



**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](http://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 **2nd day of June 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. Recognition and farewell to Council Member Larry D. Sheppard, Position Two. **John Hull, Mayor**
2. Oath of Office. **F. W. "Bill" Price, Municipal Court Judge**
  - John Hull, Mayor
  - Cheryl L. Meredith, Council Member Position One
  - Charlie D. Youngs, Council Member Position Two
3. Employee Service Awards—May 2009. **Andrea M. Gardner, City Manager**
  - Ken Wilson, Director of Community Services – 5 years
  - Paul Cuevas, Operator II Sewer Collection – 5 years
  - Calvin Aplaca, Assistant Supervisor/Operator III Sewer Collection – 15 years
4. Proclamation: Hillside Evangelical Methodist Church Anniversary Days.  
**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 May 19, 2009 regular council meeting. **Jane Lees, City Secretary**
2. Financial Report for the Month ended April 30, 2009. **Wanda Bunting, Director of Financial Services**
3. Consideration and action on accepting the U.S. Department of Justice, Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program grant application for governing body review. **Tim Molnes, Police Chief**
4. Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for Fiscal Year beginning October 1, 2008. **Wanda Bunting, Director of Financial Services**

**H. PUBLIC HEARINGS/ACTION – None.**

**I. ACTION ITEMS**

1. Consideration and action on the appointment of a mayor pro tem to serve for a period of one (1) year and who shall act as mayor during the absence or disability of the mayor. **Jane Lees, City Secretary**
2. Consideration and action to authorize the City Manager to execute a lease agreement with Diversified Lenders, Inc. for the lease purchase of the INCODE software. **Joseph R. Pace, Municipal Court Supervisor**
3. Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration. **Mike Baker, Fire Chief**
4. Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration. **James Trevino, Assistant Director of Public Works**
5. Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration. **Ken Wilson, Director of Community Services**

6. Discussion and action on an ordinance amending the Code of Ordinances repealing and deleting the portion of Article 1 Section 3-1 entitled "Administrative Officer"; amending Article I Section 3-1 Animal Control Supervisor; amending Article XI, Section 3-91; amending Article XI, Section 3-92; amending Article XI Section 3-93; adding Article XI Section 3-94; providing for severability; providing for a savings clause; and providing for an effective date. ***Denton, Navarro, Rocha & Bernal, P.C., City Attorney***

**J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS – None.**

**K. ITEMS FOR FUTURE AGENDAS**

**L. EXECUTIVE SESSION**

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

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

**N. ADJOURNMENT**

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

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

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Copperas Cove was posted at \_\_\_\_\_, May 29, 2009, on the glass front door of City Hall, a place convenient and readily accessible to the general public at all times.

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Jane Lees, City Secretary



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

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public inspection in the Copperas Cove Public Library, City Hall and on the  
City's Web Page [www.ci.copperas-cove.tx.us](http://www.ci.copperas-cove.tx.us)*

Notice is hereby given that a **Workshop** of the City of Copperas Cove, Texas will be held on the **2nd day of June 2009**, at **6:00 p.m.**, in the City Hall Council Chambers at 507 South Main Street, Copperas Cove, Texas 76522 at which time the following subjects will be discussed:

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. WORKSHOP ITEMS**

1. Presentation and discussion on the Council Handbook and Council Rules of Procedure and Order of Business. ***Andrea M. Gardner, City Manager***
2. Provide Direction to the City Manager regarding the Council Handbook, Rules of Meetings and Order of Business. ***Andrea M. Gardner, City Manager***

**D. ADJOURNMENT**

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

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Copperas Cove was posted at \_\_\_\_\_, May 29 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

In the name and by the authority of

# **The State of Texas**

## **OATH OF OFFICE**

I, John Hull, do solemnly swear, that I will faithfully execute the duties of the office of Mayor of the City of Copperas Cove, State of Texas, and will to the best of my ability uphold and comply with the Charter of the City of Copperas Cove, and preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

---

John Hull, Affiant

SWORN TO and subscribed before me by affiant on this 2nd day of June 2009.

---

F. W. "Bill" Price  
Municipal Court Judge  
City of Copperas Cove

In the name and by the authority of

# **The State of Texas**

## **OATH OF OFFICE**

I, Cheryl L. Meredith, do solemnly swear, that I will faithfully execute the duties of the office of Council Member, Position One, of the City of Copperas Cove, State of Texas, and will to the best of my ability uphold and comply with the Charter of the City of Copperas Cove, and preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

---

Cheryl L. Meredith, Affiant

SWORN TO and subscribed before me by affiant on this 2nd day of June 2009.

---

F. W. "Bill" Price  
Municipal Court Judge  
City of Copperas Cove

In the name and by the authority of

# **The State of Texas**

## **OATH OF OFFICE**

I, Charlie D. Youngs, do solemnly swear, that I will faithfully execute the duties of the office of Council Member, Position Two, of the City of Copperas Cove, State of Texas, and will to the best of my ability uphold and comply with the Charter of the City of Copperas Cove, and preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

---

Charlie D. Youngs, Affiant

SWORN TO and subscribed before me by affiant on this 2nd day of June 2009.

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F. W. "Bill" Price  
Municipal Court Judge  
City of Copperas Cove



**The City of Copperas  
Cove Presents the  
Employee Service Award  
Recipients for June 2009**

# Ken Wilson-Director of Community Services Parks & Recreation



5 Years of Service  
DOH 6/14/04

# Ken Wilson-Parks & Recreation Dept.



5 Years of Service  
DOH 6/14/04

# Paul Cuevas

## Operator III-Sewer Collection Department



5 Years of Service  
DOH 6/21/04

# Paul Cuevas-Sewer Dept.



5 Years of Service  
DOH 6/21/04

# Calvin Aplaca

## Assistant Supervisor/Operator III

### Sewer Collection Department



15 Years of Service  
DOH 6/16/94

# Calvin Aplaca-Sewer Dept.



15 Years of Service  
DOH 6/16/94



**The City of Copperas Cove  
congratulates you all on  
these celebratory  
milestones and wishes  
you many more years of  
career success.**



**PROCLAMATION**

- WHEREAS,** A Congregation began meeting in 1982 with Rev. Don Johnson at a restaurant on South FM 116 called the Fabulous West; and
- WHEREAS,** The Congregation moved shortly thereafter to a storefront on Georgetown Road, then by the end of 1983, to a building in Cove Terrace Shopping Center; and
- WHEREAS,** In April 1984 the Congregation affiliated with the Evangelical Methodist Church; and
- WHEREAS,** After purchasing property on South FM 116, built a church by June 1986, which is still occupied today, with some additions; and
- WHEREAS,** Two satellite churches, Conder Valley Community Church in Killeen in 2003 and Coryell Valley Chapel in Gatesville in 2009, have been established; and
- WHEREAS,** Pastors include Ryan Dexter, 1984-1988; Dave Troupe, 1989-1995; John Edgel, 1995-1998, and Russ Cochran, 1998-Present; and
- WHEREAS,** Hillside Evangelical Methodist Church is celebrating its 25th anniversary on June 13-14, 2009.

**NOW, THEREFORE, I,** John Hull, Mayor of the City of Copperas Cove, Texas, do hereby declare June 13-14, 2009 as

***“Hillside Evangelical Methodist Church Anniversary Days”***

in the City of Copperas Cove and invite citizens to attend the 25th Anniversary Fiesta on Saturday, June 13, 2009 at 5:00 p.m. at the church on FM 116 and a Special Brunch on Sunday, June 14, 2009 at 9:30 a.m. between services to commemorate the founding of the church and its continued presence in our City.

**IN TESTIMONY WHEREOF,** I witness my hand and the Seal of the City of Copperas Cove, Texas, this 2nd day of June 2009.

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John Hull, Mayor

Attest:

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Jane Lees, City Secretary

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
May 19, 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 Tim O'Neil of Hillside Ministries 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  
Charles E. Zech, City Attorney  
Jane Lees, City Secretary

**D. ANNOUNCEMENTS**

Council Member Seffrood thanked everyone who participated in the postal union food drive last week. He said 6,500 pounds of food was collected and it will be distributed among the three food pantries in Copperas Cove.

Council Member Goode said that the Texas Gulf Coast Press Association was in Copperas Cove from May 14-16. He said that 318 newspapers were represented and that the attendees toured Fort Hood. The president of the Association, Ray Robinson, expressed his appreciation to Copperas Cove for the warm welcome they received.

Council Member Stephens said that the City appreciated those who turned out for Rabbit Fest last weekend, even though it rained on Saturday.

Council Member Downard announced that the City Council is seeking volunteers for various committees. He announced the recruitment reception on May 28, 2009 at 7:00 p.m. that will be held at the library and encouraged all citizens interested to attend.

Mayor Hull announced that the City is having a reception on June 1, 2009 at 6:00 p.m. in the Public Library for the purpose of honoring all outgoing council members over the last year and welcoming the newly elected council members. The community is invited.

**E. PUBLIC RECOGNITION**

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

Andrea Gardner presented James Dixon with recognition for being selected as one of the employees of the quarter from 4th quarter 2008.

1st Quarter 2009 Recipients: Public Safety Division, Kevin Miller; Patrol Officer; Community Services Division, Jose Velazco, Parks & Recreation Laborer; Public Works Division, Gary Jones, Sr., Solid Waste Driver; Administrative Services Division, Adam Wolf, Information Systems Specialist II.

2. Proclamation: Relay for Life Month – May 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Barbara Mims. Stephanie, the American Cancer Society Staff Partner for the Relay, thanked the City for the proclamation. She said the Relay is a community event and community support is critical for its success. This year's Relay will be held at S.C. Lee Junior High on May 29-30, 2009. The goal is to raise \$56,000 and will be used for research, education, advocacy and patient services. All cancer survivors in this area are invited to attend and help show support for cancer research.

3. Proclamation: Hurricane Awareness Week – May 24-30, 2009. **John Hull, Mayor. John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Fire Chief Mike Baker.

Council Member Downard thanked Donna Baker, Tracy Molnes, and Robert Jones for placing the pictures of the former mayors back on the Council Chambers walls. He also stated that TxDOT planted trees near the entrance of our City, across from Wal-mart at the request of the City Manager.

Council Member Palmer made a motion to hear agenda item J-1 next. Council Member Downard seconded the motion, which passed unanimously.

**J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS**

1. The HOP update. **Robert Ator, Director of Urban Operations**

Robert Ator, Director of Urban Operations, gave an update on HOP operations.

**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.

Marty Smith, Chamber President. Ms. Smith thanked the City for their assistance with Rabbit Fest. She said that the entire City worked together, including the Fire Department, Police Department, Community Services Department, Solid Waste Department and Streets Department. This year was the 29th year for Rabbit Fest. Ms. Smith also thanked the citizens for their continued support of the event. She also recognized the hard work by the Chamber staff and the Chamber Ambassadors.

## G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the May 5, 2009 regular council meeting. **Jane Lees, City Secretary**

3. Consideration and action on authorizing the Mayor to sign a letter of support for a grant application submitted by the City of Harker Heights. **Carl Ford, Director of Development Services**

Council Member Downard requested that item G-2 be removed from the Consent Agenda and be discussed separately. Council Member Palmer requested that item G-4 be removed from the Consent Agenda and be discussed separately.

Council Member Goode made a motion to approve consent items G-1 and G-3. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

2. Report of activities, collections and costs associated with the opening of the Transfer Station on Saturdays during FY 2009. **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste, gave an overview of agenda item G-2.

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

4. Consideration and action on authorizing the Mayor to sign an Interlocal Government Agreement with Coryell County regarding the regulation of subdivisions within the City of Copperas Cove Extraterritorial Jurisdiction. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services, gave an overview of agenda item G-2.

Council Member Palmer made a motion to approve item G-4. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

## H. PUBLIC HEARINGS/ACTION

1. Public hearing and action on an 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 at 7:49 p.m.

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 at 7:51 p.m.

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

2. Public hearing and action on approval of the Final Plat of Christian House of Prayer Addition Phase Two. **Carl Ford, Director of Development Services**

Mayor Hull opened the public hearing at 7:52 p.m.

Carl Ford, Director of Development Services, gave an overview of agenda item H-2.

Speaking for: Mike Kriegel of Mitchell & Associates said he would be happy to answer any questions from the Council.

Speaking Against: None.

Mayor Hull closed the public hearing 7:53 p.m.

Council Member Downard made a motion to approve agenda item H-2. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

## I. ACTION ITEMS

1. Consideration and action on authorizing the City Manager to issue payment for the amount exceeding the previous Council authorized amount to Blackwell Environmental, LLC for legal assistance provided on the proposed oil & gas ordinance. **Andrea M. Gardner, City Manager**

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

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

2. Consideration and action on authorizing the City Manager to execute a professional services agreement with Hearn Engineering for engineering services associated with the utilization of the uncommitted Community Development Block Grant (CDBG) grant funds. **Andrea M. Gardner, City Manager**

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

Council Member Seffrood made a motion to approve agenda item I-2, Option 3. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on authorizing the City Manager to execute an addendum to the professional services agreement with Grant Development Services for consulting services associated with the utilization of the uncommitted Community Development Block Grant (CDBG) grant funds. **Andrea M. Gardner, City Manager**

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

Council Member Goode made a motion to approve the addendum to the professional services agreement. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on the mayoral recommendations for council member appointments to various ad hoc committees, outside agencies, committees, task forces and commissions. **John Hull, Mayor**

John Hull, Mayor, gave an overview of agenda item I-4.

Mayor Hull nominated Council Members Seffrood and Meredith to serve on the Charter Review Committee, and nominated himself to serve on the Joint Image Campaign and Andrea M. Gardner, City Manager as the Alternate.

Council Member Sheppard made a motion to approve Mayor Hull's nominations. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

5. 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-5.

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

The Resolution caption is as follows:

#### **RESOLUTION NO. 2009-25**

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

6. Consideration and action on authorizing the City Manager to execute a professional services agreement with Hearn Engineering for design and engineering services associated with the Lutheran Church Road Street Reconstruction Project. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-6.

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

7. Consideration and action on a proposal from Langford Community Management Services to initiate an application for an EDA Grant for Business/Industrial Park infrastructure. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

Dan Yancey, President of the Board, Copperas Cove Economic Development Corporation, gave an overview of agenda item I-7.

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

8. Consideration and action on a Master Concept Plan for the Business and Industrial Park area. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

Dan Yancey, President of the Board, Copperas Cove Economic Development Corporation, gave an overview of agenda item I-8.

Council Member Meredith made a motion to postpone approval of agenda item I-8 until such time as the CCEDC is able to obtain an additional proposal for professional engineering services to complete the master plan concept for the business and industrial park area. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

9. Consideration and action on authorizing the City Manager to execute an agreement for a golf cart lease with Club Car Inc. **Mike Chandler, Golf Course General Manager**

This item was pulled from the agenda and no action was taken.

10. Consideration and action on a Resolution canvassing returns and declaring the results of the General Election held on May 9, 2009. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-10.

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

The Resolution caption is as follows:

#### **RESOLUTION NO. 2009-26**

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CANVASSING RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 9, 2009.**

11. Discussion and possible action on items discussed during City Council Workshops conducted March 3, 2009 – May 5, 2009. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-11. Ms. Gardner requested guidance from the Council on the following items which were previously presented:

1. Code of Ordinances Chapter 4 – Building. Council Member Palmer recommended appointing a committee to review the Code of Ordinances, Chapter 4 – Building. The Council concurred.

2. Railroad Quiet Zones. Council Member Stephens recommended that no action be taken regarding railroad quiet zones. The Council concurred.

3. Draft Land Disturbance Ordinance. Council Member Palmer recommended appointing a committee research and recommend a draft land disturbance ordinance. The Council concurred.

4. Fire Department Strategic Master Planning Program, including staffing recommendations, apparatus, equipment, and facility needs. Council Member Stephens recommended that all these actions should be brought up during the budget workshops. After a lengthy discussion, the Council concurred to bring the personnel portion of the request back at a future Council Meeting.

12. Consideration and action on authorizing the City Manager to execute a professional services agreement with Hearn Engineering for the Colorado, Skyline & Circle Drives Project Hazard Mitigation Grant Submission. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-12.

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

13. Report and possible discussion on the Hazard Mitigation Grant submission. **Andrea M. Gardner, City Manager**

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

No action required.

#### **K. ITEMS FOR FUTURE AGENDAS**

Council Member Palmer requested the following:

1. Research financial options and job responsibilities for adding the position of assistant city manager. Council Member Meredith concurred.

2. A cost estimate on fixing the tennis courts located at the golf course. Council Member Meredith concurred.

Council Member Downard stated that abandoned cars are a problem for the City and asked that the City do something to change the current ordinance because it is too easy for a citizen who has a red-tagged vehicle to just move it a few feet and no longer be in violation. City Manager Gardner said she is already working on this problem and it will be included on a future agenda.

Council Member Stephens requested that the EDC bylaws, written in 1993 and updated in 1996, be revised. He requested that the bylaws be updated within 45-60 days and given to the City Attorney for review, then the City Council for approval. Council Member Palmer concurred.

**L. EXECUTIVE SESSION – None.**

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

**N. ADJOURNMENT**

There being no further business, Mayor Hull adjourned the meeting at 8:48 p.m.

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John Hull, Mayor

**ATTEST:**

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Jane Lees, City Secretary

# City of Copperas Cove City Council Agenda Item Report

June 2, 2009

## Agenda Item G-2

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

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**SUBJECT: Financial Report for the Month ended April 30, 2009.**

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**1. BACKGROUND/HISTORY**

Attached is the Monthly Council Report for the month ended April 30, 2009. This report is submitted to the City Council for review. The report provides a detailed analysis of the City's financial condition and results of operations for the month ended April 30, 2009.

**2. FINDINGS/CURRENT ACTIVITY**

None.

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

None.

May 21, 2009

Mayor and City Council Members:

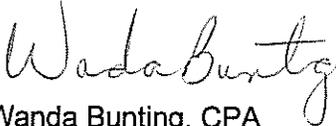
The Finance Department is pleased to submit the Monthly Financial Report for the month of April 2009. The FY 2008-09 budget is being monitored very closely and budget amendments will be brought to City Council if the need arises for redistribution of funds or an increase in appropriations. The FY 2009-10 budget process is underway with departments working on their budget submissions. The fiscal year 2009-10 Proposed Annual Budget is scheduled to be presented to City Council at the July 21, 2009 Council meeting.

Year-to-date revenues through April 2009 are exceeding expenditures in all of the major funds of the City with the exception of the Golf Course Fund. The Operating expenses at the Golf Course are exceeding the operating revenues by \$195,896. This fund has only collected 25.9% of the budget revenues where last fiscal year the operating revenues were at 41.2% of the budget at the end of April. This fund will need to be closely monitored through the final spring and summer months to determine if expenses need to be trimmed back further in FY 2008-09 or if a transfer from the General Fund will be necessary this fiscal year.

The key economic indicators provide some insight for the financial activity of the City. The sales tax revenue and hotel occupancy tax collections are still showing a year-to-date increase from the prior fiscal year. However, for the month of April the sales tax revenue is down 7.4% and hotel occupancy tax revenue is down 28.6% from the previous year. Also for the month of April, the active utility accounts are below the prior year and the dollar value of building permits are also down from the prior fiscal year. The unemployment rate in the Killeen/Fort Hood region has increased from the prior year. City staff will continue to monitor revenues and expenditures in all City funds and key economic indicators.

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

Respectfully submitted,



Wanda Bunting, CPA  
Director of Financial Services

City of Copperas Cove  
Financial Summary by Fund  
April 30, 2009

**GENERAL FUND**

- April year-to-date revenues are above April year-to-date expenditures by \$2,574,235.
- Property tax revenue for April 2009 is \$26,908 or 72.2% below \$96,763 collected last April. Year-to-date property tax revenue is at \$6,561,004 or 10.2% above prior year-to-date collections.
- Year-to-date sales tax revenue of \$1,336,561 reflects an \$87 or a slight increase from the prior fiscal year.
- Year-to-date franchise tax revenue of \$418,755 is \$34,561 or 9.0% above prior year-to-date revenue.
- Interest earnings year-to-date of \$34,033 decreased by \$77,121 or 69.4% under the prior fiscal year-to-date earnings.
- General Fund expenditures year-to-date of \$8,024,826 reflect an increase of 10.9% over prior year-to-date expenditures of \$7,233,743.

**WATER & SEWER FUND**

- Year-to-date revenues exceeded year-to-date expenses by \$591,491.
- Water revenue totaled \$395,596 for the month. This is \$48,739 or 14.1% above April 2008. Year-to-date water revenue is at \$2,526,179 which is above the prior year-to-date revenue by \$70,650 or 2.9%.
- Sewer revenue totaled \$302,394 for the month. This is \$994 or .3% above April 2008. Year-to-date sewer revenue is at \$1,976,437 which is below the prior year-to-date revenue by \$15,855 or 0.8%.
- Interest earnings year-to-date of \$18,539 decreased by \$39,191 or 67.9% below the prior fiscal year-to-date earnings.
- Connect fees produced revenues of \$3,940 for the month; \$29,660 year-to-date.
- Water tap fees year-to-date are \$20,082; \$32,354 below prior year-to-date.
- Sewer tap fees year-to-date are \$6,570; \$6,580 below prior year-to-date.
- Expenses year-to-date of \$4,133,367 reflect an increase of 0.8% over prior year-to-date expenses of \$4,102,350.

### ***SOLID WASTE FUND***

- Year-to-date revenues exceeded year-to-date expenses by \$294,520.
- Sanitary landfill fees for April 2009 are \$26,559; compared to \$39,290 in April 2008. Year-to-date revenue is at \$185,471 which is below the prior year-to-date revenue by \$32,394 or 14.9%.
- Refuse collection fees are \$196,446 for the month; a decrease of \$2,649 under April 2008. Year-to-date revenue is at \$1,389,956 which is above the prior year-to-date revenue by \$28,163 or 2.1%.
- Interest earnings year-to-date of \$5,086 decreased by \$12,640 or 71.3% below the prior fiscal year-to-date earnings.
- Expenses year-to-date of \$1,432,307 reflect a decrease of 6.1% below prior year-to-date expenses of \$1,524,573.

### ***DRAINAGE UTILITY FUND***

- Year-to-date revenues exceeded year-to-date expenditures by \$87,551.
- Drainage Utility fees for the month of April are \$70,847; a slight increase of \$30 above April 2008. Year-to-date revenue is at \$503,266 which is below the prior year-to-date revenue of \$508,126.
- Expenditures year-to-date of \$415,715 reflect an increase of 7.1% above prior year-to-date expenditures of \$388,073.

### ***GOLF COURSE FUND***

- Year-to-date expenses exceeded year-to-date revenues by \$195,896.
- Revenues for the month of April totaled \$40,678, compared to revenues for April 2008 of \$60,485. Year-to-date operating revenues are at \$232,431 which is below the prior year-to-date operating revenues by \$88,589 or 27.6%.
- Expenses for the month are \$67,887; \$4,984 above April 2008 expenses. Year-to-date expenses of \$428,327 reflect an increase of 10.6% above prior year-to-date expenses of \$387,131.

City of Copperas Cove  
Economic Indicators Summary  
April 30, 2009

***Unemployment Rate***

- The unemployment rate for the month of April 2009 was 5.6%, which is up from April 2008, recorded at 4.1%.

***Sales Tax Collections***

- Sales tax collections for April 2009 totaled \$169,345, compared to April 2008 collections of \$182,831. Year to date, sales tax collections are at \$1,336,561 or slightly above prior year-to-date collections of \$1,336,474.
- In addition to the City sales tax collected above, \$668,280 year-to-date was paid to the Copperas Cove Economic Development Corporation.

***Water Customers***

- During the month of April 2009 there were 11,998 active water accounts.
- April 2008 recorded 12,096 water customers, which indicates a 0.8% or a decrease of 98 water customers from April 2008 to April 2009.

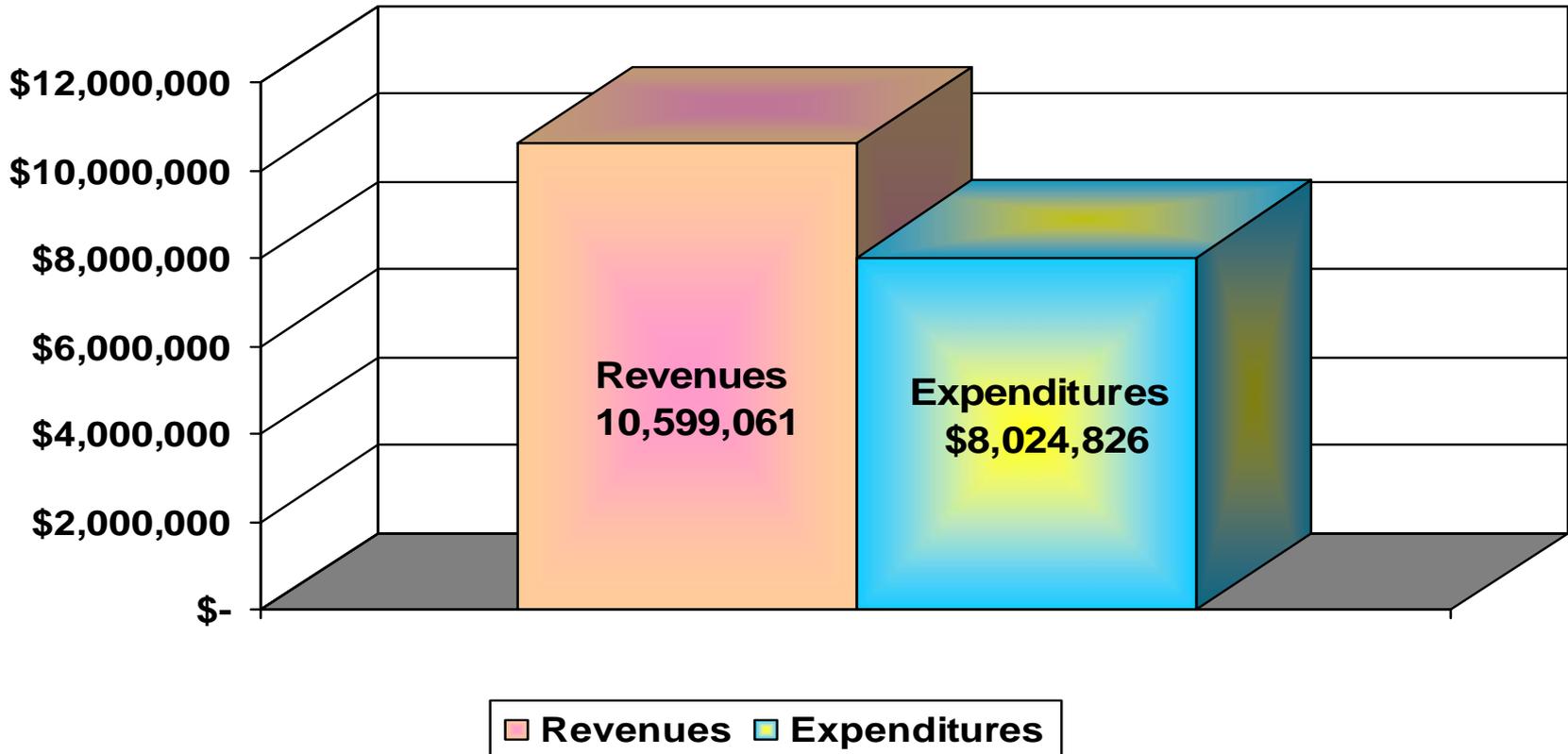
***Building Permits***

- The total dollar value of building permits issued for April 2009 was \$1,807,917 compared to \$4,335,894 in April 2008.
- 120 building permits were issued in April 2009 which is a decrease of 24 compared to that issued in April 2008.

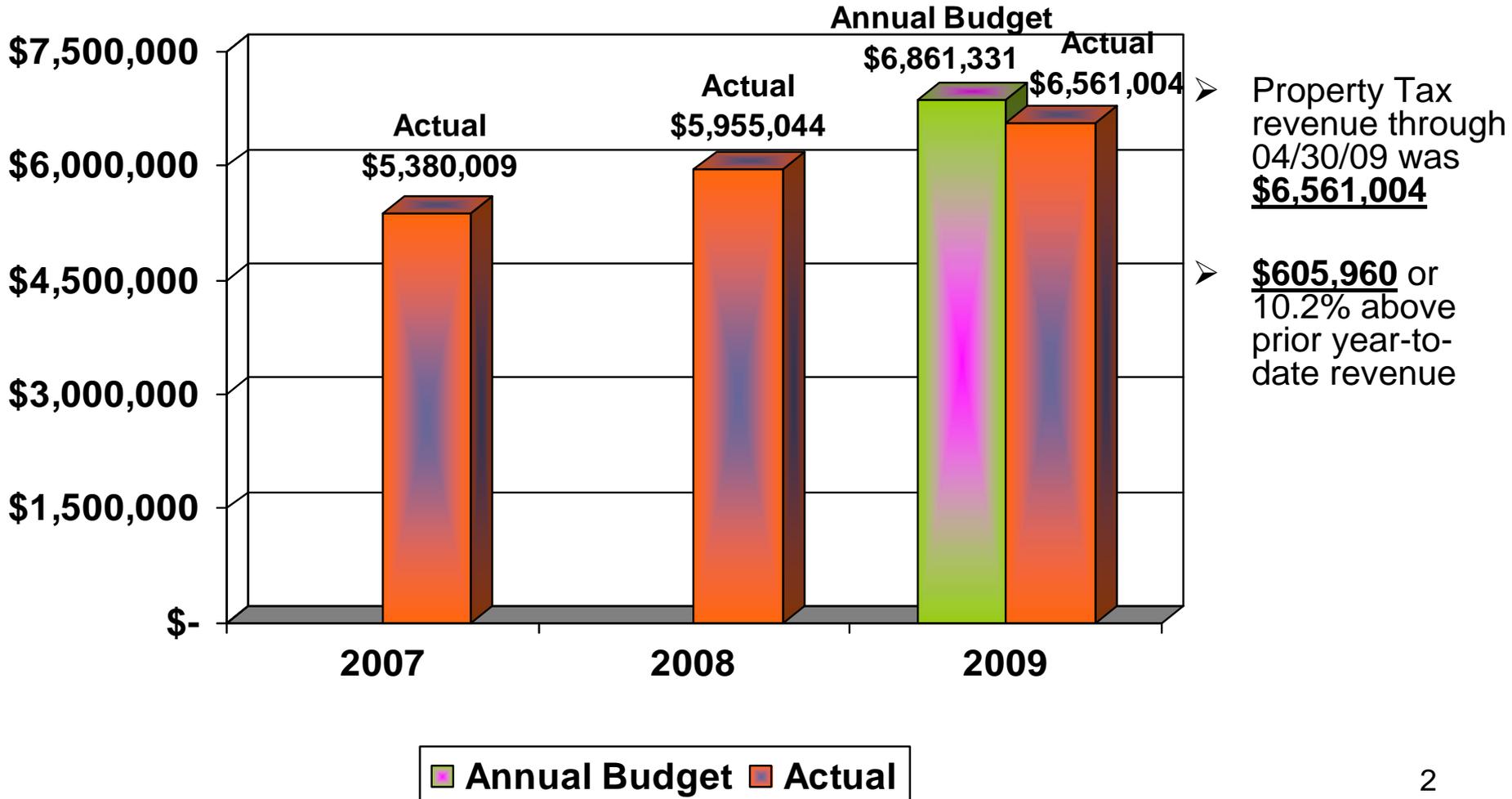
***Hotel Occupancy Tax Revenue***

- Hotel occupancy tax collections for April 2009 were \$26,452 compared to \$37,022 collected in April 2008. Year to date, hotel occupancy tax collections are at \$122,976 or 18.6% above prior year-to-date collections of \$103,693.

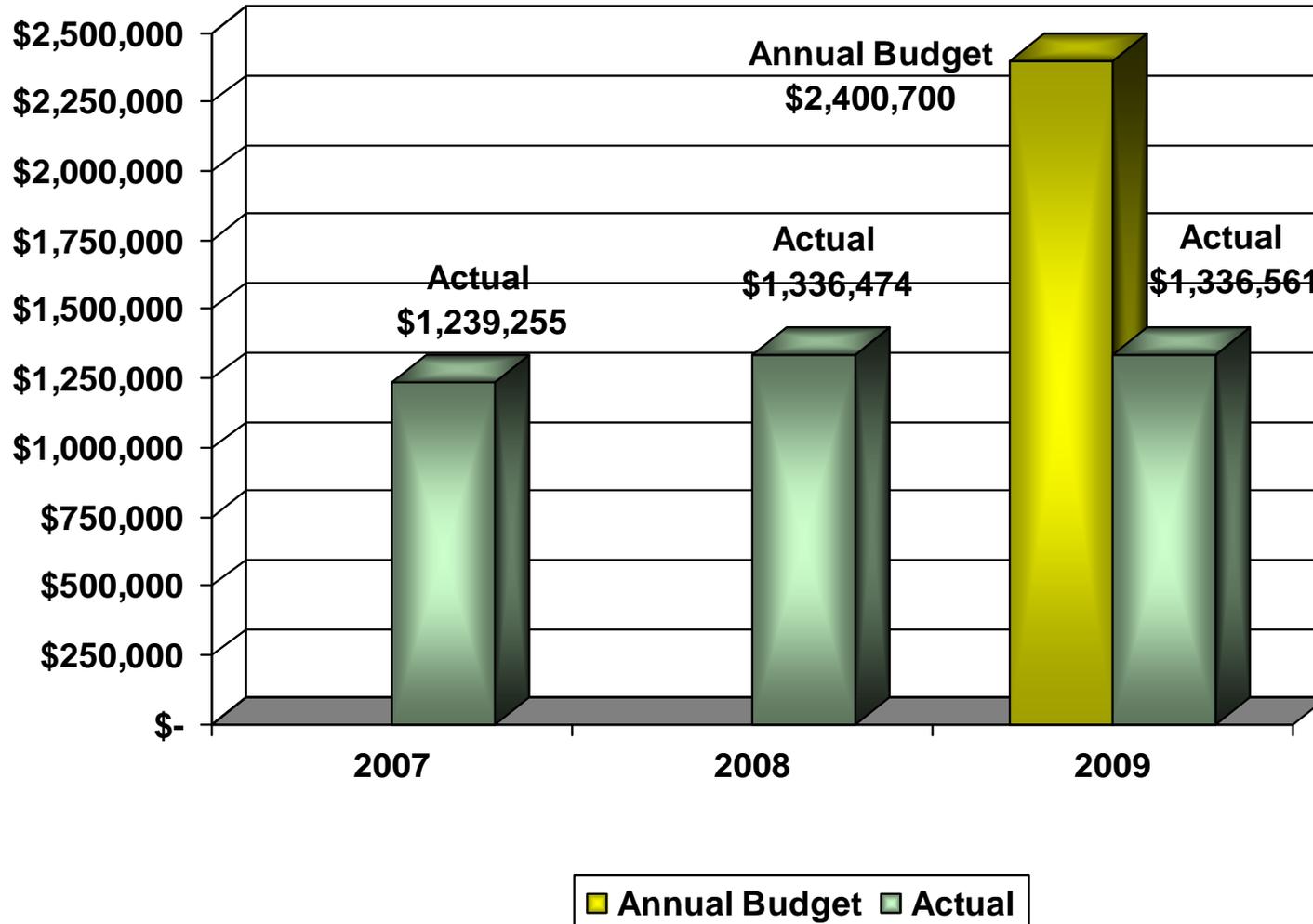
# City of Copperas Cove General Fund Revenues vs. Expenditures FYTD (October through April)



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



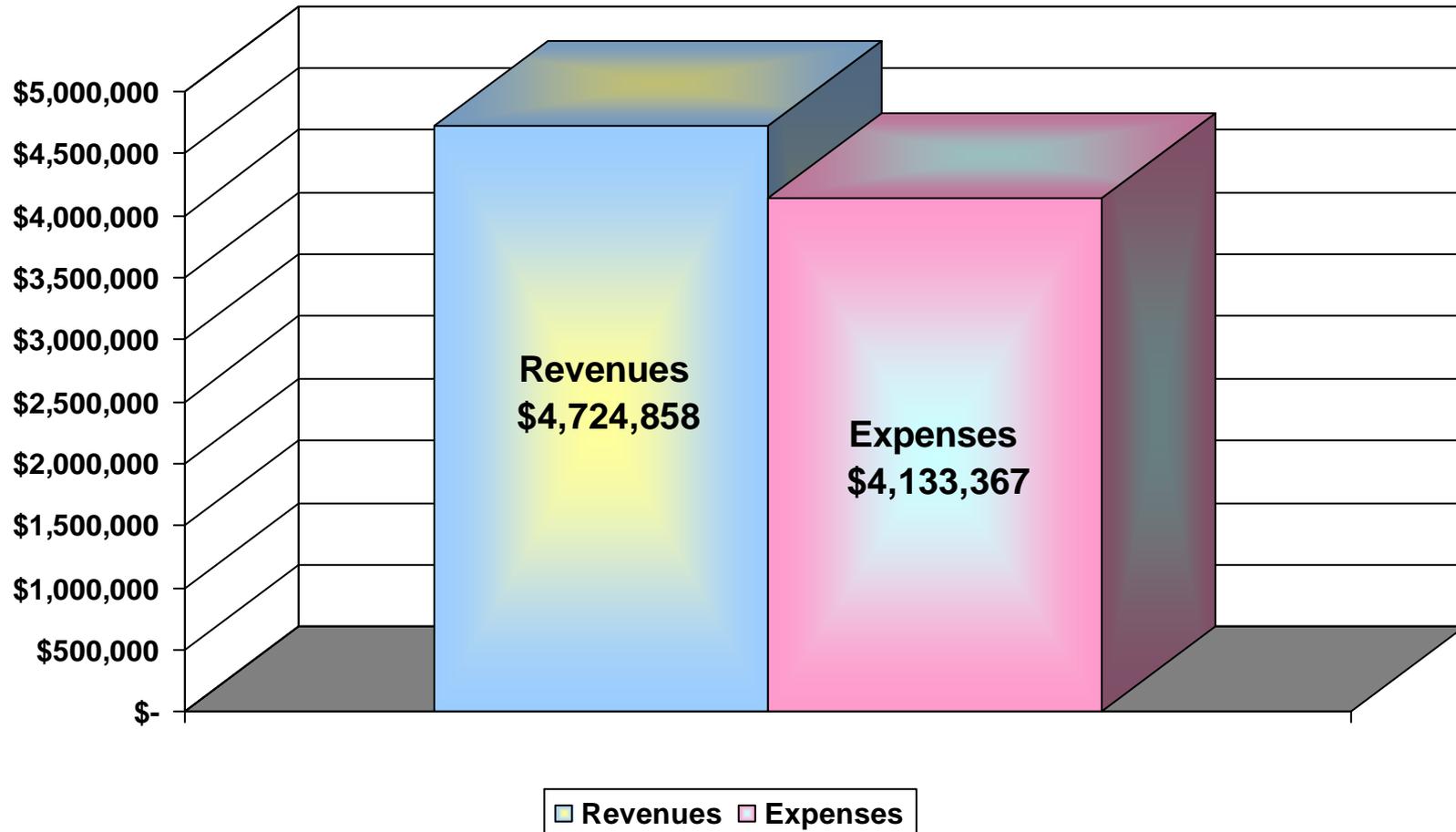
# City of Copperas Cove Sales Tax Revenue Trends FYTD (October through April)



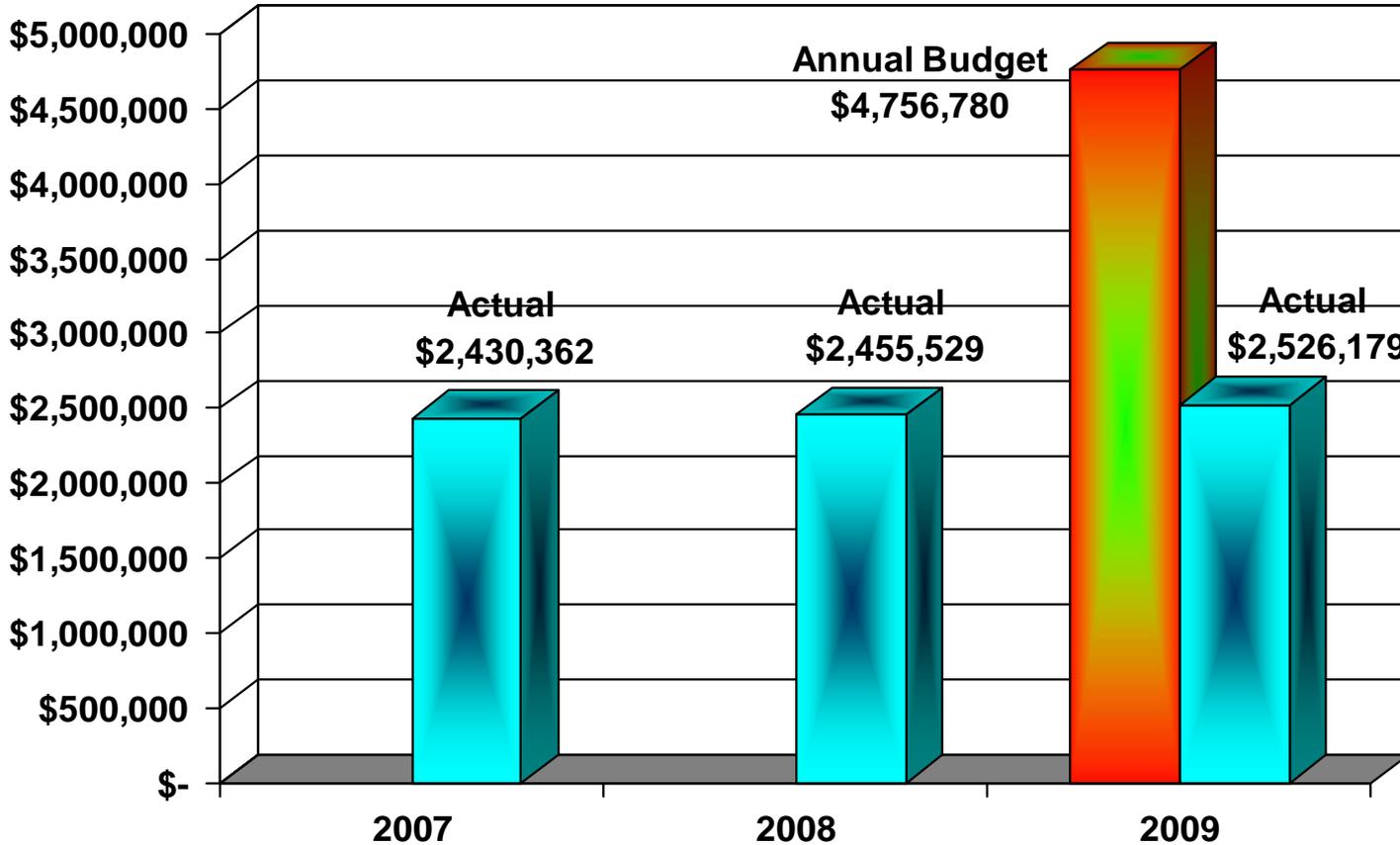
➤ Sales Tax Revenue through 04/30/09 was **\$1,336,561**

➤ **\$87** or 0.01% above prior year-to-date Sales Tax Revenue

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



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

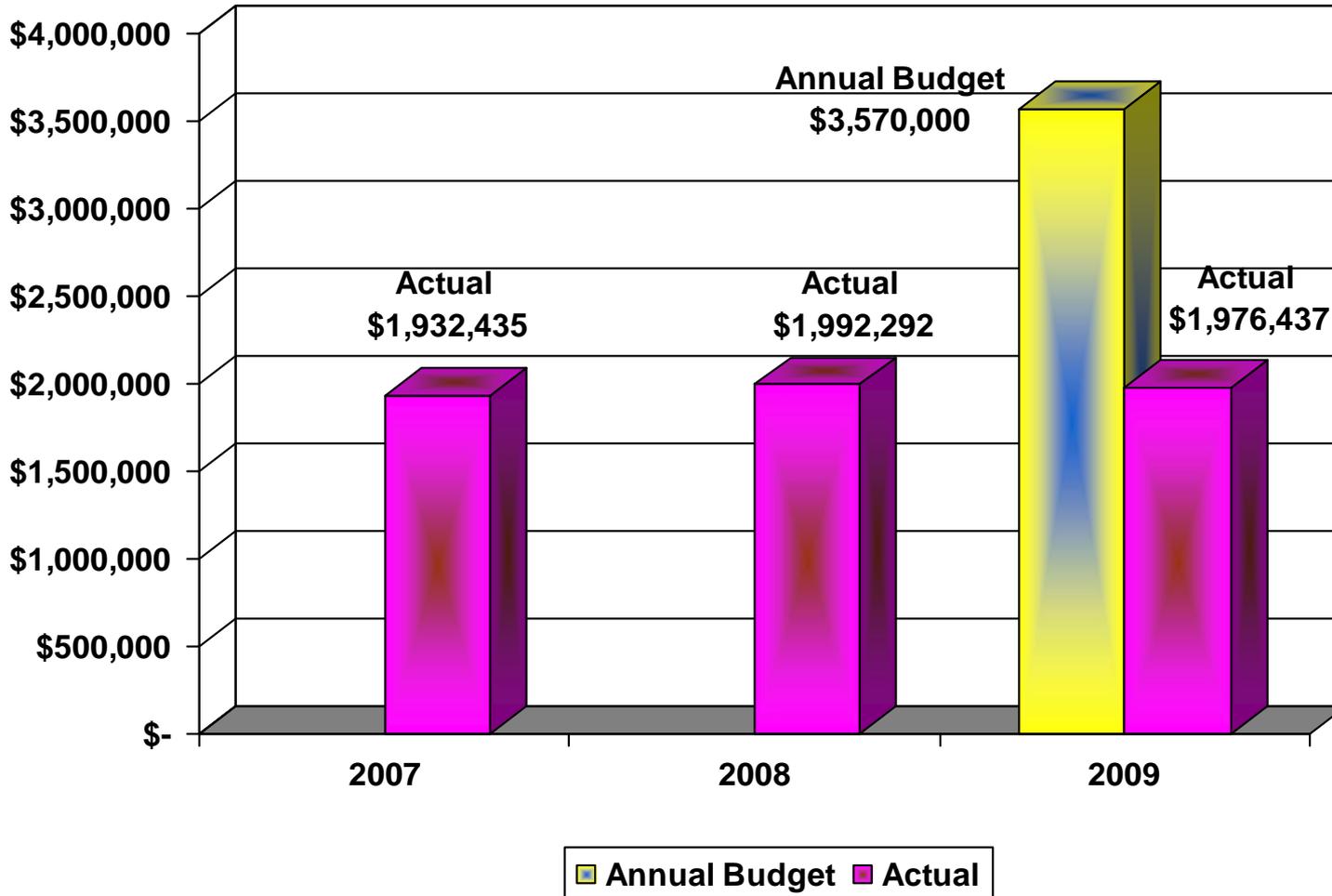


➤ Water Revenue through 04/30/09 was **\$2,526,179**

➤ **\$70,650** or 2.9% above prior year-to-date revenue

■ Annual Budget ■ Actual

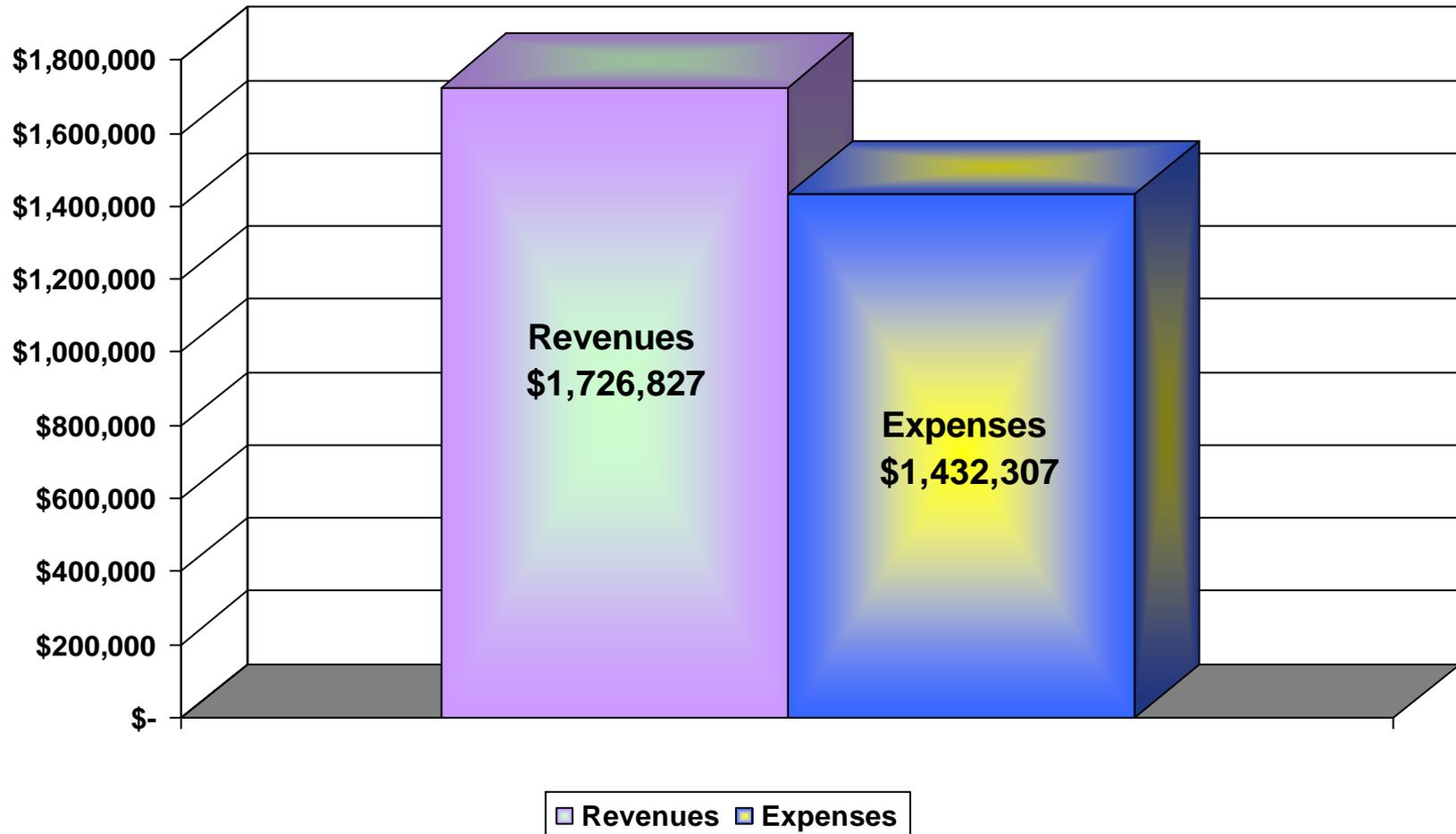
# City of Copperas Cove Sewer Revenues FYTD (October through April)



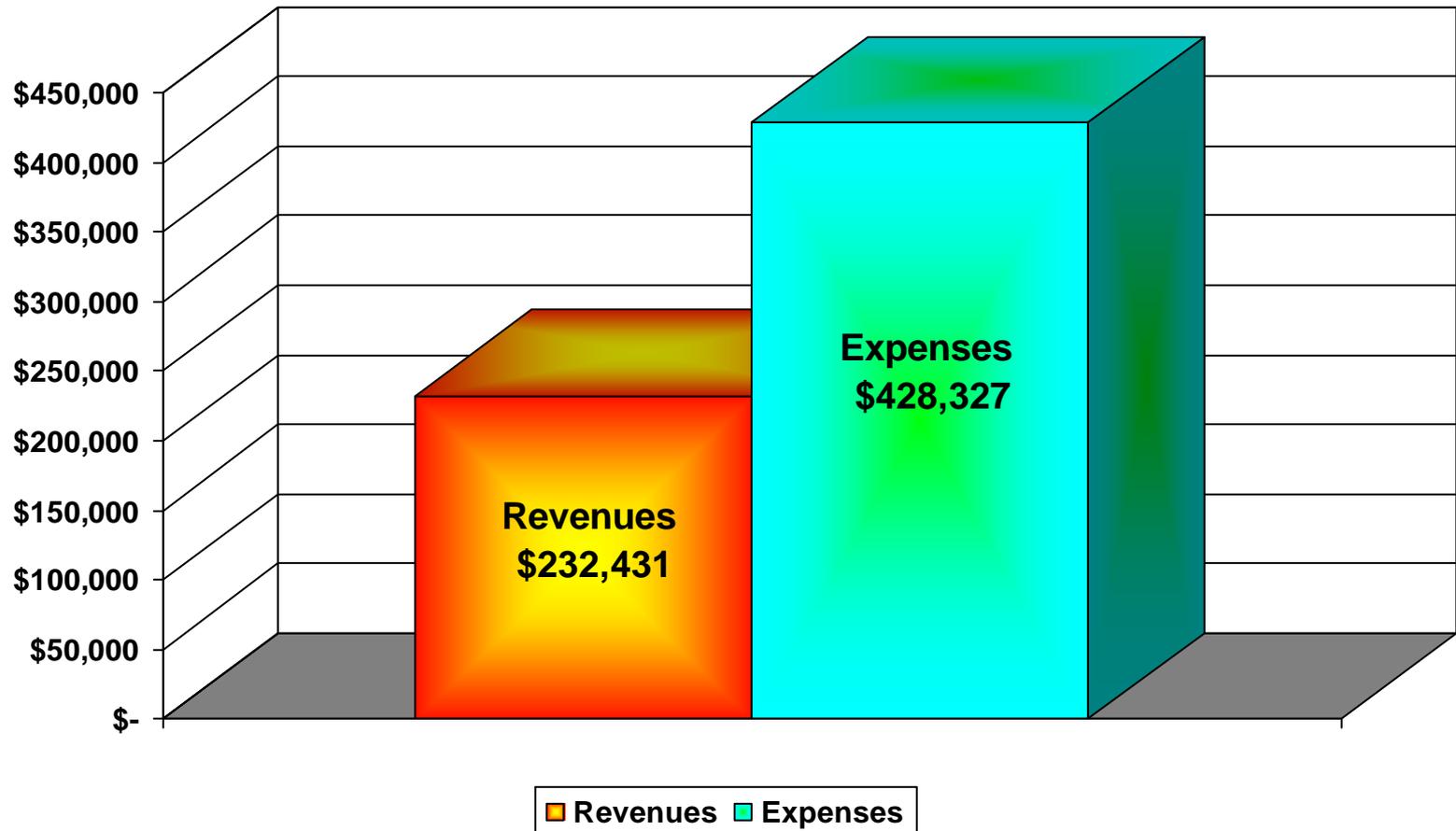
➤ Sewer Revenue through 04/30/09 was **\$1,976,437**

➤ **\$15,855** or 0.8% below prior year-to-date revenue

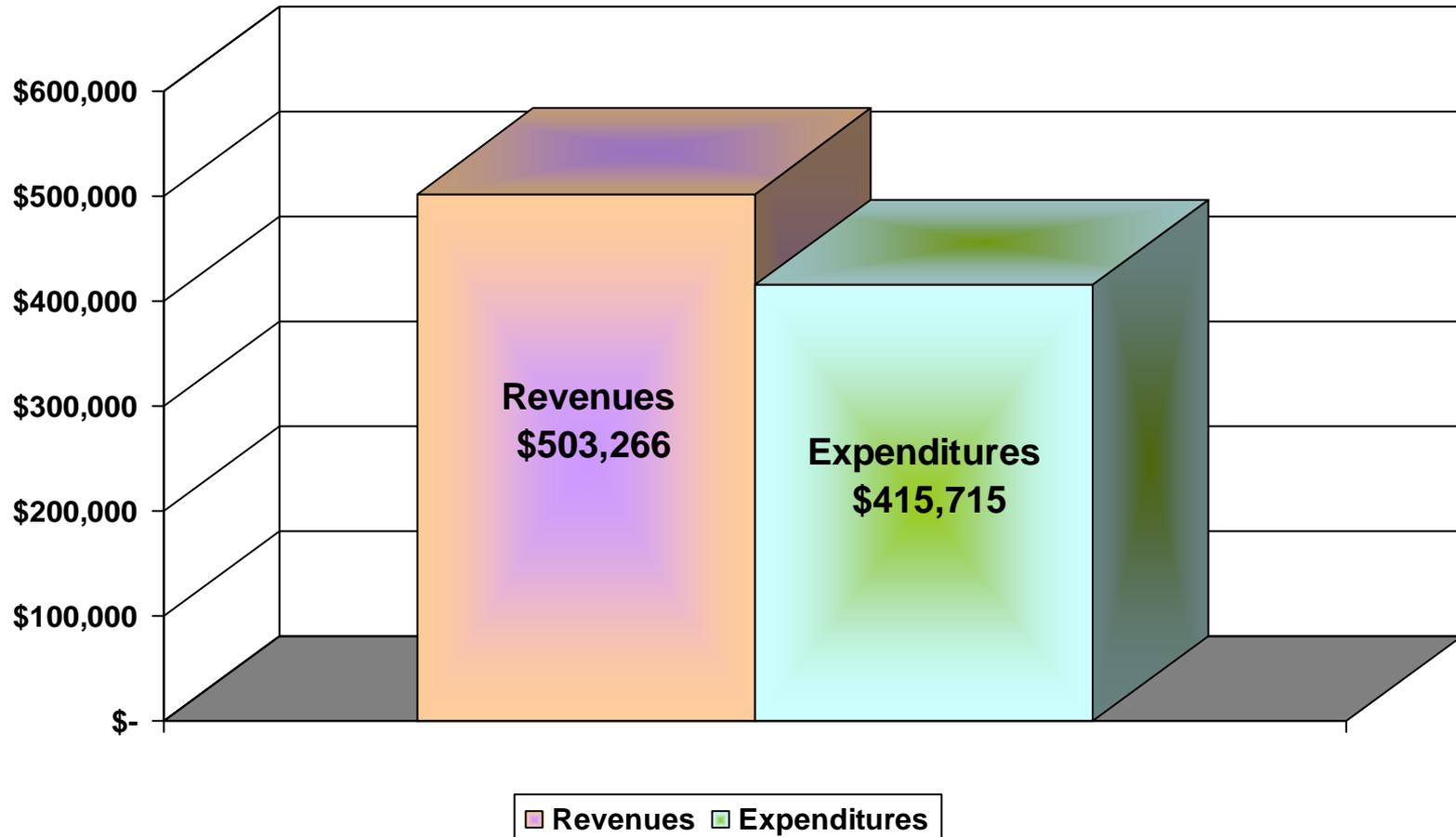
# City of Copperas Cove Solid Waste Fund Revenues vs. Expenses FYTD (October through April)



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



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



**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
GENERAL FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>BEGINNING FUND BALANCE</b>				
Unreserved, Designated	\$ 1,000,000	1,000,000	\$ 1,000,000	
Unreserved, Undesignated	2,827,839	6,527,880	3,259,675	
<b>TOTAL BEG. FUND BALANCE</b>	<b>\$ 3,827,839</b>	<b>7,527,880</b>	<b>\$ 4,259,675</b>	
<b>GENERAL FUND REVENUE</b>				
<b>Taxes</b>				
Current Ad Valorem Taxes	\$ 6,861,331	\$ 26,908	\$ 6,561,004	95.6%
Delinquent Ad Valorem Taxes	60,000	6,216	56,976	95.0%
Penalty & Interest	43,000	4,029	30,573	71.1%
Sales Tax	2,400,700	169,345	1,336,561	55.7%
Franchise Tax	1,231,000	83,837	418,755	34.0%
TXU Settlement	35,633	13,168	33,954	95.3%
Mixed Drink Tax	14,000	2,873	10,307	73.6%
Bingo Tax	100,000	0	62,806	62.8%
Used Oil Revenue-Safety Clean/H&H	500	0	99	19.7%
<b>Subtotal Taxes</b>	<b>\$ 10,746,164</b>	<b>306,376</b>	<b>\$ 8,511,034</b>	<b>79.2%</b>
<b>Licenses &amp; Permits</b>				
License-Bicycle	\$ 100	\$ -	\$ 4	4.0%
License-Contractors	35,000	1,980	26,095	74.6%
License-Animal	5,414	1,292	3,574	66.0%
Permits-Building	75,000	3,911	21,297	28.4%
Permits-House Moving	50	0	125	250.0%
Permits - Street Cuts	9,000	0	7,328	81.4%
Permits-Electrical	20,000	1,215	5,075	25.4%
Permits-Solicitors	2,500	150	1,405	56.2%
Permits-Natural Gas Lines	14,000	75	875	6.3%
Permits-Garage Sales	7,000	730	3,640	52.0%
Permits-Plumbing	34,000	3,132	13,485	39.7%
Permits-Mechanical	16,800	1,026	4,028	24.0%
License-Taxicabs	300	0	360	120.0%
License-Vicious/Dangerous Animals	1,500	0	600	40.0%
Permits-Car Washes	500	45	105	21.0%
Permits-Signs	1,500	55	380	25.3%
Permits-Swimming Pools	900	115	175	19.4%
Wrecker License	510	0	510	100.0%
Permit-Certificate of Occupancy	2,000	40	1,040	52.0%
Permits-Alarms	6,200	(100)	2,500	40.3%
False Alarm Penalties	1,000	0	750	75.0%
Permits-Alcohol License	600	0	240	40.0%
Permits-Well/Gas Drilling	4,000	0	-	0.0%
<b>Subtotal Licenses &amp; Permits</b>	<b>\$ 237,874</b>	<b>13,666</b>	<b>\$ 93,591</b>	<b>39.3%</b>
<b>Services &amp; Charges</b>				
Swimming Pool Receipts	\$ 53,000	-	\$ 26	0.0%
Community Building Rental	24,500	2,750	8,845	36.1%
Misc. Library Receipts	14,790	1,136	7,323	49.5%
Animal Shelter Fees	36,124	3,082	19,130	53.0%
Ambulance Fee Revenue <sup>(1)</sup>	650,600	35,610	351,634	54.0%
Copy Machines	4,000	347	2,396	59.9%
Mowing/Mowing Liens Revenue	24,000	317	6,034	25.1%
Sale of City Maps	500	30	190	37.9%

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
GENERAL FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>Services &amp; Charges (cont.)</b>				
Service Charge-NSF Checks	11,500	480	6,090	53.0%
Plat Filing Fee Revenue	3,500	250	2,550	72.9%
RV Park Fees	12,000	1,395	6,825	56.9%
Police Overtime Reimbursement	20,000	605	16,110	80.5%
Police Restitution Revenue	3,000	277	962	32.1%
Festival Reimbursements	15,000	0	-	0.0%
Special Events-Seniors	2,000	0	1,760	88.0%
Library Meeting Room Rental	2,800	0	645	23.0%
Open Records Revenue	1,200	22	214	17.8%
Fax Machine Fees	800	0	119	14.8%
Pool Rental Revenue	4,000	0	50	1.3%
Re-Inspection Fees	700	0	100	14.3%
Fire Related Response Revenue	35,000	0	-	0.0%
Animal Tranquilization Fee	350	10	130	37.1%
Disposal of Farm Animals	125	0	-	0.0%
Micro Chip of Animals Revenue	3,500	154	941	26.9%
<b>Subtotal Services &amp; Charges</b>	<b>\$ 922,989</b>	<b>\$ 46,464</b>	<b>\$ 432,072</b>	<b>46.8%</b>
( <sup>1</sup> ) Recorded net of billing fees.				
<b>Fines &amp; Forfeitures</b>				
Municipal Court Fines	\$ 135,000	\$ 8,998	\$ 67,086	49.7%
Traffic Violation Fines	325,000	26,001	231,870	71.3%
Library Fines	16,000	1,336	8,831	55.2%
Arrest Warrant Income	120,000	7,219	67,605	56.3%
Child Safety Fund	12,000	1,034	8,700	72.5%
City's % of State Court Fines	60,000	17,236	44,924	74.9%
HB 70 Fees	11,000	896	7,930	72.1%
Arresting Officer Fees	26,000	1,964	16,834	64.7%
CCISD Liaison Funding	106,584	53,292	53,292	50.0%
Admin Fee-Teen Court	12,000	60	460	3.8%
Admin Fee-Defensive Driving	9,000	918	6,898	76.6%
Rezone Request Fees	1,600	200	600	37.5%
Variance Request Fees	220	110	220	100.0%
<b>Subtotal Fines &amp; Forfeitures</b>	<b>\$ 834,404</b>	<b>119,264</b>	<b>\$ 515,249</b>	<b>61.8%</b>
<b>Administration Reimb.</b>				
Admin. Reimb.-W & S Fd	\$ 742,500	\$ 61,875	\$ 433,125	58.3%
Admin. Reimb.-Solid Waste Fd	428,000	35,667	249,667	58.3%
Admin. Reimb.-Drainage Utility Fd	80,000	6,667	46,667	58.3%
<b>Subtotal Admin. Reimb.</b>	<b>\$ 1,250,500</b>	<b>104,208</b>	<b>\$ 729,458</b>	<b>58.3%</b>
<b>Miscellaneous Revenue</b>				
Interest Earned Revenue	\$ 200,000	\$ 2,864	\$ 34,033	17.0%
Rental Income	17,280	1,584	11,088	64.2%
Miscellaneous Revenues	165,690	54,782	163,385	98.6%
Insurance Proceeds	500	0	1,574	314.9%
Cash Over/(Short)	200	2	(78)	-38.8%
Food Workers' Registration	15,000	891	7,123	47.5%
Food Establishment Licenses	12,000	850	5,900	49.2%
Police Misc. Revenues	3,000	396	2,002	66.7%
Bell County Fire Runs Revenue	3,400	345	4,782	140.7%
County EMS Revenue	40,000	40,000	40,000	100.0%

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
GENERAL FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>Miscellaneous Revenue (cont.)</b>				
Maint. & Landscape Revenue-HR Bldg.	2,100	0	2,400	114.3%
Street Sign Revenue	3,475	0	2,980	85.8%
Auction Proceeds	8,000	0	12,751	159.4%
County Mutual Aid Revenue	54,000	(40,000)	29,715	55.0%
<b>Subtotal Miscellaneous Rev.</b>	<b>\$ 524,645</b>	<b>61,714</b>	<b>\$ 317,657</b>	<b>60.5%</b>
<b>TOTAL G. F. REVENUE</b>	<b>\$ 14,516,576</b>	<b>651,691</b>	<b>\$ 10,599,061</b>	<b>73.0%</b>

<b>GENERAL FUND EXPENDITURES</b>				
City Council	\$ 42,240	\$ 1,093	\$ 9,393	22.2%
City Manager	285,412	26,721	142,909	50.1%
City Secretary/Elections	163,182	12,421	107,284	65.7%
City Attorney	155,062	10,916	105,998	68.4%
Finance	653,360	51,908	382,191	58.5%
Human Resources	240,671	23,023	139,571	58.0%
Information Systems	239,238	26,081	140,073	58.5%
Municipal Court	351,155	32,071	195,904	55.8%
Police	4,762,190	449,796	2,563,561	53.8%
Public Affairs Office	115,389	12,064	75,581	65.5%
Animal Control	240,896	21,971	127,758	53.0%
Fire/EMS	3,215,045	352,355	1,871,212	58.2%
Emergency Management	16,743	1,578	2,200	13.1%
Engineering	169,259	15,921	86,586	51.2%
Building & Development Services	274,844	27,182	130,326	47.4%
Streets	819,582	56,536	422,766	51.6%
Parks and Recreation	1,030,046	77,791	519,070	50.4%
Fleet Services	253,226	26,428	151,427	59.8%
Facility Maintenance	111,119	10,075	57,927	52.1%
Planning	212,447	20,181	112,788	53.1%
Library	533,921	47,658	281,225	52.7%
Code & Health	219,902	16,929	101,176	46.0%
Non-Departmental	566,389	24,962	297,899	52.6%
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 14,671,318</b>	<b>1,345,662</b>	<b>\$ 8,024,826</b>	<b>54.7%</b>
<b>ENDING FUND BALANCE</b>				
Unreserved, Designated	\$ 1,000,000	1,000,000	\$ 1,000,000	
Unreserved, Undesignated	\$ 2,673,097	5,833,909	\$ 5,833,909	
<b>TOTAL ENDING FUND BALANCE</b>	<b>\$ 3,673,097</b>	<b>6,833,909</b>	<b>\$ 6,833,909</b>	
<b>IDEAL RESERVE FUND BALANCE</b>	<b>\$ 3,667,830</b>	<b>3,667,830</b>	<b>\$ 3,667,830</b>	
<b>OVER (UNDER) IDEAL RESERVE FUND BALANCE</b>	<b>\$ 5,267</b>	<b>3,166,079</b>	<b>\$ 3,166,079</b>	

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
WATER & SEWER FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>BEGINNING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 1,579,636	2,120,525	\$ 1,730,313	
<b>TOTAL BEGINNING FUND BALANCE</b>	\$ 1,579,636	2,120,525	\$ 1,730,313	
<b>W &amp; S FUND REVENUES</b>				
<b>Operating Revenues</b>				
Water Revenue	\$ 4,756,780	\$ 395,596	\$ 2,526,179	53.1%
Sewer Revenue	3,570,000	302,394	1,976,437	55.4%
Senior Discount	(140,800)	(11,752)	(75,444)	53.6%
Water Tap Fees	100,000	3,529	20,082	20.1%
Sewer Tap Fees	26,000	1,790	6,570	25.3%
Connect Fee	60,000	3,940	29,660	49.4%
Meter Box Reset Fee	500	0	-	0.0%
Composting Sales Revenue	12,000	2,707	8,989	74.9%
<b>Subtotal Operating Revenues</b>	\$ 8,384,480	698,204	\$ 4,492,474	53.6%
<b>Other Revenues</b>				
Admin Reimb-Drainage	\$ 20,000	\$ 1,667	\$ 11,667	58.3%
Interest Revenue	100,000	1,262	18,539	18.5%
Late Charge For Billing	270,000	18,996	144,252	53.4%
Riser Forfeiture Revenue	1,000	0	1,580	158.0%
Auction Proceeds	1,000	0	10,398	1039.8%
Insurance Proceeds	0	2,307	3,400	N/A
Miscellaneous Revenues	54,990	13,644	42,549	77.4%
<b>Subtotal Other Revenues</b>	\$ 446,990	\$ 37,877	\$ 232,384	52.0%
<b>TOTAL W &amp; S FD REVENUES</b>	\$ 8,831,470	736,080	\$ 4,724,858	53.5%
<b>W &amp; S FUND EXPENSES</b>				
Public Works	\$ 169,683	\$ 18,973	\$ 104,854	61.8%
Utility Administration	593,848	52,874	335,513	56.5%
Water Distribution	1,304,571	164,047	662,471	50.8%
Sewer Collection	555,986	51,777	273,252	49.1%
Wastewater Treatment	1,529,202	24,904	646,645	42.3%
Composting	184,989	16,633	97,496	52.7%
Non-Departmental	4,675,281	205,593	2,013,136	43.1%
<b>TOTAL W &amp; S FUND EXPENSES</b>	\$ 9,013,560	534,802	\$ 4,133,367	45.9%
<b>ENDING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 1,397,546	2,321,804	\$ 2,321,804	
<b>TOTAL ENDING FUND BALANCE</b>	\$ 1,397,546	2,321,804	\$ 2,321,804	
<b>IDEAL RESERVE FUND BALANCE</b>	\$ 2,253,390	2,253,390	\$ 2,253,390	
<b>OVER (UNDER) IDEAL RESERVE FUND BALANCE</b>	\$ (855,844)	68,414	\$ 68,414	

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
SOLID WASTE FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>BEGINNING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 750,357	1,065,914	\$ 837,422	
<b>TOTAL BEGINNING FUND BALANCE</b>	<b>\$ 750,357</b>	<b>1,065,914</b>	<b>\$ 837,422</b>	
<b>SOLID WASTE FUND REVENUE</b>				
<b>Operating Revenue</b>				
Refuse Collection Fees	\$ 2,451,700	\$ 196,446	\$ 1,389,956	56.7%
Sanitary Landfill Fees	400,000	26,559	185,471	46.4%
Senior Discount	(40,700)	(3,268)	(22,618)	55.6%
Recycling Proceeds	45,000	1,174	14,404	32.0%
Sale of Scrap Metal	16,000	616	3,447	21.5%
Sale of Kraft Bags	13,000	879	5,207	40.1%
Container Reload Fees	7,500	684	4,977	66.4%
Return Service/Overload Container	500	0	346	69.2%
Roll-Off Rental Income	45,000	3,514	14,116	31.4%
Rear Load Dumpster Rental	2,000	316	2,267	113.4%
Bulky/White Goods Collection	68,040	2,163	47,050	69.2%
Container Removal from Curb	15,450	0	-	0.0%
Auto Lid Locks	1,000	67	517	51.7%
Miscellaneous Solid Waste Fees	3,274	0	-	0.0%
<b>Subtotal Operating Revenue</b>	<b>\$ 3,027,764</b>	<b>229,151</b>	<b>\$ 1,645,139</b>	<b>54.3%</b>
<b>Other Revenue</b>				
Interest Revenue	\$ 28,000	\$ 332	\$ 5,086	18.2%
Late Charge For Billing	123,000	9,498	72,126	58.6%
Auction Proceeds	5,000	0	-	0.0%
Miscellaneous Revenues	1,000	28	4,476	447.6%
<b>Subtotal Other Revenue</b>	<b>\$ 157,000</b>	<b>9,859</b>	<b>\$ 81,688</b>	<b>52.0%</b>
<b>TOTAL SOLID WASTE REVENUE</b>	<b>\$ 3,184,764</b>	<b>239,009</b>	<b>\$ 1,726,827</b>	<b>54.2%</b>
<b>SOLID WASTE FUND EXPENSES</b>				
Solid Waste Administration	\$ 229,350	\$ 24,127	\$ 137,277	59.9%
Solid Waste Collection - Residential	387,254	26,057	189,775	49.0%
Solid Waste Collection - Recycling	148,667	11,298	73,942	49.7%
Solid Waste Collection - Brush	165,034	11,472	74,236	45.0%
Solid Waste Collection - Commercial	433,744	39,782	231,538	53.4%
Solid Waste Disposal - Transfer Station	1,187,612	21,996	423,147	35.6%
Solid Waste Recycling - KCCB	24,789	739	4,124	16.6%
Non-Departmental	553,969	37,510	298,270	53.8%
<b>TOTAL SOLID WASTE EXPENSES</b>	<b>\$ 3,130,419</b>	<b>172,981</b>	<b>\$ 1,432,307</b>	<b>45.8%</b>
<b>ENDING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 804,702	1,131,942	\$ 1,131,942	
<b>TOTAL ENDING FUND BALANCE</b>	<b>\$ 804,702</b>	<b>1,131,942</b>	<b>\$ 1,131,942</b>	
<b>IDEAL RESERVE FUND BALANCE</b>	<b>\$ 782,605</b>	<b>782,605</b>	<b>\$ 782,605</b>	
<b>OVER (UNDER) IDEAL RESERVE FUND BALANCE</b>	<b>\$ 22,097</b>	<b>349,337</b>	<b>\$ 349,337</b>	

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
GOLF COURSE FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>BEGINNING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 109,343	(162,611)	\$ 6,076	
<b>TOTAL BEGINNING FUND BALANCE</b>	\$ 109,343	(162,611)	\$ 6,076	
<b>GOLF COURSE FUND REVENUE</b>				
Green Fees	\$ 229,705	\$ 10,250	\$ 63,347	27.6%
Cart Rental Fees	214,800	12,487	71,207	33.2%
Membership Dues	124,340	813	9,855	7.9%
Cart Storage Fees	36,800	0	-	0.0%
Trail Fees	16,200	344	2,133	13.2%
Pro Shop Sales	80,000	3,784	22,417	28.0%
Handicap Fees	1,500	0	-	0.0%
Driving Range Fees	40,000	2,176	13,167	32.9%
Snack Bar Revenue F&B	75,000	3,737	23,629	31.5%
Snack Bar Revenue-Beer & Wine	25,000	1,645	8,183	32.7%
Food & Beverage (Non-tax)	1,000	253	711	71.1%
Facility Rental Income	3,000	0	500	16.7%
Swimming Pool Receipts	500	0	-	0.0%
Interest Revenue	50	0	0	0.2%
Special Green Fees	6,500	1,656	6,479	99.7%
Special Lunch	3,200	56	649	20.3%
Tournament Green Fees	15,500	2,205	5,490	35.4%
Tournament Cart Fees	12,500	938	2,769	22.2%
Tournament Fees	10,250	0	-	0.0%
Miscellaneous Receipts	140	335	1,859	1327.8%
Golf Lesson Revenue	1,000	0	37	3.7%
<b>TOTAL G. C. FD REVENUE</b>	<b>\$ 896,985</b>	<b>\$ 40,678</b>	<b>\$ 232,431</b>	<b>25.9%</b>
<b>GOLF COURSE FUND EXPENSES</b>				
Golf Course Administration	\$ 320,261	\$ 27,200	\$ 167,943	52.4%
Golf Course Concessions	112,079	8,295	45,193	40.3%
Golf Course Maintenance	424,336	32,391	203,115	47.9%
Non-Departmental	23,331	0	12,076	51.8%
<b>TOTAL GOLF COURSE FUND EXPENSES</b>	<b>\$ 880,007</b>	<b>67,887</b>	<b>\$ 428,327</b>	<b>48.7%</b>
<b>ENDING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 126,321	(189,820)	\$ (189,820)	
<b>TOTAL ENDING FUND BALANCE</b>	<b>\$ 126,321</b>	<b>(189,820)</b>	<b>\$ (189,820)</b>	
<b>IDEAL RESERVE FUND BALANCE</b>	<b>\$ 220,002</b>	<b>220,002</b>	<b>\$ 220,002</b>	
<b>OVER (UNDER) IDEAL RESERVE FUND BALANCE</b>	<b>\$ (93,681)</b>	<b>(409,822)</b>	<b>\$ (409,822)</b>	

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
DRAINAGE UTILITY FUND  
As of April 30, 2009 (FY 2008-09)**

Description	Adopted Budget*	Current Month Apr. 2009	Total Year to Date	Percent Year to Date
<b>BEGINNING FUND BALANCE</b>				
Unreserved, Undesignated	\$ 72,479	254,232	\$ 126,827	
<b>TOTAL BEGINNING FUND BALANCE</b>	\$ 72,479	254,232	\$ 126,827	
<b>DRAINAGE UTILITY FUND REVENUE</b>				
Drainage Utility Fee	\$ 870,000	\$ 70,847	\$ 497,152	57.1%
<b>Subtotal Drainage Utility Revenue</b>	\$ 870,000	70,847	\$ 497,152	57.1%
<b>Other Revenue</b>				
Miscellaneous Revenue	\$ 710	\$ -	\$ 380	53.5%
Interest Revenue	35,000	365	5,733	16.4%
<b>Subtotal Other Revenue</b>	\$ 35,710	365	\$ 6,113	17.1%
<b>TOTAL DRAINAGE UTILITY REVENUE</b>	<b>\$ 905,710</b>	<b>71,212</b>	<b>\$ 503,266</b>	<b>55.6%</b>
<b>DRAINAGE UTILITY FUND EXPENDITURES</b>				
Drainage	\$ 467,186	\$ 109,243	\$ 366,485	78.4%
Non-Departmental	344,590	1,823	49,230	14.3%
<b>TOTAL DRAINAGE UTILITY FUND EXPENDITURES</b>	<b>\$ 811,776</b>	<b>\$ 111,066</b>	<b>\$ 415,715</b>	<b>51.2%</b>
Unreserved, Undesignated	\$ 166,413	214,378	\$ 214,378	
<b>TOTAL ENDING FUND BALANCE</b>	<b>\$ 166,413</b>	<b>214,378</b>	<b>\$ 214,378</b>	

\* This budget reflects the budget amendments that were approved by City Council on 11/03/2008 and 04/07/2009.

**CITY OF COPPERAS COVE**  
**MONTHLY COUNCIL REPORT**  
**OTHER FUNDS**  
**As of April 30, 2009 (FY 2008-09)**

Fund Description	Beginning Fund Balance	Revenues	Expenditures	Ending Fund Balance
<b>Special Revenue Funds:</b>				
Recreation Activities Fund	\$ 97,951	\$ 82,836	\$ 91,655	\$ 89,131
Cemetery Fund	2,237	30,246	22,278	10,206
Library Gifts and Memorials	8,571	358	296	8,634
Small Business Revolving Loan Fund	199,163	400	-	199,563
Hotel Occupancy Tax Fund	95,939	123,852	77,761	142,030
Animal Shelter Fund	19,328	26	599	18,756
City-Wide Donation Fund	62,819	25,642	9,527	78,934
Municipal Court Funds	170,799	33,317	19,781	184,335
<b>Sub-Total Special Revenue Funds</b>	<b>\$ 656,807</b>	<b>\$ 296,678</b>	<b>\$ 221,896</b>	<b>\$731,589</b>
<b>Debt Service Fund:</b>				
Tax Interest & Sinking Fund	\$ 366,565	\$ 1,565,052	\$ 502,663	\$ 1,428,954
<b>Sub-Total Debt Service Fund:</b>	<b>\$ 366,565</b>	<b>\$ 1,565,052</b>	<b>\$ 502,663</b>	<b>\$ 1,428,954</b>
<b>Capital Projects Funds:</b>				
2001 C.O. (Capital Equip./Improvements)	\$ 265,028	\$ 1,708	\$ 665	\$ 266,071
2001 C.O. (Water/Wastewater Phase II)	442,518	2,476	240,598	204,396
2003 C.O. (CIP)	494,675	2,185	2,750	494,110
2003 C.O. (W/WW Phase III)	1,335,046	6,213	163,003	1,178,256
2005 C.O. (Water Infrastructure Projects)	1,410,821	6,226	1,331,633	85,414
2006 Tax Notes (CIP)	256,874	1,538	109,288	149,124
2007 C.O. (Police Facility)	5,515,872	35,682	1,545,903	4,005,651
2008 Tax Supported Note	1,436,314	8,960	539,559	905,715
2008 Tax Supported Note (W&S)	1,032,348	6,676	110,512	928,512
2008 Tax Supported Note (Golf)	80,770	334	-	81,104
2008 Tax Supported Note (Drainage)	152,012	804	-	152,816
2008A Tax Limited Notes (Tax Supported)	-	1,064,680	268,203	796,477
2008A Tax Limited Notes (W&S)	-	642,830	168,533	474,297
2008A Tax Limited Notes (SW)	-	286,358	144,966	141,392
2008A Tax Limited Notes (Drainage)	-	175,669	89,069	86,600
2008A Tax Limited Notes (Golf)	-	30,128	27,124	3,005
<b>Sub-Total C.I.P. Funds:</b>	<b>\$ 12,422,278</b>	<b>\$ 2,272,468</b>	<b>\$ 4,741,806</b>	<b>\$ 9,952,940</b>
<b>Total Other Funds</b>	<b>\$ 13,445,650</b>	<b>\$ 4,134,198</b>	<b>\$ 5,466,364</b>	<b>\$12,113,483</b>

**City of Copperas Cove, Texas  
2001 Certificates of Obligation  
(Capital Equipment/Improvements)  
As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
90-300-0001	Fund Balance	\$ -	\$ -	265,028
<b>Revenues</b>				
90-390-1001	Bond Proceeds	\$ 1,914,227	\$ 1,914,227	\$ -
90-370-6001	Interest Income	96,255	91,503	1,708
90-370-6005	Miscellaneous Revenue	-	1,500	-
<b>Total Revenues</b>		<u>\$ 2,010,482</u>	<u>\$ 2,007,231</u>	<u>\$ 1,708</u>
<b>Expenditures*</b>				
90-4606-9000-8600	Bond Issuance Costs	\$ 56,766	\$ 56,766	\$ -
90-4606-9000-6050	Inspection Services	3,263	3,263	-
90-4606-3500-xxxx	City-Wide Network	148,622	148,622	-
90-4606-4100-8500	Municipal Court	196,779	196,780	-
90-4606-4300-xxxx	Animal Control Facility	60,119	60,120	-
90-4606-4400-8500	Fire Station No. 3	215,496	215,496	-
90-4606-4400-8300	Fire Equipment	248,855	248,855	-
90-4606-5300-8400	Street Equipment	126,170	126,170	-
90-4606-5300-8500	Reliever Route ROW Acquisition	440,437	172,155	-
90-4606-5400-8505	Ogletree Improvements	394,604	394,604	-
90-4606-5600-8500	Public Works Facility (1/2)	113,119	113,119	-
90-4606-9000-6014	Arbitrage Rebate Service	6,253	6,253	665
<b>Total Expenditures</b>		<u>\$ 2,010,482</u>	<u>\$ 1,742,203</u>	<u>\$ 665</u>
<b>Ending Fund Balance</b>				
90-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 265,028</u>	<u>\$ 266,071</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2001 Certificates of Obligation**  
**(Phase II of Water/Wastewater CIP)**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
91-300-0001	Fund Balance	\$ -	\$ -	\$ 442,518
<b>Revenues</b>				
91-390-1001	Bond Proceeds	\$ 6,482,383	\$ 6,482,383	\$ -
91-370-6001	Interest Income	344,648	339,666	2,476
<b>Total Revenues</b>		<u>\$ 6,827,031</u>	<u>\$ 6,822,049</u>	<u>\$ 2,476</u>
<b>Expenditures*</b>				
91-4607-9100-8600	Bond Issuance Costs	\$ 165,380	\$ 165,380	\$ -
91-4607-9100-6014	Arbitrage Rebate Service Fee	-	-	2,250
91-4607-9100-6100	Advertising	191	191	-
91-4607-5600-6800	Professional Services	28,743	28,743	-
91-4607-9100-9032	Public Works Facility (1/2)	130,184	130,184	-
91-4607-9100-9034	Turkey Run Pumps & Tank	443,736	443,736	-
91-4607-9100-9036	Hogg Mt. Pumps & Tank	135,545	135,545	-
91-4607-9100-9038	Killeen/CC Water Line	3,206,692	3,206,692	-
91-4607-9100-9040	Turkey Run Tank Rehab.	275,763	275,763	-
91-4607-9100-9042	Joint Pump Station	753,512	753,512	-
91-4607-9100-9044	Grimes Crossing Water Line	503,837	503,837	-
91-4607-9100-9046	Joes Road Water Line	68,981	68,981	-
91-4607-9100-9047	Wolfe Road	75,855	75,855	-
91-4607-9100-9048	Taylor Mountain Pump Strn	220,606	220,606	-
91-4607-9100-9052	Mickan Mountain Rehab	214,078	214,078	-
91-4607-9100-9054	Hughes Mountain Rehab	252,500	25,000	238,348
91-4607-9100-9050	South Wastewater Plant	93,380	93,380	-
91-4607-5100-xxxx	Salaries/Related Expense	38,048	38,048	-
91-4607-9100-9318	Principal - 2001 C/O	220,000	-	-
<b>Total Expenditures</b>		<u>\$ 6,827,031</u>	<u>\$ 6,379,530</u>	<u>\$ 240,598</u>
<b>Ending Fund Balance</b>				
91-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 442,518</u>	<u>\$ 204,396</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas  
2003 Certificates of Obligation  
Tax Supported Capital Projects  
As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
70-300-0001	Fund Balance	\$ -	\$ -	\$ 494,675
<b>Revenues</b>				
70-390-1003	Bond Proceeds	\$ 4,190,000	\$ 4,190,000	\$ -
70-370-6001	Interest Income	231,951	232,009	2,185
70-370-6005	Miscellaneous Revenue	1,953	1,953	-
<b>Total Revenues</b>		<u>\$ 4,423,904</u>	<u>\$ 4,423,962</u>	<u>\$ 2,185</u>
<b>Expenditures*</b>				
70-231-0920	Bond Issuance Costs	\$ 82,543	\$ 82,543	\$ -
70-231-0922	Unamortized Bond Discount	20,061	20,061	-
70-4615-4400-9021	Communications System	1,611,545	1,611,545	-
70-4615-4400-9023	Fire Department Pumper Truck	247,064	247,064	-
70-4615-5100-xxxx	Salary/Benefits	5,344	5,344	-
70-4615-4200-9039	Police Department Bldg. Repairs	22,537	22,537	-
70-4615-5300-9029	Improvements to FM 1113	377,386	377,386	-
70-4615-5400-9025	Renovation of Civic Center	132,691	132,691	-
70-4615-5400-9027	Construction of Skate Park	24,750	24,750	-
70-4615-5400-9033	Feeder Road (SE Bypass)	589,637	95,021	-
70-4615-5400-9035	City Hall Roof Repairs	11,441	11,441	-
70-4615-5400-9037	Human Resources Bldg. Repairs	94,312	94,313	-
70-4615-8500-6014	Arbitrage Rebate Service Fee	-	-	2,750
70-4615-8500-9019	Construction of Big Divide	954,535	954,534	-
70-4615-8500-9043	Street Reconstruction	250,058	250,058	-
<b>Total Expenditures</b>		<u>\$ 4,423,904</u>	<u>\$ 3,929,287</u>	<u>\$ 2,750</u>
<b>Ending Fund Balance</b>				
70-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ 494,675</u>	<u>\$ 494,110</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2003 Certificates of Obligation**  
**(Phase III of Water/Wastewater CIP)**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
71-300-0001	Fund Balance	\$ -	\$ -	\$ 1,335,046
<b>Revenues</b>				
71-390-1003	Bond Proceeds	\$ 9,820,000	\$ 9,820,000	\$ -
71-370-6001	Interest Income	542,531	544,517	6,213
71-390-1001	Developer Contributions	21,085	21,085	-
71-370-6005	Miscellaneous Revenue	167,965	167,966	-
<b>Total Revenues</b>		<b>\$ 10,551,581</b>	<b>\$ 10,553,567</b>	<b>\$ 6,213</b>
<b>Expenditures*</b>				
71-4615-xxxx-xxxx	Bond Issuance Costs	\$ 192,601	\$ 192,601	\$ -
71-4615-xxxx-xxxx	Bond Discount	46,809	46,809	-
71-4615-4400-9021	Communications System	181,613	181,613	-
71-4615-5100-xxxx	Salaries/Benefits	87,689	87,689	-
71-4615-8500-6014	Arbitrage Rebate Service Fee	-	-	9,760
71-4615-8500-9003	Meadow Brook Sewer Project	158,996	158,996	-
71-4615-8500-9005	Hwy 190 Sewer Project	181,203	181,203	-
71-4615-8500-9007	Mountain Top Water Project	565,131	565,131	-
71-4615-8500-9009	Big Divide (Sewer)	630,650	630,650	-
71-4615-8500-9011	Big Divide (Water)	982,358	982,358	-
71-4615-8500-9013	NE WW Plant Expansion	4,399,837	4,399,837	-
71-4615-8100-9041	Utility Admin. Bldg. Repairs	19,526	19,526	-
71-4615-8500-9014	South Plant-Fine Screens	101,500	101,500	-
71-4615-8500-9015	NW WW Plant Expansion	1,134,003	1,134,003	-
71-4615-8500-9017	4th Year Sewer Improvement	845,457	314,242	18,226
71-4615-8500-9021	Water Model Study	84,196	84,196	-
71-4615-8500-9029	FM 1113 Improvement (Sidewalk)	10,066	10,066	-
71-4615-8500-9031	Expansion of Constitution	128,100	128,100	-
71-4615-8500-9322	Principal 2003 CO	230,000	-	-
71-4615-8500-9422	Interest 2003 CO	270,035	-	135,018
<b>Total Expenditures</b>		<b>\$ 10,249,770</b>	<b>\$ 9,218,519</b>	<b>\$ 163,003</b>
<b>Ending Fund Balance</b>				
71-300-0001	Fund Balance	\$ 301,811	\$ 1,335,046	\$ 1,178,256

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2005 Certificates of Obligation**  
**Water Projects**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
93-300-0001	Fund Balance	\$ -	\$ -	\$ 1,410,821
<b>Revenues</b>				
93-390-1003	Bond Proceeds	\$ 3,050,000	\$ 3,050,000	\$ -
93-370-6001	Interest Revenue	344,476	321,886	6,226
<b>Total Revenues</b>		<u>\$ 3,394,476</u>	<u>\$ 3,371,886</u>	<u>\$ 6,226</u>
<b>Expenditures*</b>				
93-4616-5100-xxxx	Salary/Benefits	\$ 458	\$ 458	\$ -
93-4616-8500-6014	Arbitrage Rebate Service	-	-	4,715
93-4615-8500-6100	Contractual Services	244	244	-
93-4616-8500-8600	Issuance Costs	62,050	62,050	-
93-4616-8500-9032	East Pump Station	1,423,593	1,071,485	409,951
93-4616-8500-9034	Turkey Run Pump Station	1,184,185	102,883	916,967
93-4616-8500-9036	Hogg Mountain Water Tank	723,946	723,946	-
<b>Total Expenditures</b>		<u>\$ 3,394,476</u>	<u>\$ 1,961,066</u>	<u>\$ 1,331,633</u>
<b>Ending Fund Balance</b>				
93-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 1,410,821</u>	<u>\$ 85,414</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2006 Limited Tax Notes**  
**Capital Equipment/Land & Professional Services**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
73-300-0001	Fund Balance	\$ -	\$ -	\$ 256,874
<b>Revenues</b>				
73-390-1003	Bond Proceeds	\$ 1,260,000	\$ 1,260,000	\$ -
73-370-6001	Interest Revenue	82,420	82,582	1,538
<b>Total Revenues</b>		<u>\$ 1,342,420</u>	<u>\$ 1,342,582</u>	<u>\$ 1,538</u>
<b>Expenditures*</b>				
73-4617-9900-9500	Bond Issuance Costs	\$ 25,796	\$ 25,796	\$ -
73-4617-9900-6014	Arbitrage Rebate Service Fee	-	-	2,525
73-4617-4200-2200	Postage	20	20	-
73-4617-4200-6800	Professional Services	856,500	599,787	106,763
73-4617-4200-8600	Land	197,134	197,134	-
73-4617-4400-8300	Ambulance	97,525	97,525	-
73-4617-5300-8300	Street Sweeper	165,445	165,445	-
<b>Total Expenditures</b>		<u>\$ 1,342,420</u>	<u>\$ 1,085,708</u>	<u>\$ 109,288</u>
<b>Ending Fund Balance</b>				
73-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 256,874</u>	<u>\$ 149,124</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2007 Certificates of Obligation**  
**Police Facility**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of	
			FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
74-300-0001	Fund Balance	\$ -	\$ -	\$ 5,515,872
<b>Revenues</b>				
74-390-1001	Bond Proceeds	\$ 5,300,000	\$ 5,300,000	\$ -
74-370-6001	Interest Revenue	325,974	272,636	35,682
<b>Total Revenues</b>		<u>\$ 5,625,974</u>	<u>\$ 5,572,636</u>	<u>\$ 35,682</u>
<b>Expenditures*</b>				
74-4618-4200-8600	Bond Issuance Costs	\$ 54,030	\$ 54,030	\$ -
74-4618-4200-6014	Arbitrage Rebate Service Fee	-	-	835
74-4618-4200-2200	Postage	23	23	-
74-4618-4200-6100	Advertising	541	541	588
74-4618-4200-6800	Professional Services	65,000	2,170	-
74-4617-4200-8500	Police Facility	5,506,380	-	1,544,481
<b>Total Expenditures</b>		<u>\$ 5,625,974</u>	<u>\$ 56,764</u>	<u>\$ 1,545,903</u>
<b>Ending Fund Balance</b>				
74-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 5,515,872</u>	<u>\$ 4,005,651</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008 Limited Tax Notes**  
**Tax Supported**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
75-300-0001	Fund Balance	\$ -	\$ -	\$ 1,436,314
<b>Revenues</b>				
75-390-1001	Bond Proceeds	\$ 1,485,000	1,485,000	\$ -
75-370-6001	Interest Revenue	-	13,917	8,960
75-390-6005	Miscellaneous Revenue	83,000	83,000	-
<b>Total Revenues</b>		<u>\$ 1,568,000</u>	<u>\$ 1,581,917</u>	<u>\$ 8,960</u>
<b>Expenditures*</b>				
75-4190-7500-9500	Bond Issuance Costs	\$ 25,000	\$ 22,894	\$ 25
75-4190-7500-9032	Baseball Field Lighting	58,230	-	58,230
75-4190-7500-9033	Camp Liveoak Renovation	20,000	-	2,025
75-4190-7500-9034	Cash Receipts - City Wide	17,270	16,471	-
75-4190-7500-9035	Fire Station Reloc. Land	125,000	-	2,500
75-4190-7500-9036	Playscape - City Park	35,000	33,113	-
75-4190-7500-9037	Playscape - Kate Street	35,000	35,030	-
75-4190-7500-9038	Recreation Center	500,000	9,095	6,000
75-4190-7500-9039	Park renovations	34,500	-	2,054
75-4190-7500-9040	Library Renovations	50,000	-	2,500
75-4190-7500-9041	Soccer Field Lighting	70,000	-	71,670
75-4190-7500-9042	Active Software (Parks)	15,000	-	4,000
75-4190-7500-9043	Summers Rd/Street Reconstruction	583,000	29,000	390,555
<b>Total Expenditures</b>		<u>\$ 1,568,000</u>	<u>\$ 145,603</u>	<u>\$ 539,559</u>
<b>Ending Fund Balance</b>				
75-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 1,436,314</u>	<u>\$ 905,715</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas  
2008 Limited Tax Notes  
Water & Sewer Fund (Phase III)  
As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
76-300-0001	Fund Balance	\$ -	\$ -	\$ 1,032,348
<b>Revenues</b>				
76-390-1001	Bond Proceeds	\$ 1,135,000	\$ 1,135,000	\$ -
76-370-6001	Interest Revenue	-	10,691	6,676
<b>Total Revenues</b>		<u>\$ 1,135,000</u>	<u>\$ 1,145,691</u>	<u>\$ 6,676</u>
<b>Expenditures*</b>				
76-4615-8500-9500	Bond Issuance Costs	\$ 20,000	\$ 18,447	\$ -
76-4615-8500-9333	Principal - 2008 Tax Note	-	-	80,000
76-4615-8500-9034	Turkey Run Pump Station	493,500	115	16,992
76-4615-8500-9036	Mesa Verde II-380 Agreement	620,750	94,782	13,520
<b>Total Expenditures</b>		<u>\$ 1,134,250</u>	<u>\$ 113,343</u>	<u>\$ 110,512</u>
<b>Ending Fund Balance</b>				
76-253-0001	Fund Balance	<u>\$ 750</u>	<u>\$ 1,032,348</u>	<u>\$ 928,512</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008 Limited Tax Notes**  
**Golf**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
77-300-0001	Fund Balance	\$ -	\$ -	\$ 80,770
<b>Revenues</b>				
77-390-1001	Bond Proceeds	\$ 80,000	\$ 80,000	\$ -
77-370-6001	Interest Revenue	-	770	334
<b>Total Revenues</b>		<u>\$ 80,000</u>	<u>\$ 80,770</u>	<u>\$ 334</u>
<b>Expenditures*</b>				
77-4310-7400-9044	Golf Cart Storage	\$ 80,000	\$ -	\$ -
<b>Total Expenditures</b>		<u>\$ 80,000</u>	<u>\$ -</u>	<u>\$ -</u>
<b>Ending Fund Balance</b>				
77-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 80,770</u>	<u>\$ 81,104</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas  
2008 Limited Tax Notes  
Drainage  
As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
78-300-0001	Fund Balance	\$ -	\$ -	\$ 152,012
<b>Revenues</b>				
78-390-1001	Bond Proceeds	\$ 155,000	\$ 155,000	\$ -
78-370-6001	Interest Revenue	-	1,445	804
<b>Total Revenues</b>		<u>\$ 155,000</u>	<u>\$ 156,445</u>	<u>\$ 804</u>
<b>Expenditures*</b>				
78-4410-7600-9500	Bond Issuance Cost	\$ 5,000	\$ 4,433	\$ -
78-4410-7600-9037	Rolling Heights Drainage	150,000	-	-
<b>Total Expenditures</b>		<u>\$ 155,000</u>	<u>\$ 4,433</u>	<u>\$ -</u>
<b>Ending Fund Balance</b>				
78-253-0001	Fund Balance	<u>\$ -</u>	<u>\$ 152,012</u>	<u>\$ 152,816</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008A Limited Tax Notes**  
**Tax Supported**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
79-300-0001	Fund Balance	\$ -	\$ -	\$ -
<b>Revenues</b>				
79-390-1001	Bond Proceeds	\$ 1,060,000	\$ -	\$ 1,060,000
79-370-6001	Interest Revenue	-	-	4,680
<b>Total Revenues</b>		<u>\$ 1,060,000</u>	<u>\$ -</u>	<u>\$ 1,064,680</u>
<b>Expenditures*</b>				
79-4190-7500-8200	Furniture	\$ 16,050	\$ -	\$ 15,629
79-4190-7500-8300	Vehicles	312,604	-	125,192
79-4190-7500-8400	General Equipment	43,323	-	37,356
79-4190-7500-8402	Electronic Equipment	233,142	-	70,327
79-4190-7500-8500	Facilities	12,750	-	-
79-4190-7500-9045	City Smart Lighting Upgrade	57,800	-	-
79-4190-7500-9046	Bradford Drive Road Extension	247,000	-	-
79-4190-7500-9047	Summers Rd/Street Reconstruction	115,637	-	-
79-4190-7500-9500	Bond Issuance Costs	20,000	-	19,699
<b>Total Expenditures</b>		<u>\$ 1,058,306</u>	<u>\$ -</u>	<u>\$ 268,203</u>
<b>Ending Fund Balance</b>				
79-300-0001	Fund Balance	<u>\$ 1,694</u>	<u>\$ -</u>	<u>\$ 796,477</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008A Limited Tax Notes**  
**Water & Sewer**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
80-300-001	Fund Balance	\$ -	\$ -	\$ -
<b>Revenues</b>				
80-390-1001	Bond Proceeds	\$ 640,000	\$ -	\$ 640,000
80-370-6001	Interest Revenue	-	-	2,830
<b>Total Revenues</b>		<u>\$ 640,000</u>	<u>\$ -</u>	<u>\$ 642,830</u>
<b>Expenditures*</b>				
80-4615-8500-8300	Vehicles	\$ 83,408	\$ -	\$ 79,261
80-4615-8500-8400	General Equipment	35,200	-	34,505
80-4615-8500-8500	Facilities	60,500	-	-
80-4615-8500-9048	Mesa Verde Sewer Extension	50,272	-	-
80-4615-8500-9049	Retrofit One Clarifier at South Plant	220,000	-	18,440
80-4615-8500-9050	Water Tank Rehabs	180,000	-	26,500
80-4615-8500-9500	Bond Issuance Costs	10,000	-	9,827
<b>Total Expenditures</b>		<u>\$ 639,380</u>	<u>\$ -</u>	<u>\$ 168,533</u>
<b>Ending Fund Balance</b>				
80-300-0001	Fund Balance	<u>\$ 620</u>	<u>\$ -</u>	<u>\$ 474,297</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008A Limited Tax Notes**  
**Solid Waste**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
81-300-0001	Fund Balance	\$ -	\$ -	\$ -
<b>Revenues</b>				
81-390-1001	Bond Proceeds	\$ 285,000	\$ -	\$ 285,000
81-370-6001	Interest Revenue	-	-	1,358
<b>Total Revenues</b>		<u>\$ 285,000</u>	<u>\$ -</u>	<u>\$ 286,358</u>
<b>Expenditures*</b>				
81-4430-9500-8400	General Equipment	\$ 203,400	\$ -	\$ 140,413
81-4430-9500-9051	Recycling Center Expansion	75,582	-	-
81-4430-9500-9500	Bond Issuance Cost	5,000	-	4,553
<b>Total Expenditures</b>		<u>\$ 283,982</u>	<u>\$ -</u>	<u>\$ 144,966</u>
<b>Ending Fund Balance</b>				
81-300-0001	Fund Balance	<u>\$ 1,018</u>	<u>\$ -</u>	<u>\$ 141,392</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008A Limited Tax Notes**  
**Drainage**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
82-300-0001	Fund Balance	\$ -	\$ -	\$ -
<b>Revenues</b>				
82-390-1001	Bond Proceeds	\$ 175,000	\$ -	\$ 175,000
82-370-6001	Interest Revenue	-	-	669
<b>Total Revenues</b>		<u>\$ 175,000</u>	<u>\$ -</u>	<u>\$ 175,669</u>
<b>Expenditures*</b>				
82-4410-8000-8400	General Equipment	\$ 62,893	\$ -	\$ 62,786
82-4410-8000-9052	Martin Walker Study / Detention Design	50,000	-	-
82-4410-8000-9053	Eastside Drainage Infrastructure Design	30,000	-	-
82-4410-8000-9054	Tonkawa Village - Katlyn Circle	24,450	-	23,892
82-4410-8000-9500	Bond Issuance Costs	5,000	-	2,391
<b>Total Expenditures</b>		<u>\$ 172,343</u>	<u>\$ -</u>	<u>\$ 89,069</u>
<b>Ending Fund Balance</b>				
82-300-0001	Fund Balance	<u>\$ 2,657</u>	<u>\$ -</u>	<u>\$ 86,600</u>

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

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**City of Copperas Cove, Texas**  
**2008A Limited Tax Notes**  
**Golf**  
**As of April 30, 2009**

Account	Description	Total Project Budget**	As of FY 2007-08	FY 2008-09
<b>Beginning Fund Balance</b>				
83-300-0001	Fund Balance	\$ -	\$ -	\$ -
<b>Revenues</b>				
83-390-1001	Bond Proceeds	\$ 30,000	\$ -	\$ 30,000
83-370-6001	Interest Revenue	-	-	128
<b>Total Revenues</b>		<u>\$ 30,000</u>	<u>\$ -</u>	<u>\$ 30,128</u>
<b>Expenditures*</b>				
83-4310-7500-8400	General Equipment	\$ -	\$ -	\$ 27,124
83-4310-7500-9500	Bond Issuance Costs	30,000	-	-
<b>Total Expenditures</b>		<u>\$ 30,000</u>	<u>\$ -</u>	<u>\$ 27,124</u>
<b>Ending Fund Balance</b>				
83-300-0001	Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,005</u>

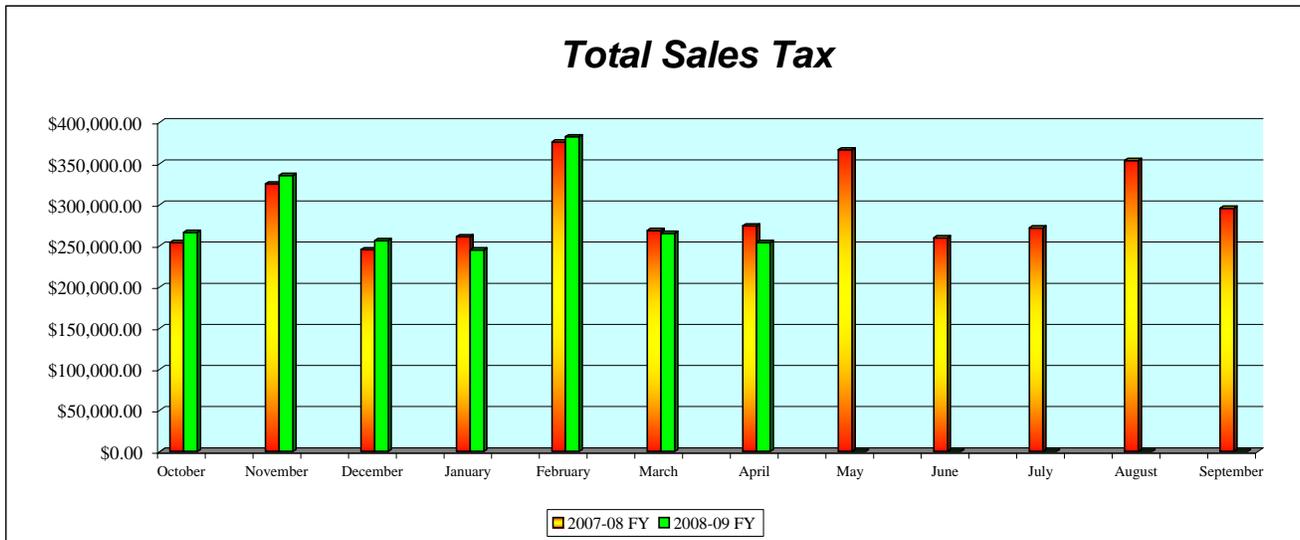
\* Prior year expenditures have been reconciled to the fund cash balance.

\*\* This budget reflects all previous Capital Improvement budget amendments that were approved by City Council.

**CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
SCHEDULE OF SALES TAX COLLECTIONS  
(WITH COMPARATIVE COLLECTIONS IN FY 2007-08)  
As of April 30, 2009 (FY 2008-09)**

<b>Fiscal Year 2007-08</b>	<b>City's Revenue</b>	<b>EDC's Revenue</b>	<b>Total Sales Tax</b>	<b>Fiscal Year 2008-09</b>	<b>City's Revenue</b>	<b>EDC's Revenue</b>	<b>Total Sales Tax</b>
October	\$169,247.52	\$84,623.76	\$253,871.28	October	\$177,513.78	\$88,756.89	\$266,270.67
November	\$216,891.12	\$108,445.56	\$325,336.68	November	\$223,731.52	\$111,865.76	\$335,597.28
December	\$163,496.24	\$81,748.12	\$245,244.36	December	\$170,849.35	\$85,424.68	\$256,274.03
January	\$174,106.89	\$87,053.45	\$261,160.34	January	\$163,388.03	\$81,694.02	\$245,082.05
February	\$250,728.06	\$125,364.03	\$376,092.09	February	\$255,006.70	\$127,503.35	\$382,510.05
March	\$179,172.98	\$89,586.49	\$268,759.47	March	\$176,726.42	\$88,363.21	\$265,089.63
April	\$182,831.28	\$91,415.64	\$274,246.92	April	\$169,345.15	\$84,672.58	\$254,017.73
May	\$244,460.54	\$122,230.27	\$366,690.81	May	\$0.00	\$0.00	\$0.00
June	\$173,098.07	\$86,549.04	\$259,647.11	June	\$0.00	\$0.00	\$0.00
July	\$181,204.83	\$90,602.42	\$271,807.25	July	\$0.00	\$0.00	\$0.00
August	\$235,755.69	\$117,877.85	\$353,633.54	August	\$0.00	\$0.00	\$0.00
September	\$197,206.70	\$98,603.35	\$295,810.05	September	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$2,368,199.92</b>	<b>\$1,184,099.96</b>	<b>\$3,552,299.88</b>	<b>Total</b>	<b>\$1,336,560.95</b>	<b>\$668,280.48</b>	<b>\$2,004,841.43</b>

NOTE 1 - Total revenues collected for sales tax by the month ending April 30, 2009, in FY 2008-09 was \$2,004,841.43 (\$1,336,560.95 City's revenues and \$668,280.48 EDC's revenues); total revenues collected for sales tax by the month ending April 30, 2008 in FY 2007-08 was \$2,004,711.12 (\$1,336,474.09 City's revenues and \$668,237.03 EDC's revenues).



CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
SCHEDULE OF CASH ACCOUNTS AND INVESTMENTS (By Account)  
As of April 30, 2009 (FY 2008-09)

FUNDS IN INVESTMENT POOLS	
TEXSTAR	\$ 2,960,305.67
TEXPOOL	20,535,422.18
Subtotal on Funds in Investment Pools	<u>\$ 23,495,727.85</u>
CHECKING ACCOUNTS	
1988 W&S Bond	\$0.00
1994 Fire G.O. Bond Issue	0.00
1994 Fire Station Retainage	0.00
1994 Landfill C O's	0.00
Caddy Shack - Pool Account	0.00
Drainage Utility Reserve	0.00
G.O. Bonds Interest & Sinking	0.00
Master Account	766,906.52
Payroll	5,104.20
Rental Rehab	15,238.10
Golf Course	0.00
State Revolving Fund 1994	0.00
State Revolving Fund 1994 - Cash in Escrow	0.00
W & S Interest & Sinking	0.00
Water & Sewer Revenue	0.00
Law Enforcement Block Grant	8,086.78
Certificate of Obligations Series 1997	0.00
Solid Waste Interest & Sinking	0.00
Library Retainage	0.00
Pending Forfeitures	16,346.14
Small Business Revolving Loan Fund	0.00
1998 G.O. Bond Issue	0.00
1998 G.O. Bond Issue Retainage	0.00
1998 C.O. Bond Issue Retainage	0.00
Community Development	0.00
Subtotal Checking Accounts	<u>\$811,681.74</u>
SAVINGS ACCOUNTS (Per Quarterly Stmt)	
Subdivision Escrow	2,539.67
Subtotal Savings Accounts	<u>\$2,539.67</u>
TOTAL INVESTMENTS & CASH ACCOUNTS	<u><u>\$24,309,949.26</u></u>

CITY OF COPPERAS COVE  
MONTHLY COUNCIL REPORT  
SCHEDULE OF CASH ACCOUNTS AND INVESTMENTS (By Fund)  
As of April 30, 2009 (FY 2008-09)

FUND	TOTAL CASH & INVESTMENTS
General Fund	\$7,274,246.37
Water & Sewer Fund	\$3,403,144.76
Solid Waste Fund	\$934,180.04
Youth Activity Fund	\$113,715.11
Drainage Utility Fund	\$895,396.40
Cemetery Fund	\$10,628.56
General Obligation Interest & Sinking Fund	\$1,428,953.54
Curb & Gutter Assessment Fund	(\$7,719.37)
Municipal Golf Course Fund	(\$216,021.32)
Small Business Revolving Loan Fund	\$68,153.25
Library Gifts & Memorials Fund	\$8,634.43
Hotel/Motel Tax Fund	\$162,862.88
Animal Shelter Donations Fund	\$18,755.76
Police Court Order Fund	\$0.00
City-Wide Donations Fund	\$80,402.35
Abandoned Vehicle Auction Fund	\$0.00
City Wide Grants	\$61,641.92
FEMA Grant Funds	\$71,793.55
Fire Special Revenue Fund	\$15,680.42
Tirz	(\$3,453.47)
Mesa Verde II	(\$2,425.00)
457 Deferred cmp	\$0.00
Joint Image Campaign	\$42,001.32
Tx. Parks & Wildlife Grant	\$0.00
Municipal Court Fund	\$193,959.37
Police Restricted Fund	\$24,592.81
Police Federal Seizure Fund	\$2,104.23
Fire/EMS Loan	\$0.00
County Mutual Aid Agreement	\$0.00
Law Enforcement Block Grant Fund	\$11,406.78
Fire Department Grant Fund	\$9,326.66
Library Grant Fund	\$22,747.29
Step Grant	\$3,306.65
Tobacco Grant	\$1,502.27
FM 1113 Grant	\$50,178.66
2006 Limited Tax Notes	\$149,125.06
2008 Tax Note	\$905,715.63
2008 Tax Note (W/S)	\$928,512.25
2008 Tax Note (Drainage)	\$81,104.00
2008 Tax Note (Golf)	\$152,816.03
2008A Limited Tax Notes (Tax Supported)	\$796,477.22
2008A Limited Tax Notes (Water & Sewer)	\$474,297.34
2008A Limited Tax Notes (Solid Waste)	\$141,392.49
2008A Limited Tax Notes (Drainage)	\$86,599.59
2008A Limited Tax Notes (Golf)	\$3,004.66
Reliever Route	\$121,307.27
2005 Certificates of Obligation (Water Projects)	\$118,510.93
2001 Combination Tax & Revenue C/O's (Capital Equip. & Improvements)	\$266,070.73
2001 Combination Tax & Revenue C/O's (Water/Wastewater Phase II CIP)	\$204,397.04
2003 Combination Tax & Revenue C/O's (Capital Equip. & Improvements)	\$413,987.48
2003 Combination Tax & Revenue C/O's (Water/Wastewater Phase III CIP)	\$781,284.67
2007 Combination Tax & Revenue C/O's (Police Facility)	\$4,005,650.65
TOTAL CASH & INVESTMENTS	<u>\$24,309,949.26</u>
RECAP OF CASH & INVESTMENTS:	
INVESTMENTS IN TEXPOOL	\$ 20,535,422.18
INVESTMENTS IN TEXSTAR	2,960,305.67
CASH IN BANK	\$814,221.41
TOTAL CASH & INVESTMENTS	<u>\$ 24,309,949.26</u>

CITY OF COPPERAS COVE  
INVESTMENT SCHEDULE  
As of April 30, 2009 (FY 2008-09)

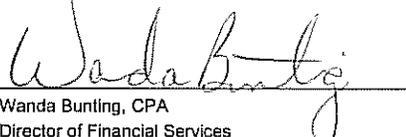
As of April 30, 2009, the City of Copperas Cove's investment portfolio was made up of investments in TEXPOOL, TEXSTAR, and bank deposits with the City's local depository. This portfolio accomplishes the objective of maintaining liquidity while earning a modest yield on invested taxpayers dollars.

TEXPOOL Investments	Market Value 04/01/09	Investments	Redemptions	Accrued Interest	Book Value 04/30/09	Market Value 04/30/09
General Fund	\$ 7,271,781.56	\$ 275,000.00	\$ 775,000.00	\$ 2,757.36	\$ 6,774,538.92	\$ 6,774,538.92
Water & Sewer Fund	3,189,114.09	175,000.00	-	1,254.50	3,365,368.59	3,365,368.59
Solid Waste Fund	839,686.32	100,000.00	-	332.26	940,018.58	940,018.58
Drainage Utility Fund	933,695.03	-	50,000.00	363.04	884,058.07	884,058.07
Interest & Sinking Fund	1,416,769.24	-	-	554.52	1,417,323.76	1,417,323.76
Youth Activities Fund	128,430.59	-	20,000.00	48.50	108,479.09	108,479.09
Cemetery Fund	-	-	-	-	-	-
Golf Course Interest & Sinking	39.94	-	-	-	39.94	39.94
Small Business Revolving Loan Fund	65,587.92	-	-	25.66	65,613.58	65,613.58
Hotel/Motel Fund	131,141.15	-	-	51.32	131,192.47	131,192.47
Municipal Court Special Revenue Fund	178,710.53	-	-	69.95	178,780.48	178,780.48
2008 Tax Supported Note	1,019,877.43	-	113,054.27	393.13	907,216.29	907,216.29
2008 Tax Supported Note/ W&S	1,019,109.89	-	89,651.32	394.57	929,853.14	929,853.14
2008 Tax Supported Note/ Golf	81,072.25	-	-	31.75	81,104.00	81,104.00
2008 Tax Supported Note/ Drainage	152,756.24	-	-	59.79	152,816.03	152,816.03
2001 C/O Bond Fund (Governmental)	265,966.64	-	-	104.09	266,070.73	266,070.73
2001 C/O Bond Fund (W&S Phase II)	205,164.60	-	847.80	80.24	204,397.04	204,397.04
2007 C/O Police Facility	4,648,853.28	-	643,297.59	1,688.51	4,007,244.20	4,007,244.20
Reliever Route	121,259.80	-	-	47.47	121,307.27	121,307.27
<b>Total TEXPOOL Investments</b>	<b>\$ 21,669,016.50</b>	<b>\$ 550,000.00</b>	<b>\$ 1,691,850.98</b>	<b>\$ 8,256.66</b>	<b>\$ 20,535,422.18</b>	<b>\$ 20,535,422.18</b>

TEXSTAR Investments	Market Value 04/01/09	Investments	Redemptions	Accrued Interest	Book Value 04/30/09	Market Value 04/30/09
2003 C/O Project Fund (Governmental)	\$ 412,814.94	\$ 1,003.13	\$ -	\$ 169.41	\$ 413,987.48	\$ 413,987.48
2003 C/O Project Fund (W&S Phase III)	787,162.56	-	6,200.00	322.11	781,284.67	781,284.67
2005 C/O Project Fund (Water Projects)	122,211.07	-	3,750.00	49.86	118,510.93	118,510.93
2006 Tax Notes - Police Building Project	149,064.00	-	-	61.06	149,125.06	149,125.06
2008A Limited Tax Notes (Tax Supported)	796,241.90	-	1,003.13	325.84	795,564.61	795,564.61
2008A Limited Tax Notes (Water & Sewer)	473,382.71	-	-	193.91	473,576.62	473,576.62
2008A Limited Tax Notes (Solid Waste)	280,976.92	-	139,692.20	107.77	141,392.49	141,392.49
2008A Limited Tax Notes (Drainage)	83,824.81	-	-	34.34	83,859.15	83,859.15
2008A Limited Tax Notes (Golf)	3,003.43	-	-	1.23	3,004.66	3,004.66
<b>Total TEXSTAR Investments</b>	<b>\$ 3,108,682.34</b>	<b>\$ 1,003.13</b>	<b>\$ 150,645.33</b>	<b>\$ 1,265.53</b>	<b>\$ 2,960,305.67</b>	<b>\$ 2,960,305.67</b>

<b>Total Investments</b>	<b>\$ 24,777,698.84</b>	<b>\$ 551,003.13</b>	<b>\$ 1,842,496.31</b>	<b>\$ 9,522.19</b>	<b>\$ 23,495,727.85</b>	<b>\$ 23,495,727.85</b>
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This report is in compliance with the investment strategies as approved and the Public Funds Investment Act.

  
Wanda Bunting, CPA  
Director of Financial Services

  
Imelda Rodriguez  
Assistant Director of Financial Services



# TEXPOOL

THE TEXAS INVESTMENT SERVICE FOR PUBLIC FUNDS

May 2009

## PERFORMANCE

### As of April 30, 2009

	<b>TexPool</b>	<b>TexPool Prime</b>
Current Invested Balance	\$19,388,747,232.52	\$1,971,367,962.36
Weighted Average Maturity (1)*	38 Days	29 Days
Weighted Average Maturity (2)*	70 Days	59 Days
Net Asset Value	1.00068	1.00070
Total Number of Participants	2,174	106
Management Fee on Invested Balance	0.0473%	0.0638%
Interest Distributed	\$7,854,673.28	\$1,140,553.15
Management Fee Collected	\$782,439.83	\$107,658.69
Standard & Poor's Current Rating	AAAm	AAAm
<b>April Averages</b>		
Average Invested Balance	\$20,050,445,128.27	\$2,051,344,112.08
Average Monthly Yield, on a simple basis (3)*	0.4762%	0.6767%
Average Weighted Average Maturity (1)*	39 Days	33 Days
Average Weighted Average Maturity (2)*	73 Days	63 Days

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

## Economic and Market Commentary – April 30, 2009

Perhaps nothing better illustrates the nation's stunningly atypical economic environment than the fact that few investors anticipated or even noticed the Federal Reserve's regularly scheduled policy meeting in late April. After slashing benchmark interest rates to virtually zero late last year, the Fed is widely viewed as having run out of traditional monetary ammunition. Of course, the U.S. central bank is still a key player in the ongoing attempts to engineer an economic recovery through its daily market operations and numerous unconventional lending facilities.

Still, the cash yield curve is now influenced more by extraneous factors, some of which are of a temporary and technical nature. Last month, for example, Treasury and agency yields declined from already-skimpy levels as broker-dealers and banks rushed to acquire government collateral ahead of a rule change set to take effect on May 1st that relates to so-called failed trades. The additional demand more than offset a bulge in supply and pushed yields on three-month Treasury paper down from 0.20% on March 31 to just 0.09% at the end of April. Agency securities experienced a similar drop in yields, especially at the longer end of the curve. These changes impacted the reinvestment rate for TexPool, whose gross yield fell to 0.49% from 0.60% at the end of March.

Libor rates also declined, partially in sympathy with trends in the government market but also due to a further easing of economic fears worldwide. One-month LIBOR fell by nine basis points to 0.41% while three-month Libor declined 17 basis points to about 1.00%. Not unexpectedly, lower LIBOR rates were evident in the drop in TexPool Prime's gross yield, which finished the month at 0.75% compared to 0.82% on March 31. Given our view that cash yields are likely to rebound modestly in coming weeks as the technical factors noted earlier subside, we trimmed average weighted maturities from 41 to 38 days in TexPool and from 38 days to 29 days in TexPool Prime.

On a macro level, we believe that the U.S. economy could emerge from recession somewhat earlier than had been previously believed. To be sure, the current economic data is not good — it is simply less bad. Yet there are scattered indications that suggest the deepest part of the recession has passed. In our view, however, the onset of a new monetary tightening cycle is not yet in sight, suggesting that cash yields will remain well below historical norms over the foreseeable future. As always, we will remain vigilant in monitoring changes to the still-fluid credit environment and are prepared to move quickly to protect principal and capitalize on opportunities.

## ANNOUNCEMENTS

### New Participants

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

1. Guadalupe County (Prime)
2. George West ISD (Prime)
3. Hearne ISD
4. VIA Metropolitan Transit
5. Hays Caldwell Public Utility Agency
6. City of Olmos Park
7. Bremond ISD
8. Howard County (Prime)

### TexPool Vendor Payment is now available

TexPool Vendor Payment, details can be found at [www.texpool.com](http://www.texpool.com) or call Participant Services at 866-839-7665 if you have questions.

### Holiday Announcement

TexPool will be closed on Monday, May 25<sup>th</sup> in observance of Memorial Day. ACH transactions placed on Friday, May 22<sup>nd</sup>, will settle on Tuesday, May 26, 2009. Please plan accordingly for your liquidity needs.

### Announcement

We are pleased to offer TexPool Academy, a series of free on-line training courses that comply with the PFIA and will give you the opportunity to obtain your required hours through the convenience of the TexPool website. Please call TexPool Participant Services at 866-839-7665 for details or check the TexPool website at [www.texpool.com](http://www.texpool.com).

### Upcoming Events

- 6/18/09 – 6/19/09 TASBO Summer Conference in Grapevine, TX
- 6/18/09 – 6/20/09 AWBD Annual Conference in Corpus Christi, TX



## TexPool

### PORTFOLIO ASSET SUMMARY AS OF April 30, 2009

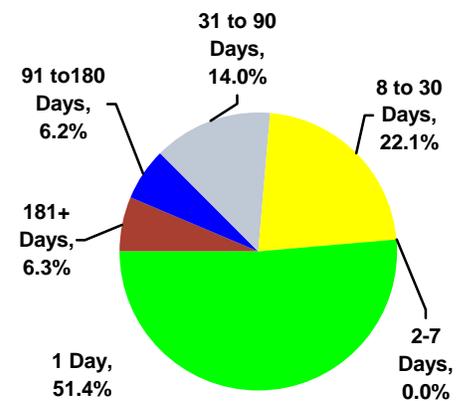
	<b>Book Value</b>	<b>Market Value</b>
Uninvested Balance	\$1,455.67	\$1,455.67
Accrual of Interest Income	13,104,001.86	13,104,001.86
Interest and Management Fees Payable	(7,854,207.77)	(7,854,207.77)
Payable for Investments Purchased	0.00	0.00
Repurchase Agreements	10,866,032,000.00	10,865,975,750.00
Mutual Fund Investments	0.00	0.00
Government Securities	8,318,364,816.08	8,331,267,896.88
U.S. Treasury Bills	199,099,166.68	199,572,000.00
<b>Total</b>	<b>\$19,388,747,232.52</b>	<b>\$19,402,066,896.64</b>

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

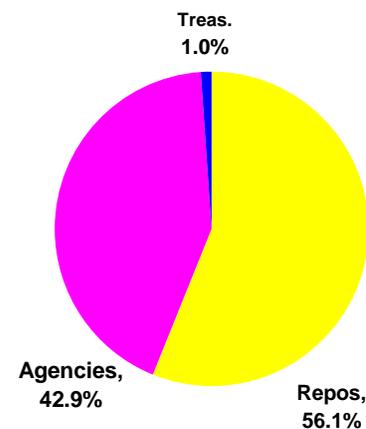
### DAILY SUMMARY

Date	Money Mkt Fund Equiv (SEC Std.)	Daily Allocation Factor	TexPool Invested Balance	Market Value Per Share	WAM Days (1)	WAM Days (2)
04/01	0.5652%	0.000015485	\$20,583,601,905.88	1.00044	41	76
04/02	0.5590%	0.000015316	\$20,612,334,144.91	1.00030	41	75
04/03	0.5328%	0.000014596	\$20,471,009,245.54	1.00044	41	76
04/04	0.5328%	0.000014596	\$20,471,009,245.54	1.00044	41	76
04/05	0.5328%	0.000014596	\$20,471,009,245.54	1.00044	41	76
04/06	0.5203%	0.000014256	\$20,399,625,067.03	1.00048	39	73
04/07	0.5203%	0.000014254	\$20,380,415,442.39	1.00048	38	73
04/08	0.5185%	0.000014205	\$20,315,829,479.32	1.00048	39	73
04/09	0.5177%	0.000014184	\$20,211,224,129.72	1.00046	39	74
04/10	0.5177%	0.000014184	\$20,211,224,129.72	1.00046	39	74
04/11	0.5177%	0.000014184	\$20,211,224,129.72	1.00046	39	74
04/12	0.5177%	0.000014184	\$20,211,224,129.72	1.00046	39	74
04/13	0.4659%	0.000012765	\$20,195,300,555.18	1.00049	38	70
04/14	0.4711%	0.000012907	\$20,187,384,000.09	1.00051	37	70
04/15	0.4359%	0.000011943	\$20,131,416,446.44	1.00055	39	72
04/16	0.4582%	0.000012553	\$20,076,973,915.52	1.00053	40	73
04/17	0.4406%	0.000012072	\$20,034,187,561.71	1.00052	40	73
04/18	0.4406%	0.000012072	\$20,034,187,561.71	1.00052	40	73
04/19	0.4406%	0.000012072	\$20,034,187,561.71	1.00052	40	73
04/20	0.4438%	0.000012160	\$19,906,698,665.02	1.00054	38	71
04/21	0.4431%	0.000012141	\$19,860,231,849.89	1.00054	38	70
04/22	0.4469%	0.000012245	\$19,826,674,245.90	1.00056	38	71
04/23	0.4507%	0.000012347	\$19,741,701,228.46	1.00060	39	71
04/24	0.4163%	0.000011405	\$19,587,013,050.75	1.00060	40	72
04/25	0.4163%	0.000011405	\$19,587,013,050.75	1.00060	40	72
04/26	0.4163%	0.000011405	\$19,587,013,050.75	1.00060	40	72
04/27	0.4309%	0.000011806	\$19,679,366,332.42	1.00063	37	69
04/28	0.4353%	0.000011927	\$19,633,094,463.25	1.00069	39	71
04/29	0.4354%	0.000011928	\$19,472,432,780.90	1.00070	39	71
04/30	0.4451%	0.000012194	\$19,388,747,232.52	1.00068	38	70
<b>Averages</b>	0.4762%	0.000013046	\$20,050,445,128.27		39	73

**Portfolio By Maturity**  
As of April 30, 2009



**Portfolio By Type of Investment**  
As of April 30, 2009



	<b>Number of Participants</b>	<b>Balance</b>
School District	553	\$6,775,647,397.82
Higher Education	53	\$2,339,575,465.20
Health Care	81	\$992,159,341.45
Utility District	663	\$2,032,394,846.40
City	428	\$5,183,550,845.10
County	170	\$1,660,254,063.65
Other	226	\$405,142,398.76

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

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

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

# TexPool Prime

## PORTFOLIO ASSET SUMMARY AS April 30, 2009

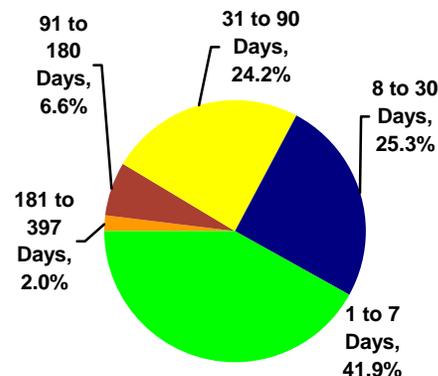
	Book Value	Market Value
Uninvested Balance	\$(178.69)	\$(178.69)
Accrual of Interest Income	528,516.34	528,516.34
Interest and Management Fees Payable	(1,140,555.48)	(1,140,555.48)
Payable for Investments Purchased	0.00	0.00
Repurchase Agreements	619,520,000.00	619,520,000.00
Mutual Fund Investments	0.00	0.00
Government Securities	296,613,595.65	297,790,221.00
Commercial Paper	1,055,846,584.54	1,056,067,570.67
Bank Instruments	0.00	0.00
Variable Rate Note	0.00	0.00
<b>Total</b>	<b>\$1,971,367,962.36</b>	<b>\$1,972,765,573.84</b>

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

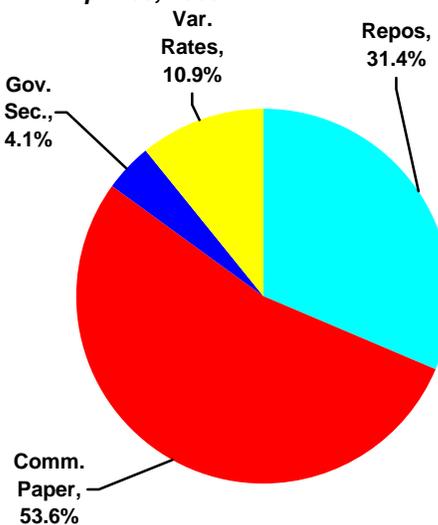
### DAILY SUMMARY

Date	Money Mkt Fund Equiv (SEC Std.)	Daily Allocation Factor	TexPool Invested Balance	Market Value Per Share	WAM Days (1)	WAM Days (2)
04/01	0.7690%	0.000021069	\$2,075,686,959.32	1.00035	38	68
04/02	0.7579%	0.000020765	\$2,091,955,452.84	1.00041	37	67
04/03	0.6782%	0.000018581	\$2,137,798,165.68	1.00037	36	66
04/04	0.6782%	0.000018581	\$2,137,798,165.68	1.00037	36	66
04/05	0.6782%	0.000018581	\$2,137,798,165.68	1.00037	36	66
04/06	0.6821%	0.000018688	\$2,122,746,231.23	1.00044	34	63
04/07	0.6852%	0.000018773	\$2,107,303,461.68	1.00044	33	63
04/08	0.6901%	0.000018906	\$2,103,968,476.44	1.00045	33	63
04/09	0.6659%	0.000018245	\$2,092,663,918.79	1.00041	33	63
04/10	0.6659%	0.000018245	\$2,092,663,918.79	1.00041	33	63
04/11	0.6659%	0.000018245	\$2,092,663,918.79	1.00041	33	63
04/12	0.6659%	0.000018245	\$2,092,663,918.79	1.00041	33	63
04/13	0.6637%	0.000018183	\$2,084,344,887.86	1.00048	31	60
04/14	0.6585%	0.000018041	\$2,078,739,447.92	1.00049	33	61
04/15	0.6523%	0.000017872	\$2,035,179,326.89	1.00052	34	63
04/16	0.6750%	0.000018492	\$2,031,406,572.77	1.00050	34	63
04/17	0.6704%	0.000018367	\$2,030,289,113.75	1.00051	34	63
04/18	0.6704%	0.000018367	\$2,030,289,113.75	1.00051	34	63
04/19	0.6704%	0.000018367	\$2,030,289,113.75	1.00051	34	63
04/20	0.6714%	0.000018395	\$2,022,238,534.32	1.00056	32	61
04/21	0.6489%	0.000017777	\$2,030,352,029.28	1.00057	31	60
04/22	0.6479%	0.000017752	\$2,019,324,617.29	1.00059	31	60
04/23	0.6792%	0.000018608	\$1,972,949,580.82	1.00061	34	64
04/24	0.6696%	0.000018346	\$1,988,860,373.76	1.00057	34	63
04/25	0.6696%	0.000018346	\$1,988,860,373.76	1.00057	34	63
04/26	0.6696%	0.000018346	\$1,988,860,373.76	1.00057	34	63
04/27	0.6705%	0.000018371	\$1,980,832,830.23	1.00061	31	61
04/28	0.6702%	0.000018362	\$1,989,591,918.83	1.00069	30	60
04/29	0.6758%	0.000018516	\$1,980,836,437.44	1.00070	30	59
04/30	0.6846%	0.000018757	\$1,971,367,962.36	1.00070	29	59
<b>Averages</b>	0.6767%	0.000018540	\$2,051,344,112.08		33	63

Portfolio By Maturity  
As of April 30, 2009



Portfolio By Type of Investment  
As of April 30, 2009



	Number of Participants	Balance
School District	58	\$1,349,003,603.84
Higher Education	4	\$20,498,335.30
Health Care	6	\$64,670,849.91
Utility District	3	\$151,523,024.02
City	17	\$110,517,850.71
County	12	\$275,061,132.79
Other	6	\$102,370.51

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

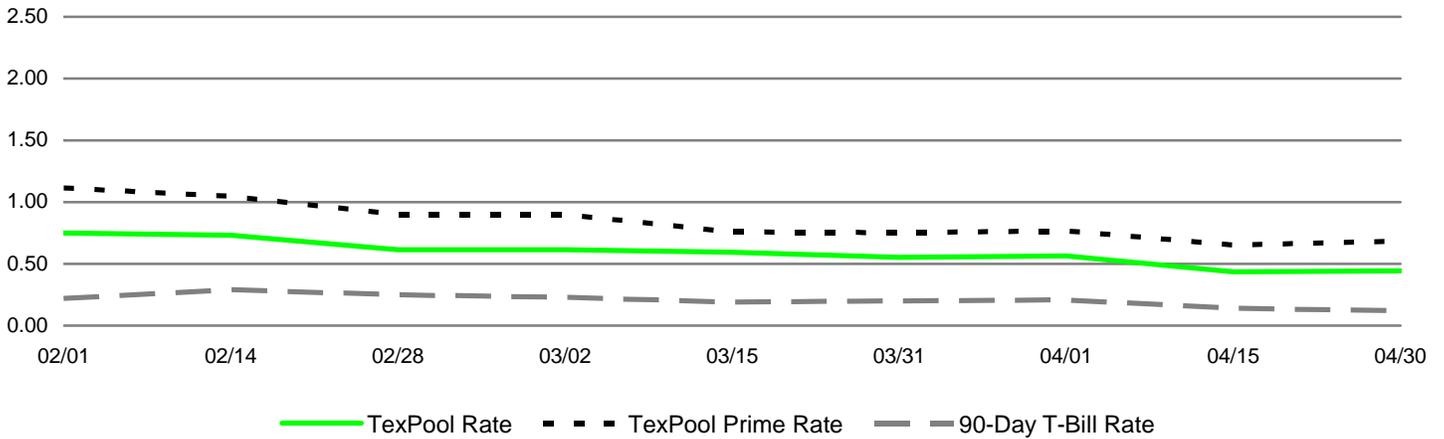


# TEXPOOL

THE TEXAS INVESTMENT SERVICE FOR PUBLIC FUNDS

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

## TEXPOOL & TEXPOOL PRIME VS. 90-DAY TREASURY BILL



### TexPool Advisory Board Members

R.C. Allen  
Pati Buchenau

Jose Elizondo, Jr.  
Ron Leverett

LaVonne Mason  
John McGrane

Clay McPhail  
Vivian Wood

**Additional information regarding TexPool is available upon request:**

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



## Monthly Newsletter - April 2009

### Performance

#### As of April 30, 2009

Current Invested Balance	\$5,647,217,828.45
Weighted Average Maturity (1)	50 Days
Weighted Average Maturity (2)	79 Days
Net Asset Value	1.000659
Total Number of Participants	677
Management Fee on Invested Balance	0.05%*
Interest Distributed	\$2,603,158.83
Management Fee Collected	\$239,231.83
% of Portfolio Invested Beyond 1 Year	2.03%
Standard & Poor's Current Rating	AAAm

#### April Averages

Average Invested Balance	\$5,772,233,529.40
Average Monthly Yield, on a simple basis	0.4984%
Average Weighted Average Maturity (1)*	50 Days
Average Weighted Average Maturity (2)*	78 Days

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

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

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

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

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

### New Participants

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

- ★ Lefors ISD
- ★ Howard County
- ★ Hays Caldwell Public Utility Agency
- ★ City of Seminole

### Holiday Reminder

Please note that in observance of the Memorial Day holiday, **TexSTAR will be closed on Monday, May 25, 2009.** All ACH transactions initiated on Friday, May 22nd will settle on Tuesday, May 26th. Notification of any early transaction deadlines on the day preceding this holiday will be sent by email to the primary contact on file for all TexSTAR participants.

### Economic Commentary

News over the past month points to a significant abatement in the pace of contraction in the US economy. First, consumer spending turned positive in the first quarter after two quarters of sharp declines. Second, home sales and housing starts have been steady over the past few months. Third, exports appear to be growing after an unprecedented collapse in the fourth and first quarter. Fourth, the inventory correction is at an advanced stage. Finally, the Fed's targeted measures have affected a significant improvement in financial conditions: equity markets have rallied sharply, inter-bank funding markets continue to improve, and corporate bond spreads have moved lower as have mortgage rates.

Job losses remain intense: 663,000 in March and 685,000, on average, over the past three months. The unemployment rate, already at 8.5%, looks set to move measurably higher. Despite these statistics, the leading indicators of jobs hint at imminent improvement. The most important development has been the stabilization in consumer spending and confidence. Real consumer spending rose 2.2% at an annual rate in the first quarter. Accompanying this are growing signs that home sales and housing starts have bottomed. The business sector continues to be characterized by extreme caution. Inventories were liquidated at a \$103.7 billion pace in the first quarter, a record in level terms and close to a record as a percentage of GDP. Treasury prices continued to decline. The spread between the two-year and five-year yields increased from 86 bps to 111 bps versus the previous month. The yield of the two-year note was up 10 bps ending at 0.90% and the yield of the five-year note rose 35 bps to 2.01%.

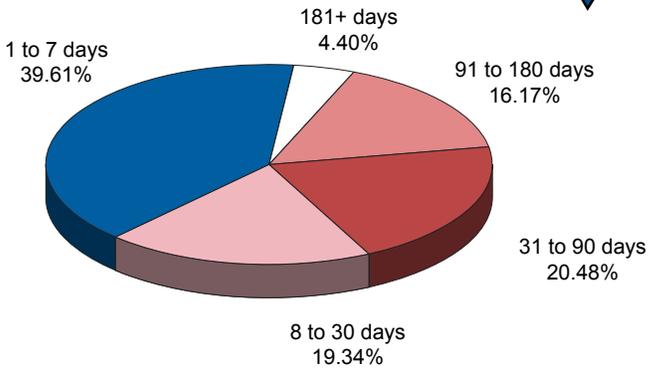
In essence, the US is in a recession now exceeding the depths of the severe 1981-82 and 1974-75 downturns. Stimulus is key. On monetary policy, the efficacy of the Fed's focus on both balance sheet expansion and change in the composition of the balance sheet toward risky assets will determine how quickly financial conditions can continue to ease. The combination of fiscal stimulus, reduced inventory cutbacks, reduced drag from housing, easier financial conditions, and the advanced stage of household balance sheet repair should gradually restore growth into positive territory.

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

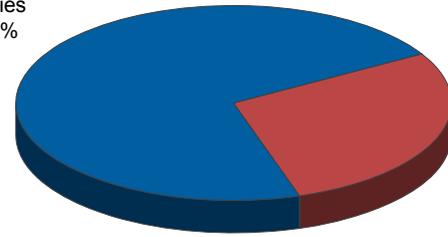
**For more information about TexSTAR, please visit our web site at [www.texstar.org](http://www.texstar.org).**

# Information at a Glance

## Portfolio by Type of Investment As of April 30, 2009

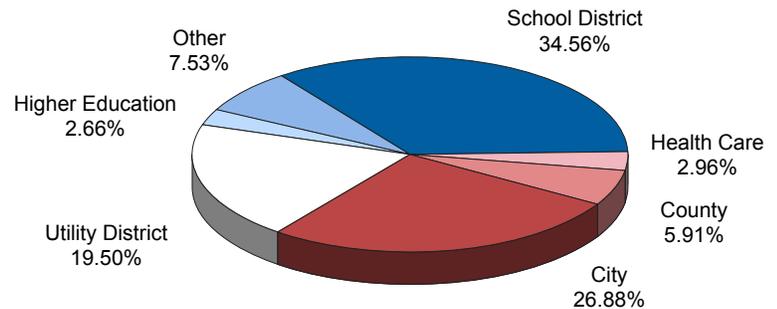


Agencies  
71.44%



Repurchase Agreements  
28.56%

## Portfolio by Maturity As of April 30, 2009



## Distribution of Participants by Type As of April 30, 2009

# Performance

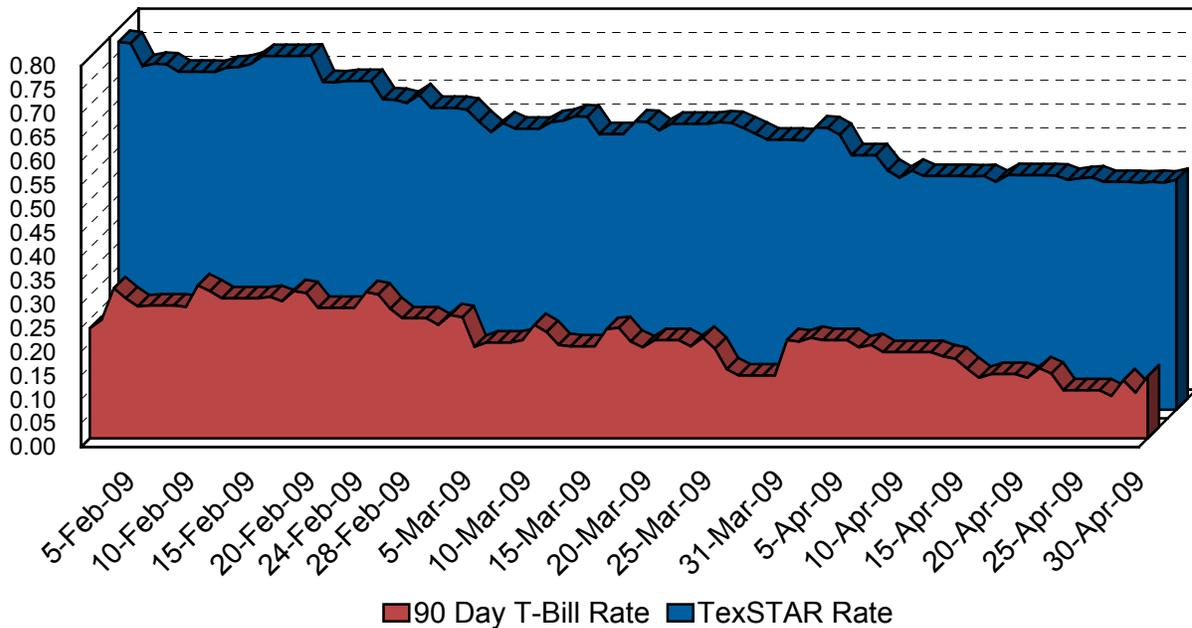
Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Apr 09	0.4984%	\$ 5,647,217,828.45	\$ 5,650,940,345.36	1.000659	50	79	677
Mar 09	0.5945%	5,660,835,069.45	5,663,620,225.62	1.000492	50	77	673
Feb 09	0.7053%	6,132,498,993.34	6,134,995,172.40	1.000402	48	72	670
Jan 09	0.9005%	5,676,377,612.45	5,680,297,695.81	1.000683	50	78	667
Dec 08	1.3793%	4,993,884,782.18	4,999,322,863.96	1.001075	48	81	664
Nov 08	1.5651%	4,516,705,034.64	4,520,414,835.22	1.000821	37	76	663
Oct 08	1.7825%	4,653,785,653.26	4,652,712,677.18	0.999727	39	82	659
Sep 08	2.2986%	5,252,346,054.07	5,248,471,023.31	0.999262	34	81	650
Aug 08	2.2120%	4,936,314,476.42	4,933,265,676.60	0.999370	36	87	647
Jul 08	2.1874%	5,328,247,286.85	5,325,742,811.75	0.999529	30	84	643
Jun 08	2.2467%	5,450,912,795.58	5,448,966,529.06	0.999642	31	86	637
May 08	2.2194%	5,893,819,751.64	5,893,907,633.72	1.000013	28	87	627
Apr 08	2.4396%	6,349,528,618.20	6,349,341,491.76	0.999970	21	82	623

## Portfolio Asset Summary as of April 30, 2009\*

	Book Value	Market Value
Uninvested Balance	\$ 853.06	\$ 853.06
Accrual of Interest Income	4,226,088.45	4,226,088.45
Interest and Management Fees Payable	(2,748,573.91)	(2,748,573.91)
Payable for Investment Purchased	(60,570,515.90)	(60,570,515.90)
Repurchase Agreements	1,629,742,000.00	1,629,742,000.00
Government Securities	4,076,567,976.75	4,080,290,493.66
<b>Total</b>	<b>\$ 5,647,217,828.45</b>	<b>\$ 5,650,940,345.36</b>

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

# TexSTAR versus 90-Day Treasury Bill



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

## Daily Summary for April 2009

Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	TexSTAR Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
4/1/2009	0.5911%	0.000016194	\$5,652,697,670.24	1.000489	52	81
4/2/2009	0.5771%	0.000015811	\$5,734,880,341.69	1.000511	51	79
4/3/2009	0.5341%	0.000014633	\$5,713,290,735.32	1.000458	51	78
4/4/2009	0.5341%	0.000014633	\$5,713,290,735.32	1.000458	51	78
4/5/2009	0.5341%	0.000014633	\$5,713,290,735.32	1.000458	51	78
4/6/2009	0.5022%	0.000013758	\$5,667,648,819.90	1.000472	51	77
4/7/2009	0.4872%	0.000013349	\$5,686,249,163.98	1.000476	51	78
4/8/2009	0.5019%	0.000013751	\$5,693,143,638.60	1.000493	50	78
4/9/2009	0.4908%	0.000013446	\$5,923,013,964.37	1.000457	47	76
4/10/2009	0.4908%	0.000013446	\$5,923,013,964.37	1.000457	47	76
4/11/2009	0.4908%	0.000013446	\$5,923,013,964.37	1.000457	47	76
4/12/2009	0.4908%	0.000013446	\$5,923,013,964.37	1.000457	47	76
4/13/2009	0.4899%	0.000013422	\$5,955,536,061.48	1.000471	48	74
4/14/2009	0.4908%	0.000013447	\$5,906,569,623.71	1.000484	51	76
4/15/2009	0.4783%	0.000013105	\$5,905,723,971.28	1.000554	50	77
4/16/2009	0.4929%	0.000013503	\$5,848,703,640.76	1.000552	50	77
4/17/2009	0.4925%	0.000013493	5,819,449,874.28	1.000540	49	75
4/18/2009	0.4925%	0.000013493	5,819,449,874.28	1.000540	49	75
4/19/2009	0.4925%	0.000013493	5,819,449,874.28	1.000540	49	75
4/20/2009	0.4915%	0.000013466	5,794,368,542.18	1.000558	49	76
4/21/2009	0.4825%	0.000013218	5,781,528,145.85	1.000571	51	80
4/22/2009	0.4860%	0.000013316	5,792,258,339.92	1.000581	51	81
4/23/2009	0.4878%	0.000013364	5,766,064,809.41	1.000591	50	80
4/24/2009	0.4782%	0.000013102	5,684,999,124.38	1.000584	49	79
4/25/2009	0.4782%	0.000013102	5,684,999,124.38	1.000584	49	79
4/26/2009	0.4782%	0.000013102	5,684,999,124.38	1.000584	49	79
4/27/2009	0.4766%	0.000013058	5,677,669,541.08	1.000614	51	81
4/28/2009	0.4783%	0.000013105	5,660,134,911.40	1.000678	51	80
4/29/2009	0.4767%	0.000013060	5,651,335,772.68	1.000679	50	79
4/30/2009	0.4826%	0.000013223	5,647,217,828.45	1.000659	50	79
Average	0.4984	0.000013654	5,772,233,529.40		50	78

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



## **TexSTAR Board Members**

<i>William Chapman</i>	<i>Central Texas Regional Mobility Authority</i>	<i>Governing Board President</i>
<i>Nell Lange</i>	<i>City of Frisco</i>	<i>Governing Board Vice President</i>
<i>Melinda Garrett</i>	<i>Houston ISD</i>	<i>Governing Board Treasurer</i>
<i>Michael Bartolotta</i>	<i>First Southwest Company</i>	<i>Governing Board Secretary</i>
<i>Will Williams</i>	<i>JP Morgan Chase</i>	<i>Governing Board Asst. Sec./Treas.</i>
<i>Hardy Browder</i>	<i>City of Cedar Hill</i>	<i>Advisory Board</i>
<i>Oscar Cardenas</i>	<i>Northside ISD</i>	<i>Advisory Board</i>
<i>Scott Christensen</i>	<i>Reid Road MUD No. 1</i>	<i>Advisory Board</i>
<i>Stephen Fortenberry</i>	<i>McKinney ISD</i>	<i>Advisory Board</i>
<i>Monte Mercer</i>	<i>North Central TX Council of Government</i>	<i>Advisory Board</i>
<i>Len Santow</i>	<i>Griggs &amp; Santow</i>	<i>Advisory Board</i>
<i>S. Renee Tidwell</i>	<i>Tarrant County</i>	<i>Advisory Board</i>

**For more information contact TexSTAR Participant Services ★ 1-800-TEX-STAR ★ [www.texstar.org](http://www.texstar.org)**



# City of Copperas Cove

## City Council Agenda Item Report

June 2, 2009

### Agenda Item No. G-3

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

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**SUBJECT:** Consideration and action on accepting the U.S. Department of Justice, Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program grant application for governing body review.

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#### 1. BACKGROUND/HISTORY

On May 5, 2009, the City Council authorized Resolution No. 2009-23 supporting the City Manager in the submission of a grant application to the U.S. Department of Justice, Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program for a total of \$53,849, authorizing the City Manager to execute a Memorandum of Understanding between the City of Copperas Cove and Coryell County, and also authorizing the City Manager to sign the *Certification as to Recovery Act Reporting Requirements* document.

#### 2. FINDINGS/CURRENT ACTIVITY

As stated during the May 5, 2009 meeting, a part of the application process requires that the application must be made available for review by the governing body not fewer than 30 days before the application is submitted to the BJA. As indicated in the application process, if the 30-day governing body review is not met, the application should be submitted prior to the application deadline and BJA will add a special condition to the award that will withhold grant funds until the documentation is submitted confirming the requirement has been met.

The application was officially submitted to BJA on May 18, 2009, and a copy of the application is attached for your review. There is no action required by the governing body other than to acknowledge that the application has been provided for review and such acknowledgement will be obtain from the copy of the agenda item posting and the minutes of the May 5, 2009 meeting.

**3. FINANCIAL IMPACT**

There is no financial impact associated with this process.

**4. ACTION OPTIONS/RECOMMENDATION**

No action by the governing body is required for this item.

<b>APPLICATION FOR FEDERAL ASSISTANCE</b>	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION	3. DATE RECEIVED BY STATE	State Application Identifier
Application Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
<b>5. APPLICANT INFORMATION</b>		
Legal Name	Organizational Unit	
City of Copperas Cove	Copperas Cove Police Dept.	
Address	Name and telephone number of the person to be contacted on matters involving this application	
507 S. Main Street Copperas Cove, Texas 76522-2241	Forester, Cheryl (254) 547-4274	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)	7. TYPE OF APPLICANT	
74-6022216	Municipal	
8. TYPE OF APPLICATION	9. NAME OF FEDERAL AGENCY	
New	Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
NUMBER: 16.804 CFDA 16.804 - Recovery Act - Justice Assistance TITLE: Grants - Localities	The Copperas Cove Police Department anticipates using the funds awarded in the Edward Byrne Justice Assistance Grant (JAG) to finance the Computer Expansion Program. Currently, the Police Department is using a total of 32 desktop computers throughout the facilities. With the completion of a new Police Facility a total of 70 workstations will require desktop computers. These computers are used for entering data into the records management system, dispatching, report writing, communications, internet, data analysis, budgeting, and other duties that only computer systems can accomplish. Computers have obviously become an essential part of law enforcement. Also to support the additional desktop computers an additional server will be required. With the addition of the Emergency Operations Center at the new Police Facility, a need for 11 laptop computers will arise. All of these computer requirements will be a part of the Computer Expansion Program.	
12. AREAS AFFECTED BY PROJECT		
City of Copperas Cove, Coryell County, Lampasas County, and Bell County		
13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF	
Start Date: March 01, 2009 End Date: February 28, 2013	a. Applicant b. Project TX31	

15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?  This preapplication/application was made available to the state executive order 12372 process for review on 05/18/2009
Federal	\$53,849	
Applicant	\$0	
State	\$0	
Local	\$0	
Other	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?  N
Program Income	\$0	
TOTAL	\$53,849	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

Close Window

Application # 2009-F3196-TX-US  
City of Copperas Cove  
Program Narrative – Attachment 1

The City of Copperas Cove Police Department is pleased to submit this request for funding. As a disparate jurisdiction, the City of Copperas Cove and Coryell County have signed a Memorandum of Understanding with Coryell County relinquishing all funding to the City of Copperas Cove Police Department for the implementation of the Computer Expansion Program. The Computer Expansion Program is required due to the completion of a new Police Facility. The new facility will be 33,000 square feet. There will be a total of 70 workstations which will require a need for desktop computers. These workstations will be utilized by patrol officers, detectives, communications officers, administrators, administrative assistants, and records clerks. The Police Department currently has 32 desktop computers and with the completion of the new Police Facility and require the purchase of 38 additional desktop computers. The Police Department currently utilizes one server for the existing 32 computer systems, but with the expansion of 38 more computers another server would be required to handle the networking service. In addition, the new Police Facility will be the new location for the City's Emergency Operations Center (EOC). The space for the EOC will also serve as the department's training and community room. Since these functions require the use of computers, the Computer Expansion Program also includes the purchase of laptop computers. Laptop computers would allow for the flexibility to remove the systems out of this space when not serving a function. A minimum of 11 laptop computers would be required to meet the needs of the EOC.

The Computer Expansion Program will allow for improving the effectiveness and efficiency of all personnel of the Department. Currently, the 32 desktop computers are often shared because the number of personnel outnumbers the computers. As an example, two computers are shared by eight patrol supervisors and three other computers are shared by 28 patrol officers. Only two of the supervisors and six of the officers are on duty during any given shift. The shortage typically occurs during a shift change where often times, the six officers are trying to complete their documentation and the oncoming shift is needing a computer to access briefing information and complete documentation from a previous shift. Also the two shift supervisors ending their shift are trying to review and approve documentation while the two oncoming supervisors are attempting to access updates and communications to provide their officers. Many times, these officers have to be provided access to other offices and workstations throughout the facility to complete their tasks. Within the plans of the new facility, there will be a total of ten patrol officer workstations and eight patrol supervisor workstations. This will alleviate the shift change overcrowding problem but this resolution alone will require a difference of 13 more computers.

The following bullets address project objectives, financial tracking, timelines, project plans and performance measures:

- **Project Objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation.**

The purchasing of just over \$53,000 in computer equipment will no doubt help in the overall goal of the Recovery Act to preserve jobs in the industry as well as assist in the recovery of our economy. Our intention is to purchase from two separate vendors to help accomplish the goal. The grant will also provide needed equipment that is not within the City's budget and could not be included within the budget without the City incurring additional debt, a possible tax increase, or the reduction in the service areas.

- **Organization capabilities and competencies, including a description of how the organization will track all drawdowns and grant expenditures separately from other federal funding.**

The City of Copperas Cove Financial Department continues to receive the *Certificate of Achievement for Excellence in Financial Reporting Award* as well as the *Distinguished Budget Presentation Award* from the Government Financial Officers Association. *The Certificate of Achievement for Excellence in Financial Reporting Award* has been received for the 18<sup>th</sup> consecutive year and the *Distinguished Budget Presentation Award* has been received for 11 consecutive years. The City anticipates receipt of both awards for the past year.

The Copperas Cove Police Department along with the City of Copperas Cove Finance Department will maintain a separate accounting system for funds received from this grant. All funds are maintained separately from other federal funding. The drawdown of funds and the expenditure of funds with this grant involve several employees and divisions of the City. The process involves the Executive Secretary of the Police Department who administers the grant at the department level, the City's Purchasing Officer who assists in the purchase process by ensuring that purchasing laws are complied with, as well as, authorizing purchase orders and payment requests, and oversight by the City's Budget Analyst and Finance Director.

- **Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits.**

As soon as the grant is awarded and the funding is available, the process to purchase the equipment will begin. This process should take just a few weeks to accomplish thus allowing for the intent of the Recovery Act to maximize job creation and economic benefit.

- **Timeline or project plan identifying when the goals and objectives will be completed.**

As stated in Bullet 3, as soon as the funds are available, the purchasing process will begin. The new Police Facility is scheduled to open in January 2010 and at that time the systems will be installed and in use thereby meeting our goals.

- **Performance measures established by the organization to assess whether grant objectives are being met.**

Due to the current lack of computers in the Department for report writing, a constant expenditure of overtime pay is needed to complete job duties within the Patrol Division which creates a strain on the City's budget. This will be monitored and tracked for visible improvements.

Application # 2009-F3196-TX-US  
City of Copperas Cove  
Budget and Budget Narrative – Attachment 2

The Computer Expansion Program is required due to the completion of a new Police Facility. The new facility will be 33,000 square feet. There will be a total of 70 workstations which will require a need for a desktop computer. These workstations will be utilized by patrol officers, detectives, communications officers, administrators, administrative assistants, and records clerks. The Police Department currently has 32 desktop computers and with the completion of the new Police Facility and require the purchase of 38 additional desktop computers. The Police Department currently utilizes one server for the existing 32 computer systems, but with the expansion of 38 more computers another server would be required to handle the networking service. In addition, the new Police Facility will be the new location for the City's Emergency Operations Center (EOC). The space for the EOC will also serve as the department's training and community room. Since these functions require the use of computers, the Computer Expansion Program also includes the purchase of laptop computers. Laptop computers would allow for the flexibility to remove the systems out of this space when not serving a function. A minimum of 11 laptop computers would be required to meet the needs of the EOC.

The costs would vary based on the industry's costs at the time of purchase. The projected completion date of the Police Facility is December 2009. At that time, the department would move forward with the purchase of the computers through the Computer Expansion Program.

Desktop Computers with Monitor & Software	38 @ \$ 932 = \$35,416
Laptop Units with Software	11 @ \$1,130 = \$12,430
Server	1 @ \$6,000 = \$ <u>6,000</u>

Estimated Total for Computer Expansion Program: **\$53,846**

Application # 2009-F3196-TX-SU  
City of Copperas Cove  
Review Narrative – Attachment 3

The City of Copperas Cove received notification that the local jurisdiction was eligible for Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) funding and appeared on the Recovery Act Units of Local Government Eligibility List, established by OJP's Bureau of Justice Statistics. An agenda item was prepared for the regularly scheduled meeting held on Tuesday, May 5, 2009, for City of Copperas Cove City Council with a resolution authorizing and supporting the City Manager in the submission of a grant application as well as a Memorandum of Understanding to agree on how to share the funding or agree not to share the funding between Coryell County and the City. The MOU grants all funding to the City for the Computer Expansion Program.

Notice of the intent to submit a grant application was posted on the City's website at [www.ci.copperas-cove.tx.us](http://www.ci.copperas-cove.tx.us), on public access Channel 10 and published in the Copperas Cove Leader Press on Tuesday, April 28, 2009; Friday, May 1, 2009 and Tuesday, May 5, 2009. Public comment was taken via email, phone, or in person. No public comment was received.

The JAG application will be submitted by the 8:00 p.m. Eastern Time deadline on Monday, May 11, 2009. The application will then be made available for review at the next regularly scheduled City of Copperas Cove Council Meeting on Tuesday, June 2, 2009.

**City of Copperas Cove (DUNS # 079334116)**

**PROJECT TITLE: Computer Expansion Program**

The Copperas Cove Police Department anticipates using the funds awarded in the Edward Byrne Justice Assistance Grant (JAG) to finance the Computer Expansion Program. Currently, the Police Department is using a total of 32 desktop computers throughout their facilities. These computers are used for entering data into the records management system, dispatching, report writing, communications, internet, data analysis, budgeting, and other duties that only computer systems can accomplish. Computers have obviously become an essential part of law enforcement.

Several years ago, the City of Copperas Cove realized the need for a new Police Facility and this need turned into a reality with the start of construction in December, 2008. The current Police Department is working out of two overcrowded buildings totaling 12,000 square feet and separated by a parking lot. The new facility will be 33,000 square feet with ample workspace for all employees. There will be a total of 70 workstations which will require the need for a desktop computer. These workstations will be utilized by patrol officers, detectives, communications officers, administrators, administrative assistants, and records clerks.

Currently, the 32 desktop computers are often shared because the number of personnel outnumbers the computers. As an example, two computers are shared by eight patrol supervisors and three other computers are shared by 28 patrol officers. Only two of the supervisors and six of the officers are on duty during any given shift. The shortage typically occurs during a shift change where often times, the six officers are trying to complete their documentation and the oncoming shift is needing a computer to access briefing information and complete documentation from a previous shift. Also, the two shift supervisors ending their shift are trying to review and approve documentation while the two oncoming supervisors are attempting to access updates and communications to provide their officers. Many times, these officers have to be provided access to other offices and workstations throughout the facility to complete their tasks. Within the plans of the new facility, there will be a total of ten patrol officer workstations and eight patrol supervisor workstations. This will alleviate the shift change overcrowding problem but this resolution alone will require a difference of 13 more computers.

Application # 2009-F3196-TX-US  
City of Copperas Cove  
Abstract – Attachment 4

The Computer Expansion Program would include the purchase of 38 additional desktop computers at a cost of approximately \$35,416. The Police Department currently utilizes one server for the existing 32 computer systems, but with the expansion of 38 more computers another server would be needed to handle the networking service. The cost of the new server is approximated at \$6,000.

In addition, the new facility will be the new location for the City's Emergency Operations Center (EOC). The space for the EOC will also serve as the Department's training and community room. Since these functions require the use of computers, the Computer Expansion Program also includes the purchase of laptop computers. Laptop computers would allow for the flexibility to remove the systems out of this space when not serving a function. A minimum of 11 laptop computers at an approximate cost of \$12,430 would be required to meet the needs of the EOC.

The approximate total cost of 38 desktop computers, 11 laptop computers, and one server is \$53,846. The costs would vary based upon the industry's pricing at the time of purchase. The projected completion date of the Police Facility is December of 2009. At that time, the Department would coordinate the move to the new Police Facility and move forward with the purchasing of the computers through the Computer Expansion Program.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – Justice Assistance Grant (JAG) Program**

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).



Signature of Certifying Official

Andrea Gardner

Printed Name of Certifying Official

City Manager

Title of Certifying Official

City of Copperas Cove Police Department

Full Name of Applicant Entity

5-7-09

Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – Justice Assistance Grant (JAG) Program**

General Certification as to Requirements for Receipt of Funds  
for Infrastructure Investments

On behalf of the applicant State or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs (“OJP”), U.S. Department of Justice:

I have personally read and reviewed the section entitled “Eligibility” in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

*Initial the statement that applies:*

AMG

The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

\_\_\_\_\_ The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds  
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).



\_\_\_\_\_  
Signature of Certifying Official

Andrea Gardner

\_\_\_\_\_  
Printed Name of Certifying Official

City Manager

\_\_\_\_\_  
Title of Certifying Official

City of Copperas Cove Police Department

\_\_\_\_\_  
Full Name of Applicant Government Entity

5-7-09

\_\_\_\_\_  
Date

THE STATE OF TEXAS  
COUNTY OF CORYELL

KNOW ALL BY THESE PRESENT

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF COPPERAS COVE, TEXAS AND COUNTY OF CORYELL, TEXAS**

**RECOVERY ACT: JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this 5<sup>th</sup> day of May, 2009, by and between The COUNTY of CORYELL, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and the CITY of COPPERAS COVE, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of CORYELL County, State of TEXAS, witnesseth:

**WHEREAS**, this Agreement is made under the authority of Chapter 7, Texas Government Code: and

**WHEREAS**, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

**WHEREAS**, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

**WHEREAS**, the CITY agrees to provide the COUNTY \$0.00 from the JAG award for the Computer Expansion Program: and

**WHEREAS**, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

**NOW THEREFORE, the COUNTY and CITY agree as follows:**

**Section 1.**

CITY agrees to pay COUNTY a total of \$0.00 of JAG funds.

**Section 2.**

COUNTY agrees to use \$0.00 for the Computer Expansion Program until October 1, 2013.

**Section 3.**

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Texas Tort Claims Act.

**Section 4.**

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Texas Tort Claims Act.

**Section 5.**

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

**Section 6.**

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

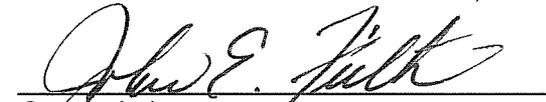
**Section 7.**

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF COPPERAS COVE, TEXAS

COUNTY OF CORYELL, TEXAS

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
County Judge

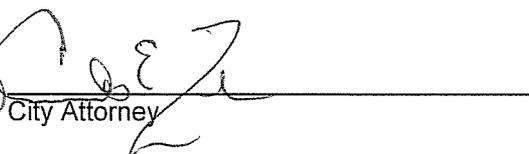
ATTEST:

  
\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant District Attorney  
*Court*

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Contract Authorization

\*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contracts or legal document on behalf of other parties. Our view of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

**RESOLUTION NO. 2009-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE A GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE (BJA), OFFICE OF JUSTICE PROGRAMS, RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG), AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CORYELL COUNTY AS TO THE DISTRIBUTION OF SUCH FUNDING WITH CORYELL COUNTY, AND AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF TO ADMINISTER THE GRANT, AND PLEDGING THAT THE CITY OF COPPERAS COVE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE BUREAU OF JUSTICE ASSISTANCE (BJA), OFFICE OF JUSTICE PROGRAMS.**

**WHEREAS,** The Bureau of Justice Assistance (BJA) through the Office of Justice Programs is authorized to administer the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG). The stated purposes of the Recovery Act are: to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases; and

**WHEREAS,** The City of Copperas Cove, in the State of Texas, is qualified to apply for grant funds under the Request for Applications.

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

**SECTION 1.**

That the City Manager is authorized to execute a Memorandum of Understanding between the City and Coryell County allocating the total of \$53,849 in available grant funding from the Bureau of Justice Assistance (BJA), Office of Justice Programs for a Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG).

**SECTION 2.**

That the City Manager is authorized to apply for and accept such funding in the amount of \$53,849 for the purpose of a computer expansion project. No matching funds are required.

**SECTION 3.**

That the City Manager will act on behalf of the City of Copperas Cove and the Copperas Cove Police Department in all matters related to the grant application and any subsequent grant contract and grant project that may result, and the City Manager will act on the City's behalf in administering the grant.

**SECTION 4.**

That the City of Copperas Cove will comply with the grant requirements of the Bureau of Justice Assistance (BJA), Office of Justice Programs Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) and the State of Texas and the conditions of the Memorandum of Understanding.

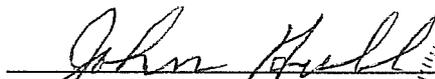
**SECTION 5.**

That grant funds will be used only for the purpose for which they are intended under the grant.

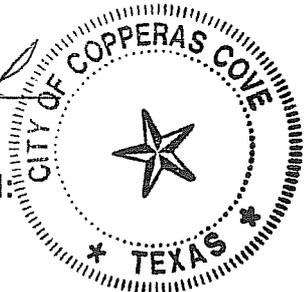
**SECTION 6.**

That the City of Copperas Cove, in the event of loss or misuse of the Bureau of Justice Assistance (BJA), Office of Justice Programs Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG), will reimburse the Bureau of Justice Assistance (BJA), Office of Justice Programs, the full amount of the City's portion of the grant award.

**PASSED, APPROVED, AND ADOPTED** on this 5th day of May 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

APPROVED AS TO FORM:



ATTEST:

  
Jane Lees, City Secretary

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

# Texas Review and Comment System

## Review

**Applicant/Origination** Copperas Cove Police Department  
**Contact Name:** Timothy Molnes, Chief  
**Contact** 254-547-4274  
**Email:** tmolnes@ci.copperas-cove.tx.us

**Project Name:** Copperas Cove Police Department - 16.804 (BJA Local)

**Funding** BJA

**SAI/EIS#:** TX-I-20090518-0002-50

**Date Received:** 5/18/2009

**Date Comments Due**

7/14/2009

### Review Participants

#### Agencies

#### Cogs

Central Texas Council of Governments  
Ms. Debbie Garrett (254) 933-7075  
TRACS  
P.O. Box 729  
Belton, TX 76513-0729  
dgarrett@ctcog.org

### Special

FOR USE IN THE STATE OF TEXAS INTERGOVERNMENTAL REVIEW PROCESS – WITHIN 3 DAYS OF SUBMITTING AN APPLICATION TO THE FUNDING AGENCY, APPLICANT IS RESPONSIBLE FOR CONTACTING EACH OF THE REVIEW PARTICIPANTS LISTED ON THE NOTIFICATION TO OBTAIN INSTRUCTIONS ABOUT SUBMITTING THE APPLICATION FOR REVIEW.

EACH REVIEW PARTICIPANT AND THE OFFICE OF THE GOVERNOR SHOULD RECEIVE ONE COPY OF THE FINAL PROPOSAL DOCUMENT OR AT LEAST THE FOLLOWING: SF424, BUDGET DOCUMENT, PROJECT ABSTRACT, AND PROJECT NARRATIVE, ALONG WITH A COPY OF THE “REVIEW NOTIFICATION”.

PLEASE SEND THE FINAL COPY (ALONG WITH A COPY OF THE REVIEW NOTIFICATION) TO THE GOVERNOR’S OFFICE ELECTRONICALLY. Email to: grants@governor.state.tx.us

DSF

#### Review Agency

#### Signature

#### Return Comments to:

Denise S. Francis, State Single Point of Contact  
Governor's Office of Budget, Planning &  
P.O. Box 12428  
Austin, TX 78711  
(512) 463-8465

Your proposal/notification of intent has been received. You should respond "yes" when asked if this program is subject to E.O. 12372. The above entities have been designated as review participants. Please forward one copy of your proposal (including 424, budget document, abstract and project narrative) with one copy of this review notification to each review participant identified above. Please include the assigned State Application Identifier assigned above on each forwarded proposal. If you submitted a notification of intent please also send one copy of your proposal to the State Single Point of Contact (SPOC) address above. Please refer to the SAI number when communicating with our office regarding your proposal. A copy of any comments received about the application will later be sent to your organization as well as the funding agency. If you have any questions please call (512) 463-8465 for clarification.

# City of Copperas Cove

## City Council Agenda Item Report

June 2, 2009

### Agenda Item G-4

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

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**SUBJECT: Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for Fiscal Year beginning October 1, 2008.**

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#### 1. BACKGROUND/HISTORY

The City submitted the 2008-09 Adopted Budget and Plan of Municipal Services to GFOA in February 2009. The budget document must satisfy nationally recognized guidelines for effective budget presentation. The guidelines are designed to assess how well an entity's budget serves as a policy document, a financial plan, an operations guide, and a communications device. The document must be rated "proficient" in all four categories to receive the award.

#### 2. FINDINGS/CURRENT ACTIVITY

The City of Copperas Cove was awarded the Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2008. This is the twelfth consecutive year that the City has received this award and the City will continue to strive to improve the Annual Operating Budget in future years.

In addition to the Distinguished Budget Presentation Award for the current fiscal year, the City was awarded special recognition in the following category: "Special Performance Measures Recognition." Receiving such recognition indicates the level of commitment City staff has towards the budget process and document. No such award has been received previously. For an entity to achieve the special recognition, the following criteria must be met by the entity:

- Receive an outstanding rating by all three GFOA reviewers in the category of Performance Measures as part of the Operations Guide.
- Receive an outstanding rating by at least two of the three GFOA reviewers in the category of Unit Goals and Objectives as part of the Policy Document.
- Receive at least a proficient rating by all three reviewers on the Long-term Non-Financial Goals & Objectives as part of the Policy Document.

#### 3. FINANCIAL IMPACT

None.

**4. ACTION OPTIONS/RECOMMENDATION**

None.



Government Finance Officers Association  
203 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601-1210  
312.977.9700 fax: 312.977.4806

May 7, 2009

Ms. Wanda Bunting  
Director of Financial Services  
City of Copperas Cove  
507 South Main Street  
Copperas Cove, TX 76522

Dear Ms. Bunting:

A Panel of independent reviewers has completed its examination of your budget document. We are pleased to inform you that the panel has voted to award your budget document the Distinguished Budget Presentation Award for the current fiscal period. This award is the highest form of recognition in governmental budgeting. Its attainment represents a significant achievement by your organization. In addition to receiving the award, your entity's budget received the following special recognition:

### **Special Performance Measures Recognition**

The Distinguished Budget Presentation Award is valid for . To continue your participation in the program, it will be necessary to submit your annual budget document to GFOA within 90 days of the proposed budget's submission to the legislature or within 90 days of the budget's final adoption. Enclosed is an application form to facilitate a timely submission. This form should be submitted with four copies of your budget accompanied by the appropriate fee.

Each program participant is provided with confidential comments and suggestions for possible improvements to the budget document. Your comments are enclosed. We urge you to carefully consider the suggestions offered by our reviewers as you prepare your next budget.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individuals or department designated as being primarily responsible for its having achieved the award. Enclosed is a Certificate of Recognition for Budget Preparation for:

**Wanda Bunting, CPA, Director of Financial Services**

Ms. Wanda Runtino

May 7, 2009

Page 2

Your award plaque will be mailed separately and should arrive within eight to ten weeks. Enclosed is a camera-ready reproduction of the award for inclusion in your next budget. If you reproduce the camera-ready in your next budget, it should be accompanied by a statement indicating continued compliance with program criteria.

The following standardized text should be used:

The Government Finance Officers Association of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to **City of Copperas Cove, Texas** for its annual budget for the fiscal year beginning **October 1, 2008**. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as a financial plan, as an operations guide, and as a communications device.

This award is valid for a period of only. We believe our current budget continues to conform to program requirements, and we are submitting it to GFOA to determine its eligibility for another award.

Enclosed is a congratulatory letter to your designated executive official, accompanied by a press release.

The Government Finance Officers Association encourages you to make arrangements for a formal presentation of the award. If you would like the award presented by a member of your state or provincial finance officers association, we can provide the name of a contact person for that group.

We appreciate your participation in this program and we sincerely hope that your example will encourage others in their efforts to achieve and maintain excellence in governmental budgeting. If we can be of further assistance, please contact the Technical Services Center.

Sincerely,



Stephen J. Gauthier, Director  
Technical Services Center



Government Finance Officers Association  
203 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601-1210  
312.977.9700 fax: 312.977.4806

May 7, 2009

Ms. Wanda Bunting  
Director of Financial Services  
City of Copperas Cove  
507 South Main Street  
Copperas Cove, TX 76522

Dear Ms. Bunting:

I am pleased to notify you that City of Copperas Cove, Texas has received the Distinguished Budget Presentation Award for the current from the Government Finance Officers Association (GFOA). This award is the highest form of recognition in governmental budgeting and represents a significant achievement by your organization.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. This has been presented to:

**Wanda Bunting, CPA, Director of Financial Services**

We hope you will arrange for a formal public presentation of the award, and that appropriate publicity will be given to this notable achievement. A press release is enclosed for your use.

We appreciate your participation in GFOA's Budget Awards Program. Through your example, we hope that other entities will be encouraged to achieve excellence in budgeting.

Sincerely,

Stephen J. Gauthier, Director  
Technical Services Center

Enclosure



Government Finance Officers Association  
203 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601-1210  
312.977.9700 fax: 312.977.4806

May 7, 2009

**PRESS RELEASE**

For Further Information Contact  
Stephen J. Gauthier (312) 977-9700

\*\*\*\*\*

Chicago—The Government Finance Officers Association of the United States and Canada (GFOA) is pleased to announce that **City of Copperas Cove, Texas** has received the GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. This has been presented to **Wanda Bunting, CPA, Director of Financial Services**.

For budgets including fiscal period 2007, 1,166 entities received the Award. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

The Government Finance Officers Association is a nonprofit professional association serving over 17,600 government finance professionals throughout North America. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished  
Budget Presentation  
Award*

PRESENTED TO  
**City of Copperas Cove  
Texas**

**Special Performance Measures Recognition**

For the Fiscal Year Beginning

**October 1, 2008**

President

Executive Director



The Government Finance Officers Association  
of the United States and Canada

*presents this*

## CERTIFICATE OF RECOGNITION FOR BUDGET PREPARATION

*to*

**Wanda Bunting, CPA**  
**Director of Financial Services**  
**City of Copperas Cove, Texas**



*The Certificate of Recognition for Budget Preparation is presented by the Government Finance Officers Association to those individuals who have been instrumental in their government unit achieving a Distinguished Budget Presentation Award. The Distinguished Budget Presentation Award, which is the highest award in governmental budgeting, is presented to those government units whose budgets are judged to adhere to program standards.*

Executive Director

Date

May 07, 2009

# City of Copperas Cove

## City Council Agenda Item Report

June 2, 2009

### Agenda Item No. I-1

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

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**SUBJECT: Consideration and action on the appointment of a mayor pro tem to serve for a period of one (1) year and who shall act as mayor during the absence or disability of the mayor.**

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#### 1. BACKGROUND/HISTORY

The City Charter Section 2.03 states, *“At the City Council’s second regular meeting following each yearly regular election of council members, or runoff election if required, the council shall elect one of its members as mayor pro tem, for a period of one (1) year. The mayor pro tem shall act as mayor during the absence or disability of the mayor and, when so acting, shall have the same powers, duties, and restrictions as set forth for the office of mayor.”*

#### 2. FINDINGS/CURRENT ACTIVITY

The regular election was held on May 9, 2009. A runoff election was not required. The second regular council meeting after the regular election date is June 2, 2009.

#### 3. FINANCIAL IMPACT

None.

#### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council elect, from one of its members, a mayor pro tem to serve for a period of one (1) year.

# City of Copperas Cove City Council Agenda Item Report

June 2, 2009

## Agenda Item No. I-2

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

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**SUBJECT: Consideration and action to authorize the City Manager to execute a lease agreement with Diversified Lenders, Inc. for the lease purchase of the INCODE software.**

---

### 1. BACKGROUND/HISTORY

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

On September 16, 2008, the FY 2009 Proposed Budget was adopted by the City Council to include funding for the purchase of the INCODE software. Thus, City staff proceeded with obtaining an agreement from Tyler Technologies to purchase the INCODE software. The agreement was reviewed by the City Manager and City Attorney for placement on the November 3, 2008 Council Agenda. As a result of Council approval, the City Manager executed the agreement.

During the week of April 27, 2009, the Municipal Court began operating the INCODE software. However, staff discovered the Council approval provided on November 3, 2008, did not approve the funding portion of the item.

### 2. FINDINGS/CURRENT ACTIVITY

City staff currently seeks the Council's approval to execute the lease agreement with Diversified Lenders Inc., in order to satisfy the funding of the INCODE software.

### 3. FINANCIAL IMPACT

The Municipal Court will begin repayment of the lease in the current fiscal year with the initial amount of \$3,175.42, representing the first and the last month's payments, followed by 34 monthly payments of \$1,587.71.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council to authorize the City Manager to execute an agreement between the City of Copperas Cove and Diversified Lenders Inc. for the lease to own purchase of the INCODE Software.



6625 W. 19<sup>th</sup> Street, Suite 114 - Lubbock, Texas 79407 - (806) 795-7782 - 1-800-288-3024 - Fax (806) 797-0601

April 21, 2009

Andrea Gardner  
City Manager  
City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

Re: Tyler Technologies Hardware and System Software

Dear Ms. Gardner:

Thank you for the opportunity to provide Diversified Lenders (DivLend Equipment Leasing, L.L.C.) leasing services to you. I have enclosed the lease documents for the City of Copperas Cove. A checklist of the items you need to complete is included below for your convenience. Please check off each item as it is completed. I trust this will help both of us complete the documentation phase of your lease in a timely and efficient manner. If you have any questions about any of the items, please feel free to call me.

- q Sign and initial documents where indicated.
- q Sign form 8038-GC.
- q Supply copies of the two most recent audited financial statements for the City of Copperas Cove.
- q Return a check in the amount of \$3,475.42, made payable to Diversified Lenders, Inc. representing the 1<sup>st</sup> and last month's payments and the documentation fee with your documents.

Again, if you have any questions concerning your lease documents, please feel free to give me a call.

Sincerely,

Jeff Horn

# Lease Purchase Agreement

Presented by

DivLend Equipment Leasing,  
L. L. C.

to

City of Copperas Cove

# GOVERNMENTAL LEASE-PURCHASE AGREEMENT

THIS GOVERNMENTAL LEASE-PURCHASE MASTER AGREEMENT (hereinafter referred to as "Agreement") by and between DivLend Equipment Leasing, L.L.C., a Texas Limited Liability Company (hereinafter referred to as "Lessor"), and City of Copperas Cove, a political subdivision or agency of the State of TX, (hereinafter referred to as "Lessee").

WITNESSETH: In consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto agree as follows:

1. **Term and Payments.** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the property described in Exhibit A hereto (hereinafter, with all replacement parts, substitutions, proceeds, increases, additions, accessions, repairs and accessories incorporated therein or affixed thereto, referred to as the "Property") for the amounts to be paid in the sums (the "Lease Payments") and on the dates (the "Lease Payment Dates") set forth in Exhibit B hereto. Except as specifically provided in Section 2 hereof, the obligation of the Lessee to make the Lease Payments called for in Exhibit B hereto shall be absolute and unconditional in all events and shall not be subject to any set-off, defense, counterclaim or recoupment for any reason. The term of the lease hereunder shall commence upon the acceptance of possession of the Property by Lessee (or acceptance by Lessee of delivery of the first item of Property if this Agreement involves multiple items or Property) and shall continue until the end of the Lessee's current fiscal period and thereafter for such additional fiscal periods as are necessary to complete the anticipated total lease term as set forth in Exhibit B, unless earlier terminated as provided herein. Lessee will evidence its acceptance of the Property by executing and delivering to Lessor a Certificate of Acceptance (hereinafter so called) in the form provided by Lessor.
2. **Renewal and Nonappropriation.** Lessee agrees that it will make timely requests for the appropriations of funds to make all Lease Payments called for under Exhibit B. In the event that (i) funds for the succeeding fiscal period cannot be obtained, (ii) Lessee has exhausted all legally available means for making the payment called for under this Agreement, (iii) Lessee has invoked and diligently pursued all legal procedures by which payment called for under this agreement may be made, (iv) such failure to obtain funds has not resulted from any act or failure to act of Lessee, (v) Lessee has not acquired, and has no intent to acquire during the subsequent fiscal period, items of property or services having functions similar to those of the Property or which provide similar benefits to Lessee, and (vi) no funds have been appropriated for the acquisition of such property, Lessee may terminate this Agreement at the end of any fiscal period during the payment schedule set forth in Exhibit B by giving notice to Lessor or its successors at least sixty (60) days prior to the first day of such fiscal period for which appropriations cannot be made. Such failure to obtain proper appropriation and approval of the full amount of funds necessary to make required payments hereunder during any fiscal period subsequent to the current fiscal period shall terminate all of Lessee's right, title and interest in and obligations under the Agreement and to all the Property, effective on the last day of the last fiscal period for which appropriation or approval was properly obtained.
3. **Taxes.** In addition to the Lease Payments to be made pursuant to Section 1 hereof, Lessee agrees, to the extent permitted by law, to indemnify and hold Lessor harmless from and against and to pay Lessor, as additional rent, on demand, an amount equal to all license, assessments, sales, use, real or personal property, gross receipts or other taxes, levies, imposts, duties or charges, if any, together with any penalties, fines or interest thereon imposed against or on Lessor, Lessee of the Property by any governmental authority upon or with respect to the Property or the purchase, ownership, rental, possession, operation, return or sale of, or receipt of payments for, the Property, except any Federal or state income taxes, if any, payable by Lessor. Lessee may contest any such taxes prior to payment provided such contest does not involve any risk of sale, forfeiture or loss of the Property of any interest therein.
4. **Lessee's Covenants and Representations.** Lessee covenants and represents as follows:
  - (a) Lessee represents, and will provide an opinion of its counsel to the effect that, it has full power and authority to enter into this Agreement which has been duly authorized, executed, and delivered by Lessee and is a valid and binding obligation of Lessee enforceable in accordance with its terms, and all requirements for execution, delivery and performance of this Agreement have been, or will be, complied with in a timely manner,
  - (b) All payments hereunder have been, and will be, duly authorized and paid when due out of funds then on hand and legally available for such purpose; Lessee will, to the extent permitted by State law and other terms and conditions of this agreement, include in its budget for each successive fiscal period during the term of this Agreement a sufficient amount to permit Lessee to discharge all its obligations hereunder, and, Lessee has budgeted and available for the current fiscal period sufficient funds to comply with its obligations hereunder;
  - (c) There are no pending or threatened lawsuits or administrative or other proceedings contesting the authority for, authorization or performance of, or expenditure of funds pursuant to, this Agreement;
  - (d) Information supplied and statements made by Lessee in any financial statement or current budget prior to or contemporaneously with this Agreement are true and correct;
  - (e) Lessee has an immediate need for, and expects to make immediate use of, substantially all the Property, which need is not temporary or expected to diminish in the foreseeable future; specifically, Lessee will not give priority or parity in the appropriation of funds for the acquisition or use of any additional property for purposes or functions similar to those of the Property;

(f) There are no circumstances presently affecting the Lessee that could reasonably be expected to alter its foreseeable need for the Property or adversely affect its ability or willingness to budget funds for the payment of sums due hereunder, and

(g) Lessee's right to terminate this Agreement as specified in Section 2 hereof was not an independently bargained for consideration, but was included solely for the purpose of complying with the requirements of the laws of the State in which Lessee is located.

5. **Use and Licenses.** Lessee shall pay and discharge all operating expenses and shall cause the Property to be operated by competent persons only. Lessee shall use the Property only for its proper purposes and will not install, use, operate or maintain the Property improperly, carelessly, or in violation of any applicable law, ordinance, rule or regulation of any governmental authority, or in a manner contrary to the nature of the Property or the use contemplated by its manufacturer. Lessee shall keep the Property at the location stated on the Certificate of Acceptance executed by Lessee upon delivery of the Property until Lessor in writing permits its removal, and the Property shall be used solely in the conduct of the Lessee's operations. Lessee shall obtain, at its expense, all registrations, permits and licenses, if any, required by law for the installation and operation of the Property. Any license plates used on the Property shall be issued in the name of the Lessee. If a certificate of title is issuable with respect to the Property, it shall be delivered to the Lessor showing the interest of the Lessor.

6. **Maintenance.** Lessor shall not be obligated to make any repairs or replacements. Lessor's failure to perform or omission to perform, as specified in any maintenance agreement, shall not cause any abatement, setoff, or recoupment of any payment called for under this Agreement. At its own expense, Lessee shall service, repair and maintain the Property in as good condition, repair, appearance and working order as when delivered to Lessee hereunder, ordinary wear and tear from proper use alone excepted, and shall replace any and all parts thereof which may from time to time become worn out, lost, stolen, destroyed, or damaged beyond repair or rendered unfit for intended use, for any reason whatsoever, all of which replacements shall be free and clear of all liens, encumbrances and claims of others and shall become part of the Property and subject to this Agreement. Lessor may, at its option, discharge such costs, expenses and insurance premiums necessary for the repair, maintenance and preservation of the Property, and all sums so expended shall be due from Lessee in addition to rental payments hereunder.

7. **Alterations.**

(a) Lessee may, at its own expense, install or place in or on, or attach or affix to, the Property such equipment or accessories as may be necessary or convenient to use the Property for its intended purposes provided that such equipment or accessories do not impair the value or utility of the Property. All such equipment and accessories shall be removed by Lessee upon termination of this Agreement, provided that any resulting damage shall be repaired at Lessee's expense. Any such equipment or accessories not removed shall become the property of Lessor.

(b) Without the written consent of Lessor, Lessee shall not make any other alterations, modifications or improvements to the Property except as required or permitted hereunder. Any other alterations, modifications or improvements to the Property shall immediately become part of the Property, subject to the provisions hereof. Without the prior written consent of Lessor, Lessee shall not affix or attach any of the Property to any real property. The Property shall remain personal property regardless of whether it becomes affixed or attached to real property or permanently rests upon any real property or any improvement thereon.

8. **Liens.** Lessee shall not directly or indirectly create, incur, assume or suffer to exist any mortgage, security interest, pledge, lien, charge, encumbrance or claim on or with respect to the Property, title thereto or any interest therein, except the respective rights of Lessor and Lessee hereunder.

9. **Damage to or Destruction of Property.** Lessee shall bear the entire risk of loss, damage, theft, or destruction of the Property from any and every cause whatsoever, and no loss, damage, destruction or other event shall release Lessee from the obligation to pay the full amount of the rental payments or from any other obligation under this Agreement. In the event of damage to any item of the Property, Lessee will immediately place the same in good repair, with the proceeds of any insurance recovery applied to the cost of such repair. If Lessor determines that any item of Property is lost, stolen, destroyed or damaged beyond repair, Lessee at the option of Lessee will either (a) replace the same with like property in good repair or (b) on the next Lease Payment Date, pay Lessor (i) all amounts then owed by Lessee to Lessor under this Agreement, including the Lease Payment due on such date, and (ii) an amount equal to the applicable Option to Purchase Value set forth in Exhibit B.

10. **Insurance.** Lessee shall either be self-insured with regard to the Property or shall purchase and maintain insurance with regard to the Property. Lessee shall indicate on each Certificate of Acceptance executed in relation to this Agreement its election to be self-insured or company insured with regard to the Property listed on that Certificate of Acceptance. Whether Lessee is self-insured or company insured, Lessee shall, for the term of this Agreement, at its own expense, provide comprehensive liability insurance with respect to the Property, insuring against such risks, and such amounts as are customary for lessees of property of a character similar to the Property. In addition, Lessee shall, for the term of the Agreement, at its own expense, provide casualty insurance with respect to the Property, insuring against customary risks, coverage at all times not less than the amount of the unpaid principal portion of the Lease Payments required to be made pursuant to Section 1 as of the last preceding Payment Date specified in Exhibit B on which a Lease Payment was made. If insurance policies are provided with respect to the Property, all insurance policies shall be with insurers authorized to do business in the State where the Property is located and shall name both Lessor and Lessee as insureds as their respective interest may appear. Insurance proceeds from casualty losses shall be payable solely to the Lessor, subject to the provisions

of Section 9. Lessee shall, upon request, deliver to Lessor evidence of the required coverages together with premium receipts, and each insurer shall agree to give Lessor written notice of nonpayment of any premium due and ten (10) days notice prior to cancellation or alteration of any such policy. Lessee shall also carry and require any other person or entity working on, in or about the Property to carry workmen's compensation insurance covering employees on, in or about the Property. In the event Lessee fails, for any reason, to comply with the requirements of the Section, Lessee shall, to the extent permitted by law, indemnify, save harmless and, at Lessee's sole expense, defend Lessor and its agents, employees, officers and directors and the Property against all risk of loss not covered by insurance.

**11. Indemnification.** Lessee shall, to the extent permitted by law, indemnify and save harmless Lessor and its agents, employees, officers and directors from and, at Lessee's expense, defend Lessor and its agents, employees, officers and directors against all liability, obligations, losses, damages, penalties, claims, actions, costs and expenses (including but not limited to reasonable attorneys' fees) of whatsoever kind or nature which in any way relate to or arise out of this Agreement of the ownership, rental possession, operation, condition, sale or return of the Property. All amounts which become due from Lessee under this Section 11 shall be credited with any amounts received by the Lessor from insurance provided by the Lessee and shall be payable by Lessee within thirty (30) days following demand therefor by Lessor and shall survive the termination or expiration of this Agreement.

**12. No Warranty.** EXCEPT FOR REPRESENTATIONS, WARRANTIES, AND SERVICE AGREEMENTS RELATING TO THE PROPERTY MADE OR ENTERED INTO BY THE MANUFACTURERS OR SUPPLIERS OF THE PROPERTY, ALL OF WHICH ARE HEREBY ASSIGNED TO LESSEE, LESSOR HAS MADE AND MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, AND ASSUMES NO OBLIGATION WITH RESPECT TO THE TITLE, MERCHANTABILITY, CONDITION, QUALITY OR FITNESS OF THE PROPERTY DESCRIBED IN EXHIBIT A FOR ANY PARTICULAR PURPOSE OR THE CONFORMITY OF THE PROPERTY TO SPECIFICATIONS OR PURCHASE ORDER, ITS DESIGN, DELIVERY, INSTALLATION OR OPERATION. All such risks shall be borne by Lessee without in any way excusing Lessee from its obligations under this Agreement, and Lessor shall not be liable to Lessee for any damages on account of such risks. All claims or actions on any warranty so assigned shall be made or prosecuted by Lessee, at its sole expense, upon prior written notice to Lessor. Lessor may, but shall have no obligation whatsoever to, participate in such claim or action on such warranty, at Lessor's expense. Any recovery under such a warranty shall be made payable jointly to Lessee and Lessor.

**13. Option to Purchase.** Provided Lessee has complied with the terms and conditions of this Agreement, Lessee shall have the option to purchase not less than all of the Property which is then subject to this Agreement, "as is" at the payment date, for the Option to Purchase Values set forth in Exhibit B by giving written notice to Lessor not less than sixty (60) days prior to the date specified in Exhibit B for the exercise of such option; provided that upon Lessee's timely payment of all Lease Payments specified in Exhibit B, Lessee shall be deemed to have properly exercised its option to purchase the Property and shall be deemed to have acquired all of Lessor's right, title and interest in and to the Property, free of any lien, encumbrance or security interest except such liens, encumbrances or security interest as may be created, or permitted and not discharged, by Lessee but without other warranties. Payment of the applicable Option to Purchase Value shall occur on the applicable Lease Payment Date specified in Exhibit B hereto, at which time Lessor shall, unless not required hereunder, deliver to Lessee a quitclaim bill of sale transferring Lessor's interest in the Property to Lessee free from any lien, encumbrance or security interest except such as may be created, or permitted and not discharged, by Lessee but without other warranties. Upon Lessee's actual or constructive payment of the Option to Purchase Value and Lessor's actual or constructive delivery of a quitclaim bill of sale covering the Property, this Agreement shall terminate except as to obligations or liabilities accruing hereunder prior to such termination.

**14. Default, Late Payment, and Lessor's Remedies.**

(a) The occurrence of one or more of the following events shall constitute an Event of Default and result in late payments, whether occurring voluntarily or involuntarily, by operation of law or pursuant to any order of any court of governmental agency:

- (1) Lessee fails to make any payment hereunder when due or within ten (10) days thereafter. Whenever any payment is not made by Lessee in full when due hereunder, Lessee agrees to pay to Lessor, not later than one month thereafter, an amount equal to 5% of the full scheduled payment, but only to the extent allowed by law. Such amount shall be payable in addition to all amounts payable by Lessee as a result of exercise of any of the remedies herein provided,
- (2) Lessee fails to comply with any other covenant, condition or agreement of Lessee hereunder for a period of the (10) ten days after notice thereof;
- (3) Any representation or warranty made by Lessee hereunder shall be untrue in any material respect as of the date made;
- (4) Lessee makes, permits or suffers any unauthorized assignment, transfer or other disposition of this Agreement or any interest herein, or any part of the Property or any interest therein; or
- (5) Lessee becomes insolvent; or admits in writing its inability to pay its debts as they mature; or applies for, consents to or acquiesces in the appointment of a trustee, receiver or custodian for the Lessee or a substantial part or its property; or, in the absence of such application, consent or acquiescence, a trustee, receiver or custodian is appointed for Lessee or a substantial part of its property and is not discharged within sixty (60) days; or any bankruptcy, reorganization, debt arrangement, moratorium, or any proceeding under any bankruptcy or insolvency law, or any dissolution or liquidation proceeding is instituted by or against Lessee and, if instituted against Lessee, is consented to or acquiesced in by Lessee or is not

dismissed within sixty (60) days.

(6) Lessee shall pledge, assign, transfer, grant any security interest in or otherwise dispose of this agreement or the equipment being leased by this agreement or in any interest in the foregoing.

(b) Upon the occurrence of any Event of Default by Lessee specified herein, Lessor may at its sole discretion exercise any or all of the following remedies:

(1) Enforce this Agreement by appropriate action to collect amounts due or to become due hereunder, by acceleration or otherwise, or to cause Lessee to perform its other obligations hereunder in which event Lessee shall be liable for all costs and expenses incurred by Lessor;

(2) Take possession of the Property, without demand or notice and without court order or any process of law, and remove and relet the same for Lessee's account, in which event Lessee waives any and all damages resulting therefrom and shall be liable for all costs and expenses incurred by Lessor in connection therewith and the difference, if any, between the amounts to be paid pursuant to Section 1 hereof and the amounts received and to be received by Lessor in connection with any such reletting;

(3) Terminate this Agreement and repossess the Property, in which event Lessee shall be liable for any amounts payable hereunder through the date of such termination and all costs and expenses incurred by Lessor in connection herewith;

(4) Sell the Property or any portion hereof for Lessor's account at public or private sale, for cash or credit, without demand on or notice to Lessee of Lessor's intention to do so, or relet the Property for a term and a rental which may be equal to, greater than or less than the rental and term provided herein. If the proceeds from any such sale or rental payments received under a new agreement made for the periods prior to the expiration of this Agreement are less than the sum of (i) the costs of such repossession, sale, relocation, storage, reconditioning, reletting and reinstallation (including but not limited to reasonable attorneys' fees), (ii) the unpaid principal balance derived from Exhibit B as of the last preceding Lease Payment Date specified in Exhibit b, and (iii) any past due amounts hereunder (plus interest on such unpaid principal balance at the rate specified in Section 19 hereof, prorated to the date of such sale), all of which shall be paid to Lessor, Lessor shall retain all such proceeds and Lessee shall remain liable for any deficiency; or

(5) Pursue and exercise any other remedy available at law or in equity, in which event Lessee shall be liable for any and all costs and expenses incurred by Lessor in connection therewith. "Costs and expenses", as that term is used in this Section 14, shall mean, to the extent allowed by law: (i) reasonable attorneys' fees if this Agreement is referred for collection to an attorney not a salaried employee of Lessor or the holder of this Agreement; (ii) court costs and disbursements including such costs in the event of any action necessary to secure possession of the Property; and (iii) actual and reasonable out-of-pocket expenses incurred in connection with any repossession or foreclosure, including costs of storing, reconditioning and reselling the Property, subject to the standards of good faith and commercial reasonableness set by the applicable Uniform Commercial Code. Lessee waives all rights under all exemption laws.

(6) Under no circumstance shall Lessee be liable under this subsection 14 (b) for any amount in excess of the sum appropriated pursuant to Section 1 hereof for the previous and current fiscal years, less all amounts previously due and paid during such previous and current fiscal years from amounts so appropriated.

**15. Termination.** Unless Lessee has properly exercised its option to purchase pursuant to Section 13 hereof, Lessee shall, upon the expiration of the term of this Agreement or any earlier termination hereof pursuant to Section 14 hereof, deliver the Property to Lessor unencumbered and in at least as good condition and repair as when delivered to Lessee, ordinary wear and tear resulting from proper use alone excepted, by loading the Property, at Lessee's sole expense, on such carrier, or delivering the Property to such location, as Lessor shall provide or designate at or within a reasonable distance from the general location of the Property. If Lessee fails to deliver the Property to Lessor, as provided in this Section 15, on or before the date of termination of this Agreement, Lessee shall pay to Lessor upon demand, for the hold-over period, a portion of the total payment for the applicable period as set forth in Exhibit B prorated from the date of termination of this Agreement to the date Lessee either redelivers the Property to Lessor or Lessor repossesses the Property. Lessee hereby waives any right which it now has or which may be acquired or conferred upon it by any law or order of any court or other governmental authority to terminate this Agreement or its obligations hereunder, except in accordance with the express provisions hereof.

**16. Assignment.** Without Lessor's prior written consent, Lessee will not either: (i) assign, transfer, pledge, hypothecate, grant any security interest in or otherwise dispose of this Agreement or the Property or any interest in this Agreement or the Property; or (ii) sublet or lend the Property or permit it to be used by anyone other than Lessee or Lessee's employees. Lessor may assign its rights, title and interest in and to this Agreement, the Property and any other documents executed with respect to this Agreement and/or grant or assign a security interest in this Agreement and the Property, in whole or in part. Any such assignees shall have all of the rights of Lessor under this Agreement. Subject to the foregoing, this Agreement inures to the benefit of and is binding upon the heirs, executors, administrators, successors and assigns of the parties hereto. No assignment or reassignment of any of Lessor's rights, title or interest in this Agreement or the Property shall be effective with regard to Lessee unless and until Lessee shall have received a copy or the document by which the assignment or reassignment is made, disclosing the name and address of such assignee. No further action will be required by Lessor or by Lessee to evidence the assignment, but Lessee will acknowledge receipt of such assignments in writing if so required. During the term of this Agreement, Lessee shall keep a complete and accurate record of all such assignments in form necessary to comply with the United States Internal Revenue Code of 1986, Section 149 (a), and the regulations, proposed or existing, from time to time promulgated thereunder.

17. **Personal Property.** The Property is and shall at all times be and remain personal property.

18. **Title.** Upon acceptance of the Property by Lessee hereunder, Lessee shall have title to the Property during the term of this Agreement; however, at Lessors option, in the event of (i) an Event of Default hereunder and for so long as such Event of Default is continuing or (ii) termination of this Agreement pursuant to the provisions of Section 2 hereof, title shall be revested immediately in and shall revert to Lessor free of any right, title or interest of Lessee.

19. **Lessor's Right to Perform for Lessee.** If Lessee fails to make any payment or perform or comply with any of its covenants or obligations hereunder, Lessor may, but shall not be required to, make such payment or perform or comply with such covenants and obligations on behalf of Lessee, and the amount of any such payment and the expenses (including but not limited to reasonable attorneys' fees) incurred by Lessor in performing or complying with such covenants and obligations, as the case may be, together with interest thereon at the highest lawful rate, shall be payable by Lessee upon demand.

20. **Interest on Default.** If Lessee fails to pay any Lease Payment specified in Section 1 hereof within ten (10) days after the due date thereof, Lessee shall pay to Lessor interest on such delinquent payment from the due date until paid at the highest lawful rate.

21. **Notices.** Any notices to be given or to be served upon any party hereto in connection with this Agreement must be in writing and may be given by certified or registered mail, and shall be deemed to have been given and received forty-eight (48) hours after a registered or certified letter containing such notice, postage prepaid, is deposited in the United States mail, and if given otherwise shall be deemed to have been given when delivered to and received by the party to whom it is addressed. Such notice shall be given to the parties at their respective addresses designated on the signature page of this Agreement or at such other address as either party may hereafter designate.

22. **Security Interest.** As security for Lessee's covenants and obligations hereunder, Lessee hereby grants to Lessor, and its successors, a security interest in the Property, all accessions thereto and proceeds therefrom, and, in addition to Lessor's rights hereunder, all of the rights and benefits of a secured party under the Uniform Commercial Code as in effect from time to time hereafter in the State in which the Property is located or any other State which may have jurisdiction over the Property. Lessee agrees to execute, acknowledge and deliver to Lessor in recordable form upon request financing statements or any other instruments with respect to the Property or this Agreement considered necessary or desirable by Lessor to perfect and continue the security interest granted herein in accordance with the laws of the applicable jurisdiction.

23. **Tax Exemption.** Lessee certifies that it does reasonably anticipate that not more than \$10,000,000 of "qualified tax-exempt obligations" (as that term is defined in Section 265 (b) 3 (D) of the Internal Revenue Code of 1986 (the "Code") will be issued by it and any subordinate entities during the current year. Further, Lessee will, by resolution, designate this issue as comprising a portion of the \$10 million in aggregate issues to be designated as "qualified tax exempt obligations" eligible for the exception contained in Section 265 (b) 3 (D) of the Code allowing for an exception to the general rule of the Code which provides for a total disallowance of a deduction for interest expense allocable to the carrying of tax exempt obligations.

24. **Consolidation.** It is contemplated by the parties that the items of Property listed on Exhibit A to the Agreement (or added to Exhibit A by subsequently appended Exhibits A-1, A-2, etc.) may be delivered individually or in groups and that each item of Property shall become subject to the Agreement upon Lessee's acceptance thereof. It is further contemplated that the installments due with respect to each item or group of Property shall be set forth on a separate Exhibit B (e.g. Exhibit B-1, B-2, etc.) which shall be attached to and shall become a part of the Agreement. The right of Lessee to terminate the Agreement pursuant to Paragraph 1 thereof shall apply only to the items of Property as a whole, notwithstanding that the amount owed may be set forth in more than one Exhibit B.

25. **Miscellaneous.**

(a) Lessee shall, whenever requested, advise Lessor of the exact location and condition of the Property and shall give the Lessor immediate notice of any attachment or other judicial process affecting the Property, and, to the extent permitted by law, indemnify and save Lessor harmless from any loss or damage caused thereby. Lessor may, for the purpose of inspection, at all reasonable times enter upon any job, building or place where the Property and the books and records of the Lessee with respect thereto are located.

(b) Lessee agrees to equitably adjust the payments payable under this Agreement if there is a determination for any reason that the interest payable pursuant to this Agreement (as incorporated within the schedule of payments) is not excludable from income in accordance with the Internal Revenue Code of 1986, as amended, such as to make Lessor and its assigns whole.

(c) Time is of the essence. No covenant or obligations hereunder to be performed by Lessee may be waived except by the written consent of Lessor, and a waiver of any such covenant or obligation or a forbearance to invoke any remedy on any occasion shall not constitute or be treated as a waiver of such covenant or obligation as to any other occasion and shall not preclude Lessor from invoking such remedy at any later time prior to the Lessee's cure of the condition giving rise to such remedy. Lessor's rights hereunder are cumulative and not alternative.

(d) This Agreement shall be construed in accordance with, and governed by, the laws of the State in which the Property is located.

(e) This Agreement constitutes the entire agreement between the parties and shall not be modified, waived, discharged, terminated, amended, altered or changed in any respect except by a written document signed by both Lessor and Lessee.

(f) Any term or provision of this Agreement found to be prohibited by law or unenforceable shall be ineffective to the extent of

such prohibition or unenforceability without, to the extent reasonably possible, invalidating the remainder of this Agreement.

(g) The Lessor hereunder shall have the right at any time or times, by notice to Lessee, to designate or appoint any person or entity to act as agent or trustee for Lessor for any purposes hereunder.

(h) All transportation charges shall be borne by Lessee. Lessee will immediately notify Lessor of any change occurring in or to the Property, of a change in Lessee's address, or in any fact or circumstance warranted or represented by Lessee to Lessor, or if any Event of Default occurs.

(i) Use of the neuter gender herein is for purposes of convenience only and shall be deemed to mean and include the masculine or feminine gender whenever and wherever appropriate.

(j) The captions set forth herein are for convenience of reference only and shall not define or limit any of the terms or provisions hereof.

(k) Except as otherwise provided herein, this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns, where permitted by this Agreement.

(l) Upon Lessor's request, Lessee will from time to time provide to Lessor financial statements showing Lessee's financial condition and operations, and will execute financing statements or other documents which Lessor requests to evidence Lessor's and/or Lessee's interest in Equipment. Lessee hereby appoints Lessor as its attorney-in-fact to execute and file on behalf of Lessee and authorizes Lessor to file without Lessee's signature any UCC financing statements and amendments Lessor deems advisable to secure the interests of Lessor. Lessee agrees to pay all documentation cost and filing fees associated with this lease.

(m) Lessee hereby authorizes Lessor, without further notice, to complete the description of the Equipment to be leased, the Equipment serial numbers, the quantity thereof, and to fill in any blank spaces on this Lease, and to date this Lease.

IN WITNESS WHEREOF, the parties have executed this Agreement as of April 20<sup>th</sup>, 2009.

**LESSEE**  
City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

**LESSOR**  
DivLend Equipment Leasing, L.L.C.  
6625 West 19th Street, Suite 114  
Lubbock, Texas 79407

\_\_\_\_\_  
By: Andrea Gardner  
Title: City Manager

\_\_\_\_\_  
By: Jeff Horn  
Title: Vice President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

# ATTESTATION

I, Jane Lees, do hereby certify that I am the duly elected or appointed and acting City Secretary of City of Copperas Cove, a political subdivision or agency duly organized and existing under the laws of the State of TX, that I have custody of the records of such entity, and that, as of the date hereof, the individual named above is the duly elected or appointed officer of such entity holding the office set forth following his/her name. I further certify that (i) the signature above his/her name and title is his/her true and authentic signature and (ii) such officer has the authority on behalf of such entity to enter into that certain Lease Agreement, dated as of 4/20/2009 between such entity and DivLend Equipment Leasing, L.L.C. as Lessor.

IN WITNESS WHEREOF, I have duly executed this attestation and affixed the seal of such entity hereto 4/20/2009.

## LESSEE

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

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By: Jane Lees  
Title: City Secretary

SEAL

# CERTIFICATE OF ESSENTIAL USE

I, Andrea Gardner, City Manager of City of Copperas Cove ("Lessee"), hereby certify that the Equipment, to be leased to the undersigned under the certain Lease Agreement, dated as of 4/20/2009 between such entity and DivLend Equipment Leasing, L.L.C. as Lessor, will be used by the undersigned Lessee for the following purpose:

Court Case Management, Scheduling, Warrants, Citation, Collections, Printing and Reporting

The undersigned hereby represents that the use of the Equipment is essential to its proper, efficient and economic operation.

IN WITNESS WHEREOF, I have set my hand 4/20/2009.

## **LESSEE**

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

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By: Andrea Gardner  
Title: City Manager

# CERTIFICATE OF APPROPRIATION

I, Jane Lees, City Secretary, of City of Copperas Cove ("Lessee"), hereby certify that all lease payments due by Lessee under that certain Governmental Lease-Purchase Agreement dated as of 4/20/2009, between Lessee and DivLend Equipment Leasing, L.L.C. as Lessor, for the fiscal period ending 9/30/2009, are within such fiscal period's budget for Lessee and within an available, unexhausted and unencumbered appropriation for Lessee, further certify that the Property, to be leased to the undersigned under the above referenced Governmental Lease-Purchase Agreement, will be used by the undersigned Lessee for the following purpose:

Court Case Management, Scheduling, Warrants, Citation, Collections, Printing and Reporting

The undersigned hereby represents that the use of the Property is essential to its proper, efficient and economic operation.

IN WITNESS WHEREOF, I have set my hand 4/20/2009.

## **LESSEE**

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

---

By: Jane Lees  
Title: City Secretary

# CERTIFICATE OF INCUMBENCY

I, Jane Lees, do hereby certify that I am the duly elected or appointed and acting City Secretary of City of Copperas Cove, a political subdivision or agency duly organized and existing under the laws of the State of TX, that I have custody of the records of such entity, and that, as of the date hereof, the individual(s) named above is/are the duly elected or appointed officer(s) of such entity holding the office(s) set forth opposite his/her/their respective name(s). I further certify that (i) the signature(s) set opposite his/her/their respective name(s) and title(s) is/are his/her/their true and authentic signature(s) and (ii) such officer(s) has/have the authority on behalf of such entity to enter into that certain Governmental Lease-Purchase Agreement, dated as of 4/20/2009, between such entity and DivLend Equipment Leasing, L.L.C. as Lessor.

## LESSEE

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

## LESSOR

DivLend Equipment Leasing, L.L.C.  
6625 West 19th Street, Suite 114  
Lubbock, Texas 79407

\_\_\_\_\_  
By: Andrea Gardner  
Title: City Manager

\_\_\_\_\_  
By: Jeff Horn  
Title: Vice President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

IN WITNESS WHEREOF, I have duly executed this certificate and affixed the seal of such entity hereto 4/20/2009.

## LESSEE

City of Copperas Cove

\_\_\_\_\_  
By: Jane Lees  
Title: City Secretary

**SEAL**

# CERTIFICATE OF ACCEPTANCE

Lease Agreement (the "Agreement") By and Between DivLend Equipment Leasing, L.L.C. ("Lessor") City of Copperas Cove ("Lessee") Dated as of 4/20/2009.

1. **ACCEPTANCE:** In accordance with the Agreement, Lessee hereby certifies that all of the property described herein (i) has been received by Lessee, (ii) has been thoroughly examined and inspected to the complete satisfaction of Lessee, (iii) has been found by Lessee to be in good operating order, repair and condition, (iv) has been found to be of the size, design, quality, type and manufacture specified by Lessee, (v) has been found to be and is wholly suitable for Lessee's purpose, and (vi) is hereby unconditionally accepted by Lessee, in the condition received, for all purposes of the Agreement.

2. **PROPERTY:** INCODE Court Case Management - Criminal Court Case Management, Centralized Cash Collections, INCODE Scheduling- Auto Warrants, Auto Macros, Auto Citation Import, Preferred Customer Discount, Collection Agency Interface- Linebarger, Citation Issuing Device Interface, INCODE Printing and Reporting Solutions- Report Writer, Secure Signatures

3. **USE:** Court Case Management, Scheduling, Warrants, Citation, Collections, Printing and Reporting

4. **PROPERTY LOCATION:** 507 So. Main, Copperas Cove, TX 76522

5. **BILLING ADDRESS:** Invoicing shall be to the following address: 507 So. Main, Copperas Cove, TX 76522

6. **INSURANCE:** Lessee certifies that property and liability insurance has been secured in accordance with the Agreement and such coverage will be maintained in full force for the term of the Agreement. Lessor will be designated loss payee until Lessee is notified, in writing, to substitute a new loss payee.

Company insured? **Yes**

Elect to self-insure in accordance with Section 10 of the Agreement? **No**

7. **MAINTENANCE:** In accordance with Section 6 of the Agreement, Lessee agrees to, at its own expense, service, repair and maintain the Property for the term of the Agreement as follows:

Maintenance contract? **Yes**

Elect to self-maintain? **No**

## LESSEE

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

---

By: Andrea Gardner  
Title: City Manager  
Accepted: 4/20/2009

# INSURANCE CERTIFICATE

Lessee certifies that property and liability insurance, if applicable, have been secured in accordance with the Agreement and such coverage will be maintained in full force for the term of the Agreement.

**Lessor should be designated as loss payee and additional insured until Lessee is notified, in writing, to substitute a new loss payee or additional insured. Insurance must be "replacement value" and in an amount not less than \$50,612.00**

Please provide the following insurance information:

Insurance Agent's Name: \_\_\_\_\_  
Company Name: \_\_\_\_\_ TML \_\_\_\_\_  
Company Address: \_\_\_\_\_  
Company City, State & Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ (512) 491-2300 \_\_\_\_\_  
Policy Number: \_\_\_\_\_

## EQUIPMENT SCHEDULE

INCODE Court Case Management - Criminal Court Case Management, Centralized Cash Collections, INCODE Scheduling- Auto Warrants, Auto Macros, Auto Citation Import, Preferred Customer Discount, Collection Agency Interface-Linebarger, Citation Issuing Device Interface, INCODE Printing and Reporting Solutions- Report Writer, Secure Signatures

### LESSEE

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

\_\_\_\_\_  
By: Andrea Gardner  
Title: City Manager

# GOVERNMENTAL LEASE-PURCHASE RESOLUTION

## A RESOLUTION REGARDING A LEASE PURCHASE AGREEMENT FOR THE PURPOSE OF PROCURING

### Computer Software & Hardware

WHEREAS, City of Copperas Cove (the "Lessee") desires to enter into that certain Lease-Purchase Agreement dated as of 4/20/2009 by and between the Lessee and DivLend Equipment Leasing, L.L.C. for the purpose of procuring any personal property. The Lessee desires to designate this Agreement as a "qualified tax exempt obligation" of the Lessee for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Lessee desires to designate Andrea Gardner, City Manager and Jane Lees, City Secretary as authorized signers of the Agreement.

### Now therefore, be it resolved by the City Council of the Lessee:

Section 1. That the Lessee enters into a Lease Purchase Agreement with DivLend Equipment Leasing, L.L.C. for the purpose of procuring: Computer Software & Hardware.

Section 2. That the Lease Purchase Agreement dated as of 4/20/2009, by and between the Lessee and DivLend Equipment Leasing, L.L.C. is designated by the Lessee as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Lessee designate Andrea Gardner, City Manager, Jane Lees, City Secretary as authorized signers of the Lease Purchase Agreement dated as of 4/20/2009, by and between the Lessee and DivLend Equipment Leasing, L.L.C..

PASSED AND APPROVED by the City Council of the Lessee in a meeting held

on \_\_\_\_\_ .

BY: \_\_\_\_\_

PRINT  
NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

### SEAL

### ATTEST

BY: \_\_\_\_\_

PRINT  
NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

# EXHIBIT A

## Description of Property

This Equipment Schedule is Annexed to and made a part of the Governmental Lease Purchase Agreement dated 4/20/2009 by and between DivLend Equipment Leasing, L.L.C. as Lessor and City of Copperas Cove as Lessee (the "Master Lease").

THIS SCHEDULE IS ISSUED PURSUANT TO THE MASTER LEASE REFERENCED ABOVE BETWEEN LESSEE AND LESSOR. ALL OF THE TERMS AND CONDITIONS OF THE MASTER LEASE AND MODIFICATIONS THEREOF ARE INCORPORATED HEREIN AND MADE A PART HEREOF AS IF SUCH TERMS AND CONDITIONS WERE SET FORTH IN THIS SCHEDULE. BY THEIR EXECUTION AND DELIVERY OF THIS SCHEDULE, THE PARTIES HEREBY REAFFIRM ALL OF THE TERMS AND CONDITIONS OF THE MASTER LEASE.

THIS IS THE ONLY ORIGINAL LEASE SCHEDULE NO. \_\_\_\_\_. ALL OTHER COPIES OF THIS LEASE SCHEDULE NO. \_\_\_\_\_ ARE XEROGRAPHIC COPIES ONLY. ONLY THIS "ORIGINAL" IS REQUIRED TO PERFECT, BY POSSESSION, A SECURITY INTEREST IN THIS LEASE SCHEDULE AS CHATTEL PAPER UNDER THE UCC.

INCODE Court Case Management - Criminal Court Case Management, Centralized Cash Collections, INCODE Scheduling- Auto Warrants, Auto Macros, Auto Citation Import, Preferred Customer Discount, Collection Agency Interface-Linebarger, Citation Issuing Device Interface, INCODE Printing and Reporting Solutions- Report Writer, Secure Signatures

**LESSEE**

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

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By: Andrea Gardner  
Title: City Manager

# EXHIBIT B

## Payment Description

First and last payments of \$3,175.42 are due at signing followed by thirty-four (34) monthly payments of \$1,587.71 beginning May 20th, 2009 and continuing monthly thereafter. Upon receipt of all regularly scheduled payments, Lessee may purchase the property contained in Exhibit A of this lease agreement for the sum of \$1.00.

**LESSEE**

City of Copperas Cove  
507 So. Main  
Copperas Cove, TX 76522

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By: Andrea Gardner  
Title: City Manager

**Information Return for Small Tax-Exempt Governmental Bond Issues, Leases, and Installment Sales**

(Rev. November 2000)

► Under Internal Revenue Code section 149(e)

Department of the Treasury  
Internal Revenue Service

**Caution:** If the issue price of the issue is \$100,000 or more, use Form 8038-G.

<b>Part I Reporting Authority</b>		Check box if Amended Return <input type="checkbox"/>
1 Issuer's name <b>City of Copperas Cove</b>	2 Issuer's employer identification number <b>74-6022216</b>	
3 Number and street (or P.O. box if mail is not delivered to street address) <b>507 So. Main</b>	Room/suite	
4 City, town, or post office, state, and ZIP code <b>Copperas Cove, TX 76552</b>	5 Report number <b>5</b>	
6 Name and title of officer or legal representative whom the IRS may call for more information <b>Andrea Gardner, City Manager</b>	7 Telephone number of officer or legal representative <b>(254) 547-5030</b>	

<b>Part II Description of Obligations</b>		Check if reporting: a single issue <input type="checkbox"/> or on a consolidated basis <input type="checkbox"/>
8a Issue price of obligation(s) (see instructions)	8a	<b>\$50,612.00</b>
b Issue date (single issue) or calendar year (consolidated) (see instructions) ►		
9 Amount of the reported obligation(s) on line 8a:	9a	
a Used to refund prior issue(s)	9b	
b Representing a loan from the proceeds of another tax-exempt obligation (e.g., bond bank)		
10 If the issuer has designated any issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check this box <input type="checkbox"/>		
11 If any obligation is in the form of a lease or installment sale, check this box <input type="checkbox"/>		
12 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check this box <input type="checkbox"/>		

**Sign Here**

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete.

Issuer's authorized representative	Date	Type or print name and title
------------------------------------	------	------------------------------

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Purpose of Form**

Form 8038-GC is used by the issuers of tax-exempt governmental obligations to provide the IRS with the information required by section 149(e) and to monitor the requirements of sections 141 through 150.

**Who Must File**

Issuers of tax-exempt governmental obligations with issue prices of less than \$100,000 must file Form 8038-GC.

Issuers of a tax-exempt governmental obligation with an issue price of \$100,000 or more must file **Form 8038-G**, Information Return for Tax-Exempt Governmental Obligations.

**Filing a separate return.** Issuers have the option to file a separate Form 8038-GC for any tax-exempt governmental obligation with an issue price of less than \$100,000.

An issuer of a tax-exempt bond used to finance construction expenditures must file a separate Form 8038-GC for each issue to give notice to the IRS that an election was made to pay a penalty in lieu of arbitrage rebate (see the line 12 instructions).

**Filing a consolidated return.** For all tax-exempt governmental obligations with issue prices of less than \$100,000 that are not reported on a separate Form 8038-GC, an issuer must file a consolidated information return including all such issues issued within the calendar year.

Thus, an issuer may file a separate Form 8038-GC for each of a number of small issues and report the remainder of small issues issued during the calendar year on one consolidated Form 8038-GC. However, a separate Form 8038-GC must be filed to give the IRS notice of the election to pay a penalty in lieu of arbitrage rebate.

**When To File**

To file a **separate return**, file Form 8038-GC on or before the 15th day of the second calendar month after the close of the calendar quarter in which the issue is issued.

To file a **consolidated return**, file Form 8038-GC on or before February 15th of the calendar year following the year in which the issue is issued.

**Late filing.** An issuer may be granted an extension of time to file Form 8038-GC under Section 3 of Rev. Proc. 88-10, 1988-1 C.B. 635, if it is determined that the failure to file on time is not due to willful neglect. Type or print at the top of the form, "This Statement Is Submitted in Accordance with Rev. Proc. 88-10." Attach to the Form 8038-GC a letter briefly stating why the form was not submitted to the IRS on time. Also indicate whether the obligation in question is under examination by the IRS. Do not submit copies of any bond documents, leases, or installment sale documents. See **Where To File** below.

**Where To File**

File Form 8038-GC, and any attachments, with the Internal Revenue Service Center, Ogden, UT 84201.

**Other Forms That May Be Required**

For rebating arbitrage (or paying a penalty in lieu of arbitrage rebate) to the Federal government, use **Form 8038-T**, Arbitrage Rebate and Penalty in Lieu of Arbitrage Rebate. For private activity bonds, use **Form 8038**, Information Return for Tax-Exempt Private Activity Bond Issues.

**Rounding to Whole Dollars**

You may show the money items on this return as whole-dollar amounts. To do so, drop any amount less than 50 cents and increase any amount from 50 to 99 cents to the next higher dollar.

**Definitions**

**Obligations.** This refers to a single tax-exempt governmental obligation if Form 8038-GC is used for separate reporting or to multiple tax-exempt governmental obligations if the form is used for consolidated reporting.

**Tax-exempt obligation.** This is a bond, installment purchase agreement, or financial lease, on which the interest is excluded from income under section 103.

**Tax-exempt governmental obligation.** A tax-exempt obligation that is not a private activity bond (see below) is a tax-exempt governmental obligation. This includes a bond issued by a qualified volunteer fire department under section 150(e).

**Private activity bond.** This includes an obligation issued as part of an issue in which:

- More than 10% of the proceeds are to be used for any private activity business use, and

## City of Copperal Cove - POV

<u>Payment #</u>	<u>Date</u>		<u>Payment</u>		<u>Purchase Option Value</u>
1 & 36	4/20/2009	\$	3,175.42		
2	5/20/2009	\$	1,587.71		
3	6/20/2009	\$	1,587.71	\$	48,241.55
4	7/20/2009	\$	1,587.71	\$	46,804.59
5	8/20/2009	\$	1,587.71	\$	45,368.02
6	9/20/2009	\$	1,587.71	\$	43,926.81
7	10/20/2009	\$	1,587.71	\$	42,476.37
8	11/20/2009	\$	1,587.71	\$	41,025.82
9	12/20/2009	\$	1,587.71	\$	39,566.32
10	1/20/2010	\$	1,587.71	\$	38,106.38
11	2/20/2010	\$	1,587.71	\$	36,641.72
12	3/20/2010	\$	1,587.71	\$	35,160.88
13	4/20/2010	\$	1,587.71	\$	33,686.71
14	5/20/2010	\$	1,587.71	\$	32,204.27
15	6/20/2010	\$	1,587.71	\$	30,720.55
16	7/20/2010	\$	1,587.71	\$	29,228.84
17	8/20/2010	\$	1,587.71	\$	27,735.51
18	9/20/2010	\$	1,587.71	\$	26,237.36
19	10/20/2010	\$	1,587.71	\$	24,731.64
20	11/20/2010	\$	1,587.71	\$	23,223.79
21	12/20/2010	\$	1,587.71	\$	21,708.65
22	1/20/2011	\$	1,587.71	\$	20,191.04
23	2/20/2011	\$	1,587.71	\$	18,668.53
24	3/20/2011	\$	1,587.71	\$	17,135.27
25	4/20/2011	\$	1,587.71	\$	15,602.89
26	5/20/2011	\$	1,587.71	\$	14,063.94
27	6/20/2011	\$	1,587.71	\$	12,521.64
28	7/20/2011	\$	1,587.71	\$	10,973.06
29	8/20/2011	\$	1,587.71	\$	9,420.78
30	9/20/2011	\$	1,587.71	\$	7,863.49
31	10/20/2011	\$	1,587.71	\$	6,300.35
32	11/20/2011	\$	1,587.71	\$	4,732.98
33	12/20/2011	\$	1,587.71	\$	3,160.06
34	1/20/2012	\$	1,587.71	\$	1,582.55
35	2/20/2012	\$	1,587.71	\$	-

# City of Copperas Cove City Council Agenda Item Report

June 2, 2009

## Agenda Item No. I-3

Contact – Mike Baker, Fire Chief, 542-8948  
[mbaker@ci.copperas-cove.tx.us](mailto:mbaker@ci.copperas-cove.tx.us)

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

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### 1. BACKGROUND/HISTORY

The City of Copperas Cove currently has in effect Personnel Policy No. 120, Salary Program Administration. The 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 the pay plan. In cases where changes are required to the policy, City Council's approval is required. The policy is attached for your review.

### 2. FINDINGS/CURRENT ACTIVITY

Several Fire Department staffing changes were presented to City Council during the April 21, 2009, regular meeting and on May 5, 2009 additional information was provided at a workshop. At the regular City Council meeting held on May 19, 2009, City Council provided direction to include the personnel matters from the April 21, 2009 meeting on a future agenda.

Based on the assessment and evaluation of the work completed, the following changes are proposed below for the Fire Department.

- **Reclassification of Positions**
  - Fire Marshal to Division Chief of Prevention (1)
  - Administrative Assistant of Support Services and Emergency Management (.5) – This is currently a part time employee that will go to full time.
  - Support Services Officer to Fire Inspector/Investigator (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)

The recommended changes were reviewed by the City Manager, Human Resources Director and Director of Financial Services prior to placement on the agenda.

**3. FINANCIAL IMPACT**

Costs incurred as a result of these changes will be absorbed within the FY 08-09 Fire Department operating budget.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends approval of Ordinance No. 2009-11, amending the personnel policies.

## ORDINANCE NO. 2009-11

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

### **Section 4.**

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

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

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective June 2, 2009.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 2nd day of June 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

June 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**

June 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 6-2-2009**

Ord. No. 2009-11

Exhibit A

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 6-2-2009**

Ord. No. 2009-11

Exhibit A

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 6-2-2009**

Ord. No. 2009-11

Exhibit A

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	Recreation Aide	\$ 8.00	\$ 11.78
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 Specialist	\$ 12.12	\$ 17.85
01	54	1	Parks & Recreation	Supervisor - Parks	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Assistant Director of Community Services	\$ 28.85	\$ 42.50
01	54	1	Parks & Recreation	Director of Community Services	Unclassified	Unclassified
04	54	1	Parks & Recreation	Recreation Specialist	\$ 12.12	\$ 17.85
04	54	1	Parks & Recreation	Recreation Coordinator	\$ 15.30	\$ 22.54
06	54	1	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	55	1	Fleet Services	Parts Technician	\$ 9.46	\$ 13.93
01	55	2	Fleet Services	Mechanic	\$ 13.44	\$ 19.80
01	55	1	Fleet Services	Lead Mechanic	\$ 15.39	\$ 22.67
01	55	1	Fleet Services	Supervisor - Fleet Services	\$ 19.44	\$ 28.64
01	57	2	Facility Maintenance	Facility Maintenance	\$ 12.36	\$ 18.21
01	61	1	Development Services	Administrative Assistant	\$ 11.71	\$ 17.25
01	61	1	Development Services	GIS Technician	\$ 18.87	\$ 27.80
01	61	1	Development Services	Director of Development Services	Unclassified	Unclassified
01	71	3	Library	Library Assistant I	\$ 9.78	\$ 14.41
01	71	0.5	Library	Library Assistant II	\$ 11.44	\$ 16.85
01	71	3	Library	Library Assistant III	\$ 13.05	\$ 19.22
01	71	0.5	Library	Outreach Specialist/Library Assistant	\$ 13.05	\$ 19.22
01	71	1	Library	Reference Assistant/Electronic Tech Coord	\$ 13.57	\$ 19.99
01	71	1	Library	Assistant Director Library/Reference	\$ 18.67	\$ 27.50

**City of Copperas Cove 2008/2009**  
**Position Listing and Salary Ranges by Department**  
**Updated 6-2-2009**

Ord. No. 2009-11

Exhibit A

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	71	1	Library	Director Library	Unclassified	Unclassified
01	72	1	Code & Health Compliance	Administrative Assistant	\$ 11.71	\$ 17.25
01	72	2	Code & Health Compliance	Code Enforcement Officer	\$ 14.29	\$ 21.05
01	72	1	Code & Health Compliance	Health Inspector	\$ 14.29	\$ 21.05
09	74	2.5	Golf Course	Food & Beverage Worker	\$ 8.34	\$ 12.28
09	74	1.5	Golf Course	Golf Course Attendant	\$ 8.34	\$ 12.28
09	74	2.5	Golf Course	Clerk/Golf Shop Assistant	\$ 9.46	\$ 13.93
09	74	4.5	Golf Course	Laborer	\$ 9.46	\$ 13.93
09	74	1	Golf Course	Heavy Equipment Operator	\$ 11.73	\$ 17.28
09	74	0.5	Golf Course	Golf Course Mechanic	\$ 11.73	\$ 17.28
09	74	1	Golf Course	Pro Shop Supervisor	\$ 15.30	\$ 22.54
09	74	1	Golf Course	Golf Course Superintendent	\$ 27.41	\$ 40.37
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

**City of Copperas Cove 2008/2009**  
**Position Listing and Salary Ranges by Department**  
**Updated 6-2-2009**

Ord. No. 2009-11

Exhibit A

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
02	82	1	Water Distribution	Superintendent Water Distribution	\$ 19.90	\$ 29.31
02	83	7	Sewer Collection	Operator II Sewer Collection	\$ 12.10	\$ 17.82
02	83	1	Sewer Collection	Assistant Supervisor/Operator III Sewer 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 Disposal	Laborer	\$ 9.46	\$ 13.93

# City of Copperas Cove

## City Council Agenda Item Report

June 2, 2009

### Agenda Item No. I-4

Contact – James Trevino, Assistant Director of Public Works, 547-0751  
[jtrevino@ci.copperas-cove.tx.us](mailto:jtrevino@ci.copperas-cove.tx.us)

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

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#### 1. BACKGROUND/HISTORY

The City of Copperas Cove currently has in effect Personnel Policy No. 120, Salary Program Administration. The 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 the pay plan. In cases where changes are required to the policy, City Council's approval is required. This policy is attached for your review.

#### 2. FINDINGS/CURRENT ACTIVITY

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

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.

The recommended changes were reviewed by the City Manager, Director of Human Resources and Director of Financial Services.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends approval of Ordinance No. 2009-12, amending the personnel policies.

## ORDINANCE NO. 2009-12

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

### **Section 4.**

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

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

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective June 2, 2009.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 2nd day of June 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

June 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**

June 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 6-2-2009**

Ord. 2009-12

Exhibit A

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 6-2-2009**

Ord. 2009-12

Exhibit A

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 6-2-2009**

Ord. 2009-12

Exhibit A

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	Recreation Aide	\$ 8.00	\$ 11.78
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 Specialist	\$ 12.12	\$ 17.85
01	54	1	Parks & Recreation	Supervisor - Parks	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Assistant Director of Community Services	\$ 28.85	\$ 42.50
01	54	1	Parks & Recreation	Director of Community Services	Unclassified	Unclassified
04	54	1	Parks & Recreation	Recreation Specialist	\$ 12.12	\$ 17.85
04	54	1	Parks & Recreation	Recreation Coordinator	\$ 15.30	\$ 22.54
06	54	1	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	55	1	Fleet Services	Parts Technician	\$ 9.46	\$ 13.93
01	55	2	Fleet Services	Mechanic	\$ 13.44	\$ 19.80
01	55	1	Fleet Services	Lead Mechanic	\$ 15.39	\$ 22.67
01	55	1	Fleet Services	Supervisor - Fleet Services	\$ 19.44	\$ 28.64
01	57	2	Facility Maintenance	Facility Maintenance	\$ 12.36	\$ 18.21
01	61	1	Development Services	Administrative Assistant	\$ 11.71	\$ 17.25
01	61	1	Development Services	GIS Technician	\$ 18.87	\$ 27.80
01	61	1	Development Services	Director of Development Services	Unclassified	Unclassified
01	71	3	Library	Library Assistant I	\$ 9.78	\$ 14.41
01	71	0.5	Library	Library Assistant II	\$ 11.44	\$ 16.85
01	71	3	Library	Library Assistant III	\$ 13.05	\$ 19.22
01	71	0.5	Library	Outreach Specialist/Library Assistant	\$ 13.05	\$ 19.22
01	71	1	Library	Reference Assistant/Electronic Tech Coord	\$ 13.57	\$ 19.99
01	71	1	Library	Assistant Director Library/Reference	\$ 18.67	\$ 27.50

**City of Copperas Cove 2008/2009**  
**Position Listing and Salary Ranges by Department**  
**Updated 6-2-2009**

Ord. 2009-12

Exhibit A

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	71	1	Library	Director Library	Unclassified	Unclassified
01	72	1	Code & Health Compliance	Administrative Assistant	\$ 11.71	\$ 17.25
01	72	2	Code & Health Compliance	Code Enforcement Officer	\$ 14.29	\$ 21.05
01	72	1	Code & Health Compliance	Health Inspector	\$ 14.29	\$ 21.05
09	74	2.5	Golf Course	Food & Beverage Worker	\$ 8.34	\$ 12.28
09	74	1.5	Golf Course	Golf Course Attendant	\$ 8.34	\$ 12.28
09	74	2.5	Golf Course	Clerk/Golf Shop Assistant	\$ 9.46	\$ 13.93
09	74	4.5	Golf Course	Laborer	\$ 9.46	\$ 13.93
09	74	1	Golf Course	Heavy Equipment Operator	\$ 11.73	\$ 17.28
09	74	0.5	Golf Course	Golf Course Mechanic	\$ 11.73	\$ 17.28
09	74	1	Golf Course	Pro Shop Supervisor	\$ 15.30	\$ 22.54
09	74	1	Golf Course	Golf Course Superintendent	\$ 27.41	\$ 40.37
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

**City of Copperas Cove 2008/2009**  
**Position Listing and Salary Ranges by Department**  
**Updated 6-2-2009**

Ord. 2009-12

Exhibit A

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
02	82	1	Water Distribution	Superintendent Water Distribution	\$ 19.90	\$ 29.31
02	83	7	Sewer Collection	Operator II Sewer Collection	\$ 12.10	\$ 17.82
02	83	1	Sewer Collection	Assistant Supervisor/Operator III Sewer 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 Disposal	Laborer	\$ 9.46	\$ 13.93

# City of Copperas Cove

## City Council Agenda Item Report

June 2, 2009

### Agenda Item No. I-5

Contact – Ken Wilson, Director of Community Services, 542-2719  
[kwilson@ci.copperas-cove.tx.us](mailto:kwilson@ci.copperas-cove.tx.us)

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

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#### 1. BACKGROUND/HISTORY

The City of Copperas Cove currently has in effect Personnel Policy No. 120, Salary Program Administration. The 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 the pay plan. In cases where changes are required to the policy, City Council's approval is required. This policy is attached for your review.

#### 2. FINDINGS/CURRENT ACTIVITY

The Director of Community Services has been evaluating the current employee organizational structure for the Golf Course and Parks and Recreation Departments. Based on the assessment and evaluation of the work completed, the following changes are proposed below.

- **Reclassification of Position and Title Change - Golf Course**  
Golf Course General Manager to Golf Course Superintendent (1)
- **Reclassification of Position and Title Change – Parks and Recreation**  
Recreation Superintendent to Assistant Director of Community Services (1)

#### 3. FINANCIAL IMPACT

There will be no additional costs incurred in the Golf Course budget as a result of the recommended personnel changes. Costs incurred in the Parks and Recreation Department as a result of the personnel change will be absorbed within the FY 08-09 Parks and Recreation Department operating budget.

The recommended changes were reviewed by the City Manager and Director of Human Resources.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends approval of Ordinance No. 2009-13, amending the personnel policies.

**ORDINANCE NO. 2009-13**

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

**Section 4.**

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

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

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective June 2, 2009.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 2nd day of June 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

June 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**

June 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 6-2-2009**

Ord. No. 2009-13

Exhibit A

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 6-2-2009**

Ord. No. 2009-13

Exhibit A

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 6-2-2009**

Ord. No. 2009-13

Exhibit A

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	Recreation Aide	\$ 8.00	\$ 11.78
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 Specialist	\$ 12.12	\$ 17.85
01	54	1	Parks & Recreation	Supervisor - Parks	\$ 15.30	\$ 22.54
01	54	1	Parks & Recreation	Assistant Director of Community Services	\$ 28.85	\$ 42.50
01	54	1	Parks & Recreation	Director of Community Services	Unclassified	Unclassified
04	54	1	Parks & Recreation	Recreation Specialist	\$ 12.12	\$ 17.85
04	54	1	Parks & Recreation	Recreation Coordinator	\$ 15.30	\$ 22.54
06	54	1	Parks & Recreation	Light Equipment Operator	\$ 10.22	\$ 15.05
01	55	1	Fleet Services	Parts Technician	\$ 9.46	\$ 13.93
01	55	2	Fleet Services	Mechanic	\$ 13.44	\$ 19.80
01	55	1	Fleet Services	Lead Mechanic	\$ 15.39	\$ 22.67
01	55	1	Fleet Services	Supervisor - Fleet Services	\$ 19.44	\$ 28.64
01	57	2	Facility Maintenance	Facility Maintenance	\$ 12.36	\$ 18.21
01	61	1	Development Services	Administrative Assistant	\$ 11.71	\$ 17.25
01	61	1	Development Services	GIS Technician	\$ 18.87	\$ 27.80
01	61	1	Development Services	Director of Development Services	Unclassified	Unclassified
01	71	3	Library	Library Assistant I	\$ 9.78	\$ 14.41
01	71	0.5	Library	Library Assistant II	\$ 11.44	\$ 16.85
01	71	3	Library	Library Assistant III	\$ 13.05	\$ 19.22
01	71	0.5	Library	Outreach Specialist/Library Assistant	\$ 13.05	\$ 19.22
01	71	1	Library	Reference Assistant/Electronic Tech Coord	\$ 13.57	\$ 19.99
01	71	1	Library	Assistant Director Library/Reference	\$ 18.67	\$ 27.50

**City of Copperas Cove 2008/2009**  
**Position Listing and Salary Ranges by Department**  
**Updated 6-2-2009**

Ord. No. 2009-13

Exhibit A

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
01	71	1	Library	Director Library	Unclassified	Unclassified
01	72	1	Code & Health Compliance	Administrative Assistant	\$ 11.71	\$ 17.25
01	72	2	Code & Health Compliance	Code Enforcement Officer	\$ 14.29	\$ 21.05
01	72	1	Code & Health Compliance	Health Inspector	\$ 14.29	\$ 21.05
09	74	2.5	Golf Course	Food & Beverage Worker	\$ 8.34	\$ 12.28
09	74	1.5	Golf Course	Golf Course Attendant	\$ 8.34	\$ 12.28
09	74	2.5	Golf Course	Clerk/Golf Shop Assistant	\$ 9.46	\$ 13.93
09	74	4.5	Golf Course	Laborer	\$ 9.46	\$ 13.93
09	74	1	Golf Course	Heavy Equipment Operator	\$ 11.73	\$ 17.28
09	74	0.5	Golf Course	Golf Course Mechanic	\$ 11.73	\$ 17.28
09	74	1	Golf Course	Pro Shop Supervisor	\$ 15.30	\$ 22.54
09	74	1	Golf Course	Golf Course Superintendent	\$ 27.41	\$ 40.37
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

**City of Copperas Cove 2008/2009**  
**Position Listing and Salary Ranges by Department**  
**Updated 6-2-2009**

Ord. No. 2009-13

Exhibit A

Fund #	Dept #	No. EE's	Department Name	Position Title	Hourly Salary Minimum	Hourly Salary Maximum
02	82	1	Water Distribution	Superintendent Water Distribution	\$ 19.90	\$ 29.31
02	83	7	Sewer Collection	Operator II Sewer Collection	\$ 12.10	\$ 17.82
02	83	1	Sewer Collection	Assistant Supervisor/Operator III Sewer 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 Disposal	Laborer	\$ 9.46	\$ 13.93

# City of Copperas Cove City Council Agenda Item Report

June 2, 2009

## Agenda Item No. I-6

Contact –Denton, Navarro, Rocha & Bernal, P.C., City Attorney, (210) 227-3243

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**SUBJECT:** Discussion and action on an ordinance amending Chapter 3 of the Code of Ordinances repealing and deleting the portion of Article 1 Section 3-1 entitled “Administrative Officer”; amending Article I Section 3-1 Entitled “Animal Control Supervisor”; amending Article XI, Section 3-91, “Investigation of Attack”; adding Article XI, Section 3-91-1 “Requirements for Owner of Dangerous Dog”; amending Article XI, Section 3-92 “Administrative Hearing”; amending Article XI Section 3-93 “Violation of an Administrative Order”; providing for a savings clause; and providing for an effective date.

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### 1. BACKGROUND/HISTORY

The Code designates the municipal court Judge as the animal control authority in charge of making the dangerous animal determinations. Further because the Judge makes the determinations, the only appeals process available to citizens is in district or county court. Additionally, the Code permits the Judge the discretion in what he may order an owner of a dangerous animal to comply with.

### 2. FINDINGS/CURRENT ACTIVITY

Effectively, this means that each time a dog exhibits aggressive behavior or bites someone, the municipal court must subpoena witnesses, animal control officers, police officers and have an administrative hearing with the Judge and Prosecutor to determine whether or not the dog is dangerous. The amendments to Chapter 3 removes the Judge as the animal control authority and enables the City Manager to designate an official as the animal control supervisor to review investigations by animal control officers and make the determination of a dangerous animal. The amendments then provide the citizens with an appeals process to take place in municipal court within fifteen (15) days of their animal being deemed dangerous.

Additionally, as a result of the last several legislative sessions, while municipalities are entitled to impose further restrictions on pet owners than contained in the Texas Health & Safety Code, they must, at a minimum, meet certain requirements. The amendments to the code now require the animal control supervisor, when making a dangerous dog determination to order at a

minimum that the owner meet the requirements of Chapter 822 of the Texas Health & Safety Code in addition to the local regulations.

**3. FINANCIAL IMPACT**

There is no direct financial impact other than streamlining the administrative hearing process and saving Court, Police, and animal control personnel time with having to appear in municipal court for hearings each week.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommendation is for approval of the Ordinance as presented in order to update the Code to State law requirements and streamline administrative operations within the City.

**ORDINANCE NO. 2009-14**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COPPEREAS COVE, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES REPEALING AND DELETING THE PORTION OF ARTICLE 1 SECTION 3-1 ENTITLED "ADMINISTRATIVE OFFICER"; AMENDING ARTICLE I SECTION 3-1 ENTITLED "ANIMAL CONTROL SUPERVISOR"; AMENDING ARTICLE XI SECTION 3-91 "INVESTIGATION OF ATTACK"; ADDING ARTICLE XI SECTION 3-91-1 "REQUIREMENTS FOR OWNER OF DANGEROUS DOG"; AMENDING ARTICLE XI SECTION 3-92 "ADMINISTRATIVE HEARING"; AMENDING ARTICLE XI SECTION 3-93 "VIOLATION OF ADMINISTRATIVE ORDER"; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Copperas Cove wishes to improve the efficiency of their various internal departments; and

**WHEREAS**, Texas Local Government Code § 822.047 authorizes the City of Copperas Cove to enact additional requirements and regulations than imposed and required by state law; and

**WHEREAS**, Texas Local Government Code § 822.041 defines "Animal Control Authority" as a municipal animal control office with authority over the areas where animals are kept within the municipality; and

**WHEREAS**, Texas Local Government Code § 822.0421 authorizes the animal control authority to make a determination that a dog is dangerous; and

**WHEREAS**, in order to make the Code of Ordinances conform in a more efficient manner to the changes and requirements of state law the City Council has determined the following amendments to the Code of Ordinances are necessary and property.

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

**Section 1.** Article I. Section 3-1 Definitions “Animal administrative officer” is hereby deleted and repealed.

**Section 2.** Article I. Section 3-1 Definitions “Animal Control Supervisor” is hereby amended to read as follows:

*Animal control supervisor* shall mean the person designated by the city manager who is the animal control authority responsible for the management and administration of the animal control department in addition to enforcing the provisions of this chapter.

**Section 3.** Article XI. Section 3-91, *Investigation of Attack* is hereby amended to read as follows:

- (a) If a person reports an incident described by section 3-90, an animal control officer shall investigate the incident. If, after receiving the statements of any witnesses and completion of the investigation, the animal control supervisor reasonably believes that the dog, cat, or other animal is dangerous or vicious, then the animal control supervisor shall notify the owner of the determination.
- (b) For all occurrences not covered by this chapter, the Animal Control Supervisor may follow the procedures outlined in Chapter 822 of the Texas Health and Safety Code.

**Section 4.** Article XI Section 3-91-1, *Requirements for Owner of Dangerous Dog* is hereby added and shall read as follows:

(a) Not later than the 30<sup>th</sup> day after the person learns that it is the owner of a dangerous dog, the person shall:

- (1) Ensure that the dog, cat or other animal be kept muzzled;
- (2) Register the animal with animal control department as being declared a dangerous animal;
- (3) Have the animal sterilized by a veterinarian if the animal is over six (6) months old, or sterilized by the 30th day after the animal becomes six (6) months old;
- (4) Have the animal identified by a microchip device;
- (5) Have the animal identified with a dangerous animal tag and collar provided upon registration to be worn by the animal at all times;
- (6) Pay any kennel fees accrued due to the seizure of the animal by the

city;

- (7) Pay all reasonable expenses incurred by any injured party due to the acts of the dangerous animal, including but not limited to any medical cost, veterinarian expenses, and property damage.
- (8) Shall restrain the animal at all times on a leash which is in the immediate control of a competent person or in a secure enclosure;
- (9) Clearly mark the secured fence and/or enclosure with a warning sign that states "Warning--Dangerous Animal";
- (10) Obtain liability insurance coverage or show financial responsibility in an amount of at least one hundred thousand dollars (\$100,000.00) to

cover potential damages resulting from an attack by the dangerous dog, cat, or other animal;

(11) Provide proof of the required liability insurance coverage or financial responsibility to the animal control department; and/or

(12) Deliver the animal to an animal control officer to be destroyed.

(b) The animal control supervisor may order a dog, cat, or other animal destroyed only in the three following circumstances:

(1) Whenever a dog, cat or other animal has committed an unprovoked attack upon any person or animal on one (1) or more occasions;

(2) Whenever any lawful patron or visitor of a business is jeopardized by a guard dog which is not securely confined during hours of said business when it is open to the public; or,

(3) Whenever an animal becomes a nuisance to the public or becomes a safety, health, or welfare concern in the community.

**Section 5.** Article XI Section 3-92. *Administrative Hearing* is hereby amended to read as follows:

An owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to the Municipal Court of Copperas Cove.

**Section 6.** Article XI Section. 3-93. *Violation of Administrative Order* is hereby amended to read as follows:

A person who owns, keeps, or has custody or control of a dangerous animal commits a Class C misdemeanor offense if he fails to comply with any provision of the animal control supervisor's order or order of the Municipal Court Judge. A violation of this section shall result in a fine no less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000.00). This penalty should not be construed as exclusive, and the city may seek any other remedy available to it, whether in law or in equity.

**Section 7. Savings Clause**

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 8. Effective Date**

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

**PASSED, APPROVED AND ADOPTED** this 2nd day of June 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