued

- **TL Addition** adjacent to the Meadows
 - Preliminary plat received and approved
 - 30 acres plus, three stage multifamily, two family and single family residential. 5 blocks containing 130 lots.
 - **No activity** since about December 2007

- **The Settlement**
 - Across Big Divide Rd. from South Meadows Ph. 3
 - Preliminary plat approved by P&Z June 2008
 - Approx. 66 acres – 153 single family lots – two phases

- **Walker Place** S. of US 190, E. of FM 2657
 - Phases 1-6 ~130 SF lots (completed)
 - Phase 7 – two sections – approval or construction phase
 - Sect. 1: 60 lots
 - Limited permits issued
 - Awaiting resolution of drainage and erosion issues
 - Sect. 2: 115 lots
 - Plat approved
 - No land development activity has begun
- **Tonkawa Village** S. of US 190, E. of FM 2657
 - Phase 1: 65 SF units, completed
 - Phase 2: 65 SF units, completed
 - Phase 3: 130 SF units, 40% complete, public improvements for second section are completed.

Residential – Southwest continued

- **Valley at Great Hills** S. of US 190, W. of FM 2657
 - Status unchanged (previous report included)
 - Awaiting TRZ
 - 267 acres annexed into City
 - Phase 1 approved September 2006:
 - 98 SF lots
 - 2 large commercial lots
 - 17 acre MF development
 - Planned total to include:
 - 470 SF
 - 20 acres MF

Residential continued

Northeast

- **No residential development reported**

Southeast

- **Thousand Oaks III** E. of Hollie Parsons Elementary School
 - 52 SF lots
 - 10% completed

Commercial Development

Project

Status

Copperas Cove Police Station

- 10% completed, Tilt walls up,
- Plat pending

Cinergy Cinema

- 60% completed, plat in progress
- Sign permits awaiting variance approval

Discount Tire

- Open for business (final report)

Fong's

- 90% completed

Subway (W. US 190)

- Permit issued in March

My Stylist Salon (remodel)

- 50% completed

Commercial Development continued

Anticipated Projects (or other projects)

- Lampasas School District Elementary School (Big Divide Rd.)
 - Under construction (appears about 70% completed)
 - Copperas Cove ETJ
 - Voluntary annexation may be requested
 - Plat and zoning after annexation
- Stoney Brook Assisted Living Center
 - Predevelopment site plan review scheduled for 2 April 2009
 - 60 bed facility located behind Comfort Suites (access to be on MLK)

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. G-5

Contact – Jane Lees, CMC, City Secretary, 547-4221
jlees@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on granting Council Member Bill L. Stephens, Position 5, an excused absence for the April 21, 2009 Regular Council Meeting.

1. BACKGROUND/HISTORY

The City of Copperas Cove City Charter Sec. 2.04. Absenteeism states: *“Any member of the council requiring absence for two (2) regular consecutive meetings, will first obtain a leave of absence at a regularly scheduled meeting.”* The Charter also states in Sec. 2.07 (b)(1)(4). Vacancies, forfeitures, filling of vacancies.: *(1) A council member or the mayor shall forfeit his/her office if he/she...(4) fails to attend two (2) consecutive regular meetings unless caused by sickness or emergency, without first having obtained a leave of absence from the council...”*

2. FINDINGS/CURRENT ACTIVITY

Council Member Bill L. Stephens is requesting an excused absence for the April 21, 2009 regular meeting.

3. FINANCIAL IMPACT

Financial impact associated with this item is minimal.

4. ACTION OPTIONS/RECOMMENDATION

The City Council needs to take action on this request.

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. G-6

Contact – Carl Ford, Director of Development Services, 542-8904
cford@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the Mayor to execute a Memorandum of Understanding between the City of Copperas Cove, Fort Hood, The City of Gatesville, the City of Harker Heights, and the City of Killeen regarding the Cen-Tex Sustainable Communities Partnership.

1. BACKGROUND/HISTORY

Fort Hood in an effort to achieve a higher level of activity in supporting sustainable and environmentally beneficial projects for the Central Texas Region initiated a plan to create a partnership with local communities that promote sustainability through partnership. The Memorandum of Understanding (MOU) was developed with a plan for the post to sponsor a signing event where the leaders of the participating communities will sign the MOU and assist with planting trees on Earth Day (April 24, 2009).

2. FINDINGS/CURRENT ACTIVITY

The purpose of the MOU is to establish a five-year partnership to develop and implement the Cen-Tex Sustainable Communities Partnership among Fort Hood, and the Cities of Gatesville, Copperas Cove, Harker Heights and Killeen. The goal of the partnership formed under the MOU is to achieve measurable benefits by agreeing upon common environmental goals and implementing partnership guided projects to contribute to the vitality of the Central Texas economy and the quality of life for the region's citizens. Active participation will include:

- developing a partnership project work plan
- identifying funding to support partnership projects
- recruiting new participants(as needed)
- supporting the partnership in advisory and project implementation
- participating in meetings and conference calls
- developing a mechanism for evaluating and measuring partnership progress
- devoting staff time to support partnership activities
- analyzing, selecting and implementing a variety of sustainable and environmentally beneficial projects for the Central Texas Region.

The Parties (to signing) will constitute the Core Project Management Group of the partnership, which will serve as the decision-making body of the initiative. Any party who cannot support an initiative is allowed to abstain or withdraw without repercussion. The agreement is effective when signed by appropriate representatives and the partnership will expire five (5) years after signing. Parties may terminate participation in the MOU at any time by providing notification in writing sixty (60) days before the termination date.

Commitments made by the Parties are subject to availability of funds and other resources. The MOU does not obligate participants financially or require the entities to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations. The MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity against the parties, officers, employees, or any other person.

3. FINANCIAL IMPACT

There is no cost involved to enter into the agreement.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council authorize the Mayor to execute the Memorandum of Understanding with Fort Hood and the cities of Gatesville, Harker Heights, and Killeen.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, III CORPS AND FORT HOOD
1001 761ST TANK BATTALION AVENUE
FORT HOOD, TEXAS 76544-5000

**MEMORANDUM OF UNDERSTANDING
BETWEEN
FORT HOOD, THE CITY OF KILLEEN, THE CITY OF GATESVILLE
THE CITY OF HARKER HEIGHTS, AND THE CITY OF COPPERAS COVE**

SUBJECT: Cen-Tex Sustainable Communities Partnership

1. Purpose. To establish a 5-year partnership to develop and implement the Cen-Tex Sustainable Communities Partnership (hereafter referred to as the "Partnership") among Fort Hood, and neighboring cities (hereafter referred to as "the Parties") from Killeen, Gatesville, Harker Heights, and Copperas Cove to promote sustainability in Central Texas through voluntary programs.
2. Goal. To achieve measurable benefits by agreeing upon common environmental goals and implementing Partnership-guided projects to contribute to the vitality of the Central Texas economy and quality of life for the region's citizens.
3. Areas of Consideration. To develop and implement the Partnership, the Parties intend to actively cooperate in the following areas:
 - a. Developing a Partnership project work plan;
 - b. Identifying funding to support Partnership projects;
 - c. On an as-needed basis, recruiting new participants to support the Partnership in both advisory and project implementation roles;
 - d. Participating in periodic conference calls and face-to-face meetings;
 - e. Developing a mechanism for evaluating and measuring Partnership progress, including emission reductions and other environmental benefits achieved;
 - f. Devoting staff time to support Partnership project activities; and
 - g. Analyzing, selecting, and implementing a variety of sustainable and environmentally beneficial projects for the Central Texas Region.

SUBJECT: Cen-Tex Sustainable Communities Partnership

4. Governance. The Parties will constitute the Core Project Management Group of the Partnership, which will act as the decision-making body of this initiative. The Parties will seek cooperation with appropriate state agencies, other federal agencies, non-governmental organizations, and commercial entities on Partnership projects; and, as determined by the Parties, other participants may join the Partnership in either advisory or Partnership project implementation roles for particular projects.

5. Decision Making. Although majority consensus is desirable, any party who for some reason cannot support an initiative is allowed to abstain or withdraw without repercussion.

6. MOU Commencement, Amendment, and Cessation. This MOU will be effective when signed by an appropriate representative of each of the Parties. This MOU may be amended at any time by the mutual written consent of the Parties. Unless otherwise agreed to by the Parties, this MOU will expire 5 years after commencement. Any of the Parties may terminate their participation in this MOU at any time by notifying each of the other Parties in writing sixty (60) days before the termination date.

7. Limitations.

a. All commitments made by the Parties through this MOU are subject to the availability of funds and other resources necessary to implement it. Nothing in this MOU, in and of itself, obligates the Parties to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations. This MOU does not exempt the other Parties from the policies of the Parties' respective organizations requiring competition for financial assistance and contracts. Any endeavor involving the Parties' funding will be handled in accordance with applicable laws, regulations, policies and procedures, and will be subject to separate written agreements. This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity against the Parties, their officers or employees, or any other person. This MOU does not apply to any person or organization outside of the Parties.

b. The Parties agree that the "Cen-Tex Sustainable Communities Partnership" name may be used in conjunction with the names of other cities in the future. No one Party to this MOU claims exclusive rights to the "Cen-Tex Sustainable Communities" name, and other neighboring communities to Fort Hood are welcome to join the Partnership at any time during this partnership period.

SUBJECT: Cen-Tex Sustainable Communities Partnership

8. Contacts for the Parties. The following individuals are the designated contacts of the Parties for this MOU and are the members of the Core Project Management Group on behalf of their organizations:

Organization	Contact
Fort Hood	Randy Doyle P2 Program Manager 254-287-1099 randy.doyle@us.army.mil
City of Killeen	Ray Shanaa Director of Planning & Development 254-501-7630 rshanaa@ci.killeen.tx.us
City of Harker Heights	Ken Bouchard Director of Planning & Development 254-953-5640 kbouchard@ci.harker-heights.tx.us
City of Gatesville	Roger Mumby City Manager 254-865-8951 roger.mumby@ci.gatesville.tx.us
City of Copperas Cove	Carl Ford City Planner 254-547-4221 ext. 6215, cford@ci.copperas-cove.tx.us

If this contact information changes, the Parties agree to notify all other parties to this MOU in writing; such written notification shall become an addendum to this MOU.

SUBJECT: Cen-Tex Sustainable Communities Partnership

9. Approval.

Fort Hood

(Date)

City of Killeen

(Date)

City of Harker Heights

(Date)

City of Copperas Cove

(Date)

City of Gatesville

(Date)

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. H-1

Contact – Carl Ford, Director of Development Services, 547-4221

cford@ci.copperas-cove.tx.us

SUBJECT: Public hearing, consideration and action on an ordinance providing a zoning change for 0.461 acre tract out of the W. P. Hardeman Survey, Abstract #454, locally known as the 1549 East Highway 190, from B-4 Business District to B-5 Business District, providing a savings clause; and declaring an effective date.

1. Background/History

Lightfoot Oil, Inc. has requested a zoning change for a 0.461 acre tract locally known as the 1549 East Highway 190. The property is currently zoned B-4 Business District. The tract is partially developed acreage which the owners are requesting a zoning change as a prelude to platting and construction on the site. A map of the area has been attached for review.

2. FINDINGS/CURRENT ACTIVITY

The property is shown as retail/office on the Future Land Use Plan. Immediately adjacent to the property are B-4 Business District zoned properties. However, across the railroad is R-1 Single Family Residential. The rail line does provide a buffer on the north line of the property and exists as a buffer zone to the residential properties to the north. The parcel has approximately 100 feet of frontage along west bound U. S. Highway 190 which currently has one entrance onto the highway. The Planning and Zoning Commission held a public hearing on April 6, 2009 and voted to recommend the item be approved for B-5 zoning. The uses the owner intends for the property are permitted in only a B-5 Business Zoning District. The intended use is a welding shop. To support the use as a welding shop, the owner/developer will be required to provide a screening fence or wall a minimum of six feet in height.

3. FINANCIAL IMPACT

The rezoning of the property shall have no specific financial impact.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council hold a public hearing on the item. City staff recommends Ordinance 2009-04 be approved granting B-5 Business District zoning.

ORDINANCE NO. 2009-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING A ZONING CHANGE BY REZONING A 0.461 ACRE TRACT OUT OF THE W. P. HARDEMAN SURVEY, ABSTRACT NO. 454, LOCALLY KNOWN AS 1549 EAST HIGHWAY 190 (SEE EXHIBIT A ATTACHED), FROM B-4 (BUSINESS DISTRICT) TO B-5 (BUSINESS DISTRICT).

WHEREAS, the hereinabove described property has a current zoning of B-4, Business District; and

WHEREAS, the owner thereof has requested that such property should be zoned B-5 (Business District), rather than B-4; and

WHEREAS, the Planning and Zoning Commission of the City of Copperas Cove held a public hearing April 6, 2009, and voted to recommend approval of this zoning change to the City Council of the City of Copperas Cove; and,

WHEREAS, the City Council of the City of Copperas Cove held the required public hearing concerning this zoning change on April 21, 2009, and approved this change.

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

Section 1

That the hereinabove described 0.461 acre tract (see Exhibit A attached) be given permanent zoning of B-5;

Section 2

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

Section 3

That this ordinance shall become effective upon passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, this 21st day of April 2009; such meeting was held in compliance with the Open Meetings Act (Government Code, Article 551.001 et seq), at which meeting a quorum was present and voting.

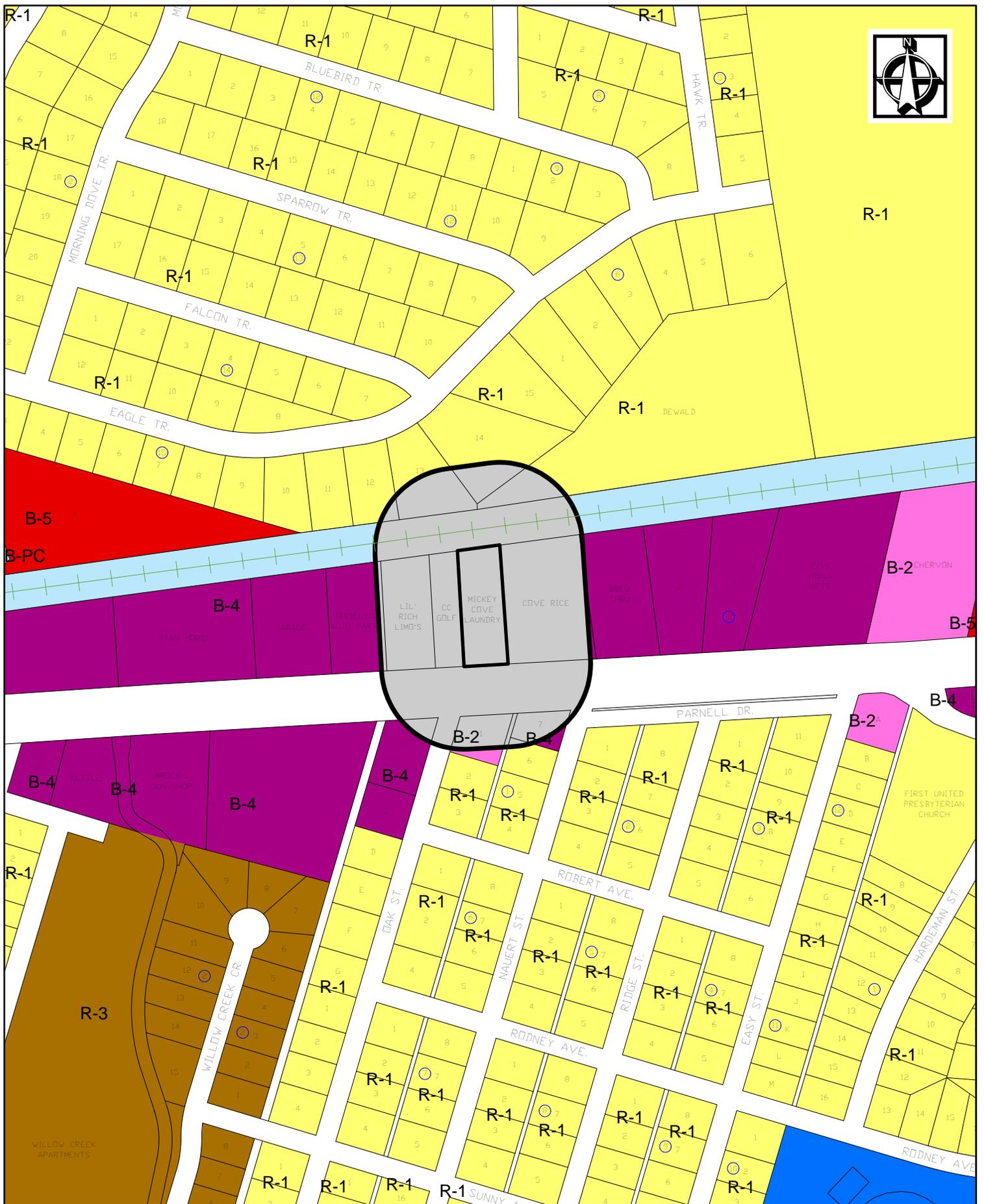
John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney



1600 BLOCK E. HWY 190
 200' ZONING RADIUS

1" = 300'

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. I-1

Contact – Wesley Wright, P.E., City Engineer, 547-0751

wwright@ci.copperas-cove.tx.us

SUBJECT: Consideration and action upon adopting a Resolution opposing House Bill 4441.

1. BACKGROUND/HISTORY

House Bill 4441 of the 81st Texas Legislature seeks to grant exclusive jurisdiction regarding natural gas, liquid hydrocarbon, hazardous materials, and gathering pipelines and all facilities appurtenant to those pipelines to the Texas Railroad Commission.

2. FINDINGS/CURRENT ACTIVITY

If approved by the Texas Legislature, House Bill 4441 will give the Texas Railroad Commission exclusive jurisdiction over design, installation, operation, environmental controls, screening, noise suppression, and maintenance over the aforementioned facilities within city owned right-of-way.

3. FINANCIAL IMPACT

There would be no direct financial impact to the City in adopting this Resolution.

4. ACTION OPTIONS/RECOMMENDATION

City staff, along with the Texas Municipal League, recommend adopting Resolution No. 2009-19 opposing House Bill 4441.

RESOLUTION NO. 2009-19

A RESOLUTION OF THE OF THE CITY OF COPPERAS COVE, TEXAS OPPOSING HB 4441 RELATING TO THE AUTHORITY OF THE RAILROAD COMMISSION OF TEXAS TO ESTABLISH STANDARDS REGARDING CERTAIN PIPELINES AND APPURTENANT FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Copperas Cove located in Coryell County, is a city duly incorporated under the laws of the state of Texas; and

WHEREAS, House Bill 4441, introduced in the 81st Legislature, seeks to entirely preempt the municipal regulation of natural gas, liquid hydrocarbon, hazardous materials, and gathering pipelines and all facilities appurtenant to those pipelines, including the regulation of aesthetics and the use of City-owned rights-of-ways; and

WHEREAS, under the proposed legislation, the Texas Railroad Commission, and not the municipality, would maintain the right to establish the noise level, screening, landscaping, and other requirements relating to natural gas gathering pipelines and appurtenant facilities including compressor stations; and

WHEREAS, the City Council is of the opinion that the Railroad Commission is ill suited to address such issues as local neighborhood compatibility and the use of City-owned rights-of-way and that the citizens are better served through the local regulation of such pipelines and appurtenant facilities; and

WHEREAS, House Bill 4441 would relegate municipalities to a mere advisory role in this important determination process and as such would unreasonably interfere with the right of the public to participate through their locally elected officials to tailor policies to meet their local needs and demands; and

WHEREAS, as a result of the foregoing, the City Council opposes the adoption of House Bill 4441, and believes that the proposed legislation does not promote the best interest of the citizens of the City of Copperas Cove, Texas.

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

SECTION 1.

That the City Council for the City of Copperas Cove, Texas hereby opposes the adoption of House Bill 4441 relating to the authority of the Railroad Commission of Texas to establish standards regarding certain pipelines and appurtenant facilities.

SECTION 2.

The City Secretary is authorized and directed to furnish a certified copy of this Resolution to the elected representatives of the City, to Hillco Partners and to other members of the Texas Legislature to give notice of the City's opposition to House Bill 4441.

SECTION 3.

This resolution shall take effect immediately upon its adoption by the City Council.

PASSED, APPROVED, AND ADOPTED on this 7th day of April 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:

Denton, Navarro, Rocha & Bernal, P.C.
City Attorney

By: Gonzalez Toureilles

H.B. No. 4441

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the Railroad Commission of Texas to
3 establish standards regarding certain pipelines and appurtenant
4 facilities.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter C, Chapter 81, Natural Resources
7 Code, is amended by adding Section 81.062 to read as follows:

8 Sec. 81.062. STANDARDS REGARDING PIPELINES AND APPURTENANT
9 FACILITIES. (a) The commission has exclusive original jurisdiction
10 to establish standards regarding the following matters in
11 connection with natural gas, liquid hydrocarbon, hazardous
12 materials, and gathering pipelines and all facilities appurtenant
13 to those pipelines:

14 (1) design;

15 (2) installation;

16 (3) operation;

17 (4) environmental controls, other than environmental
18 controls under the jurisdiction of the Texas Commission on
19 Environmental Quality;

20 (5) screening;

21 (6) noise suppression; and

22 (7) maintenance.

23 (b) In establishing standards under this section, the
24 commission shall:

1 (1) encourage the use of public streets, roads,
2 highways, and other public rights-of-way in connection with
3 pipelines and appurtenant facilities if:

4 (A) adequate space exists for an additional
5 pipeline or appurtenant facility in the right-of-way; and

6 (B) that use is practical and economically
7 reasonable; and

8 (2) require pipeline operators to minimize, to the
9 extent practical and economically reasonable, the effect of their
10 pipelines and appurtenant facilities on existing land use.

11 (c) A state agency, county, or municipality with
12 jurisdiction over public streets, roads, highways, or other public
13 rights-of-way may not prohibit the use of those rights-of-way for
14 pipelines or appurtenant facilities but may impose reasonable
15 conditions on that use.

16 (d) In establishing standards under this section applicable
17 to pipelines and appurtenant facilities located in the boundaries
18 of municipalities, the commission shall request and consider the
19 input of municipalities.

20 (e) The commission shall establish a procedure by which a
21 municipality or pipeline operator may obtain a waiver of a standard
22 established under this section. A request for a waiver may propose
23 the imposition of additional standards or the preclusion of the
24 application of an existing standard with regard to a specific
25 pipeline or appurtenant facility. The commission may grant a
26 waiver only after finding that:

27 (1) the waiver is in the public interest, taking into

1 consideration the interest of the general public and the interest
2 of the members of the public in the area traversed by the pipeline
3 with regard to which the waiver is sought;

4 (2) granting the waiver will not impose an undue
5 burden on the pipeline and its operation; and

6 (3) granting the waiver will not result in an undue
7 burden on the development of the natural resources of this state.

8 (f) The commission shall grant or deny a waiver not later
9 than the 60th day after the date the request for the waiver is filed
10 with the commission.

11 (g) The commission may delegate authority to grant or deny a
12 waiver to the director of the gas services division of the
13 commission.

14 (h) The commission may adopt rules related to standards
15 described by Subsection (a) as it determines necessary.

16 (i) The commission may impose an administrative penalty for
17 a violation of a rule adopted under this section in the manner and
18 amount provided by Sections 81.0531-81.0534.

19 SECTION 2. This Act takes effect September 1, 2009.

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item I-2

Contact – Charles E. Zech, City Attorney, 254-547-4221

SUBJECT: Report and possible discussion of legal opinion on the irregularities of the Copperas Cove Economic Development Corporation/Cinergy Cinemas' changeable electronic variable message sign, CEVMS.

1. BACKGROUND/HISTORY

On August 19, 2008, the City Council approved a contract and performance agreement between the Copperas Cove Economic Development Corporation, CCEDC, and Cinergy Cinemas for the sale of the speculative building for \$1.525 million and at 50 percent completion a construction incentive back to Cinergy Cinemas.

2. FINDINGS/CURRENT ACTIVITY

On March 26, 2009 at the CCEDC regularly scheduled board meeting, the CCEDC Board discussed and considered action to approve an updated contract with Bright Sign LED International for a digital sign.

On April 7, 2009, the City Council provided direction to the City Attorney to provide the Copperas Cove City Council with a written legal opinion regarding the irregularities of the Copperas Cove Economic Development Corporation/Cinergy Cinemas' changeable electronic variable message sign, CEVMS. As such, the written legal opinion will be provided for review and discussion during the regular meeting.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

None.

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. I-3

Contact – Robert M. McKinnon, Public Works Director, 547- 0751
bmckinnon@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on authorizing the City Manager to execute a contract with Horseshoe Construction, Inc. for the Community Development Block Grant (CDBG) Sewer Rehabilitation Project.

1. BACKGROUND/HISTORY

Approximately two years ago the City was notified of the possibility of obtaining a CDBG for rehabilitation of sewer lines within certain (older) areas of the City. Recommendations were submitted containing four project areas, West Truman, Reagan and Halstead, all from North Main Street to Hackberry, and Westview Lane from Bluffdale to Georgetown Road. Sewer lines within these project areas are more than 40 years old, made of clay, have no gaskets between pipe sections because of age, and all are considered problem areas. The City hired Grant Development Services to complete and submit the CDBG application, after which, the City was notified that the application had been approved. Hearn Engineering was contracted to provide all engineering services pertaining to the CDBG.

2. FINDINGS/CURRENT ACTIVITY

Hearn Engineering prepared all construction plans and specifications to meet CDBG administrative requirements. Plans and specifications were reviewed and approved, after which the project was advertised for bid. Bid specifications asked bidders to provide a base bid, which was to replace sewer lines by digging and placing new pipe, and an alternate bid, which was to pipe burst. Pipe bursting is breaking the old pipe and pulling a new pipe through the old. Bids were opened at 2:00 p.m. March 31, 2009. There were nine bids submitted with Horseshoe Construction, Inc., La Porte, Texas providing the lowest qualified bid, which was for pipe bursting all project lines (see Bid Tabulation attached).

3. FINANCIAL IMPACT

Horseshoe Construction, Inc., La Porte, Texas submitted a total bid of \$120,196.00. The bid and qualifications were checked (see letter attached) and Horseshoe was found to have submitted an accurate bid and to have an excellent work reputation. Funding for the project will come from a Community

Development Block Grant (CDBG) and the City's matching funds from fourth year sewer rehabilitation funds.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Manager be authorized to execute a contract with Horseshoe Construction, Inc., La Porte, Texas for the Community Development Block Grant (CDBG) Sewer Rehabilitation Project in the amount of \$120,196.00.

**City of Copperas Cove
CDBG Wastewater Improvements
BID TABULATION**

Base Bid	Base Bid	K & S Backhoe	A+ Water Works	Bell Contractors	Smetana &	McLean Construction	Patin Construction	TTG Utilities	Horseshoe	SKE Construction								
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
	Westview Ln																	
1	Furnish and Install 8" SDR 26 PVC WW line 0' - 8' depth	1,764 LF	\$ 27.70	\$ 48,862.80	\$ 15.00	\$ 26,460.00	\$ 23.67	\$ 41,753.88	\$ 36.18	\$ 63,821.52	\$ 27.20	\$ 47,980.80	\$ 40.00	\$ 70,560.00	\$ 67.00	\$ 118,188.00		\$ 0.00
2	Furnish and Install 8" SDR 26 PVC WW line 8'-10' depth	75 LF	\$ 28.50	\$ 2,137.50	\$ 18.00	\$ 1,350.00	\$ 24.20	\$ 1,815.00	\$ 44.00	\$ 3,300.00	\$ 29.90	\$ 2,242.50	\$ 50.00	\$ 3,750.00	\$ 95.50	\$ 7,162.50		\$ 0.00
3	Sawcut, remove and replace existing concrete	93 LF	\$ 34.14	\$ 3,175.02	\$ 60.00	\$ 5,580.00	\$ 39.70	\$ 3,692.10	\$ 35.00	\$ 3,255.00	\$ 94.30	\$ 8,769.90	\$ 46.00	\$ 4,278.00	\$ 37.00	\$ 3,441.00		\$ 0.00
4	Sawcut, remove and replace existing Pavement	38 LF	\$ 15.00	\$ 570.00	\$ 50.00	\$ 1,900.00	\$ 31.10	\$ 1,181.80	\$ 22.00	\$ 838.00	\$ 31.00	\$ 1,178.00	\$ 20.00	\$ 760.00	\$ 24.50	\$ 931.00		\$ 0.00
5	Furnish and install precast manholes 0'-8' depth	6 EA	\$ 2,400.00	\$ 14,400.00	\$ 2,250.00	\$ 13,500.00	\$ 2,700.00	\$ 16,200.00	\$ 1,960.00	\$ 11,760.00	\$ 2,250.00	\$ 13,500.00	\$ 3,500.00	\$ 21,000.00	\$ 4,535.00	\$ 27,210.00		\$ 0.00
6	Trench Safety Protection along Wwline	1,839 LF	\$ 2.00	\$ 3,678.00	\$ 2.00	\$ 3,678.00	\$ 4.60	\$ 8,275.50	\$ 2.26	\$ 4,158.14	\$ 1.40	\$ 2,574.60	\$ 2.00	\$ 3,678.00	\$ 0.60	\$ 1,103.40		\$ 0.00
7	Furnish and Install revegetation	6,130 SY	\$ 0.61	\$ 3,739.30	\$ 0.50	\$ 3,065.00	\$ 1.62	\$ 9,930.60	\$ 0.96	\$ 5,884.80	\$ 2.00	\$ 12,260.00	\$ 0.50	\$ 3,065.00	\$ 0.56	\$ 3,432.80		\$ 0.00
8	Furnish and Install Rock Berm	50 LF	\$ 29.50	\$ 1,475.00	\$ 22.50	\$ 1,125.00	\$ 28.50	\$ 1,425.00	\$ 30.00	\$ 1,500.00	\$ 7.00	\$ 350.00	\$ 37.50	\$ 1,875.00	\$ 22.00	\$ 1,100.00		\$ 0.00
9	Furnish and install service connections	12 EA	\$ 592.00	\$ 7,104.00	\$ 270.00	\$ 3,240.00	\$ 640.00	\$ 7,680.00	\$ 534.00	\$ 6,408.00	\$ 780.00	\$ 9,360.00	\$ 1,200.00	\$ 14,400.00	\$ 390.00	\$ 4,680.00		\$ 0.00
	Subtotal "Westview Ln"			\$ 85,141.82		\$ 59,898.00		\$ 91,953.88		\$ 100,921.46		\$ 98,215.80		\$ 123,366.00		\$ 167,248.70		\$ 0.00
	Halstead																	
10	Remove and replace 8" SDR 26 PVC WW line 0' - 8' dp.	295 LF	\$ 27.70	\$ 8,171.50	\$ 18.00	\$ 5,310.00	\$ 24.20	\$ 7,139.00	\$ 41.08	\$ 12,118.60	\$ 16.60	\$ 4,897.00	\$ 100.00	\$ 29,500.00	\$ 65.65	\$ 19,366.75		\$ 0.00
11	Furnish and install cleanout	1 EA	\$ 420.00	\$ 420.00	\$ 375.00	\$ 375.00	\$ 600.00	\$ 600.00	\$ 587.00	\$ 587.00	\$ 768.00	\$ 768.00	\$ 850.00	\$ 850.00	\$ 450.00	\$ 450.00		\$ 0.00
12	Remove and replace 8" SDR 26 PVC WW line 8'-10' dp.	89 SY	\$ 28.50	\$ 2,536.50	\$ 21.00	\$ 1,869.00	\$ 17.20	\$ 1,530.80	\$ 41.08	\$ 3,656.12	\$ 39.70	\$ 3,533.30	\$ 120.00	\$ 10,680.00	\$ 75.00	\$ 6,675.00		\$ 0.00
13	Sawcut, remove and replace existing Pavement	460 LF	\$ 8.00	\$ 3,680.00	\$ 50.00	\$ 23,000.00	\$ 31.10	\$ 14,306.00	\$ 22.00	\$ 10,120.00	\$ 31.40	\$ 14,444.00	\$ 9.00	\$ 4,140.00	\$ 27.00	\$ 12,420.00		\$ 0.00
14	Furnish and install precast manholes 0'-8' depth	1 EA	\$ 2,500.00	\$ 2,500.00	\$ 3,250.00	\$ 3,250.00	\$ 2,700.00	\$ 2,700.00	\$ 2,161.00	\$ 2,161.00	\$ 2,250.00	\$ 2,250.00	\$ 5,000.00	\$ 5,000.00	\$ 2,900.00	\$ 2,900.00		\$ 0.00
15	Furnish and Install 4" service connections	6 EA	\$ 630.30	\$ 3,781.80	\$ 270.00	\$ 1,620.00	\$ 640.00	\$ 3,840.00	\$ 588.00	\$ 3,528.00	\$ 937.00	\$ 5,622.00	\$ 1,200.00	\$ 7,200.00	\$ 795.00	\$ 4,770.00		\$ 0.00
16	Disconnect & reconnect existing services	6 EA	\$ 230.00	\$ 1,380.00	\$ 270.00	\$ 1,620.00	\$ 300.00	\$ 1,800.00	\$ 308.00	\$ 1,848.00	\$ 435.00	\$ 2,610.00	\$ 150.00	\$ 900.00	\$ 460.00	\$ 2,760.00		\$ 0.00
17	Trench Safety Protection along Wwline	385 EA	\$ 2.00	\$ 770.00	\$ 2.00	\$ 770.00	\$ 4.50	\$ 1,732.50	\$ 2.26	\$ 870.10	\$ 1.70	\$ 654.50	\$ 1.50	\$ 577.50	\$ 0.60	\$ 231.00		\$ 0.00
	Subtotal Halstead			\$ 23,239.80		\$ 37,814.00		\$ 33,648.30		\$ 34,888.82		\$ 34,778.80		\$ 58,847.50		\$ 49,572.75		\$ 0.00
	West Reagan Ave																	
18	Remove and replace 8" SDR 26 PVC WW line 0' - 8' dp.	363 LF	\$ 27.70	\$ 10,055.10	\$ 18.00	\$ 6,534.00	\$ 24.20	\$ 8,784.60	\$ 41.08	\$ 14,912.04	\$ 36.10	\$ 13,104.30	\$ 100.00	\$ 36,300.00	\$ 62.00	\$ 22,506.00		\$ 0.00
19	Sawcut, remove and replace existing Pavement	538 LF	\$ 8.00	\$ 4,304.00	\$ 50.00	\$ 26,900.00	\$ 31.10	\$ 16,731.80	\$ 22.00	\$ 11,836.00	\$ 31.40	\$ 16,893.20	\$ 9.00	\$ 4,842.00	\$ 27.00	\$ 14,526.00		\$ 0.00
20	Furnish and install cleanout	1 EA	\$ 420.00	\$ 420.00	\$ 375.00	\$ 375.00	\$ 600.00	\$ 600.00	\$ 590.00	\$ 590.00	\$ 768.00	\$ 768.00	\$ 850.00	\$ 850.00	\$ 733.00	\$ 733.00		\$ 0.00
21	Sawcut, remove and replace existing concrete	43 LF	\$ 30.22	\$ 1,299.46	\$ 60.00	\$ 2,580.00	\$ 42.78	\$ 1,839.54	\$ 35.00	\$ 1,505.00	\$ 94.30	\$ 4,054.90	\$ 65.00	\$ 2,795.00	\$ 35.00	\$ 1,505.00		\$ 0.00
22	Furnish and install precast manholes 0'-8' depth	1 EA	\$ 2,500.00	\$ 2,500.00	\$ 3,250.00	\$ 3,250.00	\$ 2,700.00	\$ 2,700.00	\$ 2,130.00	\$ 2,130.00	\$ 2,250.00	\$ 2,250.00	\$ 5,000.00	\$ 5,000.00	\$ 3,725.00	\$ 3,725.00		\$ 0.00
23	Furnish and Install 4" service connections	5 EA	\$ 650.30	\$ 3,251.50	\$ 270.00	\$ 1,350.00	\$ 640.00	\$ 3,200.00	\$ 577.00	\$ 2,885.00	\$ 937.00	\$ 4,685.00	\$ 1,200.00	\$ 6,000.00	\$ 795.00	\$ 3,975.00		\$ 0.00
24	Disconnect & reconnect existing services	5 EA	\$ 230.00	\$ 1,150.00	\$ 270.00	\$ 1,350.00	\$ 300.00	\$ 1,500.00	\$ 266.00	\$ 1,330.00	\$ 435.00	\$ 2,175.00	\$ 150.00	\$ 750.00	\$ 460.00	\$ 2,300.00		\$ 0.00
25	Trench Safety Protection along Wwline	363 LF	\$ 2.00	\$ 726.00	\$ 2.00	\$ 726.00	\$ 4.50	\$ 1,633.50	\$ 2.26	\$ 820.38	\$ 1.70	\$ 617.10	\$ 1.50	\$ 544.50	\$ 0.60	\$ 217.80		\$ 0.00
	Subtotal West Reagan Ave			\$ 23,706.06		\$ 43,085.00		\$ 36,989.44		\$ 36,008.42		\$ 44,547.50		\$ 57,081.50		\$ 49,487.80		\$ 0.00
	West Truman Ave																	
26	Remove and replace 8" SDR 26 PVC WW line 0' - 8' dp.	352 LF	\$ 27.70	\$ 9,750.40	\$ 18.00	\$ 6,336.00	\$ 24.20	\$ 8,518.40	\$ 41.08	\$ 14,460.16	\$ 36.10	\$ 12,707.20	\$ 100.00	\$ 35,200.00	\$ 57.00	\$ 20,064.00		\$ 0.00
27	Sawcut, remove and replace existing Pavement	483 LF	\$ 8.00	\$ 3,864.00	\$ 50.00	\$ 24,150.00	\$ 31.10	\$ 15,021.30	\$ 22.00	\$ 10,626.00	\$ 31.40	\$ 15,166.20	\$ 9.00	\$ 4,347.00	\$ 27.00	\$ 13,041.00		\$ 0.00
28	Furnish and install precast manholes 0'-8' depth	1 EA	\$ 2,500.00	\$ 2,500.00	\$ 3,250.00	\$ 3,250.00	\$ 2,700.00	\$ 2,700.00	\$ 2,075.00	\$ 2,075.00	\$ 2,673.00	\$ 2,673.00	\$ 5,000.00	\$ 5,000.00	\$ 3,725.00	\$ 3,725.00		\$ 0.00
29	Furnish and Install 4" service connections	4 EA	\$ 650.30	\$ 2,601.20	\$ 270.00	\$ 1,080.00	\$ 640.00	\$ 2,560.00	\$ 599.00	\$ 2,396.00	\$ 937.00	\$ 3,748.00	\$ 1,200.00	\$ 4,800.00	\$ 795.00	\$ 3,180.00		\$ 0.00
30	Furnish and install cleanout	1 EA	\$ 420.00	\$ 420.00	\$ 375.00	\$ 375.00	\$ 600.00	\$ 600.00	\$ 587.00	\$ 587.00	\$ 768.00	\$ 768.00	\$ 850.00	\$ 850.00	\$ 733.00	\$ 733.00		\$ 0.00
31	Disconnect & reconnect existing services	4 EA	\$ 230.00	\$ 920.00	\$ 270.00	\$ 1,080.00	\$ 300.00	\$ 1,200.00	\$ 254.00	\$ 1,016.00	\$ 435.00	\$ 1,740.00	\$ 150.00	\$ 600.00	\$ 460.00	\$ 1,840.00		\$ 0.00
32	Trench Safety Protection along Wwline	352 LF	\$ 2.00	\$ 704.00	\$ 2.00	\$ 704.00	\$ 4.50	\$ 1,584.00	\$ 2.26	\$ 795.52	\$ 1.70	\$ 598.40	\$ 1.50	\$ 528.00	\$ 0.60	\$ 211.20		\$ 0.00
	Subtotal West Truman Ave			\$ 20,759.60		\$ 36,975.00		\$ 32,183.70		\$ 31,955.68		\$ 37,400.80		\$ 51,325.00		\$ 42,794.20		\$ 0.00
33	Project sign, complete in place	2 LS	\$ 600.00	\$ 1,200.00	\$ 500.00	\$ 1,000.00	\$ 800.00	\$ 1,600.00	\$ 1,040.00	\$ 2,080.00	\$ 739.00	\$ 1,478.00	\$ 1,000.00	\$ 2,000.00	\$ 600.00	\$ 1,200.00		\$ 0.00
34	Traffic Control plan and signage	1 LS	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 3,800.00	\$ 3,800.00	\$ 6,540.00	\$ 6,540.00	\$ 10,859.00	\$ 10,859.00	\$ 8,000.00	\$ 8,000.00	\$ 3,800.00	\$ 3,800.00		\$ 0.00
	Total Base Bid Price			\$ 155,547.08		\$ 180,252.00		\$ 200,175.32		\$ 212,394.38		\$ 227,279.90		\$ 300,620.00		\$ 314,103.45		NO BID

**City of Copperas Cove
CDBG Wastewater Improvements
BID TABULATION**

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL		
		Alt Bid	Horseshoe	K&S Backhoe Service	SKE Construction	Bell Contractors	A+ Water Works	Smetana & Associates	TTG Utilities	Patin Construction	McLean Construction											
	Westview Ln																			NO BID		
1A	Furnish and Install 8" Certaflor Greenline Wwline	1,860 LF	\$ 28.00	\$ 46,480.00	\$ 28.02	\$ 46,513.20	\$ 40.00	\$ 68,400.00	\$ 40.70	\$ 67,562.00	\$ 51.00	\$ 84,660.00	\$ 72.63	\$ 120,565.80	\$ 72.65	\$ 120,599.00	\$ 125.00	\$ 207,500.00		\$ 0.00		\$ 0.00
2A	Not Applicable		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
3A	Not Applicable		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
4A	This pay item is subsidiary to item 1A		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
5A	Furnish and Install precast manholes 0'-8' depth	6 EA	\$ 1,850.00	\$ 11,100.00	\$ 2,400.00	\$ 14,400.00	\$ 1,500.00	\$ 9,000.00	\$ 2,700.00	\$ 16,200.00	\$ 2,250.00	\$ 13,500.00	\$ 2,110.00	\$ 12,660.00	\$ 4,000.00	\$ 24,000.00	\$ 3,500.00	\$ 21,000.00		\$ 0.00		\$ 0.00
6A	Trench Safety Protection	1 LS	\$ 500.00	\$ 500.00	\$ 2,500.00	\$ 2,500.00	\$ 0.01	\$ 0.01	\$ 1,500.00	\$ 1,500.00	\$ 1.00	\$ 1.00	\$ 845.00	\$ 845.00	\$ 1,000.00	\$ 1,000.00	\$ 3,500.00	\$ 3,500.00		\$ 0.00		\$ 0.00
7A	Furnish and Install revegetation	1,500 SY	\$ 2.00	\$ 3,000.00	\$ 0.61	\$ 915.00	\$ 0.01	\$ 15.00	\$ 1.65	\$ 2,475.00	\$ 0.50	\$ 750.00	\$ 0.96	\$ 1,440.00	\$ 0.97	\$ 1,455.00	\$ 0.50	\$ 750.00		\$ 0.00		\$ 0.00
8A	Furnish and Install Rock Berm	50 LF	\$ 20.00	\$ 1,000.00	\$ 29.50	\$ 1,475.00	\$ 10.00	\$ 500.00	\$ 28.50	\$ 1,425.00	\$ 22.50	\$ 1,125.00	\$ 30.00	\$ 1,500.00	\$ 22.00	\$ 1,100.00	\$ 37.50	\$ 1,875.00		\$ 0.00		\$ 0.00
9A	Furnish and Install service connections	12 EA	\$ 333.00	\$ 3,996.00	\$ 625.00	\$ 7,500.00	\$ 600.00	\$ 7,200.00	\$ 640.00	\$ 7,680.00	\$ 355.00	\$ 4,260.00	\$ 509.00	\$ 6,108.00	\$ 600.00	\$ 7,200.00	\$ 1,200.00	\$ 14,400.00		\$ 0.00		\$ 0.00
	Subtotal "Westview Ln"			\$ 66,078.00		\$ 73,303.20		\$ 83,115.01		\$ 96,842.00		\$ 104,296.00		\$ 143,118.80		\$ 155,354.00		\$ 249,025.00				
	Halstead																					
10A	Furnish and Install 8" Certaflor Greenline Wwline	395 LF	\$ 28.00	\$ 11,060.00	\$ 35.80	\$ 14,141.00	\$ 40.00	\$ 15,800.00	\$ 45.15	\$ 17,834.25	\$ 51.00	\$ 20,145.00	\$ 72.63	\$ 28,688.85	\$ 72.70	\$ 28,716.50	\$ 125.00	\$ 49,375.00		\$ 0.00		\$ 0.00
11A	Furnish and Install cleanout	1 EA	\$ 1,000.00	\$ 1,000.00	\$ 556.20	\$ 556.20	\$ 650.00	\$ 650.00	\$ 600.00	\$ 600.00	\$ 375.00	\$ 375.00	\$ 480.00	\$ 480.00	\$ 450.00	\$ 450.00	\$ 850.00	\$ 850.00		\$ 0.00		\$ 0.00
12A	Not Applicable		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
13A	This pay item is subsidiary to item 10A		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
14A	Furnish and Install precast manholes 0'-8' depth	1 EA	\$ 1,850.00	\$ 1,850.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 2,700.00	\$ 2,700.00	\$ 3,250.00	\$ 3,250.00	\$ 2,110.00	\$ 2,110.00	\$ 3,775.00	\$ 3,775.00	\$ 5,000.00	\$ 5,000.00		\$ 0.00		\$ 0.00
15A	Furnish and Install 4" service connections	6 EA	\$ 333.00	\$ 1,998.00	\$ 682.00	\$ 4,092.00	\$ 300.00	\$ 1,800.00	\$ 640.00	\$ 3,840.00	\$ 355.00	\$ 2,130.00	\$ 603.00	\$ 3,618.00	\$ 830.00	\$ 4,980.00	\$ 1,200.00	\$ 7,200.00		\$ 0.00		\$ 0.00
16A	Disconnect & reconnect existing services	6 EA	\$ 333.00	\$ 1,998.00	\$ 270.32	\$ 1,621.92	\$ 300.00	\$ 1,800.00	\$ 300.00	\$ 1,800.00	\$ 270.00	\$ 1,620.00	\$ 308.00	\$ 1,848.00	\$ 725.00	\$ 4,350.00	\$ 150.00	\$ 900.00		\$ 0.00		\$ 0.00
17A	Trench Safety Protection	1 LS	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 0.01	\$ 0.01	\$ 1,500.00	\$ 1,500.00	\$ 1.00	\$ 1.00	\$ 845.00	\$ 845.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00		\$ 0.00		\$ 0.00
	Subtotal Halstead			\$ 18,408.00		\$ 23,411.12		\$ 21,550.01		\$ 28,274.25		\$ 27,521.00		\$ 37,589.85		\$ 42,521.50		\$ 63,925.00				
	West Reagan Ave																					
18A	Furnish and Install 8" Certaflor Greenline Wwline	363 LF	\$ 28.00	\$ 10,164.00	\$ 35.80	\$ 12,995.40	\$ 40.00	\$ 14,520.00	\$ 45.15	\$ 16,389.45	\$ 51.00	\$ 18,513.00	\$ 72.63	\$ 26,364.69	\$ 72.70	\$ 26,390.10	\$ 125.00	\$ 45,375.00		\$ 0.00		\$ 0.00
19A	This item is subsidiary to pay item 18A		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
20A	Furnish and Install cleanout	1 EA	\$ 1,000.00	\$ 1,000.00	\$ 556.20	\$ 556.20	\$ 650.00	\$ 650.00	\$ 600.00	\$ 600.00	\$ 375.00	\$ 375.00	\$ 480.00	\$ 480.00	\$ 450.00	\$ 450.00	\$ 850.00	\$ 850.00		\$ 0.00		\$ 0.00
21A	Not Applicable		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
22A	Furnish and Install precast manholes 0'-8' depth	1 EA	\$ 1,850.00	\$ 1,850.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 2,700.00	\$ 2,700.00	\$ 3,250.00	\$ 3,250.00	\$ 2,110.00	\$ 2,110.00	\$ 3,725.00	\$ 3,725.00	\$ 5,000.00	\$ 5,000.00		\$ 0.00		\$ 0.00
23A	Furnish and Install 4" service connections	5 EA	\$ 333.00	\$ 1,665.00	\$ 682.00	\$ 3,410.00	\$ 300.00	\$ 1,500.00	\$ 640.00	\$ 3,200.00	\$ 355.00	\$ 1,775.00	\$ 603.00	\$ 3,015.00	\$ 950.00	\$ 4,750.00	\$ 1,200.00	\$ 6,000.00		\$ 0.00		\$ 0.00
24A	Disconnect & reconnect existing services	5 EA	\$ 333.00	\$ 1,665.00	\$ 270.30	\$ 1,351.50	\$ 300.00	\$ 1,500.00	\$ 300.00	\$ 1,500.00	\$ 270.00	\$ 1,350.00	\$ 308.00	\$ 1,540.00	\$ 725.00	\$ 3,625.00	\$ 150.00	\$ 750.00		\$ 0.00		\$ 0.00
25A	Trench Safety Protection	1 LS	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 0.01	\$ 0.01	\$ 1,500.00	\$ 1,500.00	\$ 1.00	\$ 1.00	\$ 845.00	\$ 845.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00		\$ 0.00		\$ 0.00
	Subtotal West Reagan Ave			\$ 16,844.00		\$ 21,313.10		\$ 19,670.01		\$ 25,889.45		\$ 25,264.00		\$ 34,354.69		\$ 39,190.10		\$ 58,575.00				
	West Truman Ave																					
26A	Furnish and Install 8" Certaflor Greenline Wwline	352 LF	\$ 28.00	\$ 9,856.00	\$ 35.80	\$ 12,601.60	\$ 40.00	\$ 14,080.00	\$ 45.15	\$ 15,892.80	\$ 51.00	\$ 17,952.00	\$ 72.63	\$ 25,565.76	\$ 72.70	\$ 25,590.40	\$ 125.00	\$ 44,000.00		\$ 0.00		\$ 0.00
27A	This item is subsidiary to pay item 26A		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
28A	Furnish and Install precast manholes 0'-8' depth	1 EA	\$ 1,850.00	\$ 1,850.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 2,700.00	\$ 2,700.00	\$ 3,250.00	\$ 3,250.00	\$ 2,110.00	\$ 2,110.00	\$ 3,725.00	\$ 3,725.00	\$ 5,000.00	\$ 5,000.00		\$ 0.00		\$ 0.00
29A	Furnish and Install 4" service connections	4 EA	\$ 333.00	\$ 1,332.00	\$ 682.00	\$ 2,728.00	\$ 300.00	\$ 1,200.00	\$ 640.00	\$ 2,560.00	\$ 355.00	\$ 1,420.00	\$ 603.00	\$ 2,412.00	\$ 830.00	\$ 3,320.00	\$ 1,200.00	\$ 4,800.00		\$ 0.00		\$ 0.00
30A	Furnish and Install cleanout	1 EA	\$ 1,000.00	\$ 1,000.00	\$ 556.20	\$ 556.20	\$ 650.00	\$ 650.00	\$ 600.00	\$ 600.00	\$ 375.00	\$ 375.00	\$ 480.00	\$ 480.00	\$ 460.00	\$ 460.00	\$ 850.00	\$ 850.00		\$ 0.00		\$ 0.00
31A	Disconnect & reconnect existing services	4 EA	\$ 333.00	\$ 1,332.00	\$ 270.30	\$ 1,081.20	\$ 300.00	\$ 1,200.00	\$ 300.00	\$ 1,200.00	\$ 270.00	\$ 1,080.00	\$ 308.00	\$ 1,232.00	\$ 725.00	\$ 2,900.00	\$ 150.00	\$ 600.00		\$ 0.00		\$ 0.00
32A	Trench Safety Protection	1 LS	\$ 500.00	\$ 500.00	\$ 704.00	\$ 704.00	\$ 0.01	\$ 0.01	\$ 1,500.00	\$ 1,500.00	\$ 1.00	\$ 1.00	\$ 845.00	\$ 845.00	\$ 250.00	\$ 250.00	\$ 600.00	\$ 600.00		\$ 0.00		\$ 0.00
	Subtotal West Truman Ave			\$ 15,870.00		\$ 20,181.00		\$ 18,630.01		\$ 24,452.80		\$ 24,078.00		\$ 32,644.76		\$ 36,245.40		\$ 55,850.00				
33A	Project sign, complete in place	2 LS	\$ 1,000.00	\$ 2,000.00	\$ 600.00	\$ 1,200.00	\$ 500.00	\$ 1,000.00	\$ 800.00	\$ 1,600.00	\$ 500.00	\$ 1,000.00	\$ 1,040.00	\$ 2,080.00	\$ 600.00	\$ 1,200.00	\$ 1,000.00	\$ 2,000.00		\$ 0.00		\$ 0.00
34A	Traffic Control plan and signage	1 LS	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 3,800.00	\$ 3,800.00	\$ 1,500.00	\$ 1,500.00	\$ 6,540.00	\$ 6,540.00	\$ 3,800.00	\$ 3,800.00	\$ 8,000.00	\$ 8,000.00		\$ 0.00		\$ 0.00
	Total Alternate Bid Price			\$ 120,196.00		\$ 140,908.42		\$ 144,465.04		\$ 180,858.50		\$ 183,659.00		\$ 256,328.10		\$ 278,311.00		\$ 437,375.00				\$ 0.00

HEARN ENGINEERING, INC.

3000 Joe DiMaggio Blvd., Ste 25 • Round Rock, Texas 78665 • Telephone (512) 310-0176 • FAX (512) 244-7316

April 2, 2009

Bob McKinnon
Public Works Director
City of Copperas Cove
P.O. Box 1449
Copperas Cove, TX 76522

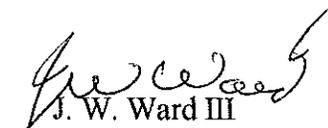
RE: City of Copperas Cove
CDBG Wastewater Improvements

Dear Mr. McKinnon:

At 2:00 p.m. on March 31, 2008 9 bids for the referenced project were publicly opened and read aloud in the Council Chambers. The work under this project consist of replacing existing wastewater lines that are failing. After reviewing the bids, the low bidder is Horseshoe Construction, Inc. who has successfully completed numerous construction jobs for Texas City, City of La Marque and other utilities in the Houston area. Two engineering firms report that Horseshoe has successfully completed numerous projects in the past nine years for them and are a responsible company. They have a reputation for doing good work in a timely manner. We recommend awarding the contract with the alternate bid to the low bidder, Horseshoe Construction, Inc. for the price of \$120,196.00. Attached is the bid tabulation for the referenced project.

If you should have any questions please contact me at (512) 310-0176.

Sincerely,


J. W. Ward III
HEI

cc: Andrea Gardner
Tracy Molnes
Gandolf Burrus

CITY /COUNTY OF _____

**STANDARD FORM OF AGREEMENT
FOR OWNER-CONTRACTOR PROJECTS**

STATE of TEXAS }

TRAVIS COUNTY }

THIS AGREEMENT, made and entered into this ____ day of _____, A.D. 200____, by and between _____ of the COUNTY of _____ and STATE OF TEXAS, thereunto duly authorized so to do, Party of the First Part, hereinafter termed OWNER, of the City of _____ County of _____ and the State of Texas, Party of the Second Part, hereinafter termed CONTRACTOR.

WITNESSETH: That for and inconsideration of the payments and agreements hereinafter mentioned, to be made and performed by the Party of the First Part (OWNER) and under the conditions expressed in the bond bearing even date herewith, the said Party of the Second Part (CONTRACTOR), hereby agrees with the said Party of the First Part (OWNER) to commence and complete the construction of certain improvements described as follow:

and all extra work in connection therewith, under the terms as stated in the General Conditions of the Agreement and at his (or their) own proper cost and expense to furnish all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said construction, in accordance with the Notice to Contractors, General and Special Conditions of Agreement, Plans and other drawings and printed or written explanatory matter thereof, and the Specifications and addenda therefore, as prepared by _____, herein entitled the ENGINEER, each of which has been identified by the CONTRACTOR and the ENGINEER, together with the CONTRACTOR'S written proposal, the General Conditions of the Agreement, the Performance and Payment Bonds hereto attached; all of which are made a part hereof and collectively evidence and constitute the entire contract.

The CONTRACTOR hereby agrees to commence work within ten (10) calendar days after the date written notice to do so shall have been given to him, and to substantially complete with _____ consecutive calendar days after issuance of the "Notice to Proceed" and to be at Final Completion within ____ consecutive calendar days after the issuance of the "Notice to Proceed", subject to such

extensions of time as are provided by the General and Special Conditions.

The OWNER agrees to pay the CONTRACTOR in current funds the price or prices shown in the proposal, which forms a part of this contract, such payments to be subject to the General and Special Conditions of the contract.

IN WITNESS WHEREOF, the parties to these presents have executed this Agreement in the year and day first above written.

Party of the First Part (OWNER)

By: _____

ATTEST:

Party of the Second Part (CONTRACTOR)

By: _____

ATTEST:

AKORSEH
BID PROPOSAL

Tracy Molnes
 Purchasing Officer
 City of Copperas Cove
 507 S. Main Street
 Copperas Cove, TX 76522

To Ms. Molnes:

The undersigned, in compliance with your Notice To Bidders for the CITY OF COPPERAS COVE CDBG WASTEWATER IMPROVEMENTS hereby proposes to complete the work for the unit prices for work in place for the following items and quantities:

BID SCHEDULE:

Seq. No.	Est. Qty.	Unit	Description	Unit Price	Total Bid
<u>Westview Ln.</u>					
1	1764	LF	Furnish and install 8" SDR 26 PVC wastewater line, 0' - 8' in depth, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>
2	75	LF	Furnish and install 8" SDR 26 PVC wastewater line, 8' - 10' in depth, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>
3	93	LF	Sawcut, remove and replace existing concrete, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>
4	38	LF	Sawcut, remove and replace existing pavement with 1-1/2" Type D HMAc with 8" thick compacted flex base along Westview, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>
5	6	EA	Furnish and install pre-cast wastewater manholes, 0' - 8' in depth, complete in place _____ dollars and _____ cents per EA	_____	<u>NB</u>
6	1,839	LF	Trench safety, along wastewater line, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>

7	6,130	SY	Furnish and install Revegetation complete in place _____ _____ dollars and _____ cents per SY	_____ NB
8	50	LF	Furnish and install Rock Berm, complete in place _____ _____ dollars and _____ cents per LF.	_____ NB
9	12	EA	Furnish and install service connections, complete in place _____ _____ dollars and _____ cents per EA.	_____ NB

Subtotal "Westview Ln." \$ NO BID

Halstead

10	295	LF	Remove and replace existing wastewater line with 8" SDR 26 PVC wastewater line, 0' - 8' in depth, along Halstead, complete in place. _____ _____ dollars and _____ cents per LF	_____ NB
11	1	EA	Furnish and install Wastewater Cleanout on Halstead complete in place _____ _____ dollars and _____ cents per EA.	_____ NB
12	89	LF	Remove and replace existing wastewater line with 8" SDR 26 PVC wastewater line, 8' - 10' in depth, Along Halstead complete in place _____ _____ dollars and _____ cents per LF	_____ NB
13	460	LF	Sawcut, remove and replace existing pavement with 1-1/2" Type D HMAc with 8" thick compacted flex base, complete in place _____ _____ dollars and _____ cents per LF	_____ NB
14	1	EA	Furnish and install pre-cast wastewater manholes, 0'-8' in depth, on Halstead, Complete and in place _____ _____ dollars and _____ cents per EA	_____ NB

15	6	EA	Furnish and install 4" wastewater service connection on Halstead, complete in place _____ dollars and _____ cents per EA	_____ NB _____
16	6	BA	Disconnection and reconnection of existing service along Halstead, complete in place _____ dollars and _____ cents per EA	_____ NB _____
17	385	LF	Trench safety, along Halstead, complete in place _____ dollars and _____ cents per LF	_____ NB _____

Subtotal "Halstead" \$ NO BID

West Reagan Ave.

18	363	LF	Remove and replace existing wastewater line with 8" SDR 26 PVC wastewater line, 0' - 8' in depth, on West Reagan Ave., Complete in place _____ dollars and _____ cents per LF	_____ NB _____
19	538	LF	Sawcut, remove and replace existing pavement with 1-1/2" Type D HMA with 8" thick compacted flex base along West Reagan Ave., complete in place _____ dollars and _____ cents per LF	_____ NB _____
20	1	BA	Furnish and install wastewater cleanout on West Reagan Ave. complete in place _____ dollars and _____ cents per EA.	_____ NB _____
21	43	LF	Sawcut, remove and replace existing concrete with 8" thick reinforced concrete pavement along West Reagan Ave., complete in place _____ dollars and _____ cents per LF	_____ NB _____
22	1	EA	Furnish and install pre-cast wastewater manholes, in existing line 0'-8' in depth, on West Reagan Ave., Complete and in place _____ dollars and _____ cents per EA	_____ NB _____

23	5	EA	Furnish and install 4" wastewater service connections on West Regan Ave., complete in place _____ dollars and _____ cents per EA	_____ NB
24	5	EA	Disconnection and reconnection of existing service along West Regan Ave., complete in place _____ dollars and _____ cents per EA	_____ NB
25	363	LF	Trench safety, along West Regan Ave., complete in place _____ dollars and _____ cents per LF	_____ NB

Subtotal "West Regan Ave."

\$ NO BID

West Truman Ave

26	352	LF	Remove and replace existing wastewater line with 8" SDR 26 PVC wastewater line, 0' - 8' in depth, along West Truman Ave., Complete in place _____ dollars and _____ cents per LF	_____ NB
27	483	LF	Sawcut, remove and replace existing pavement with 1-1/2" Type D HMA with 8" thick compacted flex base along West Truman Ave., complete in place _____ dollars and _____ cents per LF	_____ NB
28	1	EA	Furnish and install pre-cast wastewater manholes, In existing line 0'-8' in depth, on West Truman Ave., Complete and in place _____ dollars and _____ cents per EA	_____ NB
29	4	EA	Furnish and install 4" wastewater service connections on West Truman Ave., complete in place _____ dollars and _____ cents per EA	_____ NB
30	1	EA	Furnish and install wastewater cleanout on West Truman Ave. complete in place _____ dollars and _____ cents per EA,	_____ NB

31	4	EA	Disconnection and reconnection of existing service along West Truman Ave., complete in place _____ dollars and _____ cents per EA	_____	<u>NB</u>
32	352	LF	Trench safety, along West Truman Ave, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>

Subtotal "West Truman Ave." \$ NO BID

33	2	LS	Project Sign, complete in place _____ dollars and _____ cents per LF	_____	<u>NB</u>
34	1	LS	Traffic Control Plan and signage complete in place _____ dollars and _____ cents per LS.	_____	<u>NB</u>

TOTAL BASE BID PRICE:

The Sum of _____ dollars and _____ cents
\$ NO BID

Alternate Westview Ln.

1A	1660	LF	<u>Pipeburst w/ 8.025 SDR 19 HDPE #</u> Furnish and install 8" <u>CertaFlo Greenline PVC</u> wastewater line, using pipe bursting method, complete in place <u>Twenty-eight</u> dollars and <u>No</u> cents per LF	<u>28⁰⁰</u>	<u>46,480⁰⁰</u>
2A			Not Applicable		
3A			Not Applicable		
4A			This pay item is subsidiary to pay item 1A.		
5A	6	EA	Furnish and install pre-cast wastewater manholes, <u>eight hundred fifty</u> 0' - 8' in depth, complete in place <u>One thousand</u> dollars and <u>NO</u> cents per EA	<u>1,850⁰⁰</u>	<u>11,100⁰⁰</u>
6A		LS	Trench safety, complete in place <u>five hundred</u> dollars		

			and <u>No</u> cents per LS	<u>500⁰⁰</u>	<u>500⁰⁰</u>
7A	1,500	SY	Furnish and install Revegetation complete in place <u>Two</u> dollars and <u>No</u> cents per SY	<u>2⁰⁰</u>	<u>3,000⁰⁰</u>
8A	50	LF	Furnish and install Rock Berm, complete in place <u>Twenty</u> dollars and <u>No</u> cents per LF.	<u>20⁰⁰</u>	<u>1,000⁰⁰</u>
9A	12	EA	Furnish and install service connections, complete in place <u>Three hundred thirty-three</u> dollars and <u>No</u> cents per EA.	<u>333⁰⁰</u>	<u>3,996⁰⁰</u>

Subtotal Alternate "Westview Ln,"

\$ 66,076⁰⁰

Alternate Halstead

10A	395	LF	<u>Pipeburst w/ 8.625 SDR 19 HDPE</u> Furnish and replace existing wastewater line with 8" CertiFlo Greenline PVC wastewater line, along Halstead, using pipe bursting method, complete in place <u>Twenty-eight</u> dollars and <u>No</u> cents per LF	<u>28⁰⁰</u>	<u>11,060⁰⁰</u>
11A	1	EA	Furnish and install Wastewater Cleanout on Halstead complete in place <u>One thousand</u> dollars and <u>No</u> cents per EA.	<u>1,000⁰⁰</u>	<u>1,000⁰⁰</u>
12A			Not Applicable		
13A			This pay item is subsidiary to pay item 10A.		
14A	1	BA	Furnish and install pre-cast wastewater manholes, 0'-8' in depth, on Halstead, Complete and in place <u>One thousand eight hundred dollars</u> and <u>No</u> cents per BA	<u>1,850⁰⁰</u>	<u>1,850⁰⁰</u>
15A	6	EA	Furnish and install 4" wastewater service connection on Halstead, complete in place <u>three hundred thirty-three</u> dollars and <u>No</u> cents per EA.	<u>333⁰⁰</u>	<u>1,998⁰⁰</u>
16A	6	BA	Disconnection and reconnection of existing service along Halstead, complete in place <u>Three hundred thirty-three</u> dollars		

and No cents per EA 333⁰⁰ 1,998⁰⁰
 17A LS Trench safety, complete in place
five hundred dollars
 and No cents per LS 500⁰⁰ 500⁰⁰

Subtotal Alternate "Halstead"

\$ 18,406⁰⁰

Alternate West Reagan Ave.

18A 363 LF ~~Furnish and replace existing wastewater line with~~
Pipeburst w/ 8.625 SDR19 HDPE
~~8" CertaFlo Greenline PVC wastewater line,~~
 along West Reagan, using pipe bursting method,
 complete in place Twenty-eight dollars
 and No cents per LF 28⁰⁰ 10,164⁰⁰

19A This pay item is subsidiary to pay item 18A.

20A 1 EA Furnish and install wastewater cleanout on
 West Reagan Ave. complete in place
One thousand dollars and
No cents per EA. 1,000⁰⁰ 1,000⁰⁰

21A Not Applicable

22A 1 EA Furnish and install pre-cast wastewater manholes,
 in existing line 0'-8" in depth, on West Reagan Ave.,
 complete and in place One thousand eight
~~hundred fifty~~ dollars and No cents per EA. 1,850⁰⁰ 1,850⁰⁰

23A 5 EA Furnish and install 4" wastewater service connections
 on West Reagan Ave., complete in place Three hundred
thirty-three dollars and No
 cents per EA 333⁰⁰ 1,665⁰⁰

24A 5 EA Disconnection and reconnection of existing service
 along West Reagan Ave., complete in place Three hundred
thirty-three dollars
 and No cents per EA 333⁰⁰ 1,665⁰⁰

25A LS Trench safety, Complete in place
five hundred dollars
 and No cents per LS 500⁰⁰ 500⁰⁰

Subtotal Alternate "West Reagan Ave."

\$ 16,844⁰⁰

Alternate West Truman Ave

26A	352	LF	<p>Pipeburst w/ 8.625 SDR 19 HDPE Furnish and replace existing wastewater line with 8" Certified Greenline PVC wastewater line, along West Truman Ave, using pipe bursting method, Complete in place <u>Twenty-eight</u> dollars and <u>NO</u> cents per LF</p>	<u>28⁰⁰</u>	<u>9,956⁰⁰</u>
27A			This pay item is subsidiary to pay item 26A.		
28A	1	EA	<p>Furnish and install pro-cast wastewater manholes, in existing line 0'-8' in depth, on West Truman Ave, Complete and in place <u>One thousand</u> eight hundred fifty dollars and <u>NO</u> cents per EA</p>	<u>1,850⁰⁰</u>	<u>1,850⁰⁰</u>
29A	4	EA	<p>Furnish and install 4" wastewater service connections on West Truman Ave., complete in place <u>Three hundred</u> thirty-three dollars and <u>NO</u> cents per EA</p>	<u>333⁰⁰</u>	<u>1,332⁰⁰</u>
30A	1	EA	<p>Furnish and install wastewater cleanout on West Truman Ave. complete in place <u>One thousand</u> _____ dollars and <u>NO</u> cents per EA.</p>	<u>1,000⁰⁰</u>	<u>1,000⁰⁰</u>
31A	4	EA	<p>Disconnection and reconnection of existing service along West Truman Ave., complete in place <u>Three</u> hundred thirty-three dollars and <u>NO</u> cents per EA</p>	<u>333⁰⁰</u>	<u>1,332⁰⁰</u>
32A		LS	<p>Trench safety, complete in place <u>Five hundred</u> dollars and <u>NO</u> cents per LS</p>	<u>500⁰⁰</u>	<u>500⁰⁰</u>

Subtotal Alternate "West Truman Ave." \$ 15,870⁰⁰

33A	2	LS	<p>Project Sign, complete in place <u>One thousand</u> dollars and <u>NO</u> cents per LF</p>	<u>1,000⁰⁰</u>	<u>2,000⁰⁰</u>
34A	1	LS	<p>Traffic Control Plan and signage complete in place <u>One thousand</u> _____ dollars and <u>NO</u> cents per LS.</p>	<u>1,000⁰⁰</u>	<u>1,000⁰⁰</u>

TOTAL ALTERNATE BID PRICE:

One hundred twenty thousand
The Sum of One hundred ninety-six dollars and NO cents
\$ 100,196⁰⁰

The OWNER reserves the right to award all or part of the bid based on financial constraints. The contract will be awarded to the CONTRACTOR with the lowest price on the group of projects selected.

The unit and lump sum prices shown shall include all labor, materials, overhead, profit, insurance, etc. to cover the finished work as indicated.

It is the intent that the items listed in the CONTRACTOR's Bid Form shall constitute the items of work which will be measured for payment. However, all other specified items contained in the Technical Specifications or in the other contract documents and any and all work incidental to any specifically-required items and any work which may be reasonably inferred from the contract documents shall be performed and is required to be performed by the CONTRACTOR at no additional cost to OWNER.

Bidder acknowledges receipt of the following addendum (addenda):

Addenda # 1

The Bidder will perform 90% % of the work with its own forces. This information is provided to the OWNER for its use in evaluating this bid.

The work on this contract shall be substantially completed within one hundred fifty (150) calendar days after the date established in the Notice to Proceed, computed as provided in the General Conditions.

OWNER and CONTRACTOR recognize that time is of the essence in this Agreement and the OWNER will suffer financial loss if the Work is not substantially complete within the time specified above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by OWNER if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER Five Hundred Dollars (\$500.00) for each day that expires after the time specified above for substantial completion, until the Work is substantially complete.

Upon receipt of written notice of the award of this Bid, the Bidder will immediately enter into an

1
agreement with OWNER in the form included in the Contract Documents and as specified elsewhere in the Contract Documents and will submit and furnish approved bonds and other documents required by the Contract Documents. The undersigned Bidder also agrees to provide all services within the contract time as specified. CONTRACTOR agrees to commence work not more than ten (10) calendar days after CONTRACTOR's receipt of the Notice To Proceed. Bidder understands and accepts the provisions of the Contract Documents relating to liquidated damages in the event of failure to complete the work on time.

Enclosed with this Bid are (1) Bid Security, (2) Non-Collusion Affidavit, (3) Prohibited Acts Statement, (4) Statement of Bidder's Qualifications, (5) Most recent Annual Financial Statement, and, (6) Certificates of Insurance as required, all in accordance with the Instructions to Bidders. In submitting this bid, the undersigned Bidder represents that it:

- 1) has examined, read and understands the Contract Documents;
- 2) is familiar with the nature and extent of the Contract Documents, the site, and all local conditions and laws and regulations that in any manner may affect cost, progress, or performance of the work; and
- 3) has given ENGINEER written notice of all conflicts, omissions, errors or discrepancies discovered in the Contract Documents and the written response or resolution thereof by ENGINEER is acceptable to the Bidder.

Bidder certifies that it is familiar with the statutory obligation to provide workers' compensation insurance coverage for all employees engaged in work on the Project, and further certifies that, if awarded the Contract, Bidder will maintain this coverage in full force and effect for all of its employees engaged in work on this Project, and will require this coverage to be provided by all subcontractors engaged in work on the Project, and will provide certificates of insurance for all coverages to the OWNER.

The undersigned Bidder certifies that the bid prices contained in this Bid have been carefully checked and are submitted as correct and final.

The undersigned Bidder acknowledges that time is of the essence and that OWNER will be damaged if the Project is not completed timely and in accordance with the Contract Documents.

NOTE: Unit and lump sum prices must be shown in words and figures for each item in this Bid, and in the event of discrepancy, the words shall control.

Respectfully submitted,

Horseshoe Construction, Inc.

Name of individual or entity

James R. Holt
Signature

James R. Holt
Printed Name

President
Title

Attest:

Katherine Holt
Signature

Katherine Holt
Printed Name

Secretary
Title
(SEAL) (IF CORPORATION)

City of Copperas Cove

City Council Agenda Item Report

April 21, 2009

Agenda Item No. I-4

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

SUBJECT: Consideration and action on a resolution approving the attached General Legislative Policy of the City of Copperas Cove.

1. BACKGROUND/HISTORY

During each State Legislative Session, multiple pieces of legislation are introduced to the Texas Legislature. The 80th Legislative Session set a record for bill filings; however, the number of bills filed with the 81st Legislature exceeded the previous all-time record by more than 1,200 bills. The following table depicts the comparison of bills filed:

Bill Type	80 th Legislature	81 st Legislature	+/-	%
House	3,977	4,697	+720	+18%
Senate	1,944	2,447	+503	+26%
Total	5,921	7,144	+1223	+21%

2. FINDINGS/CURRENT ACTIVITY

Since, protecting the interest of the citizens of Copperas Cove is critical and City staff is most knowledgeable on the impacts legislation may have on the City, the attached General Legislative Policy was created to provide the guidelines for City staff for providing testimony and written position statements. Furthermore, most bills requiring testimony or written position statements do not allow sufficient time for the governing body of the City to meet and vote to authorize staff testimony and/or provide written position statement(s).

3. FINANCIAL IMPACT

N/A

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council adopt a resolution approving the attached General Legislative Policy of the City of Copperas Cove.

RESOLUTION NO. 2009-20

**A RESOLUTION OF THE CITY OF COPPERAS COVE,
TEXAS, APPROVING THE ATTACHED GENERAL
LEGISLATIVE POLICY OF THE CITY OF COPPERAS
COVE.**

WHEREAS, The City of Copperas Cove, Texas has taken a position on legislation relating to legislation affecting or potentially affecting the City and the City participates in the Texas Municipal League's legislative program; and

WHEREAS, the nature of the legislative process in Texas, including the frequent short notice of the consideration of bills that would be detrimental or beneficial to cities, makes it unreasonable for the governing body of the City of Copperas Cove, Texas to meet and vote to authorize staff testimony and/or written position statement(s) in individual cases or on individual bills; and

WHEREAS, the city staff are often the most knowledgeable people with regard to how a bill would benefit or harm the city; and

WHEREAS, testimony from city officials often is the only way to prevent detrimental legislation from moving forward in the legislative process; and

WHEREAS, similarly, testimony from city officials often is the only way to assist beneficial legislation to move forward in the legislative process; and

WHEREAS, the Governing Body of the City of Copperas Cove, Texas finds that it is to the advantage of the City to pass this resolution.

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

The members of the Governing Body of the City of Copperas Cove, Texas hereby authorize staff to testify before the Texas Legislature and prepare and provide a written position statement(s) of the City on items relating to legislation affecting or potentially affecting the City and the City participates in the Texas Municipal League's legislative program and to protect the ability of the City of Copperas Cove, Texas to govern its own local affairs, subject to the discretion of the City Manager, regardless of whether the governing body has voted to allow that testimony or written position statement(s) in any specific instance.

Any such staff testimony and written position statements shall be in keeping with the City's or Texas Municipal League's duly adopted legislative program.

PASSED, APPROVED, AND ADOPTED on this 21st day of April 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:

Denton, Navarro, Rocha & Bernal, P.C.
City Attorney

GENERAL LEGISLATIVE POLICY



507 S. Main Street
Copperas Cove, TX 76522

Submitted by:

Andrea M. Gardner, City Manager

April 21, 2009

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Document Objective

The purpose of this policy is to provide guidance to City staff and elected officials for issuing written documentation or providing testimony regarding legislative matters.

Mission Statement

The mission of the City of Copperas Cove is to provide excellence in public service to meet the needs of our diverse community through quality customer services while exercising cost effective management and maintaining fiscal responsibility.

Vision Statement

The vision of Copperas Cove is to foster the highest quality of life enabling all citizens to work, play and grow in a protected and productive environment.

City Council Goals

1. Ensure Continued Quality Public Safety.
- ~~1.2.~~ Improve and Expand City Infrastructure.
- ~~1.3.~~ Promote Economic Development Activities.
- ~~1.4.~~ Continued Support of the Combined Image Campaign.
- ~~1.5.~~ Expand Parks & Recreation Programs and Construct Multi-Purpose Facility.
- ~~1.6.~~ Retain and Attract Quality Employees.
- ~~1.7.~~
 - a. Enhance Solid Waste Programs.
 - ~~a.b.~~ Facilitate & Exercise Fiscal Responsibility.
8. Support Non-Municipal Community Youth Programs.

8:9. Maintain or Reduce the Property Tax Rate.

8:10. Improve Land Developer Relations.

Preserve the City's Goals and Interest

Statement of Preservation:

As a general policy, the City of Copperas Cove seeks to preserve its current authority to govern the city, its citizens, and its property. The City will oppose any legislation viewed as detrimental to the City's goals; or that is contrary to the health, safety, and welfare of its citizens; or that mandates increased costs or loss of revenues; or that would diminish the fundamental authority of the City.

Support Legislation that Advances the City's Goals and Interest

Statement of Support:

The City supports any legislation viewed as advancing the City's goals; or that improves the health, safety, and welfare of its citizens; or that responsibly increases revenues; or that advances the City's authority to conduct the public's business.

Form Coalitions with Parties that Share Common Goals and Interest with the City

Form Coalitions:

The City will form strategic partnerships with cities, political subdivisions, and private sector entities that share common goals with the City of Copperas Cove. Additionally, the City will work in coordination with organizations such as the Texas Municipal League when their adopted positions are in line with the legislative objectives and goals of the City. The formation of strategic partnerships and coordinated efforts is intended to provide the City with a stronger presence in the legislative process.

Activity Reports

During Legislative Sessions, City staff and/or the firm contracted by the City Council to assist with legislative matters shall report to the City Council quarterly on the legislative activities and results.

Department Assignments

All legislative issues will be assigned based on topic and overseen by the City Manager.

Legislation Topic	Department Responsible
Property Tax	Financial Services
Public Safety	Police & Fire Departments
Transportation	Street & Engineering Departments
Land Use	Development Services Department
Oil & Gas Drilling	Building Development & Engineering Departments
Public Works	Water Distribution, Sewer Collection, Wastewater Departments & Compost

Testimony

Testimony provided by City staff shall require prior approval from the City Manager and followed by a complete detailed written report to the City Manager within 10 business days of the date of testimony.

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. I-5

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

SUBJECT: Consideration and action on commissioner appointments to fill vacancies on the Planning and Zoning Commission.

1. BACKGROUND/HISTORY

The Planning and Zoning Commission is an advisory body to the City Council, principally providing guidance on zoning and planning related matters. The Planning and Zoning Commission is composed of seven commissioners filling seven positions (positions one through seven). Position one was recently vacated through the election of that commissioner to City Council. Position six has been vacant for several weeks due to the resignation of the commissioner holding this position. The City has received three applications from individuals expressing a desire to serve on the Planning and Zoning Commission.

2. FINDINGS/CURRENT ACTIVITY

Currently there are two vacancies on the Planning and Zoning Commission. This leaves five commissioners and under City ordinance there must be a minimum four commissioners present to make a quorum. In filling the vacancies the City Council should consider the unexpired terms of the two positions and the applications received for Planning and Zoning Commission appointment. The term of appointment for position one term expires on June 30, 2009, and position six expires on June 30, 2011. The City Secretary has received applications to serve on the Planning and Zoning Commission from: Sandor Vegh, Martin C. Rodriguez, and Earl D. Holt (see the attached documents).

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends appointing two of the three applicants to fill vacancies in positions one and six on the Planning and Zoning Commission.

Appointment Resource Form For Volunteers
(Boards, Commissions & Committees)

Name SANDOR VEGH Date _____

Address 1407 EAGLE TRAIL CC. TX 76522

Home Phone 542-2300 Office Phone _____ Mobile Phone 290-8791

Fax _____ E-mail SVEGH36@MSN.COM

Occupation RETIRED

Volunteer/Community Service POLICE ALUMNE, FIRE-PUBLIC SAFETY- EXCHANGE CLUB
OPTIMIST CLUB, BOYS & GIRLS CLUBS

Professional Affiliations RETAIL

Areas of Interest SERVING THE COMMUNITY

Education 2 YEARS COLLEGE

I would like to be considered for the following:

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

Appointment Resource Form For Volunteers
(Boards, Commissions & Committees)

Name Martin C. Rodriguez Date February 19, 2009

Address 3513 JACOB ST

Home Phone 254-547-4902 Office Phone 532-8331 X. 2602 Mobile Phone 254-368-7581

Fax 254-547-9202 E-mail MARTIN.C.RODRIGUEZ@US.ARMY.MIL

Occupation Deputy Project Manager, DeD contracting

Volunteer/Community Service Shrine Club President, AUSA, Scottish Rite Hospital

Professional Affiliations _____

Areas of Interest City economic development and growth

Education BS History/Political Science, MS Computer Science

I would like to be considered for the following:

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

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

3513 Jacob St
Copperas Cove, Texas 76522

Phone 254-319-8702
Fax 254-547-9202
E-mail
martin.c.rodriguez@us.army.mil

Martin C. Rodriguez

Objective To obtain a position as a volunteer on the Planning and Zoning Commission.

Skills Effective speaking Community Leader Flexible
Senior Manager Event Organizer Multi-tasker
Highly skilled with IT Interpersonal skills Versatile

Employment Feb 2007-Present **ACSIS Deputy Project Manager, Fort Hood, Tx**

- Developed systemic procedures for effective integration of various data product agencies, such as Northrop Grumman, Systems Architect, and Data Product Development Teams
- Organized and implemented 6 work crews (24 personnel total) for ABCS data product manufacturing, without no interruption of work schedules and meeting all major deadlines and suspenses
- Processed over 200 data products with an over 95% data quality rate, an unprecedented achievement at CTSF
- Managed and supervised TTPs to ease the transition of legacy and current operating systems designed for Software Block II
- Seamlessly coordinated the communications flow of multiple systems, agencies, work teams, and Army units across the United States and within theaters of operations

Sep 2007-Present **Community College Instructor, Central Texas College, Tx**

- Part-time evening instructor in Computer Science for Gatesville Prison

Jun 2005- Jan 2006 **Systems Engineer, Maneuver Control System, Fort Hood, Texas**

- Developed, reviewed, and evaluated MCS software for interoperability with various Battlefield Functional Areas (BFAs), ensuring deadlines were met in preparation for 1st CD and 4th ID's "go to war" configuration
- Planned and conducted software metric activities with several BFAs to ensure Technical Incident Reports (TIRs) were evaluated and completed, including GCCS, AFATDS, ASAS, and AMDWS
- Briefed senior leaders at several OCONUS/CONUS locations on the capabilities and functionalities of the latest Maneuver Control System
- Reviewed and implemented the network and system architecture for several test floors at CTSF for ABCS viability testing

Jun 2003- Jun 2005 **G2 SGM, 1st Cavalry Division, U.S. Army, Fort Hood, TX**

- Provided intelligence oversight and security for a 43,000-Soldier division, resulting in successful operations during a one year assignment in a hostile and hazardous overseas area
- Oversaw the Division IED working group (IEDWG), becoming a resident expert on enemy TTP's and coordinating with multiple DoD agencies (CEXC, DIA IED Task Force, etc.)

- Supervised the personnel and field training requirements of over 150 intelligence analysts
- Trained the Iraqi military in their use of intelligence systems and functions, increasing the overall security operations for the city of Baghdad, Iraq
- Planned numerous security operations with various agencies of the U.S. and Iraqi government
- Implemented security policy to protect internal network against unauthorized access, and made provisions for disaster recovery in the event of successful intrusion/attack

Mar 2002- Jul 2002 Deputy S3 Operations SGM, 504th Military Intelligence Brigade, U.S. Army, Fort Hood, TX

- Administered the daily functions of an MI brigade with worldwide information and security responsibilities, ensuring the brigade commander's objectives were met through weekly information briefs
- Planned the long-range activities (forecast 6-12 months) of lower level organizations to synchronize intelligence operations throughout the United States and overseas
- Streamlined and revised the Force Protection plan of West Fort Hood, resulting in a smooth transfer of authority to civilian security personnel
- Executed and coordinated numerous large scale training events involving varied security specialists in support of the Global War on Terrorism
- Gathered, constructed, and briefed the Semi-Annual Training presentation for the commanding officer

Education

2005, **Degree**, Master of Science, Computer Science, Nova Southeast University, Fort Lauderdale, FL, (GPA 3.9)
 2001, **Degree**, Bachelor of Arts in History/Political Science, Chaminade University of Hawaii, Honolulu, HI, (GPA 3.9)
 1993, **Degree**, Associate of Arts in General Studies, Central Texas College, Fort Hood, TX, (GPA 3.9)
 2003, **Diploma**, Management Principles and Techniques, Sergeant Major's Course, Fort Bliss, TX
 2000, **Diploma**, Human Resources and Administration Program, First Sergeant's course, Fort Bliss, TX
 1997, **Diploma**, Advanced Logistic and Personnel Administration Program, Battle Staff, Fort Bliss, TX
 1997, **Diploma**, Advance Leadership Course, NCO Advance Course, Fort Huachuca, AZ
 1991, **Diploma**, Basic Leadership Course, NCO Basic Course, Fort Huachuca, AZ
 1989, **Diploma**, Sports Medicine Course, Indianapolis, IN
 1987, **Diploma**, Primary Leadership Course, Fort Dix, NJ
 1985, **Diploma**, Intelligence Analysts Course, U.S. Army Intelligence Center and School, Fort Huachuca, AZ

Hobbies

Philanthropic work as a fundraiser for Shriners Hospitals, sports including baseball and football, military historian

Appointment Resource Form For Volunteers
(Boards, Commissions & Committees)

Name EARL D. HOLT Date 10 MARCH 09
Address 411 COTTONWOOD Dr C.C.
Home Phone 547-5024 Office Phone _____ Mobile Phone 628-9746
Fax _____ E-mail EARL D. HOLT
Occupation Retired U.S. Govt
Volunteer/Community Service N/A

Professional Affiliations N/A

Areas of Interest FINANCE & ACCOUNTING

Education M.S. MANAGEMENT SCIENCE, ATU

I would like to be considered for the following:

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

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. I-6

Contact – Kelli Sames, Human Resources Director, 542-8922
ksames@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration.

1. BACKGROUND/HISTORY

The City of Copperas Cove currently has in effect Personnel Policy No. 120, Salary Program Administration. This policy establishes the standards and guidelines for the City of Copperas Cove's employee pay plan. From time to time City Staff makes recommendations to change this pay plan. In cases where changes are required to this policy, City Council's approval is required. This policy is attached for your review.

2. FINDINGS/CURRENT ACTIVITY

A. Over the past several weeks, the Fire Chief has been evaluating the current employee organizational structure for the Fire Department. Based on the assessment and evaluation of the work completed as well as updating all of the employee job descriptions, the following changes are proposed below.

- **Reclassification of Position and Title Change**
Fire Marshal to Division Chief of Prevention (1)
- **Title Changes**
Training/EMS Chief to Division Chief of Training (1)
Deputy Fire Chief/Emergency Management to Deputy Fire Chief (1)
Fire Chief to Fire Chief/Emergency Management Coordinator (1)
Administrative Assistant to Administrative Assistant of Fire and EMS (1)
Fire Inspector/Lieutenant to Fire Inspector/Investigator (1)
- **Deletion of Positions**
Emergency Management Coordinator (1)
Support Services Officer (1)
- **New Positions**

Administrative Assistant of Support Services and Emergency Management (.5) – This is currently a part time employee that will go to full time.

Fire Inspector/Investigator (1)

B. Over the past several weeks, the Assistant Director of Public Works has been evaluating the current employee organizational structure for the Street and Drainage Departments. Based on the assessment and evaluation of the work completed, the following changes are proposed below.

- **Reclassification of Position and Title Change – Street Department**
Lead Heavy Equipment Operator to Assistant Street/Drainage Superintendent (1)
- **Reclassification of Position and Title Change – Drainage Department**
Supervisor - Drainage to Street/Drainage Superintendent (1)

3. FINANCIAL IMPACT

A. Fire Department - For the 2008/2009 Budget Year

Deletion of positions including salary and associated benefits– (\$57,704)

Anticipated funding needed for reclassification – \$2,954

Anticipated funding needed for new positions - \$38,387

B. Street Department - For the 2008/2009 Budget Year

Anticipated funding needed for reclassification – \$2,571.72

Drainage Department - For the 2008/2009 Budget Year

Anticipated funding needed for reclassification – \$2,571.72

Costs incurred as a result of these changes will be absorbed within the FY 08-09 salary operating budgets of the two departments from salary savings of vacant positions.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends approval of Ordinance No. 2009-09, amending the personnel policies.

ORDINANCE NO. 2009-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE ATTACHED PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF COPPERAS COVE BY REPEALING THE CURRENT PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The City of Copperas Cove has not updated this ordinance since March 3, 2009.

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

Section 1.

That the Personnel Policies and Procedures Manual dated September 1, 2006, hereinafter set forth and included with this Ordinance as Exhibit "A" is hereby amended by repealing the current personnel policy, No. 120, (Salary Program Administration) and replacing the existing policy with a revised personnel policy, No. 120, (Salary Program Administration) correctly shown by the attached Exhibit "A";

Section 2.

That the remaining sections of the said Personnel Policies and Procedures Manual are hereby ratified, and shall remain in full force and effect;

Section 3.

That any outstanding Personnel Polices and Procedures Manuals other than Exhibit "A" either in the form of a manual or otherwise written or oral in nature, are hereby rescinded and are no longer of any force and effect;

Section 4.

That any additions, deletions or other amendments to the Personnel Polices and Procedures Manual shall be made in a manner similar to process by which this manual is

originally approved and only after compliance with the Texas Open Meetings Act and approved by the City Council of the City of Copperas Cove.

Section 5.

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

Section 6.

That this ordinance shall be effective April 21, 2009.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS, this 21st day of April 2009, 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:

Denton, Navarro, Rocha & Bernal, P.C.
City Attorney

SALARY PROGRAM ADMINISTRATION
Policy #120

Exhibit A
Ordinance No. 2009-09
April 2009

This policy applies to regular, salaried positions, full-time and part-time, exempt and non-exempt personnel.

The City strives to pay salaries competitive with those in our community, recognizing individual effort and contribution to the City's success. Determination of salary policy is the responsibility of the City Manager, Human Resources Director, and the Director of Financial Services, and must be approved by the City Council. The Human Resources Department handles the administration.

SALARY PROGRAM ELEMENTS

A. Salary Ranges. Each position has been assigned a salary range. Within this framework, an employee's salary will be related to demonstrated performance. Employees will receive a salary that is within the range limits of the applicable position.

1. Range Minimum. In most cases, the minimum of the appropriate salary range will be paid to all qualified new employees. No person is to be offered a salary that is below the minimum, or above the midpoint, of the salary range for the job. Salary offers may be made, with City Manager approval, up to midpoint of the salary range. Salary offers are to be based on the required qualifications of the position. In addition they must be consistent in relation to other offers made and to the salaries paid to current employees in that same position.

2. Range Maximum. The maximum of a salary range normally provides an upper limit of what employees may be paid. However, it is not an absolute limit, and the condition described in Section A.3 may allow an employee to be paid above the maximum.

3. Red Circle Salary. If an employee is paid over the maximum of the range for the classification, the salary will not be reduced. Rather, the employee will ordinarily be considered ineligible for an increase in pay (red circled) until an adjustment in the salary structure or a promotion to a higher position brings the rate within the established range for the position.

B. Salary Review Frequency.

Merit Salary Increases. Reviews for merit salary increases are conducted once a year, normally during the budget process. They will range in percentages of base salary as determined through the merit budgeting process. Salary increases are not granted automatically, but only as a result of demonstrated performance, documented by a job-related performance appraisal.

SALARY PROGRAM ADMINISTRATION
Policy #120

Exhibit A
Ordinance No. 2009-09
April 2009

Across the Board Raises or Cola Allowances. An "Across the Board" or "COLA Allowance" may be recommended by the City Manager and approved by the City Council for employees. If this occurs then the salary ranges on the pay scale will be adjusted accordingly.

C. Promotion Increases: A promotion is a change in status for an employee to a higher paid position. Salary increases generally are granted immediately upon promotion. Employees promoted into a higher paying position will begin at the minimum of the salary range for the new position. If their current salary is above the minimum for the new position, the employee's salary will be evaluated for an increase, at a minimum of 5% of prior base salary. A lesser amount may be justified if the employee has received a substantial increase within the last six months or a significant learning period is involved.

MAINTENANCE OF SALARY STRUCTURE

Positions included in the City pay structure may be reviewed by the Human Resources Department each year to determine if a recommendation needs to be made to the City Manager for change. Adjustments will be made to the structure, as required, after approval from the City Manager and City Council.

City of Copperas Cove 2008/2009
Position Listing and Salary Ranges by Department
Updated 4-7-2009

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	22	1	City Manager	Secretary to the City Manager	\$ 13.43	\$ 19.78
01	22	1	City Manager	Management Analyst/Risk Manager	\$ 21.50	\$ 31.67
01	22	1	City Manager	City Manager	Unclassified	Unclassified
01	23	1	City Secretary	Deputy City Secretary	\$ 13.88	\$ 20.45
01	23	1	City Secretary	City Secretary	Unclassified	Unclassified
01	31	2	Finance	Accounting Technician	\$ 12.88	\$ 18.97
01	31	1	Finance	Project Accountant	\$ 22.25	\$ 32.77
01	31	1	Finance	Budget Analyst	\$ 22.25	\$ 32.77
01	31	1	Finance	Purchasing Officer	\$ 24.06	\$ 35.44
01	31	1	Finance	Assistant Director of Financial Services	\$ 24.06	\$ 35.44
01	31	1	Finance	Director of Financial Services	Unclassified	Unclassified
01	34	1.5	Human Resources	Receptionist	\$ 9.40	\$ 13.85
01	34	1	Human Resources	Human Resources Coordinator	\$ 13.04	\$ 19.21
01	34	1	Human Resources	Director of Human Resources	Unclassified	Unclassified
01	35	1	Information Systems	Information Systems Specialist I	\$ 13.73	\$ 20.22
01	35	1	Information Systems	Information Systems Specialist II	\$ 21.57	\$ 31.77
01	35	1	Information Systems	Director of Information Systems	Unclassified	Unclassified
01	41	5	Municipal Court	Court Clerk	\$ 10.68	\$ 15.73
01	41	1	Municipal Court	Assistant Supervisor of Municipal Court	\$ 12.69	\$ 18.69
01	41	1	Municipal Court	Supervisor - Court	\$ 20.40	\$ 30.05
01	42	0.5	Police	Custodian	\$ 8.88	\$ 13.08
01	42	2	Police	Senior Records Clerk	\$ 10.68	\$ 15.73
01	42	1	Police	Administrative Assistant	\$ 11.71	\$ 17.25
01	42	1	Police	Administrative Assistant Training and Evidence	\$ 11.71	\$ 17.25
01	42	12	Police	Police Communications/Operator	\$ 11.73	\$ 17.28
01	42		Police	Patrol Officer - Non Certified in Academy	\$ 12.76	-
01	42	1	Police	Executive Secretary	\$ 13.43	\$ 19.78
01	42		Police	Patrol Officer - Certified in FTP	\$ 14.25	-

City of Copperas Cove 2008/2009
Position Listing and Salary Ranges by Department
Updated 4-7-2009

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	42	38	Police	Patrol Officer - Certified	\$ 17.51	\$ 25.79
01	42	5	Police	Police Corporal	\$ 21.50	\$ 31.67
01	42	8	Police	Police Sergeant	\$ 23.26	\$ 34.26
01	42	3	Police	Police Lieutenant	\$ 26.37	\$ 38.84
01	42	1	Police	Police Deputy Chief	\$ 29.78	\$ 43.87
01	42	1	Police	Chief of Police	Unclassified	Unclassified
01	4250	1	Public Affairs/Volunteer Coordinator	Public Affairs/Volunteer Coordinator	\$ 21.08	\$ 31.05
01	43	1	Animal Control	Clerk	\$ 9.46	\$ 13.93
01	43	3	Animal Control	Animal Control Officer	\$ 10.50	\$ 15.47
01	43	1	Animal Control	Supervisor - Animal Control	\$ 15.30	\$ 22.54
01	44	33	Fire	Firefighter (2904 hour work year)	\$ 11.46	\$ 16.88
01	44	1	Fire	Administrative Assistant - Fire and EMS	\$ 11.71	\$ 17.25
01	44	1	Fire	Administrative Assistant - Support Services/Emerg Mgt	\$ 11.71	\$ 17.25
01	44	6	Fire	Fire Lieutenant (2904 hour work year)	\$ 13.69	\$ 20.17
01	44	3	Fire	Fire Captain (2904 hour work year)	\$ 14.94	\$ 22.01
01	44	3	Fire	Fire Battalion Chief (2904 hour work year)	\$ 17.81	\$ 26.23
01	44	2	Fire	Fire Inspector/Investigator	\$ 19.11	\$ 28.15
01	44	1	Fire	Division Chief - Prevention	\$ 24.86	\$ 36.62
01	44	1	Fire	Division Chief - Training	\$ 24.86	\$ 36.62
01	44	1	Fire	Deputy Fire Chief	\$ 27.09	\$ 39.90
01	44	1	Fire	Fire Chief/Emergency Management Coordinator	Unclassified	Unclassified
01	51	1	Engineering	Public Improvements Inspector	\$ 20.00	\$ 29.46
01	51	1	Engineering	Projects Director/City Engineer	Unclassified	Unclassified
01	52	1	Building & Development Svcs.	Administrative Assistant	\$ 11.71	\$ 17.25
01	52	1	Building & Development Svcs.	Inspector	\$ 16.16	\$ 23.80
01	52	1	Building & Development Svcs.	Inspector Senior	\$ 18.38	\$ 27.07
01	52	1	Building & Development Svcs.	Chief Building Official	\$ 29.18	\$ 42.98
01	53	3	Street	Light Equipment Operator	\$ 10.22	\$ 15.05
01	53	2	Street	Heavy Equipment Operator	\$ 11.73	\$ 17.28

City of Copperas Cove 2008/2009
Position Listing and Salary Ranges by Department
Updated 4-7-2009

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	53	1	Street	Traffic Control Technician	\$ 11.73	\$ 17.28
01	53	1	Street	Assistant Street/Drainage Superintendent	\$ 15.00	\$ 22.10
01	53	0.5	Street	Assistant Director of Public Works	\$ 21.32	\$ 31.40
01	54	2	Parks & Recreation	Custodian	\$ 8.88	\$ 13.08
01	54	7	Parks & Recreation	Laborer	\$ 9.46	\$ 13.93
01	54	2	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	54	1	Parks & Recreation	Recreation/Aquatics Specialist	\$ 12.12	\$ 17.85
01	54	1	Parks & Recreation	Recreation Coordinator	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Supervisor - Parks	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Recreation Superintendent	\$ 20.70	\$ 30.49
01	54	1	Parks & Recreation	Director of Community Services	Unclassified	Unclassified
04	54	2	Parks & Recreation	Recreation Specialist	\$ 12.12	\$ 17.85
06	54	1	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	55	1	Fleet Services	Parts Technician	\$ 9.46	\$ 13.93
01	55	2	Fleet Services	Mechanic	\$ 13.44	\$ 19.80
01	55	1	Fleet Services	Lead Mechanic	\$ 15.39	\$ 22.67
01	55	1	Fleet Services	Supervisor - Fleet Services	\$ 19.44	\$ 28.64
01	57	2	Facility Maintenance	Facility Maintenance	\$ 12.36	\$ 18.21
01	61	1	Development Services	Administrative Assistant	\$ 11.71	\$ 17.25
01	61	1	Development Services	GIS Technician	\$ 18.87	\$ 27.80
01	61	1	Development Services	Director of Development Services	Unclassified	Unclassified
01	71	3	Library	Library Assistant I	\$ 9.78	\$ 14.41
01	71	0.5	Library	Library Assistant II	\$ 11.44	\$ 16.85
01	71	3	Library	Library Assistant III	\$ 13.05	\$ 19.22
01	71	0.5	Library	Outreach Specialist/Library Assistant	\$ 13.05	\$ 19.22
01	71	1	Library	Reference Assistant/Electronic Tech Coord	\$ 13.57	\$ 19.99
01	71	1	Library	Assistant Director Library/Reference	\$ 18.67	\$ 27.50
01	71	1	Library	Director Library	Unclassified	Unclassified
01	72	1	Code & Health Compliance	Administrative Assistant	\$ 11.71	\$ 17.25

City of Copperas Cove 2008/2009
Position Listing and Salary Ranges by Department
Updated 4-7-2009

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	72	2	Code & Health Compliance	Code Enforcement Officer	\$ 14.29	\$ 21.05
01	72	1	Code & Health Compliance	Health Inspector	\$ 14.29	\$ 21.05
09	74	2.5	Golf Course	Food & Beverage Worker	\$ 8.34	\$ 12.28
09	74	1.5	Golf Course	Golf Course Attendant	\$ 8.34	\$ 12.28
09	74	2.5	Golf Course	Clerk/Golf Shop Assistant	\$ 9.46	\$ 13.93
09	74	4.5	Golf Course	Laborer	\$ 9.46	\$ 13.93
09	74	1	Golf Course	Heavy Equipment Operator	\$ 11.73	\$ 17.28
09	74	0.5	Golf Course	Golf Course Mechanic	\$ 11.73	\$ 17.28
09	74	1	Golf Course	Pro Shop Supervisor	\$ 15.30	\$ 22.54
09	74	1	Golf Course	Golf Course General Manager	\$ 29.13	\$ 42.91
05	76	4	Drainage Utility	Laborer	\$ 9.46	\$ 13.93
05	76	1	Drainage Utility	Heavy Equipment Operator	\$ 11.73	\$ 17.28
05	76	1	Drainage Utility	Street/Drainage Superintendent	\$ 17.00	\$ 25.04
05	76	0.5	Drainage Utility	Assistant Director of Public Works	\$ 21.32	\$ 31.40
02	80	0.25	Public Works	Custodian	\$ 8.88	\$ 13.08
02	80	1	Public Works	Executive Secretary	\$ 13.43	\$ 19.78
02	80	1	Public Works	Public Works Director	Unclassified	Unclassified
02	81	4	Utility Administration	Customer Service Representative	\$ 9.98	\$ 14.70
02	81	2	Utility Administration	Service Technician	\$ 9.98	\$ 14.70
02	81	2	Utility Administration	Meter Reader	\$ 9.98	\$ 14.70
02	81	1	Utility Administration	Senior Customer Service Representative	\$ 11.00	\$ 16.20
02	81	1	Utility Administration	Billing Technician	\$ 12.03	\$ 17.72
02	81	1	Utility Administration	Supervisor - Utilities	\$ 19.99	\$ 29.45
02	82	1	Water Distribution	Operator II / Heavy Equipment Operator	\$ 12.10	\$ 17.82
02	82	7	Water Distribution	Operator II Water Distribution	\$ 12.10	\$ 17.82
02	82	1	Water Distribution	Supervisor Installation	\$ 15.30	\$ 22.54
02	82	1	Water Distribution	Supervisor Pump Maintenance	\$ 15.30	\$ 22.54
02	82	1	Water Distribution	Superintendent Water Distribution	\$ 19.90	\$ 29.31
02	83	7	Sewer Collection	Operator II Sewer Collection	\$ 12.10	\$ 17.82

City of Copperas Cove 2008/2009
Position Listing and Salary Ranges by Department
Updated 4-7-2009

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
02	83	1	Sewer Collection	Assistant Supervisor/Operator III Sewer Collection	\$ 15.30	\$ 22.54
02	83	1	Sewer Collection	Superintendent - Sewer Collection	\$ 19.90	\$ 29.31
02	84	6	Wastewater Treatment	Operator II Wastewater	\$ 12.10	\$ 17.82
02	84	1	Wastewater Treatment	Laboratory Technician Wastewater	\$ 13.59	\$ 20.02
02	84	3	Wastewater Treatment	Chief Plant Operator Wastewater	\$ 17.62	\$ 25.95
02	84	1	Wastewater Treatment	Laboratory Technician - Senior Wastewater	\$ 17.62	\$ 25.95
02-01	84	2	Composting	Heavy Equipment Operator	\$ 11.73	\$ 17.28
02-01	84	1	Composting	Supervisor Composting	\$ 15.30	\$ 22.54
03	90	0.25	Solid Waste Collection	Custodian	\$ 8.88	\$ 13.08
03	90	1	Solid Waste Collection	Administrative Assistant	\$ 11.71	\$ 17.25
03	90	1	Solid Waste Collection	Supervisor Solid Waste - Operations	\$ 15.30	\$ 22.54
03	90	1	Solid Waste Collection	Supervisor Solid Waste - Recycling/Admin	\$ 15.30	\$ 22.54
03	90	1	Solid Waste Collection	Solid Waste Superintendent	\$ 21.77	\$ 32.07
03	91	11	Solid Waste Collection	Driver	\$ 11.73	\$ 17.28
03	91	1	Solid Waste Collection	Mechanic/Assistant Supervisor Operations	\$ 14.30	\$ 21.06
03	92	0.5	Solid Waste Collection	Clerk/Dispatcher	\$ 9.46	\$ 13.93
03	92	1	Solid Waste Disposal	Scale Operator	\$ 9.46	\$ 13.93
03	92	3	Solid Waste Disposal	Heavy Equipment Operator	\$ 11.73	\$ 17.28
03	92	0.5	Solid Waste Collection	Laborer	\$ 9.46	\$ 13.93

City of Copperas Cove City Council Agenda Item Report

April 21, 2009

Agenda Item No. I-7

Contact – Mike Chandler, Golf Course General Manager, 547-2606
mchandler@ci.copperas-cove.tx.us

SUBJECT: Consideration and action on rejecting all bids received for the construction of a golf cart storage facility and directing and authorizing staff to re-bid the project.

1. BACKGROUND/HISTORY

Item I-2 was presented during the last meeting as a Consent Agenda Item. While performing a review of the meeting the City Secretary discovered that no motion was made to discuss or vote on the item presented.

Upon further investigation the determination was made that the bid specifications were not properly crafted to meet the City's needs for the construction of a golf cart storage facility.

2. FINDINGS/CURRENT ACTIVITY

City staff recommends rejecting all bids received and authorizing staff to re-bid the project with requirements that would better meet the City's needs for the project.

3. FINANCIAL IMPACT

None.

4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council reject all bids received for the construction of a golf cart storage facility and directing and authorizing staff to re-bid the project.

2009-05-74 - Hills of Cove Golf Cart Facility

	Total Base Bid	Alternate Base Bid #1	Alternate Base Bid #2	Add Exceptions	Total Bid/No Alternates
COVE HERITAGE DEV	\$ 75,000.00	\$ 5,800.00	\$ 1,599.00	\$ -	\$ 75,000.00
PENTA CONSTRUCTORS	\$ 129,208.00	\$ 12,208.00	\$ 1,340.00	\$ 18,164.00	\$ 147,372.00
RKJ CONSTRUCTORS	\$ 68,000.00	\$ 8,500.00	\$ 500.00	\$ 10,550.00	\$ 78,550.00