



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

*An agenda information packet is available for  
public inspection in the Copperas Cove Public Library, City Hall and on the  
City's Web Page [www.ci.copperas-cove.tx.us](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 **1st day of September 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 of the Copperas Cove Economic Development Corporation (CCEDC) Bylaws. **Jerry Conner, Executive Director, CCEDC**
2. Provide direction to the CCEDC Board Chairman regarding the CCEDC Bylaws. **City Council**
3. Presentation and discussion of the CCEDC Tax Abatement Guidelines. **Jerry Conner, Executive Director, CCEDC**
4. Provide direction to the CCEDC Board Chairman regarding the CCEDC Tax Abatement Guidelines. **City Council**
5. Presentation and discussion of the CCEDC Board Member term limits. **Jerry Conner, Executive Director, CCEDC**
6. Provide direction to the CCEDC Board Chairman regarding the CCEDC Board Member term limits. **City Council**

**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 \_\_\_\_\_, **August 28, 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, TRMC, CMC  
City Secretary



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

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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 **1st day of September 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. Employee Service Awards—September 2009. ***Andrea M. Gardner, City Manager***

- Franklin Lagunero, Operator II, Sewer Collection – 5 years
- Carol Ballesteros, Firefighter/Paramedic – 5 years
- Gary Young, Deputy Fire Chief – 20 years

**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 to authorize the Mayor to execute a letter to the Texas Parks and Wildlife Department regarding the Indoor Recreation Grant awarded to the City in January 2008. ***Andrea M. Gardner, City Manager***

2. Consideration and action on the Chamber of Commerce hosting a Carnival at Ogletree Gap. **Marty Smith, President, Copperas Cove Chamber of Commerce**
3. Consideration and action on approving the minutes from the regular council meeting on August 18, 2009. **Jane Lees, City Secretary**
4. Consideration and action on an ordinance authorizing enforcement of Texas Transportation Code Section 545.425, Use of Wireless Communication Device; authorizing placement of signs; providing for a penalty; providing for repealing, savings, and severability clauses; and providing for an effective date of this ordinance. **Tim Molnes, Police Chief**

**H. PUBLIC HEARINGS/ACTION – None.**

**I. ACTION ITEMS**

1. Consideration and action on appointments to the Copperas Cove Economic Development Corporation (CCEDC) Board of Directors. **Chuck Downard, Council Member, Position 3**
2. Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. for the 2008-09 fiscal year audit. **Wanda Bunting, Director of Financial Services**
3. Consideration and action on approval of an ordinance officially adopting the City's revised and updated "Water Conservation and Drought Contingency Plan." **Robert M. McKinnon, Public Works Director**
4. Consideration and action on authorizing the City Manager to execute a contractual agreement with Langford Community Management Services for Phase II of the Community Development Block Grant (CDBG) Sewer Rehabilitation Project. **Andrea M. Gardner, City Manager**
5. Consideration and action on an ordinance amending Personnel Policy No. 312, Holidays. **Kelli Sames, Human Resources Director**
6. Consideration and action on rescheduling the date of a Regular City Council meeting to another date. **Jane Lees, City Secretary**
7. Consideration and action on adopting a resolution approving the request to vacate Mesa Verde at Skyline Phase II. **Andrea M. Gardner, City Manager**
8. Consideration and action on granting Council Member Charlie D. Youngs, Position 2, an excused absence for a regular council Meeting. **Jane Lees, City Secretary**

**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 deliberate on the purchase, exchange, lease, or value 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.

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Jane Lees, TRMC, CMC  
City Secretary

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. G-1

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

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**SUBJECT: Consideration and action to authorize the Mayor to execute a letter to the Texas Parks and Wildlife Department regarding the Indoor Recreation Grant awarded to the City in January 2008.**

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#### 1. BACKGROUND/HISTORY

On January 24, 2008, the Texas Parks and Wildlife Department (TPWD) approved the City's grant proposal to construct the Copperas Cove Community and Recreation Center. However, the citizens voted against the bond issue for the Recreation Center in the November 4, 2008 election.

#### 2. FINDINGS/CURRENT ACTIVITY

Per discussion at the June 2009 Council/Staff Retreat, City Staff prepared the attached letter requesting authorization to utilize the grant funds for design and execute construction of a Parks & Recreation project currently being considered as part of the City's Five Year Capital Improvements Project (CIP). If the request is denied by TPWD, the City will return the grant money as per the instructions in the letter from TPWD dated July 28, 2009 (see attached). Cancellation of the Recreation Center project means that future proposals from the City will not be eligible for funding from TPWD for at least two years.

#### 3. FINANCIAL IMPACT

The actual financial impact to the City, regardless of TPWD action, is non-existent. However, any costs not authorized under the grant will require appropriation by the City Council during the adoption of the Five Year CIP.

Should the request be denied, the matching funds for the grant must be used to repay the debt or for another project within the same debt issuance.

#### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council authorize the Mayor to execute a letter (see attached) to the Texas Parks and Wildlife Department that clearly defines the City's proposal to obtain permission to defer the grant money for use on a Parks and Recreation project proposed in the Five Year CIP.



July 28, 2009

Life's better outside.™

Commissioners

Peter M. Holt  
Chairman  
San Antonio

T. Dan Friedkin  
Vice-Chairman  
Houston

Mark E. Bivins  
Amarillo

J. Robert Brown  
El Paso

Ralph H. Duggins  
Fort Worth

Antonio Falcon, M.D.  
Rio Grande City

Karen J. Hixon  
San Antonio

Margaret Martin  
Boerne

John D. Parker  
Lufkin

Lee M. Bass  
Chairman-Emeritus  
Fort Worth

Carter P. Smith  
Executive Director

Ms. Andrea Gardner  
City Manager  
PO Box 1449  
Copperas Cove TX 78610

Re: Copperas Cove Ogletree Gap Community Recreation Center  
Project Number 51-000059

Dear Ms. Gardner:

It appears that the City's bond funds that were proposed as the match for the referenced grant were not approved by voters, and the City no longer has the ability to match the approved grant. Should the City decide to cancel the project, please be advised that the \$417,563.00 in matching funds allocated to the project will returned to the state treasury and cannot be used for other projects.

The cancellation of this project means that future proposals from the City will not be considered eligible for funding for any of the programs administered by this office for at least two years. If you have any questions, please feel free to contact me at 512-389-8224.

Sincerely,

Tim Hogsett, CPRP  
Director  
Recreation Grants Branch

TH:re

cc The Honorable John Hull  
Mayor of Copperas Cove

Certified Mail

RECEIVED  
R 7-29-09

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. G-2

Contact – Marty Smith, President, Copperas Cove Chamber of Commerce, 547-7571  
president@copperas-cove.com

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**SUBJECT:** Consideration and action on the Chamber of Commerce hosting a Carnival at Ogletree Gap.

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**1. BACKGROUND/HISTORY**

The Chamber of Commerce mission is to promote the City and bring visitors, tourists, and new families into our City.

**2. FINDINGS/CURRENT ACTIVITY**

The Chamber of Commerce has met with the Police Department, Fire Department, Parks & Recreation & City Manager to address the ability to host a safe, productive and well attended Carnival at Ogletree Gap. The Carnival hours of operation are as follows:

September 10, Thursday	6:00 PM to 10:00 PM
September 11, Friday	6:00 PM to 11:00 PM
September 12, Saturday	10:00 AM to 11:00 PM
September 13, Sunday	10:00 AM to 5:00 PM

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

The Chamber of Commerce staff recommends the City Council approve the hosting of a Carnival at Ogletree Gap.

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
August 18, 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 7:10 p.m.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Reverend Scott Smith, Crestview Christian Church, gave the Invocation, and Mayor Hull led the Pledge of Allegiance.

**C. ROLL CALL**

John Hull  
Cheryl L. Meredith  
Charlie D. Youngs  
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 Stephens announced that there will be an Infant Swimming Resource Golf Tournament scheduled for August 22, 2009. The event will be a four-man scramble at the Hills of Cove Golf Course. He said that as of today, there have been 90 children in the State of Texas drown. This event will benefit the infant swim program which teaches babies to swim.

**E. PUBLIC RECOGNITION**

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

August 2009 Recipients: Deanna Sloan – Accounting Technician, 5 years; Rachael McDonnell – Circulation Clerk (Library Assistant I), 5 years; Lisa Wilson – Secretary to the City Manager, 5 years; David Barr – Heavy Equipment Operator, 10 years; Freddie Purvis – Operator II, 10 years.

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

2nd Quarter 2009 Recipients: Public Safety Division – Fred Chavez, Patrol Officer; Community Services Division – Marcel McGinnis, Golf Cart Attendant; Public Works Division – Richard Buttshaw, Heavy Equipment Operator; Administrative Services Division – Michael Olson, Senior Building Inspector.

**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 – None.

## G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the July 16, 2009 special (10:00 a.m.) council meeting. **Jane Lees, City Secretary**

2. Consideration and action on approval of minutes from the July 16, 2009 workshop (6:00 p.m.) council meeting. **Jane Lees, City Secretary**

3. Consideration and action on approval of minutes from the July 21, 2009 workshop (6:00 p.m.) council meeting. **Jane Lees, City Secretary**

4. Consideration and action on approval of minutes from the July 21, 2009 regular (7:00 p.m.) council meeting. **Jane Lees, City Secretary**

5. Consideration and action on approval of minutes from the July 21, 2009 workshop (8:30 p.m.) council meeting. **Jane Lees, City Secretary**

6. Consideration and action on approval of minutes from the August 3, 2009 workshop council meeting. **Jane Lees, City Secretary**

7. Consideration and action on authorizing the City Manager to enter into an Inter-local Agreement with the Copperas Cove Independent School District to share facilities for recreational purposes. **Ken Wilson, Director of Community Services**

8. Consideration and action on a resolution accepting the quarterly investment report as presented for the quarter ending June 30, 2009 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

9. Financial Report for the month ended June 30, 2009. **Wanda Bunting, Director of Financial Services**

Council Member Goode made a motion to approve consent items G-1, G-2, G-3, G-4, G-5, G-6, G-7, G-8, and G-9. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

## H. PUBLIC HEARINGS/ACTION

1. Hold a Public Hearing on Fiscal Year 2009-10 City Manager's Proposed Budget. **Wanda Bunting, Director of Financial Services**

Mayor Hull opened the public hearing at 7:30 p.m.

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

Speaking for: Mark Peterson, 3008 Sundown Lane. Mr. Peterson applauded the City Council for considering the tax rate increase. He said that setting the proposed tax rate at 77 cents would give the City the flexibility down the road to consider giving employees the COLA and

merit increases that they deserve. He stated that he believes the Joint Image Campaign has outlived its usefulness. He advised that entities requesting Hotel/Motel Tax funds should not be funded at 100 percent of their requests and that the Council needs to make sure when releasing funds that they meet required criteria.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:32 p.m.

## I. ACTION ITEMS

1. Consider and take action with respect to an Ordinance of the City of Copperas Cove, Texas, authorizing the issuance and sale of City of Copperas Cove, Texas, General Obligation Bonds, Series 2009, in the aggregate principal amount of \$4,770,000; levying a tax in payment thereof; authorizing the execution and delivery of a paying agent / registrar agreement; approving the official statement; and enacting other provisions relating thereto. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-1. Ms. Bunting introduced Garry Kimball of Specialized Public Finance and Mr. Glenn Opal, the City's bond counsel, saying that they were present to answer any questions for this agenda item as well as item I-2.

Mr. Kimball reviewed the main points of the Sale Summary for the City Council.

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

The Ordinance caption is as follows:

### ORDINANCE NO. 2009-20

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF COPPERAS COVE, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2009, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,770,000; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO.**

2. Consider and take action with respect to an Ordinance of the City of Copperas Cove, Texas, authorizing the issuance and sale of City of Copperas Cove, Texas, Limited Tax Notes, Series 2009, in the aggregate principal amount of \$2,510,000; awarding the sale of said notes; levying a tax in payment thereof; prescribing the form of said notes; and enacting other provisions relating to the subject. **Wanda Bunting, Director of Financial Services**

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

Mr. Kimball reviewed the main points of the Sale Summary for the City Council.

Council Member Palmer made a motion to approve agenda item I-2. Council Member Seffrood seconded the motion. A roll call vote was taken as follows:

Cheryl L. Meredith	Aye
Charlie D. Youngs	Aye
Chuck Downard	Aye
Danny Palmer	Aye
Bill L. Stephens	Nay
Willie C. Goode	Aye
Frank Seffrood	Aye

Motion carried six to one.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-21**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF COPPERAS COVE, TEXAS, LIMITED TAX NOTES, SERIES 2009, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,510,000; AWARDED THE SALE OF SAID NOTES; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID NOTES; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.**

Mayor Hull called a recess at 7:45 p.m. in order to sign documents from agenda items I-1 and I-2.

Mayor Hull reconvened the meeting at 8:04 p.m.

Council Member Downard made a motion to table agenda items I-3 and I-4 until after agenda item reports J-1 and J-2 were completed. The Council agreed by consensus.

5. Consideration and action on appointment of new members to the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Executive Director, Keep Copperas Cove Beautiful**

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

Council Member Meredith made a motion to appoint Ceci Moffett and Robert Willis to serve on the Keep Copperas Cove Beautiful Commission for a two year term expiring August 2011. Council Member Youngs seconded the motion, and with a unanimous vote, motion carried.

6. Authorize the purchase of technology equipment and allowing the City Manager to execute a tax-exempt lease agreement with Extraco Bank N.A. **Wanda Bunting, Director of Financial Services**

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

Council Member Seffrood made a motion to approve agenda item I-6. Council Member Goode seconded the motion. A roll call vote was taken as follows:

Cheryl L. Meredith	Aye
Charlie D. Youngs	Aye
Chuck Downard	Aye
Danny Palmer	Nay
Bill L. Stephens	Nay
Willie C. Goode	Aye
Frank Seffrood	Aye

Motion carried five to two.

7. Consideration and action on authorizing the City Manager to execute a contract with K & S Backhoe for Phase II of the Community Development Block Grant (CDBG) Sewer Rehabilitation Project. **Andrea M. Gardner, City Manager**

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

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

8. Consideration and action on authorizing the City Manager to execute a thirty-day notice of intent to cancel an agreement for lobbying services. **Andrea M. Gardner, City Manager**

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

Council Member Stephens made a motion to approve agenda item I-8. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

9. Consideration and action on adopting a resolution approving the purchase of property for a new office building by the Coryell Central Appraisal District. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-9. Mr. Mitch Fast, Chief Appraiser for Coryell County and Annabelle Smith, Appraisal Board Member, were present to answer questions.

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

The Resolution caption is as follows:

**RESOLUTION NO. 2009-36**

**A RESOLUTION OF THE CITY OF COPPERAS COVE APPROVING THE PURCHASE OF PROPERTY FOR A NEW OFFICE BUILDING BY THE CORYELL CENTRAL APPRAISAL DISTRICT.**

10. Consideration and action on an ordinance amending Chapter 3 of the Code of Ordinances Article XIII Animal Shelter Advisory Committee Sec. 3-98. Members; providing for a savings clause; and providing for an effective date. **Mike Heintzelman, Deputy Police Chief**

Mike Heintzelman, Deputy Police Chief, gave an overview of agenda item I-10.

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

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-19**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, CORYELL COUNTY, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES ARTICLE XIII ANIMAL SHELTER ADVISORY COMMITTEE SEC. 3-98. MEMBERS; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

11. Consideration and action on appointments/re-appointments of members to the Copperas Cove Hospital Authority Board of Directors. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-11.

Council Member Stephens made a motion to reappoint Randy Sutton, Position 2; Harold Irlbeck, Position 4; Earl Trabue, Position 8; Janie French, Position 10; and appoint Larry L. Letzer, Sr., Position 6 for the term September 1, 2009 through August 31, 2011; and appoint Bradi D. Diaz, Position 7, to fill an unexpired term ending August 31, 2010. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

12. Consideration and action on authorizing the City Manager to execute an Agreement for Services initiating a sign plaza program within the City limits of Copperas Cove. **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.

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

1. Copperas Cove Country Opry third quarter report for FY 2008-09. **William K. Hall, Copperas Cove Country Opry**

Si Duncan, Copperas Cove Opry, gave the Copperas Cove Country Opry third quarter report for FY 2008-09.

Council Member Downard made a motion to remove agenda item I-3 from the table. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

**I. ACTION ITEMS**

3. Consideration and action on authorizing the release of funds from the Hotel Occupancy Tax Fund to the Copperas Cove Country Opry. **Wanda Bunting, Director of Financial Services**

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

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

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

2. Copperas Cove Downtown Association Fourth Quarter 2008 report. **Donna Howard, Copperas Cove Downtown Association**

Donna Howard, Copperas Cove Downtown Association, gave the Copperas Cove Downtown Association Fourth Quarter 2008 report.

Council Member Downard made a motion to remove agenda item I-4 from the table. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

#### **I. ACTION ITEMS**

4. Consideration and action on authorizing the release of funds from the Hotel Occupancy Tax Fund to the Copperas Cove Downtown Association. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-4.

Council Member Downard made a motion to approve agenda item I-4, releasing funds in the amount of \$9,639.45. Council Member Meredith seconded the motion. During discussion, the Downtown Association agreed to give their next report by the end of March 2010. Motion carried unanimously.

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

Council Member Youngs announced that he would be leaving on a trip tomorrow, but has made plans to be back for the meeting on August 25, 2009. He asked that a request for an excused absence be placed on the August 25 agenda, in case he is unable to make it back for the meeting.

Council Member Downard asked that the CCEDC Board Member appointments be placed on the agenda for September 1, 2009. The Council concurred.

#### **L. EXECUTIVE SESSION**

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

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

The Council adjourned to Executive Session at 8:56 p.m.

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

The Council reconvened the open meeting at 9:57 p.m.

Council Member Seffrood made the following motion as a result of the discussion in Executive Session, "I move to approve a three percent merit raise for the City Secretary for the 2008-09 fiscal year, effective today." Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

**N. ADJOURNMENT**

There being no further business, Mayor Hull adjourned the meeting at 10:02 p.m.

\_\_\_\_\_  
John Hull, Mayor

ATTEST:

\_\_\_\_\_  
Jane Lees, City Secretary

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. G-4

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

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**SUBJECT:** Consideration and action on an Ordinance authorizing enforcement of Texas Transportation Code Section 545.425, Use of Wireless Communication Device; authorizing placement of signs; providing for a penalty; providing for repealing, savings, and severability clauses; and providing for an effective date of this ordinance.

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#### 1. BACKGROUND/HISTORY

During the 81st Session of the Texas Legislative Session, HB 55 (Texas Transportation Code Section 545.425) was passed which makes it illegal to use a wireless communication device in a school zone unless the vehicle is stopped or a hands-free device is used. Cities wishing to enforce the law must post a sign at the beginning of each school zone to inform drivers that using a wireless communications device is prohibited and the operator is subject to a fine.

#### 2. FINDINGS/CURRENT ACTIVITY

The City of Copperas Cove has installed the required signs at each school zone that is located on City streets. The City of Copperas Cove has also requested the Texas Department of Transportation to install the required signs at all school zones that are located on all State roadways within the City.

The City Attorney and the City's Municipal Judge have reviewed the ordinance.

#### 3. FINANCIAL IMPACT

Funds for the signs are provided from the General Fund Street Department Budget.

#### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council approve Ordinance No. 2009-24, authorizing enforcement of Texas Transportation Code Section 545.425, Use of Wireless Communication Device; authorizing placement of signs; providing for a penalty; providing for repealing, savings, and severability clauses; and providing for an effective date of this ordinance.

**ORDINANCE NO. 2009-24**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS AUTHORIZING ENFORCEMENT OF TEXAS TRANSPORTATION CODE SEC. 545.425. USE OF WIRELESS COMMUNICATION DEVICE; AUTHORIZING PLACEMENT OF SIGNS; PROVIDING FOR A PENALTY; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

- WHEREAS,** The Copperas Cove City Council to further serve and protect school-aged children traveling to and from schools on official school days and during the hours when the “School Crossing Zone” is in effect finds that using a hand-held wireless communication device while operating a motor vehicle has the potential to distract the actor from his or her operation of said motor vehicle and cause him or her to concentrate less on driving safely; and
- WHEREAS,** The Copperas Cove City Council finds the using a hand-held wireless communication device while operating a motor vehicle has the potential to limit the actor’s ability to steer and maneuver said motor vehicle; and
- WHEREAS,** The Copperas Cove City Council finds that the use of a hand-held wireless communication device while operating a motor vehicle in a School Crossing Zone on official school days and during hours when the school crossing zone is in effect, has the potential to create a danger to school children and others that the City should seek to minimize such risk; and
- WHEREAS,** The safety of all school-aged children traveling to and from elementary schools and other educational facilities located in the City of Copperas Cove is of paramount importance to the City, and requires a high standard of positive care and control; and
- WHEREAS,** The Texas Transportation Code, §545.425 regulates the use of wireless communication devices and provides for enforcement by a city when the prohibited use of a wireless communication device is clearly posted within a school crossing zone, as defined by §541.302, Transportation Code; and
- WHEREAS,** The City of Copperas Cove desires to implement those rules and regulations in order to protect health, life, and property and preserve good government, order and security of the City and its inhabitants.

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

**SECTION 1. ADOPTION OF TEXAS TRANSPORTATION CODE SECTION 545.425**

The City of Copperas Cove hereby adopts and authorizes the enforcement of Texas Transportation Code § 545.425 and authorizes the placement of all signs necessary for enforcement thereof.

**SECTION 2. PENALTIES**

Any person found in violation of this article shall be deemed guilty of a Class C misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$200.00.

**SECTION 3. SEVERABILITY CLAUSE**

Should any section, or part of any section, or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections, or part of a section or paragraph of this ordinance.

**SECTION 4. EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after September 1, 2009 and with publication as required by state law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS**, this 1st day of September 2009, such meeting held in compliance with the Open Meetings Act (Texas Government Code, Chapter 551.001 et. seq.), at which a quorum was present and voting.

**ATTEST:**

\_\_\_\_\_  
John Hull, Mayor  
City of Copperas Cove

\_\_\_\_\_  
Jane Lees, City Secretary

**APPROVED AS TO FORM:**

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

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. I-1

Contact – Chuck Downard, Council Member, Position 3, 254-547-4221  
cdownard@ci.copperas-cove.tx.us

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**SUBJECT: Consideration and action on appointments to the Copperas Cove Economic Development Corporation (CCEDC) Board of Directors.**

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#### 1. BACKGROUND/HISTORY

Copperas Cove Economic Development Corporation was founded on August 7, 1990. The fiscal year for the Corporation is from October 1 through September 30. CCEDC Board Members are appointed to three year terms by the City Council, as per the Economic Development Act of 1979.

#### 2. FINDINGS/CURRENT ACTIVITY

The CCEDC Board is made up of five members whose appointed terms are filled on a staggered basis. Positions One and Two, currently held by Mr. Jimmy Clark and Mr. Tom Boren, run through September 30, 2010.

Positions Three and Four expire on September 30, 2009. These positions are currently held by Mr. Fred Chavez, Treasurer, and Mr. Dan Yancey, Chairman. Attached to this agenda report you will find a letter requesting the reappointment of both of these members to the CCEDC Board.

Position Five is currently held by Mr. Ray Don Clayton, and expires September 30, 2011.

The City has recently received applications from six interested individuals seeking appointment to the CCEDC Board of Directors. Those applications are attached for your consideration and include the following:

Larry L. Letzer, Sr.  
John F. Gallen  
Kenneth R. Smith  
Mark Peterson

Roger "ODie" O'Dwyer  
Sandor Vegh

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

Appointment of individuals to the CCEDC Board are based on the desire of the Council.

CURRENT BOARD HISTORY OF TERMS AND POSITIONS  
AS OF 5/7/09

Board Name	Terms of Service (prior 5 years)	Board Position
<b><u>Dan Yancey</u></b>	August 1999- September 2004	Director, Treasurer
<b>Position 4</b>		2002 - Chairman
	October 2004-September 2005	Chairman
	October 2005 -September 2006	Chairman
Reappointed to 3 year term	October 2006- September 2007	Chairman
	October 2007- September 2008	Chairman
	October 2008-September 2009	Chairman
<b><u>Jimmy Clark</u></b>	October 2002-September 2004	Director, 2003-
<b>Position 1</b>		Secretary
	October 2004-September 2005	Secretary
	October 2005-September 2006	Secretary
	October 2006-September 2007	Secretary
Reappointment 3 year term	October 2007-September 2008	Vice-Chairman
	October 2008-September 2009	Vice-Chairman
	October 2009-September 2010	
<b><u>Fred Chavez</u></b>	October 2003-September 2004	Treasurer
<b>Position 3</b>	October 2004-September 2005	Treasurer
	October 2005-September 2006	Treasurer
Reappointment 3 year term	October 2006-September 2007	Treasurer
	October 2007-September 2008	Treasurer
	October 2008-September 2009	Treasurer
<b><u>Ray Don Clayton</u></b>	October 2005-September 2006	Secretary
<b>Position 5</b>	*Completed Jay Manning's term	
	October 2006-September 2007	Secretary
	October 2007-September 2008	Secretary
Reappointed 3 year term	October 2008-September 2009	Secretary
	October 2009-September 2010	
	October 2010 -September 2011	
<b><u>Tom Boren</u></b>	November 2005 - September 2006	Director
<b>Position 2</b>	*replaced Bridge Mulliin term	
	October 2006-September 2007	Director
Reappointed 3 year term	October 2007-September 2008	Director
	October 2008 -September 2009	Director
	October 2009-September 2010	

- (ii) that has less than 24,250 population according to the 1990 federal census; and
- (iii) any part of which is located within ten miles of a federal military reservation.

 **Section 4A(c) as amended by Texas House Bill 3036, 79<sup>th</sup> Legislature, Regular Session (2005) (effective date \_\_\_\_\_, 2005).**

(c) The board of directors of a corporation under this section consists of at least five directors who are appointed by the governing body of the city and who serve at the pleasure of the governing body and may be removed by the governing body at any time without cause. The governing body of the city shall determine the number of directors and the length of the term of each director, not to exceed six years. A majority of the entire membership of the board constitutes a quorum. The board shall conduct each of its meetings within the boundaries of the city. The board shall appoint a president, a secretary, and other officers of the corporation that the governing body of the city considers necessary. The corporation's registered agent must be an individual resident of the state and the corporation's registered office must be within the boundaries of the city.

(c-1) The costs of a publicly owned and operated project that is purchased or constructed under this section include the maintenance and operating costs of the project. The proceeds of taxes imposed under this section may be used to pay the maintenance and operating costs of a project, unless not later than the 60th day after the date notice of this specific use of the tax proceeds is first published, the governing body of the city receives a petition from more than 10 percent of the registered voters of the city requesting that an election be held before the tax proceeds may be used to pay the maintenance and operating costs of a project.

(d) The city may levy a sales and use tax for the benefit of a corporation under this section if the tax is authorized by a majority of the qualified voters of the city voting at an election called and held for that purpose. If the city adopts the tax, there is imposed a tax on the receipts from the sale at retail of taxable items within the city at the rate approved by the voters. The rate must be equal to one-eighth, one-fourth, three-eighths, or one-half of one percent. The city may not adopt a rate that would result in a combined rate of all sales and use taxes, including the tax under this section, imposed by the city and other political subdivisions of this state having territory in the city that exceeds two percent. An election adopting a rate that exceeds the limit on the combined rate has no effect. There is also imposed an excise tax on the use, storage, or other consumption within the city of taxable items purchased, leased, or rented from a retailer during the period that the tax is effective within the city. The rate of the excise tax is the same as the rate of the sales tax portion of the tax and is applied to the sales price of the taxable items.

(e) The Municipal Sales and Use Tax Act (Chapter 321, Tax Code) governs an election to authorize the imposition of the sales and use tax under this section and governs the imposition, computation, administration, governance, abolition, and use of the tax except as inconsistent with this section. The tax imposed under this section takes effect as provided by Section 321.102(a), Tax Code.

(f) On receipt of the proceeds of the sales and use tax imposed under this section from the comptroller, the city shall deliver the proceeds to the corporation to use in carrying out its functions. Tax proceeds may be used to pay the principal of, interest on, and other costs relating to the corporation's bonds, but neither the bonds nor any instrument related to the bonds may give a



August 20, 2009

City Council  
City of Copperas Cove  
PO Box 1449  
Copperas Cove, TX 76522

Dear Sirs,

We have made great economic strides over the past several years for Copperas Cove. Having served the past seven years as Chairman of the Copperas Cove Economic Development Corporation Board of Directors, I have become more keenly aware of the complexity and time-consuming nature of the process of bringing new businesses to our great city. I feel that my expertise in the financial arena and my position as Senior Vice President with First National Bank Texas provides the board with sound financial guidance in carrying out our mission. I have learned a great deal about economic development and would respectfully ask your thoughtful consideration for re-appointment to the Board of Directors.

I am excited about several projects the Corporation is currently undertaking and very proud of the work our organization has accomplished and is planning. Communication with Ft. Hood concerning mutually beneficial agreements, retail projects along 190, ongoing negotiations with several industrial prospects are all projects that have taken months and, in some instances, years of planning. The results of these projects will bring in new business that will add jobs and contribute to the overall prosperity of our city.

Your attention to this matter is greatly appreciated. I can be reached at 254-554-4334 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Dan D. Yancey'.

Dan D. Yancey  
Senior Vice President

August 19, 2009

Jerry Conner  
Executive Director  
Copperas Cove Economic Development Corporation  
210 South First Street  
Copperas Cove, TX 76555



Dear Mr. Conner:

It has been a pleasure for me to be part of the Copperas Cove Economic Development Board of Directors. I would like to request that I be reappointed for another term on the Board. My current position as Director of Planetarium and Outreach Services for the Mayborn Planetarium & Space Theater at Central Texas College helps the CCEDC maintain contact with an important community ally. My former position on Fort Hood gives the CCEDC the “inside track” with continuing our relationship with the military.

The CCEDC has many projects in the works that will benefit Copperas Cove, and I would like the opportunity of having an active part in their success. I feel that I am an asset to the Board with my experience and background, as well as all I have learned about the economic development process during the past several years. I appreciate your attention on this matter. I can be reached at 254-526-1671 if you have any questions.

Sincerely,



Fred Chavez, M. Ed  
Director, Planetarium & Outreach Services

# Candidate Application for City Council Appointed Boards & Commissions

Applications will be reviewed as vacancies arise. Information disclosed on this application or any other attached document may be disclosed in public meetings. Please print clearly.

received  
5/22/09 Jleds  
logged

Please attach your resume (optional).

Board Preference 1: HOSPITAL AUTHORITY

Board Preference 2: EDC

Name: LARRY L. LETZER SR.

Street Address: 2908 OAK HILL DRIVE

City Resident: 36 years Personal E-Mail: LETZER3@HOT.RR.COM

Primary Phone: 254 547-3007 Home Fax: 254 547-7185

Profession: PHOTOGRAPHER

Business Name: CAMERA ARTISTRY & PHOTOGRAPHY

Business Address: 2908 OAK HILL DRIVE

City: COPPERAS COVE State TX Zip: 76522

Business Phone: 254 547-3980 Business Fax: 254 547-7185

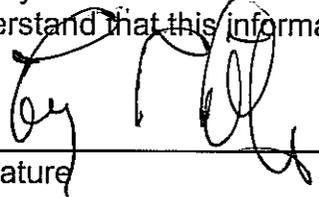
Business E-Mail: MARYU@HOT.RR.COM

Experience or Special Knowledge applicable to City board or commission function:

FOUR YEARS AS FOUNDATION BOARD MEMBER -  
METROPLEX HOSPITAL - METROPLEX HOSPITAL PHOTOGRAPHER

Civic Activities/Professional Affiliations ROTARY CLUB PAST PRESIDENT  
PROFESSIONAL PHOTOGRAPHERS OF TEXAS

I verify that the information I have provided in this application to be true and correct. I also understand that this information may be made available to the public.

  
Signature

MAY 21, 2009  
Date

Please return completed application and resume to:  
City Secretary's Office, City Hall  
507 S. Main Street, Copperas Cove, Texas  
Phone: (254) 547-4221



## Informal Resume

Larry Lee Letzer Sr.                      547-3007  
2908 Oak Hill Drive   Copperas Cove, Texas 76522

[lletzer3@hotmail.com](mailto:lletzer3@hotmail.com)

### Professional Background and Education

Professional Photographer and business owner for more than 55 years. 22 years experience as a Soldier and Army Officer. Includes extensive management techniques and cash flow experience.

### Schools and Colleges

US Army Still Photography School	Result: Appointed Army Photographer	1957
US Army Airborne School	Result: Qualified Army Parachutist	1957
US Army Officer Candidate School.	Result: Commissioned Army Officer	1962
Florida State University	Bachelor Science	1972.
Canal Zone College/Florida State University	Advanced courses Spanish Language	
Professional Photographers of America	Several professional schools	1975-2004

### Qualifications:

Certified Professional Photographer	Professional Photographers of America	1977
Photographic Craftsman	Professional Photographers of America	1978
Master Photographer	Professional Photographers of America	1982
Private Pilots license	Central Texas College (FAA)	1976
Commercial Pilots license	Central Texas College (FAA)	1977
Pilots Instrument Rating	Central Texas College (FAA)	1980
Motorcycle Indorsement	State of Texas	2008

### Civic Affiliations

Professional Photographers of America	1975-Present
Professional Photographers of Texas	1975-Present
Central Texas Professional Photographers Assn	1975-Present    President -1979-80
Member Exchange Club Copperas Cove, Texas	1975-1978
Rotary Club of Copperas Cove	1979- Present    President 1983-84
Member, Metroplex Hospital Foundation Board	2000-2004

Membership on the Metroplex Foundation Board has provided insight in to hospital management and funding challenges to provide new hospital equipment.

# Candidate Application for City Council-Appointed Boards & Commissions

A City Council subcommittee will conduct interviews of applicants interested in serving on a City board and/or commission. The interviews will be open to the public. Information disclosed on this application or any other attached document may be disclosed in public meetings. Please print clearly.

Please attach your resume.

received  
5/28/09  
logged

Board Preference 1: EDC

Board Preference 2: P&Z

Name: John F. Galles

Street Address: 2401 Veterans Avenue

City Resident: 21 years Personal E-Mail: jgalles@hotmail.com

Home Phone: 542-2107 Home Fax: \_\_\_\_\_

Profession: High School Teacher

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_

Business E-Mail: \_\_\_\_\_

Experience or Special Knowledge applicable to City board or commission function:  
8+ years P&Z, 4 Bd of Adj 6+ years city councilman

Civic Activities/Professional Affiliations Friends of the Library, professional education orgns

I verify that the information I have provided in this application to be true and correct. I also understand that this information may be made available to the public.

John F. Galles  
Signature

5/28/09  
Date

Please return completed application and resume to:  
City Secretary's Office, City Hall  
507 S. Main Street, Copperas Cove, Texas  
Phone: (254) 547-4221



# Candidate Application for City Council-Appointed Boards & Commissions

Applications will be reviewed as vacancies arise. Information disclosed on this application or any other attached document may be disclosed in public meetings. Please print clearly.

**received**  
7/15/09  
logged

Please attach your resume (optional).

Board Preference 1: CHARTER REVIEW

Board Preference 2: EDC

Name: KENNETH R. SMITH

Street Address: 1305 HAWK TRAIL

City Resident: 22 years      Personal E-Mail: KSmith10@hotmail.com

Primary Phone: 542-5136      Home Fax: \_\_\_\_\_

Profession: RETIRED MILITARY/EDUCATOR

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_

Business E-Mail: \_\_\_\_\_

Experience or Special Knowledge applicable to City board or commission function:

EXTENSIVE MANAGEMENT EXPERIENCE INCLUDING CONTRACT NEGOTIATIONS, PERSONNEL, ETC.

Civic Activities/Professional Affiliations CHAIR OF FORMER GOLF COURSE ADVISORY BOARD. FORMER MEMBER OF CHAMBER OF COMMERCE.

I verify that the information I have provided in this application to be true and correct. I also understand that this information may be made available to the public.

Kenneth R. Smith  
Signature

July 15, 2009  
Date

Please return completed application and resume to:  
City Secretary's Office, City Hall  
507 S. Main Street, Copperas Cove, Texas  
Phone: (254) 547-4221



**City of Copperas Cove**  
"The City Built for Family Living"

## Resume of Kenneth R. Smith

### Personal Information:

Born: Georgetown, TX, May 18, 1932.

Married. One adult child.

### Education:

BS, Southern Oregon College, 1973

Graduate Study in Education, Southern Oregon College, 1973 – 1974

Graduate Study, Human Resources Management, Pepperdine University, 1977 – 1979

Retired from USAF 1 Feb 1972, Grade of MSgt.

### Work History:

1974 – 1987 Education Specialist for Chief of Naval Education and Training.

Progressively moved through counselor, supervisor, area supervisor, staff function and manager of voluntary education programs for US Atlantic Fleet.

1987 – 1992 Dean of Continental and Navy Campuses, Central Texas College.

After retiring from CTC I taught classes for them once or twice a year on US Navy ships under the PACE contract. Teaching areas were Management, Supervision and Adult Basic Education.

# Candidate Application for City Council-Appointed Boards & Commissions

Applications will be reviewed as vacancies arise. Information disclosed on this application or any other attached document may be disclosed in public meetings. Please print clearly.

received  
7/29/09  
logged

Please attach your resume (optional).

Board Preference 1: HOTEL/MOTEL TAX COMMITTEE

Board Preference 2: EDC BOARD

Name: MARK PETERSON

Street Address: 3008 SUNDOWN LN.

City Resident: 9 years Personal E-Mail: MPETERSON@CBUNITED.COM

Primary Phone: 254-371-9649 Home Fax: \_\_\_\_\_

Profession: RETIRED MILITARY

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_

Business E-Mail: \_\_\_\_\_

Experience or Special Knowledge applicable to City board or commission function:

SERVED ON CITY COUNCIL FOR 15 MONTH AND  
GREAT KNOWLEDGE OF HOW THESE BOARDS WORK

Civic Activities/Professional Affiliations BOARD OF DIRECTOR FOR CHAMBER  
OF COMMERCE, EXCHANGE CLUB, CCISD FESABILITY  
COMMITTEE

I verify that the information I have provided in this application to be true and correct. I also understand that this information may be made available to the public.

M.E. Peters 29 JUL 09  
Signature Date

Please return completed application and resume to:  
City Secretary's Office, City Hall  
507 S. Main Street, Copperas Cove, Texas  
Phone: (254) 547-4221

  
**City of Copperas Cove**  
"The City Built for Family Living"

# Candidate Application for City Council-Appointed Boards & Commissions

Applications will be reviewed as vacancies arise. Information disclosed on this application or any other attached document may be disclosed in public meetings. Please print clearly.

received  
7/29/09  
J. Reed

Please attach your resume <sup>as</sup> ~~optional~~ INCLUDED

Board Preference 1: COPPERAS COVE ECONOMICAL DEVELOPMENT CORP,

Board Preference 2: \_\_\_\_\_

Name: ROGER "ODIE" O'DWYER

Street Address: 1703 HIGHLAND DRIVE

City Resident: 37 years    Personal E-Mail: R.O.DWYER@HOTARR.COM

Primary Phone: 254-547-7354    Home Fax: 254-547-4906

Profession: RETIRED AEROSPACE MANAGER

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

<sup>CELL</sup> Business Phone: 254-394-0339 Business Fax: \_\_\_\_\_

Business E-Mail: \_\_\_\_\_

Experience or Special Knowledge applicable to City board or commission function:  
MAYOR, COUNCIL MEMBER, NEW BUSINESS DEVELOPMENT  
COURSE (LADD) WON 2 CONTRACTS (\$M) RANGE

Civic Activities/Professional Affiliations SEE RESUME

I verify that the information I have provided in this application to be true and correct. I also understand that this information may be made available to the public.

Bob Deget  
Signature

7/29/09  
Date

Please return completed application and resume to:  
City Secretary's Office, City Hall  
507 S. Main Street, Copperas Cove, Texas  
Phone: (254) 547-4221

  
**City of Copperas Cove**  
"The City Built for Family Living"

## Resume/Biographical Facts

July 29, 2009

Name: Roger "ODie" O'Dwyer

Married to: Carole a retired CCISD Chemistry teacher, 5 children, 10+ grandchildren  
Retired US Army (LTC); and, Lockheed Advanced Development Company  
Education: BS ElecEngr, MS ElecEngr, MBA in City Management

### Previous:

Council 83-86  
CCISD Board 3 years  
P&Z 13 years mixed (3 yrs Chairman)  
Board of Adjustment 5 years mixed (3 years Chairman)  
CTCOG 06 - 08  
Mayor 06-08

### Civic Service:

Big Brothers 2 years; Boy Scout Leader 14 years (3 years as Institutional Rep)  
CERT 3 years; CCCPAAA 4 years; Comprehensive City Plan 93-96; Cove House Board 5 years  
Exchange Clubs (Outstanding President 96 CCEXC); District (State) President 98  
Hunting Safety Educator 18 years; Little League Baseball Coach 4 years; Meals on Wheels 6 years  
Oktober Fest Committee 8 years; PTSD Coordinator 2 years; Pop Warner Football Coach 6 years  
Rabbit Fest (co-originator 1 of 5) 6 years on Committee; Weekly reader (6 hours) at Halstead School  
17 years

### Life Member of:

82<sup>nd</sup> ABN Div Assn.; American Legion; Disabled American Veterans; KofC; MOAA; NRA  
NTFA/TTFHA; Texas Hunter Education Assn.; Veterans of Foreign Wars (Youth Chair 9 year's local,  
3 years District)

### Member of:

AARP Chapter 1359 (Currently President); AUSA; Chambers of Commerce Cove and Killeen  
LINN (Living in the New Normal); NAACP; Quarterback Club; USO

### Awards/Recognition

#### Military:

Legion of Merit; Bronze Star (1OLC); Air Medal; Joint Services Commendation Medal; Army  
Commendation Medal (1OLC); Good Conduct Medal; Vietnamese Cross of Gallantry with Palm  
Medalha do Pacificador (Brasil)

#### Civilian:

Hunter Education Hall of Fame  
Outstanding Fellow of Univ. of Alabama (Electrical Engineer)  
Noon Exchange Citizen of the Year

Published in MBA Journal: "How Fort Hood Came to Be" (Paper used in MBA requirements)

# Candidate Application for City Council-Appointed Boards & Commissions

Applications will be reviewed as vacancies arise. Information disclosed on this application or any other attached document may be disclosed in public meetings. Please print clearly.

**RECEIVED**

BY  DATE 8-5-09  
logged

Please attach your resume (optional).

Board Preference 1: CHARTER REVIEW COMMITTEE

Board Preference 2: ECONOMIC DEVELOPMENT CORPORATION

Name: SANDOR VEGH

Street Address: 1407 EAGLE TRAIL

City Resident: 15 years Personal E-Mail: SVEGH36@MNS.COM

Primary Phone: 254-542-2300 Home Fax: \_\_\_\_\_

Profession: RETIRED

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_

Business E-Mail: \_\_\_\_\_

Experience or Special Knowledge applicable to City board or commission function:

P&Z

Civic Activities/Professional Affiliations OPTIMIST CLUB, POLICE ALUMNI

FIRE & SAFETY

I verify that the information I have provided in this application to be true and correct. I also understand that this information may be made available to the public.

Sandor Vekh  
Signature

7/30/09  
Date

Please return completed application and resume to:  
City Secretary's Office, City Hall  
507 S. Main Street, Copperas Cove, Texas  
Phone: (254) 547-4221



**City of Copperas Cove**  
"The City Built for Family Living"

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. I-2

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

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**SUBJECT: Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. for the 2008-09 fiscal year audit.**

---

#### 1. BACKGROUND/HISTORY

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

#### 2. FINDINGS/CURRENT ACTIVITY

City staff is pleased with the accuracy and completeness of the audit services provided by Lott, Vernon & Company, P.C. over the past eleven years. Lott, Vernon & Company, P.C. has proposed to complete the 2008-09 annual audit for the City of Copperas Cove at a cost of \$73,900. The fee includes audit services, an internal control assessment, GASB 34 conversion entries, a Single Audit as required by the federal government, and monthly accounting consultations.

#### 3. FINANCIAL IMPACT

The preliminary proposed cost of the audit is \$73,900. Cost sharing is done throughout the various operational funds. In the FY 2009-10 Proposed Budget, \$72,800 has been allocated for the annual audit and accounting consultation services. If the final audit costs are above \$72,800 and sufficient unexpended funds are not available in the various departments, a budget amendment will be required in FY 2009-10.

#### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council authorize the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. to complete the annual audit for fiscal year 2008-09.

**AUDIT ENGAGEMENT LETTER  
CITY OF COPPERAS COVE  
FOR THE YEAR ENDED SEPTEMBER 30, 2009**



***Lott, Vernon & Company, P.C.***

**CERTIFIED PUBLIC ACCOUNTANTS**

KILLEEN • COPPERAS COVE • TEMPLE

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

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

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

August 12, 2009

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

We are pleased to confirm our understanding of the services we are to provide the City of Copperas Cove for the year ended September 30, 2009. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements, of the City of Copperas Cove as of and for the year ended September 30, 2009. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to accompany City of Copperas Cove's basic financial statements. As part of our engagement, we will apply certain limited procedures to City of Copperas Cove's RSI. These limited procedures will consist principally of inquiries of management regarding the methods of measurement and presentation, which management is responsible for affirming to us in its representation letter. Unless we encounter problems with the presentation of the RSI or with procedures relating to it, we will disclaim an opinion on it. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

Management's Discussion and Analysis.

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

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

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

## **Audit Objectives**

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

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

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

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

## **Management Responsibilities**

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

### **Management Responsibilities (Continued)**

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

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

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

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

### **Audit Procedures—General**

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

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

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

### **Audit Procedures—Internal Controls**

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

### **Audit Procedures—Internal Controls (continued)**

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

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

### **Audit Procedures – Compliance**

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

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

### **Audit Administration, Fees, and Other**

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

**Audit Administration, Fees, and Other (continued)**

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

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

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

We expect to begin our audit on approximately September 15, 2009 and, if all requested information is received timely, to issue our reports no later than February 20, 2010. Michael Firth is the engagement partner and is responsible for supervising the engagement and signing the report.

Our fee for these services will be based on the actual time spent at our hourly rates, plus travel and other out-of-pocket costs. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Based on our preliminary estimates the audit fee should approximate \$73,900.

Audit Services & Report Drafting	\$ 56,600
Internal Control Assessment/Audit Planning	3,500
GASB 34 conversion entries	4,800
Single Audit	6,250
Monthly Accounting Consultations (Estimate based on 4 meetings between Sept 15, 2009 and June 30, 2010 – each requiring approximately 4.5 hours of combined preparation, meeting, and follow up time)	<u>2,750</u>
	<u>\$ 73,900</u>

City of Copperas Cove, Texas  
August 12, 2009

**Audit Administration, Fees, and Other (continued)**

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

*Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report. Our 2008 peer review report accompanies this letter.

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

Very truly yours,



Lott, Vernon & Company, P.C.

**RESPONSE:**

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

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



William C. Kirby, CPA  
Rick Lindsey, CPA/ABV  
Belinda K. Baker, CPA  
Melissa Davis, CPA, CFE  
Renda Stuart, CPA

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

We have reviewed the system of quality control for the accounting and auditing practice of Lott, Vernon & Company, P.C., (the firm) in effect for the year ended April 30, 2008. A system of quality control encompasses the firm's organizational structure, the policies adopted and procedures established to provide it with reasonable assurance of conforming with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of CPAs (AICPA). The firm is responsible for designing a system of quality control and complying with it to provide the firm reasonable assurance of conforming with professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance with its system of quality control based on our review.

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

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

In our opinion, the system of quality control for the accounting and auditing practice of Lott, Vernon & Company, P.C., in effect for the year ended April 30, 2008, has been designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA and was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

*Grier, Reeves & Lawley, P.C.*

October 1, 2008

gripcpa.com  
903•793•5695 FAX 903•794•2112  
3424 Texas Boulevard • Texarkana, Texas 75503•3248  
MEMBERS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

# City of Copperas Cove City Council Agenda Item Report

September 1, 2009

## Agenda Item No. I-3

Contact – Robert M. McKinnon, Public Works Director, 547- 0751

bmckinnon@ci.copperas-cove.tx.us

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**SUBJECT: Consideration and action on approval of an ordinance officially adopting the City's revised and updated "Water Conservation and Drought Contingency Plan."**

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### 1. BACKGROUND/HISTORY

The Texas Commission on Environmental Quality (TCEQ) mandated that as of September 1, 1999, cities with 3,300 or more water service connections have an approved, adopted by ordinance, Water Conservation and Drought Contingency Plan on file at TCEQ. The City has, since 1985, had on file with TCEQ, an approved Water Conservation and Drought Contingency Plan. The current plan was approved by Council June 4, 2002.

### 2. FINDINGS/CURRENT ACTIVITY

The plan is written to facilitate water conservation, by providing the water customer with information pertaining to some of the various programs available that are designed to utilize less water. The plan also outlines conditions where mandatory water conservation measures are implemented and what those measures are. Mandatory conservation measures may range from a "Mild" emergency condition where such measures as asking for voluntary water conservation, and implementation of lawn watering schedules are requested, to "Water Allocation" where specific amounts of water are allocated customers, and monetary penalties can be assessed for exceeding those amounts. Basically, the plan is designed to assist in the elimination of water waste and in instances where the availability of water is interrupted or overly stressed, provides measures for MANDATORY conservation. The plan has been updated to incorporate additional requirements set forth by TCEQ.

### 3. FINANCIAL IMPACT

Not applicable.

### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends approval of Ordinance No. 2009-22, officially adopting the City's "Water Conservation and Drought Contingency Plan."

**ORDINANCE NO. 2009-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS ADOPTING A CITY WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING NO CULPABLE MENTAL STATE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** The Texas Natural Resource Conservation Commission (TNRCC) requires that all Texas municipalities with 3,300 or more water service connections have a Water Conservation and Drought Contingency Plan; and

**WHEREAS,** City staff has reviewed the Water Conservation and Drought Contingency Plan and recommends adoption of said plan.

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

**SECTION 1.**

That the Water Conservation and Drought Contingency Plan attached hereto as "Exhibit 1" and incorporated herein by reference is hereby adopted.

**SECTION 2.**

No Culpable Mental State Required. An offense under this ordinance shall not require a culpable mental state. It is the intent of this ordinance to impose strict liability for any violation of this Water Conservation and Drought Contingency Plan.

**SECTION 3.**

Violation and Penalties. Any City water user who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any of the provisions of this ordinance shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. Each violation of this ordinance shall be deemed a separate offense and each day that a violation exists shall constitute a separate offense. This penalty should not be construed as exclusive, and the City shall be authorized to pursue all other criminal and civil remedies to which it is entitled under the authority of other ordinances or state law, including, but not limited to discontinuance of water service.

In addition to the above penalty, the City is authorized to discontinue water service to any City water user who violates this ordinance. The discontinuance of water service should not be construed as exclusive, and the City shall be authorized to pursue all other criminal and civil remedies to which it is entitled under the authority of other ordinances or state law.

**SECTION 4.**

That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 5.**

That should any section, clause, or provision of this ordinance be declared invalid by a court of competent jurisdiction, the same 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 go into effect upon passage.

**PASSED, APPROVED AND ADOPTED** this 1st day of September 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

**CITY OF COPPERAS COVE WATER CONSERVATION AND  
DROUGHT CONTINGENCY PLAN**

April 2009



*PREPARED FOR:*

**City of Copperas Cove  
P.O. Box 1449  
Copperas Cove, Texas 76522**

*BY:*

**RIVER CITY ENGINEERING  
Civil, Environmental & Consulting**

3801 S. First Street, Austin, TX 78704 BUS: (512) 442-3008  
1011 W. County Line Road, Suite C, New Braunfels, Texas 78130 BUS: (830) 626-3588

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- Appendix A** – City of Copperas Cove CCN Map
- Appendix B** – Texas Water Development Board Utility Profile
- Appendix C** – Educational Literature
- Appendix D** – City of Copperas Cove Rate Structure
- Appendix E** – City of Copperas Cove City Ordinance
- Appendix F** – 2002 Water Conservation & Drought Contingency Plan
- Appendix G** – Drought Assistance Directory for Public Officials and Drinking Water Utilities

## **I. WATER CONSERVATION PLAN**

### **Purpose and Policy**

In 2004 the TCEQ adopted revisions to Title 30, Texas Administrative Code (TAC), Chapter 288- Water Conservation Plans, Drought Contingency Plans, Guidelines and Requirements. The TCEQ regulations require the City of Copperas Cove to submit a conservation plan to include specific, quantified targets for water use savings to be achieved. This water conservation and drought contingency plan was revised in February 2009 to meet the requirements of the TCEQ and the goals of the City of Copperas Cove. This plan was approved by the City in 2009 and supersedes the City's Water Conservation and Drought Contingency Plan which was approved by City in 2002 (Appendix F).

In order to conserve and protect the integrity of the available water supply with particular regard for domestic water use, sanitation, and fire protection, and to protect public health, welfare, and safety and minimize the adverse impacts of water shortage or other water supply emergency conditions, the City of Copperas Cove has formulated these policies, regulations, and restrictions on the delivery and consumption of water.

The policies presented in this plan are needed to efficiently manage the water available to the City of Copperas Cove for the benefit of all customers. Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in the Drought Contingency Plan.

Additionally to assist in the development of a water conservation plan, a utility profile has been completed (Appendix B).

### **Service Area Description/Utility Profile**

#### Service Area Location

The City of Copperas Cove is located in Coryell, Bell and Lampasas Counties along U.S. Highway 190 in the Texas hill country. Copperas Cove is immediately adjacent to Fort Hood and is approximately 33 miles west of Interstate 35. Gatesville is the county seat and is approximately 30 miles north, along FM 116 and U.S. Highway 84. Lampasas is located 15 miles west of Copperas Cove and Austin is approximately 60 miles south.

### Service Area Description

The City of Copperas Cove holds a Certificate of Convenience and Necessity (CNN No. 10449) for water service to areas generally within the city limits, as well as adjoining areas outside the City to the northwest to Lutheran Church Road, and up to and including the high ridge west of the town (see Appendix A for City of Copperas Cove CCN map). The City's service area is bounded by Fort Hood to the east.

### Existing Water Supply and Service

The City obtains all of its potable water from Bell County Water Control and Improvement District No. 1 (BCWCID No. 1) in accordance with the Water Supply contract as amended April 27, 2006. BCWCID No. 1 operates an 80 MGD water treatment plant located near Belton, Texas. This plant supplies treated water to Fort Hood, the cities of Killeen, Belton, and Copperas Cove, Bell County Water Control and Improvements Districts No. 3 and No. 4 and 439 Water Supply Corporation. BCWCID No. 1 takes raw water from Lake Belton under the authorization of the Brazos River Authority (BRA) Certificate of Adjudication No. 12-5160.

The City's water distribution system is divided into four service areas which function as separate pressure planes known as Central, East, Mountain Top and Rattlesnake Mountain. Water supply to the City is delivered from BCWCID #1 to the City's transmission facilities in Killeen, where all flow is delivered to two sets of supply pumps that convey water through parallel transmission facilities, one 20-inch line and one 30-inch line, along U.S. Highway 190 into the City's Turkey Run and East Pump Stations. Water is then delivered to the remainder of the system through a series of pump stations, storage tanks, and distribution lines. The City currently wholesales water to Topsey Water Supply.

### Population Growth and Customer Characterization

Copperas Cove is bounded by Fort Hood principally to the east and northeast and the City of Kempner approximately seven miles to the west. Two small, unincorporated communities exist beyond Copperas Cove's physical boundary: Topsey and Oakalla. Topsey lies approximately 10 miles northwest of Copperas Cove, and Oakalla 11 miles to the south. These communities are beyond the potential extraterritorial jurisdiction (ETJ) of Copperas Cove and pose no immediate constraint to the expansion of Copperas Cove. With Fort Hood in such close proximity to the City of Copperas Cove, approximately 50% of the total inhabitants in the City of Copperas Cove are employed or connected with Fort Hood in some manner. Accordingly, Fort Hood has a significant impact on population and growth of the City of Copperas Cove. Copperas Cove's growth in recent years can be attributed primarily to immigration of new families into the region. The current population of Copperas Cove is approximately 32,000

inhabitants. At the present, the City has 11,986 water accounts; 11,280 residential, 496 commercial, 129 public, and 81 other, non-categorized types.

#### Utility Profile

The Texas Water Development Board Utility Profile is included in Appendix B.

### **Overall Plan Goals**

This plan has two components; the long term Water Conservation Plan and the Drought Contingency Plan. The Water Conservation Plan is to establish policy and define five-year and ten-year goals, which will:

1. Insure that demand for water does not exceed the amount of treated water available.
2. Provide the public with information to encourage water conservation and decrease wasteful practices.
3. Limit peak water usage during the summer months.
4. Decrease the average water usage per connection.
5. Limit unaccounted for water use to less than 10% of the water pumped.

The overall goal of the Drought Contingency Plan is to establish a set of procedures initiated by certain conditions to prevent loss of water supply to any customer during periods of high demand and/or low supply. To accomplish these goals, this plan will:

1. Establish trigger conditions.
2. Outline a management plan.
3. Specify public information and education policies.
4. State initial update and termination notice procedures.
5. State implementation and enforcement procedures.

### **Water Saving Goals**

#### Five-year Targets and Goals

A baseline water usage was obtained using 5 years of historical data and was determined to be 132 gpcd. The City of Copperas Cove's goals are to achieve a

municipal use of 130 gallons per capita per day for the first 5 years beginning in the year 2009 and also achieve a municipal use water loss goal of less than 12% of water pumped per year for the next 5 years beginning in the year 2009.

### Ten-year Targets and Goals

A baseline water usage was obtained using 5 years of historical data and was determined to be 132 gpcd. The City of Copperas Cove's goals are to achieve a municipal use of 128 gallons per capita per day for the next 10 years beginning in the year 2009 and also achieve a municipal use water loss goal of less than 10% of water pumped per year for the next 10 years beginning in the year 2009.

### Goal Schedule

The City of Copperas Cove will adhere to the following schedule to achieve the targets and goals for water conservation:

- Promotion of water reuse
  - Convert golf course irrigation system to use treated effluent in lieu of potable water
- Calibrations of meters for all treated water deliveries are conducted semi-annually
- The City of Copperas Cove's meter replacement program is as follows:
  - Meters will continue to be monitored for accuracy annually and replaced on a fifteen-year cycle
- Water audits are conducted annually
  - Real water losses are identified and corrected
  - Real water losses are minimized by replacement of deteriorating water mains and appurtenances, as is conducted by the City of Copperas Cove's staff on an on-going basis
- The City of Copperas Cove will mail out material developed by the staff, materials obtained from the Texas Water Development Board, Texas Commission on Environmental Quality or other sources semi-annually (once in the spring and once in the summer) to all customers.

### Goal Measuring

The staff shall track targets and goals by utilizing the following procedures:

- Logs shall be maintained for meter calibration, meter testing, and meter replacement programs
- Annual water audits shall be documented and kept in the Utility Department files
- Staff shall keep a record of the number of mail-outs distributed semi-annually
- Rates are tracked by means of ordinances adopted

- Logs shall be maintained for the utility's Leak Detection Program, including but not limited to the following:
  - Annual inspections and soundings of all water main fittings and connections
  - Annual intermittent night-flow measurements
  - SCADA system

#### Metering Devices

Metering devices, within an accuracy of plus or minus 5.0%, will be utilized in order to measure and account for the amount of water diverted from the source of the supply.

#### Universal Metering Program

Inaccurate metering is one possible cause for unaccounted for water, and since meter readings form the basis for data gathering on distribution, usage and sales, maintaining accurate meters is a high priority. The City currently has approximately 12,000-metered accounts with the majority of accounts using 3/4"-meters. While residential meters are made to last 15-20 years, the meters will be changed out every 15 years or less or approximately every 2 MG. Meters are read monthly, and every effort is made to identify malfunctions which result in abnormally high or low readings.

#### Measures to Determine and Control Unaccounted-For Uses of Water

The City will employ the following measures to determine and control for unaccounted-for uses of water:

- Identify any significant differences between the master meters and the individual meters
- Periodic visual inspections along distribution lines
- Annual or monthly audit of the water system to determine illegal connections
- Improved maintenance (i.e. shocking system to reduce system flushing, flushing during heat, etc.)

#### Master Meter

The master meters located at the Killeen pump stations, which measure and account for the amount of water diverted from the supply, will be checked annually and calibrated as necessary. Customer meters are also tested at their request, and repaired or calibrated as necessary.

#### Continuing Public Education Program

The single most effective means of educating the water consumer on the consequences of wasting water is providing relevant, timely information on the benefits of conservation and the means by which it can be accomplished. The

City of Copperas Cove obtains educational literature from the Texas Water Development Board (TWDB), as well as from sources at the Texas Commission on Environmental Quality (TCEQ) and the American Water Works Association (AWWA). Information on conservation and drought contingency stages is linked from the City of Copperas Cove website [www.ci.copperas-cove.tx.us](http://www.ci.copperas-cove.tx.us). Examples of educational literature are included in Appendix C.

#### Non-Promotional Water Rate Structure

The City of Copperas Cove uses a non-promotional rate-structure which is cost-based and does not encourage the excessive use of water. See Appendix D for rate structure.

### **Implementation and Enforcement**

#### City Ordinance

Appendix E includes a copy of the ordinance indicating the official adoption of the water conservation plan.

#### Implementation and Enforcement

The City Council has adopted this Plan through formal resolution and implements it through direction to the public works director, staff and consultants. Enforcement will be provided by discontinuation of service to those persons not in compliance of fines as listed in the City's rates list.

### **Regional Water Planning Group Coordination**

An annual report describing the implementation, status, and effectiveness of the water conservation plan will be submitted as required to the Texas Water Development Board. The public works director and the City Engineer will review this plan annually, and make recommendations to the City Council on any updates or amendments which may be required.

### **Additional Content Requirements**

#### Leak Detection Program

- The leak detection program described in the plan is currently in use by the City of Copperas Cove which reduces real water losses
- Inspections and soundings of all water main fittings and connections are conducted annually
- Intermittent night-flow measurements are conducted annually
- Pressure is controlled to just above the standard-of-service level by use of SCADA system
- Pressure zones are operated based on the topography
- Surges in pressure are limited by control valves

- Night time pressure is reduced by control valves when feasible
- The City of Copperas Cove adopted the 2000 International Plumbing Code, and all new construction or renovations in the city use water conserving fixtures

#### Record Management System

A record management system will be kept to record water pumped, water deliveries, water sales, and water losses which allows for the desegregations of water sales and uses into the following user classes: residential; commercial; public and institutional, and industrial.

#### Wholesale Water Contract Requirements

City Ordinance will ensure every wholesale water supply contract entered into, contract extensions, or renewed contracts after official adoption of this plan will require the wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.2. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of previously mentioned Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.2.

#### Public Involvement

The City of Copperas Cove holds regularly scheduled City Council meetings every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month. These meetings are open to the public, and the public has the opportunity to voice their opinions and concerns. The meeting agendas are posted in accordance with state law. Notification of Council meetings is also provided by notices on the local cable TV channel and the City's official website.

Public Hearings for city wide projects, grant applications and other items requiring significant City action are usually announced separately in the Copperas Cove Leader Press newspaper.

Media coverage of the council meetings also informs the public of any discussions or presentations that take place during the council meetings.

#### Additional Conservation Strategies

Any combination of the following strategies shall be selected by the City of Copperas Cove, in addition to the minimum requirements listed in the previous sections of this plan, if they are necessary to achieve the stated water conservation goals of the plan:

1. Education and Information
2. Water Conservation Plumbing Codes for New Structures
3. Retrofit Programs
4. Conservation Oriented Water Rate Structures
5. Universal Metering
6. Water Conserving Landscaping
7. Leak Detection
8. Recycling and Reuse
9. Pressure Control Program
10. Plan Implementation and Enforcement

Any other water conservation practice, method or technique which the City of Copperas Cove shows to be appropriate for achieving the stated goal or goals of this plan may also be chosen.

## **II. DROUGHT CONTINGENCY PLAN**

### **A. Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Copperas Cove hereby adopts the following regulations and restrictions and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offenders(s) to penalties as defined in Section J of this Plan.

### **B. Public Involvement**

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Copperas Cove by means of scheduling and providing public notice of a public meeting to accept input on the Plan.

### **C. Public Education**

The City of Copperas Cove will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by the means of the following:

1. Mail-out of water conservation information with utility bills.
2. Newspaper article or radio announcement.
3. Local cable TV announcement.
4. New customers will be provided with conservation literature when applying for water or wastewater service.
5. Customers are informed annually through a notice included with water bills that conservation literature is available at City Hall.
6. The City will arrange for professionals knowledgeable on water conservation to attend public meetings and present water conservation techniques.

#### **D. Coordination with Regional Water Planning Groups**

The service area of the City of Copperas Cove is located within the Brazos G Regional Water Planning Group and City of Copperas Cove has provided a copy of this plan to the Brazos G Regional Water Planning Group.

#### **E. Authorization**

The mayor, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The mayor or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

#### **F. Application**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Copperas Cove. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

#### **G. Definitions**

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conversation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Copperas Cove.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and right-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- a) Irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle
- c) Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- d) Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- e) Flushing gutters or permitting water to run or accumulate in any gutter or street;
- f) Use of water to fill, and/or refill, any indoor or outdoor swimming pools or Jacuzzi-type pools;
- g) Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- h) Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- i) Use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbers address: street addresses, box numbers, or rural postal route numbers ending in 1, 2, 5, 7, or 9.

#### **H. Criteria for Initiation and Termination of Drought Response Stages**

Drought or a number of other uncontrollable circumstances can disrupt the normal availability of community or utility water supplies. Even though Copperas

Cove normally has an adequate water supply, the supply could become contaminated, or a disaster could destroy the supply. During drought periods, consumer demand is often significantly higher than normal. The system may not have the capacity to meet very high demands without system failure or other unwarranted consequences. System treatment, storage, or distribution failures can also present the City of Copperas Cove with an emergency demand management situation.

The mayor or his/her designee shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is when the specified "triggers" are reached.

The triggering criteria described below are based on:

### **Stage 1 Triggers – MILD Water Shortage Conditions**

#### Requirements for initiation:

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section G – Definitions, when average daily water consumption for three consecutive days reach 80% of contracted production capacity of the BCWCID No. 1 water transmission facilities.

#### Requirements for termination:

Stage 1 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

### **Stage 2 Triggers – MODERATE Water Shortage Conditions**

#### Requirements for initiation:

1. Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section I of this Plan when Average daily water reaches 90% of contracted production capacity consumption for three consecutive days.
2. Shortage facilities contain less than 80% of total storage volume for two consecutive days.

#### Requirements for termination:

Stage 2 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

### **Stage 3 Triggers – SEVERE Water Shortage Condition**

#### Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 on this Plan when Average daily water consumption reaches 100% of contracted production capacity for three consecutive days.

#### Requirements for termination:

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

### **Stage 4 Triggers – CRITICAL Water Shortage Conditions**

#### Requirements for Initiation:

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 4 of this Plan when:

1. Average daily water consumption will not enable storage levels to be maintained, presenting a threat to adequate fire protection.
2. Failure of a major component of the system would cause an immediate health or safety hazard.

#### Requirements for Termination:

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

### **Stage 5 Triggers - EMERGENCY Water Shortage Conditions**

#### Requirements for Initiation:

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when mayor or his/her designee determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Requirements for Termination:

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

**Stage 6 Triggers - WATER ALLOCATION**

Requirements for Initiation:

Customers shall be required to comply with the water allocation plan prescribed in Section I of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when failure of a major component of the system would cause an immediate health or safety hazard.

Requirements for Termination:

Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

**I. Drought Response Stages**

The mayor or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section H of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

**Notification**

Notification of the Public:

The mayor or his/her designee shall notify the public by means of:

1. Publication in a newspaper of general circulation
2. Direct mail to each customer
3. Public service announcements
4. Signs posted in public places
5. Take-home fliers at school

Additional Notification (Appendix G):

The mayor or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

1. Mayor/Chairman and members of the City Council
2. Utility Board, Fire Chief(s)
3. Critical water users, i.e. hospitals,
4. Major water users
5. Parks/street superintendents & public facilities managers
6. TCEQ (required when mandatory restrictions are imposed)
7. State Disaster District/Department of Public Safety
8. County Judge & Commissioner(s)

### **Stage 1 Response – MILD Water Shortage Conditions**

Goal: Achieve a voluntary 10 percent reduction in daily water demand.

Supply Management Measures:

The City of Copperas Cove will reduce or discontinue flushing of water mains.

Voluntary Water Use Restrictions:

- a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons of less, or drip irrigation system.
- b) All operations of the City of Copperas Cove shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

### **Stage 2 Response – MODERATE Water Shortage Conditions**

Goal: Achieve a 15 percent reduction in daily water demand.

Supply Management Measures:

The City of Copperas Cove will reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

Water Use Restrictions:

Under threat of penalty for violating, the following water use restrictions shall apply to all persons:

- a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket of hand washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- c) Use of water to fill, and/or refill, any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- d) Operations of any ornamental fountain or pond for aesthetic or scenic purposes are prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculating system.
- e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of waste from designated fire hydrants for construction

purposes may be allowed under special permit from the City of Copperas Cove.

- f) Use of water for the irrigation of golf course greens, tees and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and midnight. However, if the golf course utilizes a non-potable water source such as reclaimed water; the facility shall not be subject to these regulations.
- g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- h) The following uses of water are defined as non-essential and are prohibited:
  - 1. Wash down of any sidewalks, walkways, driveways, parking lots, and tennis courts, or other hard-surfaced areas;
  - 2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - 3. Use of water for dust control; unless reclaimed water is used.
  - 4. Flushing gutters or permitting water to run or accumulate in any gutter or street;
  - 5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s)

### **Stage 3 Response – SEVERE Water Shortage Conditions**

Goal: Achieve a 20 percent reduction in daily water demand.

#### Supply Management Measures:

The City of Copperas Cove shall reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; used of reclaimed water for not-potable purposes will be allowed.

#### Water Use Restrictions:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- 1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held

buckets, drip irrigation or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

2. The watering of golf course tees is prohibited unless the golf course utilizes a non-potable water source such as reclaimed water.
3. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

#### **Stage 4 Response -- CRITICAL Water Shortage Condition**

Goal: Achieve a 25 percent reduction in daily water demand.

##### Supply Management Measures:

The City of Copperas Cove shall reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

##### Water Use Restrictions:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 am and 10:00 am and between 8:00 am and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 am and 10:00 am and between 6:00 pm and 10:00 pm.
3. The filling and/or refilling, of water to a swimming pool, wading pools, and Jacuzzi-type pools is prohibited.
4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
5. No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or

water service facilities of any kind shall be approved, and time limits for approvals of such applications are hereby suspended for such times as this drought response stage or a higher-numbered stage shall be in effect.

**Stage 5 Response – EMERGENCY Water Shortage Conditions**

Goal: Achieve a 30 percent reduction in daily water demand.

Supply Management Measures:

The City of Copperas Cove shall reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

Water Use Restrictions:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- a) Irrigation of landscaped areas is absolutely prohibited, unless reclaimed water is used.
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited, unless reclaimed water is used.

**Stage 6 – WATER ALLOCATION**

In the event that water shortage conditions threaten public health, safety, and welfare, the mayor is hereby authorized to allocate water according to the following allocation plan:

Single-family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<u>PERSONS PER HOUSHOLD</u>	<u>GALLONS PER MONTH</u>
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000

11 or more

12,000

"Household" means the residential premises served by the customer's meter. "Persons per Household" includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the City of Copperas Cove of a greater number of persons per household on a form prescribed by the mayor. The mayor shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Copperas Cove offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the mayor. When the number of persons per household increase so as to place the customer in a different allocation category, the customer may notify the City of Copperas Cove on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City of Copperas Cove in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the mayor shall adopt methods to insure accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of Copperas Cove of a reduction in the number of person in a household shall be fined not less than \$100.00.

Residential water customers shall pay the following surcharges:

- 1% of base for the first 1,000 gallons over allocation.
- 5% of base for the second 1,000 gallons over allocation.
- 10% of base for the third 1,000 gallons over allocation.
- 25% of base for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

#### Master-Metered Multi-Family Residential Customers

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g., apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit unless the customer notifies the City of Copperas Cove of a greater number on a form prescribed by the mayor. The mayor shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Copperas Cove offices to complete

and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the mayor. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City of Copperas Cove in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the mayor shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of Copperas Cove or a reduction in the number of person in a household shall be fined not less than \$250.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

- 1% of base for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- 5% of base thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.
- 10% of base thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- 25% of base thereafter for each additional 1,000 gallons over allocation

Surcharges shall be cumulative.

#### Commercial Customers

A monthly water allocation shall be established by the mayor or his/her designee, for each non-residential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75% of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. The mayor shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City of Copperas Cove to determine the allocation. Upon request of the customer or at the initiative of the mayor the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the mayor or alternatively, a special water allocation review committee. Nonresidential commercial customers shall pay the following surcharges:

Customers whose allocation is 1,000 gallons through 10,000 gallons per month:

- 5% of base per thousand gallons for the first 1,000 gallons over allocation.
- 10% of base per thousand gallons for the second 1,000 gallons over allocation.
- 20% of base per thousand gallons for the third 1,000 gallons over allocation.
- 25 % of base per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is greater than 10,000 gallons per month or more:

- 1.2 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 1.5 times the block rate for each 1,000 gallons from 5 percent though 10 percent above allocation.
- 1.8 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 2.0 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to that customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

#### Industrial Customers

A monthly water allocation shall be established by the mayor or his/her designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 90% of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer's allocation shall be further reduced to 85% of the customer's water usage baseline. The industrial customer's water use baseline will be computed on the average water use for the 12 month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history exists. The mayor shall give his/her best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City of Copperas Cove to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the mayor, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shut down or significantly reduce the production of a major processing unit, (4)

the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the mayor or alternatively, a special water allocation review committee. Industrial customers shall pay the following surcharges:

Customers whose allocation is 1,000 gallons through 10,000 gallons per month:

- 5% of base per thousand for the first 1,000 gallons over allocation.
- 10% of base per thousand gallons for the second 1,000 gallons over allocation.
- 20% of base per thousand gallons for the third 1,000 gallons over allocation.
- 25% of base per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is greater than 10,000 gallons per month or more:

- 1.2 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 1.5 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 1.8 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 2.0 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

## **J. Enforcement**

- a) No person shall knowingly or intentionally allow the use of water from the City of Copperas Cove for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of the Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the mayor, or his/her designee, in accordance with provisions of the Plan.
- b) Any person who violates the Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00). Each day that one or more of the provisions in this Plan is violated shall constitute a

separate offense. If a person is convicted of three or more distinct violations of this Plan, the mayor shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$100.00, and any other costs incurred by the City of Copperas Cove in discontinuing service. In addition, suitable assurance must be given to the mayor that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

- c) Any person including a person classified as a water customer of the City of Copperas Cove, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known the violation.
- d) Any employee of the City of Copperas Cove, police officer, or other city employee designated by the mayor, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more that 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of the Plan. If the alleged violator fails to appear in municipal court a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

## **K. Variances**

The mayor or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public of the person requesting such variance and if one or more of the following conditions are met:

- a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Copperas Cove within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the mayor, or his/her designee, and shall include the following:

- a) Name and address of the petitioner(s).
- b) Purpose of water use.
- c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- e) Description of the relief requested
- f) Period of time for which the variance is sought.
- g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of the Plan and the compliance date.
- h) Other pertinent information.

Variances granted by the City of Copperas Cove shall be subject to the following conditions, unless waived or modified by the mayor or his/her designee:

- a) Variances granted shall include a timetable for compliance.

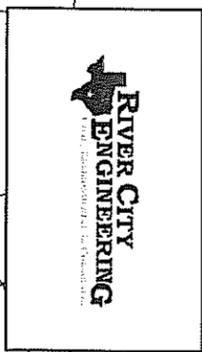
- b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

**L. Distribution of Water during Shortage for Wholesale Water Customers**

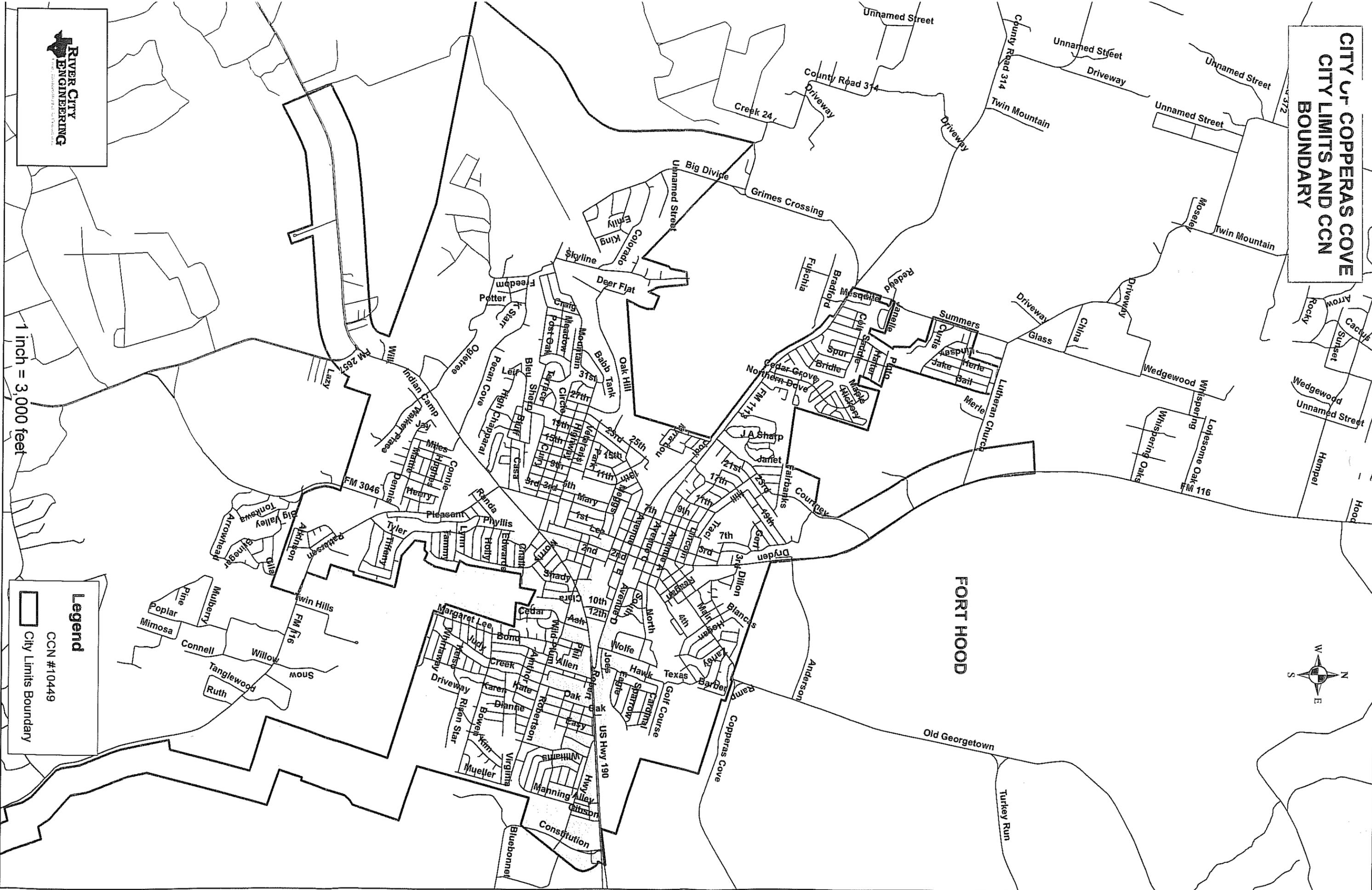
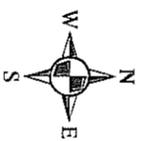
- a) If a shortage of water in a water supply not covered by a water conservation plan prepared in compliance with the Texas Commission of Environmental Quality (TCEQ) or the Texas Water Development Board (TWDB) rules results from drought, accident, or other cause, the water to be distributed shall be divided among all customers pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike.
- b) If a shortage of water in a water supply covered by a water conservation plan prepared in compliance with TCEQ or TWDB rules results from drought, accident, or other cause, the person, association of persons, or corporation owning or controlling the water shall divide the water to be distributed among all customers pro rata, according to:
  - 1. The amount of water to which each customer may be entitled;
  - 2. The amount of water to which each customer may be entitled, less the amount of water the customer would have saved if the customer had operated its water system in compliance with the water conservation plan
- c) Nothing in Subsection (a) or (b) precludes the person, association of persons, or corporation owning or controlling the water from supplying water to a person who has a prior vested right to the water under the laws of this state.

**CITY OF COPPERAS COVE  
CITY LIMITS AND CCN  
BOUNDARY**



1 inch = 3,000 feet

**Legend**  
CCN #10449  
City Limits Boundary





## TEXAS WATER DEVELOPMENT BOARD

## UTILITY PROFILE

The purpose of the Utility Profile is to assist with water conservation plan development and to ensure that important information and data be considered when preparing your water conservation plan and its target and goals. Please complete all questions as completely and objectively as possible. See *Water Conservation Plan Guidelines Checklist* (WRD-023) for information on other water conservation provisions. You may contact the Municipal Water Conservation Unit of the TWDB at 501-361-2391 for assistance.

APPLICANT DATA
----------------

Name of Utility: CITY OF COPPERAS COVE

Address & Zip: 914 TANK STREET COPPERAS COVE, TX. 76522

Telephone Number: (254) 547-2416 Fax: (254) 547-2181

Form Completed By: DANIEL HAWBECKER Title: WATER SUPERINTENDENT

Signature: Daniel Hawbecker Date: 3/1/09

Name and Phone Number of Person/Department responsible for implementing a water conservation program:

Name: ROBERT M. MCKINNON Phone: (254) 547-0751

UTILITY DATA
--------------

## 1. CUSTOMER DATA

## A. Population and Service Area Data

1. Please attach a copy of your Certificate of Convenience and Necessity (CCN) from the TCEQ
2. Service area size (square miles): 14

3. Current population of service area: 31,995
4. Current population served by utility: a: water 31,815  
 b: wastewater \_\_\_\_\_
5. Population served by water utility for the previous five years:
6. Projected population for service area in the following decades:

Year	Population	Year	Population
<u>2008</u>	<u>31,995</u>	2010	<u>32,954</u>
<u>2007</u>	<u>30,027</u>	2020	<u>37,334</u>
<u>2006</u>	<u>29,243</u>	2030	<u>41,714</u>
<u>2005</u>	<u>29,418</u>	2040	<u>46,094</u>
<u>2004</u>	<u>29,126</u>	2050	<u>50,474</u>

7. List source(s)/method(s) for the calculation of current and projected population:  
SEE ATTACHMENT  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. Active Connections**

1. Current number of active connections by user type. If not a separate classification, check whether multi-family service is counted as Residential \_\_\_\_\_ or Commercial \_\_\_\_\_

<u>Treated water users:</u>	<u>Metered</u>	<u>Not-metered</u>	<u>Total</u>
Residential-Single-Family	<u>11,214</u>	<u>0</u>	<u>11,214</u>
Residential-Multi-Family	<u>66</u>	<u>0</u>	<u>66</u>
Commercial	<u>496</u>	<u>0</u>	<u>496</u>
Industrial	<u>0</u>	<u>0</u>	<u>0</u>
Public	<u>129</u>	<u>0</u>	<u>129</u>
Other: IRRIGATION, 66 EA. BULK MTRS, 9 EA. TOPSEY WATER CORP., 5 EA. CENTRAL TEXAS COLLEGE, 1 EA.	<u>81</u>	<u>0</u>	<u>81</u>

2. List the net number of new connections per year for most recent three years:

Year	<u>2008</u>	<u>2007</u>	<u>2006</u>
Residential -Single-Family	<u>177</u>	<u>209</u>	<u>250</u>
Residential-Multi-Family	<u>18</u>	<u>102</u>	<u>164</u>
Commercial	<u>6</u>	<u>19</u>	<u>5</u>
Industrial	<u>0</u>	<u>0</u>	<u>0</u>
Public	<u>0</u>	<u>1</u>	<u>2</u>
Other	<u>6</u>	<u>9</u>	<u>4</u>

**C. High Volume Customers**

List annual water use for the five highest volume retail and wholesale customers  
(Please indicate if treated or raw water delivery.)

	<u>Customer</u>	<u>Use (1,000gal./yr.)</u>	<u>indicate Treated OR Raw</u>
(1)	<u>CENTRAL TEXAS COLLEGE</u>	<u>36,546,700</u>	<u>TREATED</u>
(2)	<u>TOPSEY WATER CORPORATION</u>	<u>24,113,500</u>	<u>TREATED</u>
(3)	<u>COPPERAS COVE INDEPENDENT SCHOOL DISTRICT CEDAR GROVE</u>	<u>17,694,600</u>	<u>TREATED</u>
(4)	<u>MOBILE HOME PARK</u>	<u>12,092,000</u>	<u>TREATED</u>
(5)	<u>CLEAR CREEK APARTMENTS</u>	<u>6,183,900</u>	<u>TREATED</u>

**\*SEE ATTACHMENT\***

## II. WATER USE DATA FOR SERVICE AREA

### A. Water Accounting Data

1. Amount of water use for previous five years (in 1,000 gal.):

Please indicate: Diverted Water \_\_\_\_\_

Treated Water  X

Year	2008	2007	2006	2005	2004
January	<u>102,564,000</u>	<u>83,582,000</u>	<u>88,430,000</u>	<u>84,262,000</u>	<u>89,832,000</u>
February	<u>89,739,000</u>	<u>77,683,000</u>	<u>78,224,000</u>	<u>70,186,000</u>	<u>79,476,000</u>
March	<u>95,961,000</u>	<u>94,079,000</u>	<u>91,838,000</u>	<u>84,447,000</u>	<u>83,196,000</u>
April	<u>104,588,000</u>	<u>91,424,000</u>	<u>109,075,000</u>	<u>106,861,000</u>	<u>87,018,000</u>
May	<u>129,810,000</u>	<u>94,762,000</u>	<u>114,774,000</u>	<u>119,682,000</u>	<u>107,444,000</u>
June	<u>184,765,000</u>	<u>99,689,000</u>	<u>141,081,000</u>	<u>126,512,000</u>	<u>101,926,000</u>
July	<u>207,021,000</u>	<u>99,547,000</u>	<u>150,100,000</u>	<u>146,189,000</u>	<u>129,989,000</u>
August	<u>187,553,000</u>	<u>159,197,000</u>	<u>186,130,000</u>	<u>120,959,000</u>	<u>130,559,000</u>
September	<u>155,137,000</u>	<u>154,606,000</u>	<u>131,873,000</u>	<u>119,547,000</u>	<u>112,205,000</u>
October	<u>133,463,000</u>	<u>142,524,000</u>	<u>111,938,000</u>	<u>111,366,000</u>	<u>91,804,000</u>
November	<u>116,657,000</u>	<u>119,725,000</u>	<u>95,388,000</u>	<u>95,404,000</u>	<u>75,592,000</u>
December	<u>110,799,000</u>	<u>109,048,000</u>	<u>83,666,000</u>	<u>83,757,000</u>	<u>83,044,000</u>
Total	<u>1,618,057,000</u>	<u>1,325,866,000</u>	<u>1,382,537,000</u>	<u>1,269,172,000</u>	<u>1,172,085,000</u>

Please indicate how the above figures were determined (e.g., from a master meter located at the point of a diversion from a stream or located at a point where raw water enters the treatment plant, or from water sales).

3 METERS BELONGING TO BELL COUNTY WATER CONTROL & IMPROVEMENT DISTRICT. SEE ATTACHMENTS.

2. Amount of water (in 1,000 gallons) delivered (sold) as recorded by the following account types (See #1, Appendix A) for the past five years.

Year	Residential	Commercial	Industrial	Wholesale	Other	Total Sold
2008	<u>942,119,300</u>	<u>169,338,300</u>	<u>0</u>	<u>72,752,200</u>	<u>97,513,000</u>	<u>1,281,722,700</u>
2007	<u>730,515,000</u>	<u>173,972,000</u>	<u>0</u>	<u>65,158,100</u>	<u>63,856,000</u>	<u>1,033,501,100</u>
2006	<u>904,706,000</u>	<u>204,278,100</u>	<u>0</u>	<u>74,403,100</u>	<u>82,657,800</u>	<u>1,265,995,000</u>
2005	<u>809,876,500</u>	<u>180,540,000</u>	<u>0</u>	<u>65,713,800</u>	<u>74,057,003</u>	<u>1,130,187,303</u>
2004	<u>726,239,200</u>	<u>176,104,200</u>	<u>0</u>	<u>61,066,200</u>	<u>62,702,500</u>	<u>1,026,112,200</u>

3. List previous five years records for water loss  
(See #2, Appendix A)

<u>Year</u>	<u>Amount (gal.)</u>
<u>2008</u>	<u>31,859,280</u>
<u>2007</u>	<u>78,995,730</u>
<u>2006</u>	<u>11,159,940</u>
<u>2005</u>	<u>11,374,610</u>
<u>2004</u>	<u>11,683,588</u>

4. List previous five years records for annual peak-to-average daily use ratio  
(See #3, Appendix A)

<u>Year</u>	<u>Average MGD</u>	<u>Peak MGD</u>	<u>Ratio</u>
<u>2008</u>	<u>4.4</u>	<u>6.7</u>	<u>1.52</u>
<u>2007</u>	<u>3.6</u>	<u>5.1</u>	<u>1.42</u>
<u>2006</u>	<u>3.9</u>	<u>6.0</u>	<u>1.54</u>
<u>2005</u>	<u>4.0</u>	<u>4.7</u>	<u>1.18</u>
<u>2004</u>	<u>3.2</u>	<u>4.2</u>	<u>1.31</u>

5. Total per capita water use for previous five years (See #4, Appendix A):

<u>Year</u>	<u>Population</u>	<u>Total Diverted (or Treated Less Wholesale Sales (1,000 gal.))</u>	<u>Per Capita (gpcd)</u>
<u>2008</u>	<u>31,995</u>	<u>1,545,304,800</u>	<u>132</u>
<u>2007</u>	<u>30,027</u>	<u>1,260,707,900</u>	<u>115</u>
<u>2006</u>	<u>29,243</u>	<u>1,308,133,900</u>	<u>123</u>
<u>2005</u>	<u>29,418</u>	<u>1,195,114,997</u>	<u>111</u>
<u>2004</u>	<u>29,126</u>	<u>1,109,382,500</u>	<u>104</u>

6. Seasonal water use for the previous five years (in gallons per person per day)  
(See #5, Appendix A):

<u>Year</u>	<u>Population</u>	<u>Base Per Capita Use</u>	<u>Summer Per Capita Use</u>
<u>2008</u>	<u>31,995</u>	<u>316</u>	<u>604</u>
<u>2007</u>	<u>30,027</u>	<u>300</u>	<u>398</u>
<u>2006</u>	<u>29,243</u>	<u>285</u>	<u>544</u>
<u>2005</u>	<u>29,418</u>	<u>270</u>	<u>446</u>
<u>2004</u>	<u>29,126</u>	<u>289</u>	<u>415</u>

## B. Projected Water Demands

Project water supply requirements for at least the next ten years using population trends, historical water use, and economic growth, etc. Indicate sources of data and how projected water demands were determined.

Attach additional sheets if necessary.

**III. WATER SUPPLY SYSTEM**

**A. Water Supply Sources**

List all current water supply sources and the amounts available with each:

	<u>Source</u>	<u>Amount Available</u>
Surface Water:	_____	_____ MGD
Groundwater:	_____	_____ MGD
Contracts:	<u>BCWCID (SURFACE)</u>	<u>13.5</u> MGD
Other:	_____	_____ MGD

**B. Treatment and Distribution System**

1. Design daily capacity of system: \_\_\_\_\_ MGD
2. Storage Capacity: Elevated 4,560,000 MGD, Ground 3,550,000 MGD
3. If surface water, do you recycle filter backwash to the head of the plant?  
Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, approximately \_\_\_\_\_ MGD.
4. Please describe the water system. Include the number of treatment plants, wells, and storage tanks. If possible, include a sketch of the system layout.

IV. WASTEWATER UTILITY SYSTEM

A. Wastewater System Data

NW = 4

NE = 2.5

1. Design capacity of wastewater treatment plant(s): S = 2.5 MGD

2. Is treated effluent used for irrigation on-site , off-site , plant washdown , or chlorination/dechlorination ? ~~NE PLANT ONLY~~  
If yes, approximately 9 MGD gallons per month. Could this be substituted for potable water now being used in these areas ? FOLK COURSE

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed of. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and, if wastewater is discharged, the receiving stream. Please provide a sketch or map which locates the plant(s) and discharge points or disposal sites.

B. Wastewater Data for Service Area

1. Percent of water service area served by wastewater system:  %

2. Monthly volume treated for previous three years (in 1,000 gallons):

Year	_____	_____	_____
January	_____	_____	_____
February	_____	_____	_____
March	_____	_____	_____
April	_____	_____	_____
May	_____	_____	_____
June	_____	_____	_____
July	_____	_____	_____
August	_____	_____	_____
September	_____	_____	_____
October	_____	_____	_____
November	_____	_____	_____
December	_____	_____	_____
Total	_____	_____	_____

*Handwritten signature and scribbles over the table.*

PAGE 4, SECTION 2

<b>CUSTOMER</b>	<b>YEAR</b>	<b>CONSUMPTION AMOUNT</b>
TOPSEY	2004	20,441,800
TOPSEY	2005	22,899,600
TOPSEY	2006	23,571,400
TOPSEY	2007	20,172,500
CTC	2004	37,491,000
CTC	2005	37,086,000
CTC	2006	45,640,600
CTC	2007	41,196,500
CEDAR GROVE	2004	3,133,500
CEDAR GROVE	2005	5,728,200
CEDAR GROVE	2006	5,191,100
CEDAR GROVE	2007	3,789,100
CEDAR GROVE	2008	6,183,900

DATE	NW	S	NE	DATE	NW	NE	S
JAN. '05	2.213	.643		JAN. '07	1.184	.817	.607
FEB. '05	2.922	.816		FEB. '07	.984	.782	.509
MAR. '05	2.883	.798		MAR. '07	1.490	1.204	.753
APR. '05	1.751	.574		APR. '07	1.677	1.301	.884
MAY '05	1.638	.527		MAY '07	2.022	1.969	1.402
JUNE '05	.822	.482	.656	JUNE '07	2.532	1.886	1.333
JULY '05	.708	.429	.641	JULY '07	2.335	1.912	1.540
AUG. '05	.903	.474	.736	AUG. '07	1.150	1.160	.771
SEPT. '05	.769	.460	.639	SEPT. '07	.911	1.141	.559
OCT. '05	.731	.460	.613	OCT. '07	.779	.954	.496
NOV. '05	.724	.455	.607	NOV. '07	.809	.778	.493
DEC. '05	.721	.416	.634	DEC. '07	.839	.783	.507
JAN. '06	.737	.450	.581	JAN. '08	.830	.746	.523
FEB. '06	.762	.445	.623	FEB. '08	.848	.860	.488
MAR. '06	.885	.488	.671	MAR. '08	1.014	.949	.509
APR. '06	.854	.472	.692	APR. '08	.896	.846	.480
MAY '06	.925	.511	.858	MAY '08	1.087	.931	.561
JUNE '06	.667	.426	.833	JUNE '08	.764	.695	.429
JULY '06	.647	.429	.862	JULY '08	.682	.645	.394
AUG. '06	.596	.404	.684	AUG. '08	.706	.691	.394
SEPT. '06	.620	.449	.774	SEPT. '08	.705	.646	.384
OCT. '06	.699	.458	.711	OCT. '08	.793	.604	.416
NOV. '06	.709	.444	.655	NOV. '08	.764	.589	.397
DEC. '06	.799	.467	.612	DEC. '08	.796	.678	.419

1. N.W. PLANT = 4 MGD  
N.E. PLANT = 2.5 MGD  
SOUTH PLANT = 2.5 MGD
2. IRRIGATION OFF-SITE (NE PLANT ONLY) USED ON GOLF COURSE, APPROX 9 MG PER MONTH. IT IS SUBSTITUTED FOR POTABLE. WE HAVE REUSE REGISTRATIONS FOR ALL THREE PLANTS.
3. THREE TREATMENT PLANTS (SEE ABOVE #1). TREATED WASTEWATER IS DISCHARGED TO THE STREAMS OF THE STATE. NE PLANT PROVIDES EFFLUENT FOR IRRIGATION OF GOLF COURSE. TREATMENT PLANTS ARE OWNED AND OPERATED BY THE CITY OF COPPERAS COVE. NW AND NE PLANTS DISCHARGE TO HOUSE CREEK AND THE SOUTH PLANT DISCHARGES TO CLEAR CREEK. TCEQ PLANT NAMES AND NUMBERS FOLLOW:

NORTHWEST WWTP	TPDES WQ0010045005
NORTHEAST WWTP	TPDES WQ0010045004
SOUTH WWTP	TPDES WQ0010045003

B. APPROX. 80%

**Plants:** Don't overwater your houseplants. More plants die from over-watering than from drying out. Collect rainwater or recycle water from fish tanks to water your plants.

## DON'T WAIT TO FIX LEAKS!

Leaks can account for 10 percent or more of the water bill and waste both water and energy if the source is a hot water faucet. In the average household, water lost through leakage can be 9.5 gallons per person per day. For example, a toilet with a silent leak can waste 2,700 gallons of water a month.

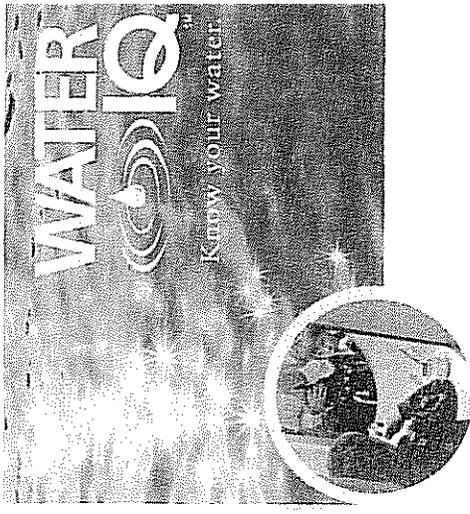
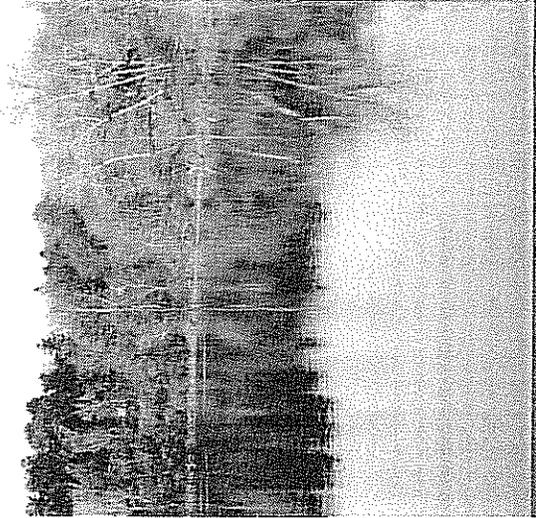
**Toilet Leaks:** Most of the water lost to leaks is attributable to toilet leakage. Approximately 25 percent of all toilets leak. To determine if the toilet is leaking, remove the tank lid after the tank has stopped filling. You may be able to see a leak or hear water running. If not, you may still have a "silent leak." To test for a silent leak, mix a few drops of food coloring or place a dye capsule or tablet (available from home improvement centers and many utilities) into the water in the toilet tank. Do not flush the toilet. Wait about 10 minutes, and if the dye appears in the toilet bowl, the toilet has a silent leak. The most common causes of toilet leaks are: worn or improperly seated flappers, worn or broken ball cocks (try replacing washers and tightening screws first), leaking refill valves, broken or improperly adjusted lift chains and handle rods, or poorly sized replacement parts. Toilet parts can deteriorate faster when automatic toilet bowl cleaners are used. Check each item, replace worn parts with good quality parts as necessary, and request to make sure the leak has been fixed. Universal parts often do not work, so you may need to ask for replacement parts specific to your toilet brand.

**Faucet Leaks:** Faucet leaks are usually caused by worn washers or "O" rings (for a washerless faucet), which are inexpensive and can be replaced with a

screwdriver and an adjustable wrench. If that doesn't work, you may need to replace the entire stem assembly. Note the faucet brand and take the original part with you to a home improvement center.

**Other Leaks:** The water meter can be used to check for invisible or unnoticed leaks. Turn off all faucets and water-using appliances. Read the dial on the water meter and record the reading. After 15 to 20 minutes, recheck the meter. If no water has been used and the reading has changed, a leak is occurring somewhere in the plumbing system. The services of a plumber or trained water utility employee are often required to locate and fix these invisible leaks. The water meter is often located along the property line near the street.

Developed by the Texas Water Development Board. Some reference material was adapted from the *Handbook of Water Use and Conservation* by Amy Vickers (WaterFlow Press, 2001).



# BE WATER SMART INDOORS

## WHY?

According to the Texas State Water Plan, Texas existing water sources will meet only 75 percent of the projected water demand by 2050. Single-family residential indoor water use in the U.S. is an average of 69 gallons per person per day. You can easily save 20 gallons per day just by installing water-efficient fixtures and reducing leaks. Practicing good water use habits can save even more. Using water more efficiently will also save energy and money and protect the quality of life of future generations. We must be responsible and save water now.



WaterIQ.org

Texas Water Development Board

P.O. Box 13231

Austin, Texas 78711-3231

www.twdh.state.tx.us

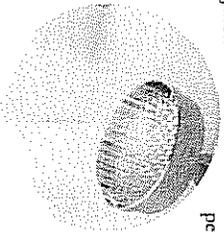
## WHAT CAN YOU DO?

### Install Water-Efficient Appliances

**Toilets:** Standard toilets manufactured before 1980 usually require 5 to 7 gallons per flush (gpf), and toilets sold during the 1980s use 3.5 gpf. Since 1992 in Texas, new toilets must use no more than 1.6 gpf. Replacing older, larger-use toilets with the newer models can result in significant water and sewer savings. If you replace a 3.5- or 5-gpf toilet with a 1.6-gpf toilet, you can save about 9,740 to 17,300 gallons per year. It's a myth that low-volume flush toilets don't work as well. In fact, the operating and cleaning performance of many models of low-volume fixtures is better than that of the older fixtures. Water can also be conserved in the larger-use toilets by installing displacement devices such as a plastic bottle or bag (do not use a brick—it can crumble and damage the fixture). These devices can save 0.5 to 1.5 gpf in older fixtures, and although they are much cheaper than replacement of high-volume toilets, they save significantly less water and do not last as long.

**Showers:** Showers installed in the 1980s use 3 to 4 gallons per minute and pre-1980 showerheads use 5 to 8 gallons per minute. Since 1992 in Texas, and 1994 nationally, new showerheads must use a maximum of 2.5 gallons per minute at 80 pounds per square inch. Currently available water-efficient showerheads work much better than early models produced in the 1980s, and even good 1.5-gallon per minute models are available. Installing a water-efficient showerhead is the single most effective water-saving step that you can take inside your home.

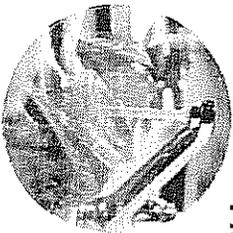
**Sinks:** Installing faucet aerators on lavatory and kitchen sinks can save up to one-half the amount of water used by sinks without aerators. Since 1992 in



Texas, new faucets must use a maximum of 2.2 gallons per minute at 60 pounds per square inch. Aerators are inexpensive and do not require any special adapters. Faucets that do not have aerators can use up to 7 gallons per minute. The flow rate of bathroom faucets does not need to be as high as kitchen faucets. Bathroom faucets need only 1 to 1.5 gallons per minute.

**Washing Machines:** When buying a washer, look for one that has adjustable or automatically adjusting water levels for different load sizes and ideally one that is a high-efficiency washer. High-efficiency clothes washers use 18 to 25 gallons per load, while conventional washers manufactured in the 1980s use 48 to 55 gallons per load, and washers manufactured since 1990 use about 39 to 43 gallons. High-efficiency washers use 35 to 55 percent less water and 50 percent less energy. In addition, high-efficiency washers are capable of extracting more water from clothes during the spin cycle, reducing the time and energy needed for drying. They also require less detergent, rinse more thoroughly, are less abrasive on clothes, and can fit larger capacity loads in the same size drum.

**Dishwashers:** Water-efficient dishwashers use a maximum of 7 gallons per load, but some use as little as 4.5 gallons. Although dishwasher use may be a small percentage of household use, dishwashers manufactured before 1990 use about 1/4 gallons per load, so replacing an older model with a water-efficient model could cut dishwasher water use in half.



## PRACTICE GOOD WATER-USE HABITS

**In the bathroom:** Don't use your toilet as a trash can for paper and facial tissues.

**At the sink:** Turn the water off when you aren't using it. Instead of allowing the tap water to run while brushing, run it just to wet and rinse the toothbrush. Apply the same idea when washing your hands. Use only as much water flow as you really need. Fill the sink with water instead of letting the water run continuously while shaving.

**In the shower:** Take shorter showers and take a shower instead of a bath. Showers with water-efficient showerheads often use less water than a bath. Turn off the water while you are shampooing your hair.

**When washing dishes:** Only run the dishwasher with a full load. This practice will save water, energy, detergent, and money. If your dishes are only lightly soiled, use the short wash cycle. Dry scrape dishes instead of rinsing them and do not pre-rinse dishes if you are using the dishwasher. When washing dishes by hand, fill a basin or the sink with soapy water instead of letting the water run continuously. Soak pans rather than scrubbing them while the water is running.

**Fill the other basin with rinse water** of at least run the water at minimum volume during rinsing.

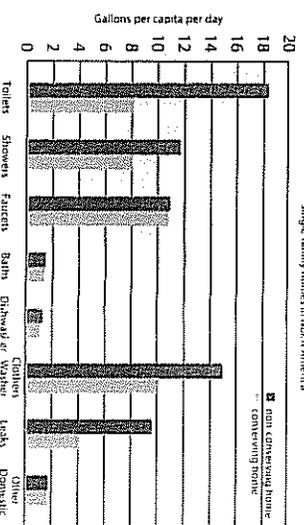
**While cooking:** Rinse produce in a pan of cold water instead of letting the water run while you rinse it. Instead of letting hot water run over frozen foods, transfer them to the refrigerator the night before you need them. Keep a container of water in the refrigerator rather than running tap water until it is cool enough to drink. Use garbage disposals only for really messy stuff, not a heap of food that can easily be dumped in the garbage.

**In the laundry room:** Wash only full loads. If you must wash partial loads, match the load setting with the amount of laundry to be washed. Pre-rinse stains to avoid re-washing. Use the shortest wash cycle for lightly soiled loads as it uses less water than other cycles.

### Around The House:

**Pipes:** Know where your master water shut-off valve is in case a pipe bursts. Insulate hot water pipes. You won't waste water waiting for it to heat up and you will save energy too. Install under-the-counter instant water heaters so you don't waste water while waiting on it to get hot. Use aerators on faucets.

**Water Softeners:** Install water softening systems only when necessary, and if you have one, save water and salt by running the minimum amount of regenerations necessary to maintain water softness. Turn softeners off while on vacation.



Source: Handbook of Water Use and Conservation, 2001.

Decorative fountains should be turned off on windy days and during drought.

## WATER-WISE IRRIGATION EQUIPMENT

### What is the most efficient irrigation system?

Drip irrigation is the most efficient method of watering for non-turf areas such as bedded plants, trees or shrubs. Drip systems minimize or eliminate evaporation, impede weed growth, and may help prevent diseases caused by under or overwatering. Tubing should be inspected regularly for damage, leaks, and debris that may have clogged the lines. Soaker hoses are an easy and inexpensive alternative to drip irrigation. Soaker hoses perform best when the water flow rate is low. Soil moisture should be monitored to determine when enough water has been applied.

### What type of sprinkler should I use?

Use a low-angle sprinkler that produces large drops of water close to the ground, rather than an oscillating sprinkler or a sprinkler that produces a mist or fine spray. This will help to minimize evaporation. Sprinklers with adjustable spray patterns are useful for irregularly shaped areas (or just use the hose). Use a timer so you don't forget to turn it off.

### How should I manage my automatic sprinkler system for water efficiency?

Automatic sprinkler systems can provide an efficient method of irrigating lawns because controllers turn the system off after a predetermined amount of time, so a measured amount of water can be applied. However, don't just set it in the spring and leave it all season. Adjust run time and frequency of the system monthly to respond to changing rainfall and temperature conditions. Install rain shut off devices or moisture sensors to avoid unnecessary watering. Adjust sprinklers to eliminate overspray on

pavement. Don't assume that all plants have the same watering requirements. Reduce the run time of sprinklers on shrubs, which may not need as much water as grass. Shady areas may not need as much water either. To minimize runoff, adjust the precipitation rate of the sprinkler head so the soil has enough time to absorb the water. Trim overgrown shrubs or other objects obstructing the spray pattern. Contact a professional landscape irrigation specialist for a maintenance check.

### What maintenance is required for my automatic sprinkler system?

Check sprinkler heads regularly to remove dirt or debris that may be clogging the nozzle and to make sure they are working at the proper pressure and not leaking. When spray heads are inactive they should be as close to the ground as possible to avoid damaging them with lawn mowers. Repair or replace broken heads, valves, seals, and pipes. Make sure the last group of sprinklers shuts off completely when the next group of sprinklers turns on. If not, check the valves. Once a month run the sprinklers for a short time on each cycle while you are at home to make sure they are working properly.

### What features should I look for in an automatic sprinkler system?

The controller of new sprinkler systems should have a multiple scheduling option, a rain-shutoff device, a water budget feature (which allows percentage adjustments without having to reprogram), and test functions.

## DESIGN A WATER-WISE LANDSCAPE

Plant water-wise, well-adapted and/or native shrubs and trees: Bermuda, buffalograss, and zoysia are drought-tolerant grasses. Choose plants that are drought tolerant (or at least have low water requirements), heat tolerant, and are tolerant of the

minimum winter temperatures in your local area. Instead of grass, put drought-tolerant ground cover in areas that are narrow, small, sloping, odd-shaped, or close to pavement. Limit turf areas to those needed for practical uses. Group your plants into irrigation zones according to their water requirements (hydrozoning) so you don't overwater one type of plant to meet the needs of another (for instance most shrubs don't need as much water as most grass). If you have to have a few thirsty plants, group them together and place them near your house. Native plants are more resistant to local plant diseases and pests. Contact your County Extension Agent, your water-wise landscape professional, or your city or water supplier for recommendations of water-wise plants that are adapted to your area of the state and additional information on efficient landscape water use.



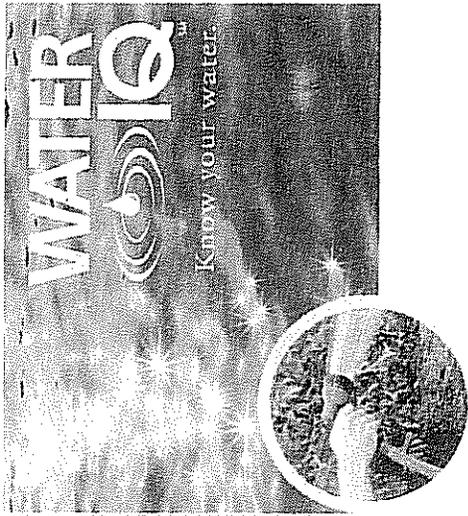
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1001 Water Development Blvd

P.O. Box 13231

Austin, Texas 78711-3231

www.wateriq.org



## BE WATER-WISE OUTDOORS

### WHY?

According to the Texas State Water Plan, Texas' existing water resources will meet only 75 percent of the projected water demand by 2050. We must use our precious water resources more efficiently or we will have more frequent and more severe water shortages, especially during droughts and hot Texas summers when water use is 1.5 to 3 times greater than winter use. In the summer, outdoor water use can account for 50 to 80 percent of home water use. Much of this water is wasted through inefficient landscape watering practices. Using water more efficiently will save money and protect the quality of life of future generations. We must be responsible and save water now.

## WATER-WISE STEPS TO FOLLOW

Many Texas water utilities charge higher rates during the summer or increase rates in increments based on use. Reducing your outdoor water use by following these steps can produce substantial savings in your water bill.



- Determine how much water your landscape needs to stay healthy.
- Use water-wise landscape maintenance practices such as proper mowing, mulching, and moderate fertilizing.
- Minimize water evaporation by using the most efficient equipment for each situation and keep that equipment well-maintained.
- Design a water-wise landscape by planting drought-tolerant grass and choosing plants that are native or well adapted to the climate conditions in your area.

## WATER-WISE LANDSCAPE WATERING

**When should I water?**  
Pay attention to signs of stressed grass, such as a dull green color, footprints that remain visible after walking on the lawn, or curled leaf blades. Water only after the top 2 inches of the soil has dried out. Check moisture by feel with a soil probe or a screwdriver.

**What time of day should I water?**  
Evaporation loss can be 60 percent higher during the day, so water during the early morning or in the evening. Do not water on windy days. Proper watering at night does not contribute to brown patch fungus, which is caused by overwatering and excessive fertilizer use.

**How often should I water?**  
Proper watering, 1 inch of water once every five days or more, will help grass and shrubs develop deep roots (it is especially important to start this during the spring when root growth is at its peak). Over-watered turf will have a short root system and will not be drought tolerant, but it can be trained to grow deeper roots and be drought tolerant by adjusting it slowly to successively longer periods between waterings.

**How long should I water?**  
To determine how long you should run your sprinkler, place three to five empty straight-edged cans at different distances away from the sprinkler. Run the sprinkler for 15 minutes and measure the amount of water collected in each can. Calculate an average water depth and determine how long it will take to apply 1 inch of water. Don't forget to account for any rainfall since the last irrigation. Some cities have daily updated information online or by phone about how much water should be applied based on local weather conditions. To avoid runoff on sloping areas, place sprinklers near the top of the slope and apply water slowly and intermittently ("cycle soak").

**What should I water?**  
Only your plants. Don't water the sidewalks and driveways. Use a broom to sweep debris away. This can save 30 gallons per 5 minutes of work.

**How can I use rainwater?**  
Harvest it. Funnel the water from your gutters into a barrel or cistern and save it for a sunny day. Rainwater is free, and it is better for your plants because it doesn't contain hard minerals. Also the pH of rainwater may be better for plants.

## WATER-WISE LANDSCAPE MAINTENANCE

**How long should my grass be?**  
Don't scalp your lawn. Taller grass holds moisture better, encourages deeper root growth, and makes it less susceptible to browning. Keep grass 3 inches tall during the summer (however, more than 3 inches of height stresses the grass).

**When should I mow?**  
Cut grass only when it is dry, keep mowing blades sharp, and don't cut more than one-third of its length at one time.

**What should I do with my grass clippings?**  
Don't bag your clippings! Mulched grass clippings break down fast and do not cause thatch buildup in turf. They also help hold in moisture, reduce evaporation, moderate temperature and give nutrients back to the lawn.

**How can I conserve soil moisture?**  
Use lots of mulch. It will make your shrubs and young trees more tolerant to the scorching Texas heat. One to 3 inches of mulch retains moisture, reduces runoff, helps moderate soil temperatures, aids in root development, reduces erosion, slows weed growth, prevents soil compaction, and makes your landscape beautiful. Rock and gravel in large, hot sunny areas radiate heat from the sun, and may increase temperatures and water losses from plants and soil. Place mulch directly on the soil or on weed barrier fabric that can "breathe." Avoid using sheet plastic in planting areas. Top dressing (applying a thin layer of compost to the surface of the lawn) functions like mulch for your lawn. It increases organic content, and it protects grass roots.

## What should I know about fertilizing?

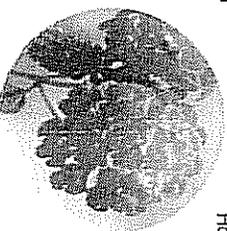
Contact your County Agricultural Extension Service or local water-wise nursery professional for a soil kit and recommendations for the ratio of nitrogen, phosphorus, and potassium that should be in your fertilizer. The right ratio of nutrients helps grass withstand stress, uses less water, and reduces excessive nutrient runoff. Spring and fall applications of fertilizer help to develop good root systems, which keep your grass more drought tolerant. Too much fertilizing causes excessive growth, creating more demand for water, more thatch, and the need for increased mowing frequency. Many people apply too much fertilizer, which simply runs off and pollutes local waterways. Leaving grass clippings on the lawn reduces the need for chemical fertilizers.

## How else can I improve my landscape?

Improve the soil. If your original soil is rocky, sandy, shallow, heavy clay, or has little organic matter, it can be improved by adding several inches of high quality loam soil and 2 to 3 inches of organic matter such as mulch or compost. High quality soil helps reduce irrigation needs by retaining water better when added to sandy soil and by absorbing water better when added to clay soil. Unless the soil is damaged or depleted, native and well-adapted plants may not require imported soil. Shape the soil into contour basins around shrubs. Aerate the lawn once a year. Weed the lawn and garden as needed. Weeds rob plants of valuable water.

## How else can I minimize water use?

Cover pools and spas when not in use to lessen evaporation. In the summer in Texas a 30-foot by 15-foot pool can easily lose 1.5 inches of water a week or 1,800 gallons of water a month! Backwash your filter only as necessary. Backwashing uses as much as 150 gallons of water, so consider using cartridge-type filters, which do not require backwashing.



# Texas Lawn Watering Guide

## Did you know?

Landscape irrigation can account for more than 50 percent of all the water used in Texas during the summer. Unfortunately, about half of this water is wasted due to over-watering or runoff.

Soil type, landscape slope, water requirements of the turfgrass type, and sprinkler efficiency all affect how often you need to water.

Turfgrass generally requires more frequent watering than water-wise plants. That is why it is important to use turfgrass sparingly and in functional areas that can be efficiently watered.

## Soil Type

Lawns grown in sandy soil require shorter, more frequent watering than lawns in loam or clay soils. Water can be applied less often to clay and loam soils, but it should be applied more slowly to prevent runoff. Soils can be improved by topdressing the lawn with about one-half inch of compost per year. If you are establishing a new lawn, consider blending topsoil with about 25 percent compost. Soil testing offered through your local County Agricultural Extension Service will enable you to determine the best product for your lawn.

## Slope

To avoid runoff on sloping areas, "cycle-soak." Apply water slowly for 5 to 15 minutes, off 15 minutes, then on 5 to 15 minutes, etc. until you have applied the correct amount of water. Groundcovers work well in areas that are sloping, narrow, small, odd-shaped, or close to pavement. These areas are hard to water without runoff and overspray.

## Trees, Shrubs, & Groundcover

Established plantings do well in the summer when watered about once a week, especially if mulch is placed around plants. Mulch reduces evaporation of water from the soil and moderates soil temperatures. Low output sprinkler heads, bubblers, or drip irrigation systems will decrease runoff and are efficient ways to apply water. New plantings may require more frequent watering to help with establishment. Grass and weed removal from beneath trees and shrubs allows their roots to be more evenly distributed, increase in number, and utilize a larger volume of soil. Consider Texas-Grown, water-wise varieties when purchasing new or replacement plants.

## When?

Turfgrass takes on a dull, dark appearance and leaves begin to roll when they need water. The best time to water is early morning or late evening when winds are calmer and temperatures are lower.

resulting in less water loss to evaporation. Water lines tend to have better pressure during these times.

### How Much?

Apply enough water to wet the soil to a depth of four to six inches, reaching the plant's root system. Use a soil probe or screwdriver to determine the depth the water actually reaches. Soil type, amount of rainfall, and season of the year all affect the amount of water you will need to apply. Healthy, properly irrigated turf rarely requires more than one inch of water per week during the summer months. Unless there is an extended dry spell, there is rarely a need to irrigate during the winter when the plants are dormant.

### Application Strategy

Use a sprinkler that emits large drops of water that remain close to the ground, rather than one that sprays a fine mist into the air. Water deeply and infrequently to encourage deep, well established root systems. Water trees, shrubs, and other landscape plants separately from turf.

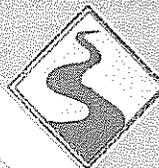
### Determine Application Amount

1. Determine how much water your sprinkler applies:
  - A. Set three to five empty cans at different distances from the sprinkler with the last can near the edge of the sprinkler coverage.
  - B. Run the sprinkler for 15 minutes.
  - C. Measure the amount of water collected in each can in inches.
  - D. Add together the measurements from each can and divide the total by the number of cans to obtain an average.
  - E. Multiply the average by 4 to determine how many inches of water are applied in 1 hour.
2. One inch of water every five days or longer is sufficient for most common grasses during the summer. Buffalo grass needs less water. Don't forget to account for rainfall.
3. This test will also locate uneven distribution of the sprinkler system and define wet and dry spots.

Avg Depth in Containers	1/4"	3/8"	1/2"	5/8"	3/4"
Run-time (min.)	60	40	30	24	20

For more information, contact your County Agricultural Extension Agent, local waterwise landscape professional, or the Texas WaterWise Council ([www.waterwisetexas.org](http://www.waterwisetexas.org))

Developed by the Texas Water Development Board in cooperation with the Lower Colorado River Authority and the City of Austin Water Conservation.  
[www.twdb.state.tx.us](http://www.twdb.state.tx.us)



**CITY OF COPPERAS COVE  
ADOPTED FEE SCHEDULE  
EFFECTIVE OCTOBER 1, 2008**

*Ordinance 2008-34 (Exhibit 1)*

	Fee
Daily (per round)	\$12.00
Handicaps - Annual	\$20.00

**ADMINISTRATIVE FEES-NON DEPARTMENTAL**

Returned Checks Fee	\$30.00
NSF Electronic Draft Fee	\$30.00

**Charges for providing copies of public information:**

Paper Copy - Standard Size 8 1/2 x 11 (per page)	\$0.10
Oversized Paper Copies 11x17 (per page)	\$0.50
Posting/Shipping Charges	Actual Cost
Compact Disc	\$1.00
DVD	\$3.00

**Non-standard Size Copies:**

- Diskette (each)	\$1.00
- Magnetic Tape (each)	\$12.00
- VHS Video Cassette (each)	\$2.50
- Audio Cassette (each)	\$1.00
- Other Charges	Actual Cost

**Computer Resource Charges:**

- Mainframe (per minute)	\$10.00
- Midrange (per minute)	\$1.50
- Client/Server (per hour)	\$2.20
- PC or LAN (per hour)	\$1.00
- Programming Time (per hour)	\$26.00

**Fax Charges:**

- Local (per page)	\$0.10
- Long Distance/Same Area (per page)	\$0.50
- Long Distance/Other Area Code (per page)	\$1.00

Personnel (per hour)	\$15.00
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**UTILITIES**

Service Run for Multiple Trips to Residence/Location	\$25.00
Reread Meter Service Run	\$10.00
Transfer Fee	\$25.00
Late Charge	\$25.00
Pulled Meter/Plugged Meter	\$75.00
Meter Accuracy Check	\$15.00
Fire Hydrant Meter Deposit	\$650.00
Fire Hydrant Water use - per 1,000 Gallons	\$4.49
Fire Hydrant Meter Monthly Rental Charge	\$50.00
Unauthorized Service - (when meter is turned on or off by	\$75.00

**CITY OF COPPERAS COVE  
ADOPTED FEE SCHEDULE  
EFFECTIVE OCTOBER 1, 2008**

*Ordinance 2008-34 (Exhibit 1)*

	<b>Fee</b>
anyone other than water department personnel)	
Utilities Automatic Draft from Checking/Savings	FREE
Utilities Pay by Credit Card Processing Fees	\$1.25
Utilities Check Processing Fee per \$150 transaction (phone/on-line option)	\$3.75
Riser Deposit	\$50.00
Reconnect Fee	\$25.00
New 3/4" Water Tap ** into city water main (incl. srv. conn.)	\$575.00
Water Tap 1" and larger into city water main (incl. srv. conn.)	3/4" tap fee + additional time and materials
New 3/4" Water Tap srv. Connection for an existing water service.	\$200.00
New Water Tap 1" and larger srv. Connection for an existing water service.	3/4" tap fee + additional time and materials

**The following cash deposits shall be required for each meter prior to having water services started:**

**Water customers deposits:**

3/4" meter	\$34.00
1" meter	\$92.00
1-1/2" meter	\$133.00
2" meter	\$528.00
3" or larger meter	\$750.00

**Sewer customers deposits:**

Residential	\$21.00
Multi-family	\$291.00
Commercial	\$51.00
Hotel/motel	\$184.00
Government	\$280.00
Industrial	\$394.00

**Minimum fees for the meter size:**

3/4" meter	\$11.00
1" meter	\$15.50
1-1/2" meter	\$23.00
2" meter	\$34.00
3" meter	\$90.00
4" meter	\$141.00
6" meter	\$239.00
Contractor	\$11.00
Bulk	\$11.00

**Rate per 1,000 Gallons of Water:**

3/4" meter	\$2.85
1" meter	\$3.11
1-1/2" meter	\$3.49
2" meter	\$3.65
3" meter	\$3.65
4" meter	\$3.65
3" meter	\$3.65
Bulk Meter	\$4.49
Contractor	\$4.49

**CITY OF COPPERAS COVE  
ADOPTED FEE SCHEDULE  
EFFECTIVE OCTOBER 1, 2008**

*Ordinance 2008-34 (Exhibit 1)*

	<b>Fee</b>
<b>Sale of water to customers-outside city limits -- Minimum Rates:</b>	
3/4" meter	\$16.00
1" meter	\$22.00
1-1/2" meter	\$34.00
2" meter	\$50.00
3" meter	\$120.00
4" meter	\$200.00
6" meter	\$350.00
 <b>Drainage (residential):</b>	
Residential Single Family	\$6.00
Master Meter multi-family (bill to owner/property mgr.) - minimum ***	\$6.00
Individual Meter Duplex (per unit) ***	\$3.60
Individual Metered 3-4 unit (per unit) ***	\$3.60
5 or more units (Individual Metered) - minimum ***	\$6.00
<i>***For the exact amount please refer to the City Ordinance - Article I, Sec. 11-5. City uses a formula to assess the charge.</i>	
 <b>Drainage (non-residential) - minimum ***</b>	 <b>\$6.00</b>
<i>***For the exact amount please refer to the City Ordinance - Article I, Sec. 11-5. City uses a formula to assess the charge.</i>	
 <b>Sewer</b>	
Sewer minimum rate (all customers)	\$11.00
Rate per 1,000 Gallons of Water	\$3.50
6" Sewer Tap **	\$750.00
Sewer Tap larger than 6"	6" tap fee + additional time and materials
Water Connect Fee *	\$250.00
Sewer Connect Fee*	\$80.00
Connect Fee	\$15.00
Meter Box Reset Fee	\$150.00
After Hours Service Run	\$50.00

\* Fee charged in those instances where tap exists or is being installed by an external party.

\*\* In those instances where a street cut is required and being done by an external party, a street cut fee will be assessed in addition to the tap fees.

**SOLID WASTE**

Solid Waste Deposit (residential)	\$35.00
Solid Waste Deposit (commercial)	\$60.00
 <b>Residential Monthly rates:</b>	
One-family residence	\$13.00
Two-family residence on one water meter	\$26.00
Two-family residence on separate water meters	\$13.00
Additional container	\$13.00
Bulky items/White goods at the curb pick up (3 cubic yards)	\$18.00

**CITY OF COPPERAS COVE  
ADOPTED FEE SCHEDULE  
EFFECTIVE OCTOBER 1, 2008**

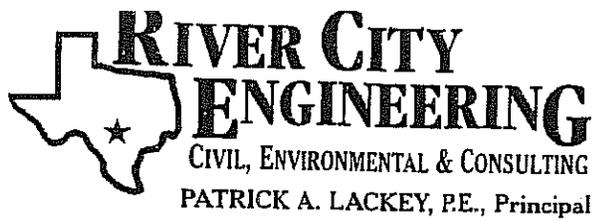
*Ordinance 2008-34 (Exhibit 1)*

	<b>Fee</b>
Bulky items/White goods in excess of 3 cubic yards - per cubic yard	\$6.00
Missed service fee	\$10.00
Non payment container confiscation	\$25.00
Service fee to replace lost, stolen, or damaged container	\$15.00
Service fee to find lost container	\$25.00
Exchange for a larger container	\$10.00
Fee for overloaded container	\$4.50
Automated container reload for excess garbage (per load; 2 loads max)	\$4.50
Removal of container from curb by city employees	\$7.50
Brush in excess of 3x3x10 (3 cubic yards) - per cubic yard	\$6.00
 <b>Commercial Monthly Rates for 96 Gallon Container:</b>	
Twice-a-week pickup of one automated container	\$21.00
Twice-a-week pickup for one additional container	\$34.00
Twice-a-week pickup for two additional containers	\$47.00
Automated container reload for excess garbage (per load; 2 loads max)	\$4.50
Fee for overloaded container	\$4.50
 <b>Commercial Collection Dumpster Rates:</b>	
3 cubic yard for 1 day Pickup	\$57.99
4 cubic yard for 1 day Pickup	\$77.31
6 cubic yard for 1 day Pickup	\$96.65
8 cubic yard for 1 day Pickup	\$119.55
10 cubic yard for 1 day Pickup	\$152.85
3 cubic yard for 2 day Pickup	\$109.72
4 cubic yard for 2 day Pickup	\$133.79
6 cubic yard for 2 day Pickup	\$172.12
8 cubic yard for 2 day Pickup	\$212.86
10 cubic yard for 2 day Pickup	\$268.73
3 cubic yard for 3 day Pickup	\$148.78
4 cubic yard for 3 day Pickup	\$182.24
6 cubic yard for 3 day Pickup	\$236.46
8 cubic yard for 3 day Pickup	\$302.72
10 cubic yard for 3 day Pickup	\$384.12
3 cubic yard for 4 day Pickup	\$193.97
4 cubic yard for 4 day Pickup	\$238.32
6 cubic yard for 4 day Pickup	\$309.82
8 cubic yard for 4 day Pickup	\$397.70
10 cubic yard for 4 day Pickup	\$500.50
3 cubic yard for 5 day Pickup	\$237.92
4 cubic yard for 5 day Pickup	\$294.40
6 cubic yard for 5 day Pickup	\$380.73
8 cubic yard for 5 day Pickup	\$489.36
10 cubic yard for 5 day Pickup	\$616.88
 <b>Mechanical assistance to unload items</b>	
Mechanical assistance to unload items	\$40.00
Manual collection (per hour)	\$110.00
Dumpster cleanup due to unsanitary conditions	\$50.00
Dumpster cleaning, painting, and repair after fire	\$185.00

**CITY OF COPPERAS COVE  
ADOPTED FEE SCHEDULE  
EFFECTIVE OCTOBER 1, 2008**

*Ordinance 2008-34 (Exhibit 1)*

	<b>Fee</b>
<b>Disposal Fees:</b>	
- Minimum Charge (up to 240 lbs.)	\$5.64
- Per Ton	\$47.00
Weighing Vehicles	\$8.00
Rear Load Dumpster Rental includes the following	
- Delivery	\$25.00
- Service/Pull Fee (3 cubic yd)	\$25.00
- Service/Pull Fee (6 cubic yd)	\$50.00
- Rental Per Day Fee	\$2.00
<b>Compost:</b>	
- Bulk (per cubic yard)	\$8.50
- Container (up to 30 gallons)	\$2.25
- Delivery (per delivery within City limits only)	\$15.00
Kraft Bags	\$.31+ sales tax
<b>Tire Disposal:</b>	
- Passenger/light truck tire, less than 17.5 " rim diameter	\$3.00
- Truck Tire, greater than or equal to 17.5 " rim diameter	\$7.00
Used Oil Filters	\$1.00
Surcharge for uncovered load	\$12.00
Pull Offs/Transfer Station	\$5.00
Roll Offs (includes the following 5 items):	
- Delivery	\$125.00
- Service/Pull fee	\$125.00
- Rental Per Day (20 cubic yard)	\$4.33
- Rental Per Day (30 cubic yard)	\$4.66
- Rental Per Day (40 cubic yard)	\$5.00
- Disposal (per ton)	\$47.00
- Deposit	\$250.00
Auto-Lid Locks	\$25.00 installation fee, plus \$2.50 monthly rental
<b>Excess Garbage or Overloaded Containers:</b>	
<i>Container Reload Fees while on site</i>	
3 yard container	\$13.96
4 yard container	\$17.52
6 yard container	\$23.31
8 yard container	\$28.62
10 yard container	\$33.60
<i>Return Service</i>	
3 yard container	\$28.53
4 yard container	\$32.09
6 yard container	\$37.88
3 yard container	\$43.19
10 yard container	\$48.17
Deposit for recurring use of the Transfer Station	\$750.00



June 14, 2002

Ms. Kristin Wang  
TNRCC ~ MC 160  
P.O. Box 13087  
Austin, Texas 78711-3087

**Re: Copperas Cove Drought Contingency Plan**

Dear Ms. Wang:

On June 4, 2002, the Copperas Cove City Council passed Ordinance No. 2002-10 approving the City's Drought Contingency Plan. Additionally, the plan has been amended to include Section L, which deals with wholesale water contracts and distribution of water during shortages.

Along with a copy of the ordinance, I am enclosing a copy of the approved Drought Contingency Plan.

If you have any questions, please feel free to contact me.

Sincerely,

*Barbara Lackey*  
Barbara Lackey, P.E.

Enclosures

Cc: Bob McKinnon

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS ADOPTING A CITY WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING NO CULPABLE MENTAL STATE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The Texas Natural Resource Conservation Commission (TNRCC) requires that all Texas municipalities with 3,300 or more water service connections have a Water Conservation and Drought Contingency Plan; and,

WHEREAS, City Staff has reviewed the Water Conservation and Drought Contingency Plan and recommends adoption of said plan.

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

SECTION 1.

That the Water Conservation and Drought Contingency Plan attached hereto as "Exhibit 1" and incorporated herein by reference is hereby adopted.

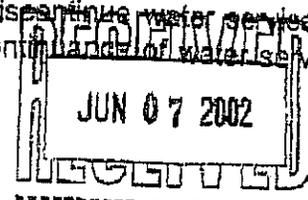
SECTION 2.

**No Culpable Mental State Required.** An offense under this ordinance shall not require a culpable mental state. It is the intent of this ordinance to impose strict liability for any violation of this Water Conservation and Drought Contingency Plan.

SECTION 3.

**Violation and Penalties.** Any City water user who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any of the provisions of this ordinance shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. Each violation of this ordinance shall be deemed a separate offense and each day that a violation exists shall constitute a separate offense. This penalty should not be construed as exclusive, and the City shall be authorized to pursue all other criminal and civil remedies to which it is entitled under the authority of other ordinances or state law, including, but not limited to discontinuance of water service.

In addition to the above penalty, the City is authorized to discontinue water service to any City water user who violates this ordinance. The discontinuance of water service



should not be construed as exclusive, and the City shall be authorized to pursue all other criminal and civil remedies to which it is entitled under the authority of other ordinances or state law.

**SECTION 4.**

That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 5.**

That should any section, clause, or provision of this ordinance be declared invalid by a court of competent jurisdiction, the same 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.

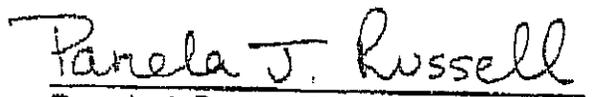
**SECTION 6.**

That this ordinance shall go into effect upon passage.

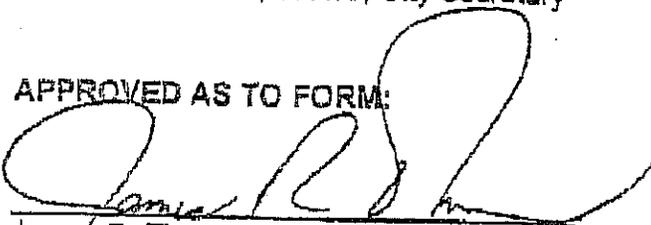
PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of June, 2002, at a regular meeting of the City Council of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, Tex. Gov't. Code §551.001, et.seq., at which meeting a quorum was present and voting.

  
Rodney G. Nauert, Mayor

ATTEST:

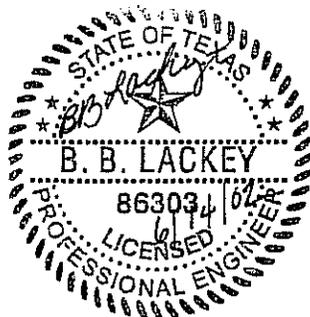
  
Pamela J. Russell, TRMC, City Secretary

APPROVED AS TO FORM:

  
James R. Thompson, Interim City Attorney

# CITY OF COPPERAS COVE

## *WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN JUNE 2002*



*Prepared by:*  
**River City Engineering, Ltd.**  
1011 W County Rd., Suite C  
New Braunfels, Texas 78130  
(210) 527-9772 FAX (830) 626-3601

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## **I. INTRODUCTION**

### **A. Project Location**

The City of Copperas Cove is located in Coryell, Bell and Lampasas Counties along U.S. Highway 190 in the Texas hill country. Copperas Cove is immediately adjacent to Fort Hood and is approximately 33 miles west of Interstate 35. Gatesville is the County seat and is approximately 30 miles north, along FM 116 and U.S. Highway 84. Lampasas is located 15 miles west of Copperas Cove and Austin is approximately 60 miles south.

### **B. Description of Service Area**

The City of Copperas Cove holds a Certificate of Convenience and Necessity (CNN No. 10449) for water service to areas generally within the city limits, as well as adjoining areas outside the City to the northwest to Lutheran Church Road, and up to and including the high ridge west of the town.

### **C. Existing Water Supply and Service**

The City obtains all of its potable water from Bell County Water Control and Improvement District No. 1 (BCWCID No. 1) in accordance with the Water Supply contract dated October 1, 1975. BCWCID No. 1 operates a 53.5 MGD water treatment plant located in Killeen, Belton, and Copperas Cove, Bell County Water Control and Improvements Districts No. 3 and No. 4 and 439 Water Supply Corporation. BCWCID No. 1 takes raw water from Lake Belton under the authorization of the Brazos River Authority (BRA) Certificate of Adjudication No. 12-5160. This plant has been expanded to 80 MGD.

The City's water distribution system is divided into five service areas which function as separate pressure planes known as Central, East, Mountaintop, Long Mountain, and Rattlesnake Mountain. Water supply to the City originates from the BCWCID #1 distribution facility in Killeen, where all flow is delivered to a 500,000-gallon ground storage tank at the Killeen Pump Station. Two sets of supply pumps convey water through parallel transmission facilities along U.S. Highway 190 into Copperas Cove.

### **D. Population Growth**

Copperas Cove is bounded by Fort Hood principally to the east and northeast and recently incorporated City of Kempner approximately seven miles to the west. Two small, unincorporated communities exist beyond Copperas Cove's physical boundary: Topsey and Oakalla. Topsey lies approximately 10 miles northwest of Copperas Cove, and Oakalla 11 miles to the south. These communities are beyond the potential extraterritorial jurisdiction (ETJ) of Copperas Cove and pose no immediate constraint to

the expansion of Copperas Cove. With Fort Hood in such close proximity to the City of Copperas Cove, approximately 50% of the total inhabitants in the City of Copperas Cove are employed or connected with Fort Hood in some manner. Accordingly, Fort Hood has a significant impact on population and growth of the City of Copperas Cove. Copperas Cove's growth in recent years can be attributed primarily to immigration of new families into the region. The current population of Copperas Cove is approximately 32,000 inhabitants. At the present, the City has 10,483 water accounts, 10,060 residential, and 423 commercial.

## **E. Conservation Goals**

Many communities throughout the United States have practiced water conservation measures in response to various water and wastewater problems. Long-term community reductions in water use of 5 to 15 percent can normally be achieved. In some cases, as much as 25 percent reduction has been obtained. The goal of the City of Copperas Cove water conservation plan is to promote similar reductions in water use.

Nine principal water conservation methods were employed in preparing this water conservation plan, they are as follows:

1. Education and Information
2. Plumbing Codes
3. Retrofit Programs
4. Conservation Oriented Water Rate Structures
5. Universal Metering
6. Water Conserving Landscaping
7. Leak Detection
8. Recycling and Reuse
9. Implementation and Enforcement

The implementation of these methods should result in a reduction of water consumption and an increase in the efficiency of water delivery.

## **F. Public Involvement**

The City of Copperas Cove holds regularly scheduled City Council meetings every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month. These meetings are open to the public, and the public has the opportunity to voice their opinions and concerns. The meeting agendas are posted in accordance with state law. Notification of Council meetings is also provided by notices on the local cable TV channel and the City's official website.

Public Hearings for city wide projects, grant applications and other items requiring significant City action are usually announced separately in the Copperas Cove Leader Press newspaper.

Media coverage of the council meetings also informs the public of any discussions or presentations that take place during the council meetings.

## **II. DROUGHT CONTINGENCY PLAN**

### **A. Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Copperas Cove hereby adopts the following regulations and restrictions and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offenders(s) to penalties as defined in Section J of this Plan.

### **B. Public Involvement**

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Copperas Cove by means of scheduling and providing public notice of a public meeting to accept input on the Plan.

### **C. Public Education**

The City of Copperas Cove will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by the means of the following:

1. Mail-out of water conservation information with utility bills.
2. Newspaper article or radio announcement.
3. Local cable TV announcement.
4. New customers will be provided with conservation literature when applying for water or wastewater service.
5. Customers are informed annually through a notice included with water bills that conservation literature is available at City Hall.

6. The City will arrange for professionals knowledgeable on water conservation to attend public meetings and present water conservation techniques.

#### **D. Coordination with Regional Water Planning Groups**

The service area of the City of Copperas Cove is located within the Brazos G Regional Water Planning Group and City of Copperas Cove has provided a copy of this plan to the Brazos G Regional Water Planning Group.

#### **E. Authorization**

The mayor, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The mayor or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

#### **F. Application**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Copperas Cove. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

#### **G. Definitions**

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conversation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so the a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Copperas Cove.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and right-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- a) Irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle
- c) Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- d) Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- e) Flushing gutters or permitting water to run or accumulate in any gutter or street;
- f) Use of water to fill, and/or refill, any indoor or outdoor swimming pools or Jacuzzi-type pools;
- g) Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- h) Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- i) Use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbers address: street addresses, box numbers, or rural postal route numbers ending in 1, 2, 5, 7, or 9.

## **H. Criteria for Initiation and Termination of Drought Response Stages**

Drought or a number of other uncontrollable circumstances can disrupt the normal availability of community or utility water supplies. Even though Copperas Cove normally has an adequate water supply, the supply could become contaminated, or a disaster could destroy the supply. During drought periods, consumer demand is often significantly higher than normal. The system may not have the capacity to meet very high demands without system failure or other unwarranted consequences. System treatment, storage, or distribution failures can also present the City of Copperas Cove with an emergency demand management situation.

The mayor or his/her designee shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is when the specified "triggers" are reached.

The triggering criteria described below are based on:

### **Stage 1 Triggers – Mild Water Shortage Conditions**

#### Requirements for initiation:

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section G – Definitions, when average daily water consumption for three consecutive days reach 80% of contracted production capacity of the BCWCID No. 1 water transmission facilities.

#### Requirements for termination:

Stage 1 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

### **Stage 2 Trigger – MODERATE water Shortage Conditions**

#### Requirements for initiation:

1. Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section I of this Plan when Average daily water reaches 90% of contracted production capacity consumption for three consecutive days.

2. Shortage facilities contain less than 80% of total storage volume for two consecutive days.

Requirements for termination:

Stage 2 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

**Stage 3 Triggers – SEVERE Water Shortage Condition**

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 on this Plan when Average daily water consumption reaches 100% of contracted production capacity for three consecutive days.

Requirements for termination:

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

**Stage 4 Triggers – CRITICAL Water Shortage Conditions**

Requirements for Initiation:

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 4 of this Plan when

1. Average daily water consumption will not enable storage levels to be maintained, presenting a threat to adequate fire protection.
2. Failure of a major component of the system would cause an immediate health or safety hazard.

Requirements for Termination:

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

## **Stage 5 Triggers - EMERGENCY Water Shortage Conditions**

### Requirements for Initiation:

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when mayor or his/her designee, determines that a water supply emergency exist based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

### Requirements for Termination:

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

## **Stage 6 Triggers - WATER ALLOCATION**

### Requirements for Initiation:

Customers shall be required to comply with the water allocation plan prescribed in Section I of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when failure of a major component of the system would cause an immediate health or safety hazard.

### Requirements for Termination:

Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

## **I. Drought Response Stages**

The mayor or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section H of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

## **Notification**

### Notification of the Public:

The mayor or his/her designee shall notify the public by means of:

1. Publication in a newspaper of general circulation
2. Direct mail to each customer
3. Public service announcements
4. Signs posted in public places
5. Take-home fliers at school

### Additional Notification:

The mayor or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

1. Mayor/Chairman and members of the City Council
2. Utility Board, Fire Chief(s)
3. Critical water users, i.e. hospitals,
4. Major water users
5. Parks/street superintendents & public facilities managers
6. TNRCC (required when mandatory restrictions are imposed)
7. State Disaster District/Department of Public Safety
8. County Judge & Commissioner(s)

## **Stage 1 Response – MILD Water Shortage Conditions**

Goal: Achieve a voluntary 10 percent reduction in daily water demand.

### Supply Management Measures:

The City of Copperas Cove will reduce or discontinue flushing of water mains.

Voluntary Water Use Restrictions:

- a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1,3,5,7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons of less, or drip irrigation system.
- b) All operations of the City of Copperas Cove shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- c) Water customers are requested to practice water conservation and to minimize or discontinue water use for no-essential purposes.

**Stage 2 Response – MODERATE Water Shortage Conditions**

Goal: Achieve a 15 percent reduction in daily water demand.

Supply Management Measures:

The City of Copperas Cove will reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

Water Use Restrictions. Under threat of penalty for violating, the following water use restrictions shall apply to all persons;

- a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in a even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in a odd umber (1, 3,5, 7 or9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons of less, or drip irrigation system.
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.

Such washing, when allowed, shall be done with a hand-held bucket of hand washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

- c) Use of water to fill, and/or refill, any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- d) Operations of any ornamental fountain or pond for aesthetic or scenic purposes are prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculating system.
- e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of waste from designated fire hydrants for construction purposes may be allowed under special permit from the City of Copperas Cove.
- f) Use of water for the irrigation of golf course greens, tees and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and midnight. However, if the golf course utilizes a non-potable water source such as reclaimed water; the facility shall not be subject to these regulations.
- g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- h) The following uses of water are defined as non-essential and are prohibited:
  - 1. Wash down of any sidewalks, walkways, driveways, parking lots, and tennis courts, or other hard-surfaced areas;
  - 2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - 3. Use of water for dust control; unless reclaimed water is used.
  - 4. Flushing gutters or permitting water to run or accumulate in any gutter or street;
  - 5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s)

### **Stage 3 Response – SEVERE Water Shortage Conditions**

Goal: Achieve a 20 percent reduction in daily water demand.

#### **Supply Management Measures:**

The City of Copperas Cove shall reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

Water Use Restrictions. All requirements of Stage 2 shall remain in effect during Stage 3 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
2. The watering of golf course tees is prohibited unless the golf course utilizes a non-potable water source such as reclaimed water.
3. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

### **Stage 4 Response -- Critical Water Shortage Condition**

Goal: Achieve a 25 percent reduction in daily water demand.

#### **Supply Management Measures:**

The City of Copperas Cove shall reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

Water Use Restrictions. All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 am and 10:00 am and between 8:00 am and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 am and 10:00 am and between 6:00 pm and 10:00 pm.
3. The filling and/or refilling, of water to a swimming pool, wading pools, and Jacuzzi-type pools is prohibited.
4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
5. No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approvals of such applications are hereby suspended for such times as this drought response stage or a higher-numbered stage shall be in effect.

### **Stage 5 Response – EMERGENCY Water Shortage Conditions**

Goal: Achieve a 30 percent reduction in daily water demand.

#### Supply Management Measures:

The City of Copperas Cove shall reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; use of reclaimed water for non-potable purposes will be allowed.

Water Use Restrictions - All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- a) Irrigation of landscaped areas is absolutely prohibited, unless reclaimed water is used.
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited, unless reclaimed water is used.

### **Stage 6 – WATER ALLOCATION**

In the event that water shortage conditions threaten public health, safety, and welfare, the mayor is hereby authorized to allocate water according to the following allocation plan:

### **Single-family Residential Customers**

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<u>PERSONS PER HOUSHOLD</u>	<u>GALLONS PER MONTH</u>
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

"Household" means the residential premises served by the customer's meter. "Persons per Household" includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the City of Copperas Cove of a greater number of persons per household on a form prescribed by the mayor. The mayor shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Copperas Cove offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the mayor. When the number of persons per household increase so as to place the customer in a different allocation category, the customer may notify the City of Copperas Cove on such form and the change will be implemented in the next practicable billing period. In the number of persons in a household is reduced, the customer shall notify the City of Copperas Cove in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the mayor shall adopt methods to insure accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of Copperas Cove of a reduction in the number of person in a household shall be fined not less than \$100.00.

Residential water customers shall pay the following surcharges:

1% of base for the first 1,000 gallons over allocation.

5% of base for the second 1,000 gallons over allocation.

10% of base for the third 1,000 gallons over allocation.

25% of base for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

### **Master-Metered Multi-Family Residential Customers**

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g., apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit unless the customer notifies the City of Copperas Cove of a greater number on a form prescribed by the mayor. The mayor shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Copperas Cove offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the mayor. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City of Copperas Cove in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the mayor shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of Copperas Cove or a reduction in the number of person in a household shall be fined not less than \$250.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

1% of base for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.

5% of base thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.

10% of base thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.

25 % of base thereafter for each additional 1,000 gallons over allocation

Surcharges shall be cumulative.

## Commercial Customers

A monthly water allocation shall be established by the mayor or his/her designee, for each non-residential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75% of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. The mayor shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City of Copperas Cove to determine the allocation. Upon request of the customer or at the initiative of the mayor the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the mayor or alternatively, a special water allocation review committee. Nonresidential commercial customers shall pay the following surcharges:

Customers whose allocation is 1,000 gallons through 10,000 gallons per month:

5% of base per thousand gallons for the first 1,000 gallons over allocation.

10% of base per thousand gallons for the second 1,000 gallons over allocation.

20% of base per thousand gallons for the third 1,000 gallons over allocation.

25 % of base per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is greater than 10,000 gallons per month or more:

1.2 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.

1.5 times the block rate for each 1,000 gallons from 5 percent though 10 percent above allocation.

1.8 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.

2.0 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to that customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

### **Industrial Customers**

A monthly water allocation shall be established by the mayor or his/her designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 90% of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer's allocation shall be further reduced to 85% of the customer's water usage baseline. The industrial customer's water use baseline will be computed on the average water use for the 12 month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history exists. The mayor shall give his/her best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City of Copperas Cove to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the mayor, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shut down or significantly reduce the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the mayor or alternatively, a special water allocation review committee. Industrial customers shall pay the following surcharges:

Customers whose allocation is 1,000 gallons through 10,000 gallons per month:

5% of base per thousand for the first 1,000 gallons over allocation.

10% of base per thousand gallons for the second 1,000 gallons over allocation.

20% of base per thousand gallons for the third 1,000 gallons over allocation.

25% of base per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is greater than 10,000 gallons per month or more:

- 1.2 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 1.5 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 1.8 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 2.0 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

## **J. Enforcement**

- a) No person shall knowingly or intentionally allow the use of water from the City of Copperas Cove for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of the Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the mayor, or his/her designee, in accordance with provisions of the Plan.
- b) Any person who violates the Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the mayor shall, upon due notice to the customer, be authorized to discontinue

water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$100.00, and any other costs incurred by the City of Copperas Cove in discontinuing service. In addition, suitable assurance must be given to the mayor that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

- c) Any person including a person classified as a water customer of the City of Copperas Cove, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show the he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known the violation.
- d) Any employee of the City of Copperas Cove, police officer, or other city employee designated by the mayor, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of the Plan. If the alleged violator fails to appear in municipal court a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

#### **K. Variances**

The mayor or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health,

sanitation, or fire protection for the public of the person requesting such variance and if one or more of the following conditions are met:

- a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Copperas Cove within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the mayor, or his/her designee, and shall include the following:

- a) Name and address of the petitioner(s).
- b) Purpose of water use.
- c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- e) Description of the relief requested
- f) Period of time for which the variance is sought.
- g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of the Plan and the compliance date.
- h) Other pertinent information.

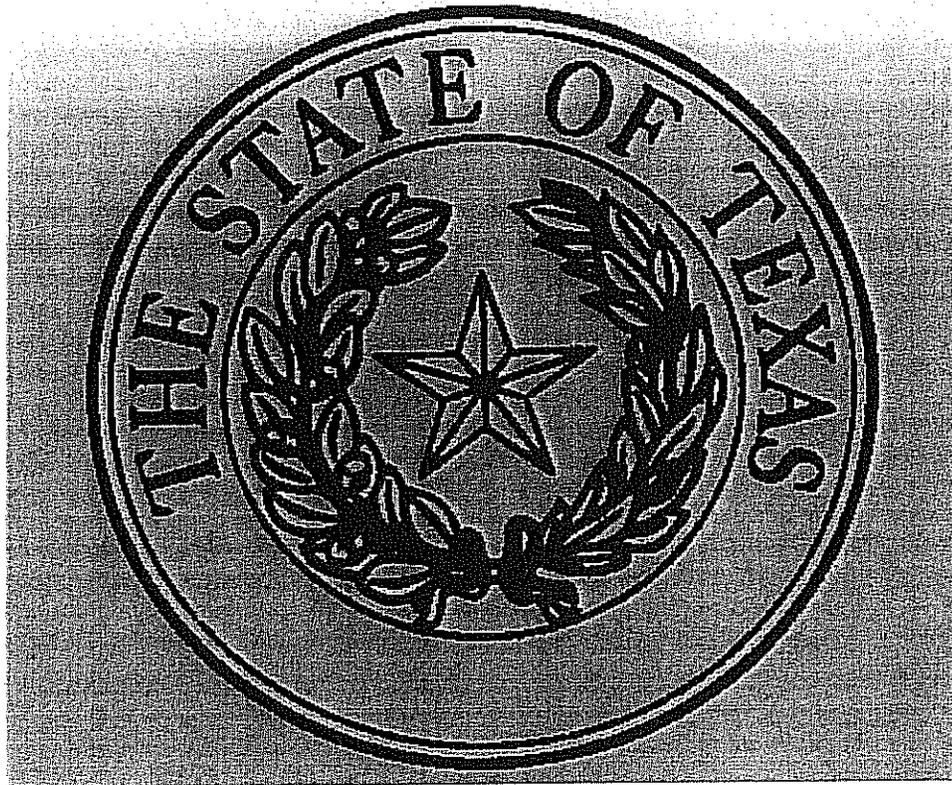
Variances granted by the City of Copperas Cove shall be subject to the following conditions, unless waived or modified by the mayor or his/her designee:

- a) Variances granted shall include a timetable for compliance.
- b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

**L. Distribution of Water During Shortage for Wholesale Water Customers**

- a) If a shortage of water in a water supply not covered by a water conservation plan prepared in compliance with Texas Natural Resource Conservation Commission or Texas Water Development Board rules results from drought, accident, or other cause, the water to be distributed shall be divided among all customers pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike.
- b) If a shortage of water in a water supply covered by a water conservation plan prepared in compliance with Texas Natural Resource Conservation Commission or Texas Water Development Board rules results from drought, accident, or other cause, the person, association of persons, or corporation owning or controlling the water shall divide the water to be distributed among all customers pro rata, according to:
  - 1) the amount of water to which each customer may be entitled; or
  - 2) the amount of water to which each customer may be entitled, less the amount of water the customer would have saved if the customer had operated its water system in compliance with the water conservation plan
- c) Nothing in Subsection (a) or (b) precludes the person, association of persons, or corporation owning or controlling the water from supplying water to a person who has a prior vested right to the water under the laws of this state.



**Drought Assistance Directory  
for  
Public Officials  
and  
Drinking Water Utilities**

FOR ADDITIONAL COPIES OF THIS PAMPHLET, CONTACT:

PREPAREDNESS SECTION  
DIVISION OF EMERGENCY MANAGEMENT  
TEXAS DEPARTMENT OF PUBLIC SAFETY  
P.O. Box 4087  
Austin, Texas 78773-0223

Telephone: 512/424-2450  
Facsimile: 512/424-2444



## DIVISION OF EMERGENCY MANAGEMENT

TEXAS DEPARTMENT OF PUBLIC SAFETY

RICK PERRY  
Governor

5805 N. Lamar Blvd.  
Box 4087  
Austin, Texas 78773-0001  
Duty Hours 512 424-2138  
Non-duty Hours 512 424-2000  
Fax 512 424-2444

THOMAS A. DAVIS, JR.  
Director

JACK COLLEY  
Coordinator

TO: Chief Elected Officials, Water Utilities, and Emergency Management Coordinators

SUBJECT: *PUBLIC WATER SUPPLY*

The current dry conditions have increased the risk of drought occurring throughout Texas. Of particular concern is the potential impact to public water systems due to water supply shortage or system failures.

In coordination with the Governor's Office, the Texas Commission on Environmental Quality (TCEQ), the Texas Water Development Board (TWDB), and the Governor's Division of Emergency Management (DEM) have developed this directory to assist your efforts to prevent, mitigate, and respond to drought-related public water supply problems in your community.

### Mitigation Assistance

Now is the time to assess the vulnerability of public water systems to identify drought, potential problems, and initiate preventative actions such as conservation measures and public awareness campaigns. A wide range of information and technical assistance is available through contacts identified by TCEQ and TWDB. Local governments and water utilities are encouraged to utilize these services.

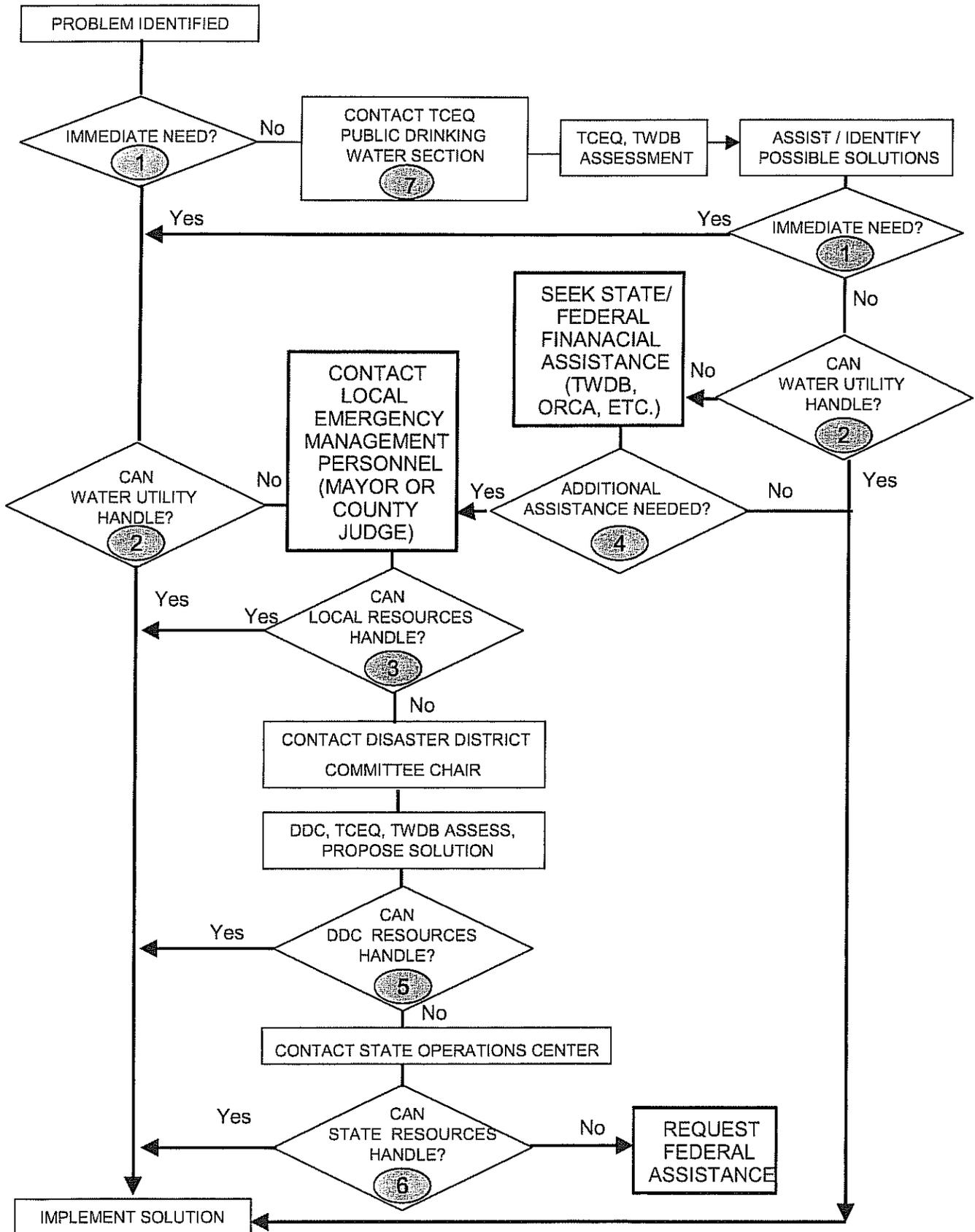
### Emergency Response Assistance

If an immediate need occurs such as the failure or the projected immediate failure of a public water system, the most timely method of receiving emergency response assistance is through activation of the emergency management system. In such situations, water utilities should immediately contact the Emergency Management Coordinator (EMC) or chief elected official (County Judge or Mayor) of the local jurisdiction affected by the emergency. Local governments have initial emergency response responsibility, but may request supplemental state assistance by contacting their appropriate Disaster District Committee Chairman.

## Contents

1. Flow Chart – Process for Responding to Public Water Supply Problems
2. Flow Chart Notes for Water Supply Problems
3. Disaster District Contacts Chart
4. Disaster District Boundaries Map
5. Texas Commission on Environmental Quality (TCEQ) Drought Resource Summary
6. Texas Water Development Board (TWDB) Drought Resource Summary

## Process for Responding to Public Water Supply Problems



## WATER SUPPLY PROBLEMS

### Flow Chart Notes

1. "Immediate Need" is defined as the failure of a water system, or the imminent failure of a water system, within the next 72 hours. Failure can result from loss of water supply source and/or physical plant failure.
2. Water utilities may be able to resolve problem with no additional help or with only limited technical assistance or information for contacting resource suppliers. This is the preferred level and method of resolving problems by facilitating solutions implemented by water system operators.
3. Local government (cities & counties) may be able to resolve problems themselves or with only limited technical assistance or information for contacting available resource suppliers. Activation of the local emergency management system provides additional resources to address the problem and is also a preferred method that allows problem resolution to be implemented by the affected local government. Direct contract between water utilities and local government is strongly encouraged, as failure to do so may unnecessarily delay emergency response operations.
4. Water utilities may have exhausted their capabilities to resolve the problem and have also applied for or received financial assistance from state and/or federal assistance programs. If this situation exists, it may still be necessary for the water utilities to seek activation of the local emergency management system to resolve the problem. This process also facilitated problem solving at the local government level.
5. Elevation of the problem to the Disaster District Committee (DDC) activates the comprehensive state-level emergency management system. This will provide additional state response resources to address the problem. The capability and types of state resources available will differ within each of the state's twenty-one (21) Disaster Districts.

**NOTE: See attached map and phone numbers for Disaster Districts.**

6. Problems that cannot be resolved by using state response resources at the DDC level will be elevated to the State Operations Center (SOC) for resolution by the Emergency Management Council. At this level the statewide emergency management system will provide for coordinated employment of all appropriate and available state response resources to address the problem and, if needed, will also request appropriate federal level assistance.
7. Water utilities with concerns, questions, or problems that are not of an "Immediate Need" category should contact the TCEQ Public Drinking Water Section "Drought Team". Direct contact between utilities and TCEQ representative is strongly encouraged and is the preferred method of mitigating drought problems. This process provides a way to record problems and facilitates access to TCEQ and TWDB technical and financial assistance resources.

## DISASTER DISTRICT CONTACTS

In Accordance with the State Emergency Management Plan, when an emergency occurs or threatens to occur and is beyond the capability of local government to respond, state assistance will be requested by the local government chief elected official to the appropriate Disaster District Committee (DDC) Chairman as prescribed in the state emergency management plan. The DDC is chaired by the Highway Patrol commanding officer and is the first step in management of state resources during emergencies.

District	City	Chair	Telephone	Regional Liaison Officer	Telephone
1A	Garland	Capt. Joel McKinney	214-861-2155	Mark Shipman	214-861-2380
Sub 1A	Hurst	Lt. Michael Scullin	817-299-1311	Mark Shipman	214-861-2380
1B	Tyler	Capt. Audra Livingston	903-939-6031	Michael Brock	903-939-6072
2A	Houston	Capt. Richard Diegelman	281-517-1217	Tom Ryan	281-517-1353
2B	Beaumont	Capt. Paul Davis	409-924-5422	Clay Kennelly	409-924-5427
Sub 2B	Lufkin	Lt. Roy Owens	936-634-4623	Clay Kennelly	409-924-5427
2C	Conroe	Capt. Randy McDaniel	936-539-2221	Tom Ryan	281-517-1353
Sub 2C	Pierce	Lt. Alan Spears	979-543-6878	Tom Ryan	281-517-1353
3A	Corpus Christi	Capt. Juan Galvan	361-698-5613	Randy Sijansky	361-698-5650
3B	San Antonio	Capt. Joe Hamilton	210-531-2206	Randy Sijansky	361-698-5650
3C	McAllen	Capt. Laurencio Saenz	956-984-5608	Randy Sijansky	361-698-5650
Sub 3C	Laredo	Lt. Jesse "Tom" Sharp	956-728-2292	Randy Sijansky	361-698-5650
4A	Midland	Capt. Ron Joy	432-498-2141*	Doug Crabtree	915-498-2175
Sub 4A	El Paso	Lt. Jorge Najera	915-849-4002*	Doug Crabtree	915-498-2175
4B	Abilene	Capt. John W. Madden	325-795-4020*	Bobby Densman	915-795-4029
Sub 4B	San Angelo	Lt. Michael Thomson	325-942-8203*	Bobby Densman	915-795-4029
5A	Lubbock	Capt. Bill Schneider	806-472-2710	Steve Reddish	806-472-2820
Sub 5A	Wichita Falls	Lt. Pablo Garcia	940-851-5521	Steve Reddish	806-472-2820
5B	Amarillo	Capt. Russell Davis	806-468-1310	Steve Reddish	806-472-2820
6A	Waco	Capt. James Sanders	254-759-7160	Mike Harmon	254-759-7165
6B	Austin	Capt. Mark Kennedy	512-997-4101	Mike Harmon	254-759-7165

### DPS REGIONAL COMMANDERS

Reg	City	Commander	Telephone	Reg	City	Commander	Telephone
1	Garland	Major Wendell Miller	214-861-2460	4	Midland	Major Chuck Smith	915-498-2113
2	Houston	Major J.R. Allen	281-517-1202	5	Lubbock	Major Larry Story	806-472-2701
3	Corpus Christi	Major Artemio Garza	361-698-5606	6	Waco	Major Danny Smith	254-759-7141

### DIVISION OF EMERGENCY MANAGEMENT CONTACTS

The Division of Emergency Management is responsible for the administration of a program of Comprehensive Emergency Management. The program is designed to reduce the vulnerability of citizens and communities of this State to damage, injury and loss of life and property by providing a system for the mitigation of, preparation for, response to, and recovery from natural or man-made disasters, riots and/or hostile military or paramilitary actions. If the DDC is unable to meet requests for State assistance, the Chair will request State assistance from the State Emergency Management Council through the Division of Emergency Management. That assistance may then come from State assets, i.e., the National Guard or other State agencies or from neighboring Disaster Districts. If necessary, requests for federal assistance would be sent in the name of the Governor to the Federal Emergency Management Agency (FEMA) regional headquarters in Denton, Texas.

**Duty Officer (24 hour) - 512-424-2208**

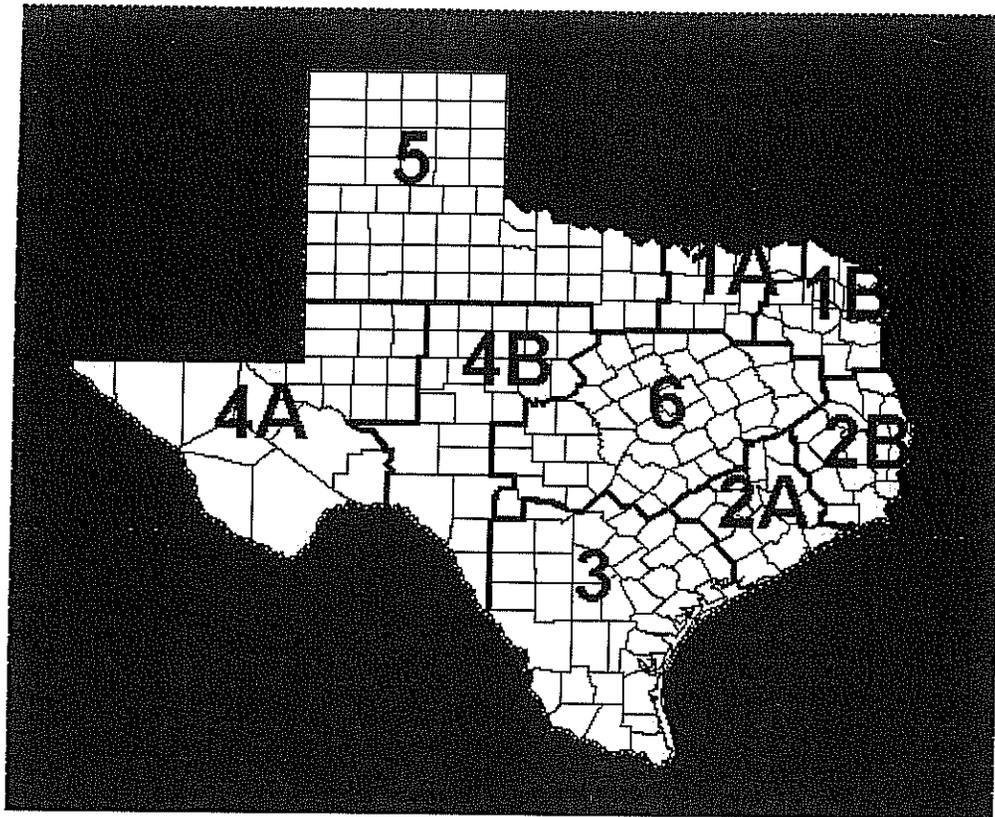
**Jack Colley, State Coordinator – 512-424-2443**

**Steve Vaughn, Assistant State Coordinator (Response Issues) – 512-424-2434**

**Ed Laundy, Assistant State Coordinator (Recovery Issues) – 512-424-2437**

**Frank Cantu, Field Operations Administrator – 512-424-2455**

**Mary Lenz, Public Information Officer – 512-424-2432**



### Regional Liaison Officers

Region 1A  
 Mark Shipman  
 Texas Dept. of Public Safety  
 350 West Interstate  
 Garland, TX 75043  
 214-861-2380

Region 1B  
 Michael Brock  
 Texas Dept. of Public Safety  
 4700 University Blvd, Spur 248  
 Tyler, TX 75701  
 903-939-6072

Region 2A  
 Tom Ryan  
 Texas Dept. of Public Safety  
 10110 Northwest Freeway  
 Houston, TX 77065  
 281 517-1353

Region 2B  
 Clay Kennelly  
 Texas Dept. of Public Safety  
 7200 Eastex Freeway  
 Beaumont, TX 77708  
 409-924-5427

Region 3  
 Randy Sijanksy  
 Texas Dept. of Public Safety  
 1922 South Padre Island Drive  
 Corpus Christi, TX 78416-5277  
 361 698-5650

Region 4A  
 Douglas Crabtree  
 Texas Dept. of Public Safety  
 2405 South Loop 250 West  
 Midland, TX 79703  
 432 498-2175

Region 4B  
 Bobby Densman  
 Texas Dept. of Public Safety  
 2720 Industrial Blvd.  
 Abilene, TX 79605  
 325 795-4029

Region 5  
 Steve Reddish  
 Texas Dept. of Public Safety  
 1302 Sixth Street  
 Lubbock, TX 79408  
 806 472-2820 Ext. 307

Region 6  
 Mike Harmon  
 Texas Dept. of Public Safety  
 1617 East Crest Drive  
 Waco, TX 76705  
 254 759-7165

## STATE AGENCY DROUGHT RESOURCE SUMMARY

**AGENCY: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)**

### **DROUGHT ASSISTANCE MISSION:**

The Texas Commission on Environmental Quality (TCEQ) strives to protect our state's human and natural resources consistent with sustainable economic development. Our goal is clear air, clean water, and safe management of waste with an emphasis on pollution prevention. We are committed to providing efficient, prompt and courteous service to the people of Texas, ever mindful that our decisions are based on common sense, good science, and fiscal responsibility. The TCEQ will partner with other state agencies in educating public water suppliers and in evaluating and approving alternate water sources. We will provide technical assistance to public water suppliers in planning for drought conditions and maintaining safe operational practices should water shortages occur.

### **PUBLIC DRINKING WATER SECTION**

**(512) 239-4691**

Boil Water Notices	System Operation Issues
Chlorination	Treatment of Drinking Water
Interruptions of Service (System Wide)	Water Quality
Cross Connection Control Program	Pressure Problems
Drought Team	

### **UTILITIES & DISTRICTS SECTION**

**(512) 239-4691**

Model Rationing Programs	Utility Service Areas
Implementing Rationing	Water Restrictions
Disconnections	Emergency Rate Increase
Rationing Notices (investor-owned and privately-owned utilities only)	

### **RESOURCE PROTECTION TEAM**

**(512) 239-4691**

- Development of Water Conservation Plans (on-going water savings)
- Development of Drought Contingency Plans
- Water-Saving Plumbing Fixtures

AGENCY CONTACTS FOR ASSISTANCE (continued)

TCEQ REGIONAL OFFICES

<b>Region</b>	<b>Phone Number</b>
Region 1 – Amarillo	(806) 353-9251
Region 2 – Lubbock	(806) 796-7092
Region 3 – Abilene	(325) 698-9674
Region 4 – Arlington	(817) 588-5800
Region 5 – Tyler	(903) 535-5100
Region 6 – El Paso	(915) 834-4949
Region 7 – Midland	(432) 570-1359
Region 8 – San Angelo	(325) 655-9479
Region 9 – Waco	(254) 751-0335
Region 10 – Beaumont	(409) 898-3838
Region 11 – Austin	(512) 339-2929
Region 12 – Houston	(713) 767-3650
Region 13 – San Antonio	(210) 490-3096
Region 14 – Corpus Christi	(361) 825-3100
Region 15 – Harlingen	(956) 425-6010
Region 16 – Laredo	(956) 791-6611

## STATE AGENCY DROUGHT RESOURCE SUMMARY

### AGENCY: TEXAS WATER DEVELOPMENT BOARD (TWDB)

#### DROUGHT ASSISTANCE MISSION:

The Texas Water Development Board (TWDB) is the state agency charged with statewide water resources planning and administration of low-cost financial assistance programs for the planning, design, and construction of water supply, wastewater treatment, flood control, and agricultural water conservation projects. TWDB has a variety of programs, services, and capabilities for assisting communities in developing and implementing local responses drought-induced water supply problems. This includes technical assistance with local drought management planning and water conservation, provision of information and technical assistance for the identification of alternate water sources, and providing low-cost financial assistance for the development of alternative water sources.

#### AGENCY CONTACT FOR ASSISTANCE

[www.twdb.state.tx.us](http://www.twdb.state.tx.us)

Type of Assistance	Name	Telephone	E-mail
Drought Indices & Water Resources Data	Robert Bradley	512-936-0870	Robert.Bradley@twdb.state.tx.us
Media Contact	Carla Daws	512-463-8176	Carla.Daws@twdb.state.tx.us
Water Conservation Brochures -English & Spanish	Patsy Waters	512-463-7955	Patsy.Waters@twdb.state.tx.us
Municipal & Industrial Drought Management	John Sutton	512-463-7988	John.Sutton@twdb.state.tx.us
Agricultural Drought	Mark Michon	512-463-7984	Mark.Michon@twdb.state.tx.us
Water Audit & Leak Detection	John Early	512-463-7982	John.Early@twdb.state.tx.us
Groundwater Supply Data	Rima Petrossian	512-936-2420	Rima.Petrossian@twdb.state.tx.us
Surface Water Supply Data	Barney Austin	512-463-8856	Barney.Austin@twdb.state.tx.us
Financial Assistance for Water Supply Improvements	Ignacio Madera	512-463-7509	Ignacio.Madera@twdb.state.tx.us

# **City of Copperas Cove**

## **City Council Agenda Item Report**

**September 1, 2009**

### **Agenda Item No. I-4**

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

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**SUBJECT: Consideration and action on authorizing the City Manager to execute a contractual agreement with Langford Community Management Services for Phase II of the Community Development Block Grant (CDBG) Sewer Rehabilitation Project.**

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#### **1. BACKGROUND/HISTORY**

Every two years, the Office of Rural Community Affairs provides funding opportunities for small, rural cities with populations less than 50,000, and to counties that are not eligible for direct funding from HUD. Thus, on March 11, 2008, the City Council authorized the City Manager to enter into a Letter of Agreement with Grant Development Services, Inc. to provide all professional services associated with the preparation of application of funding to the Office of Rural Community Affairs (ORCA) under the Community Development Block Grant (CDBG) 2009/2010 Funding Cycle for water or sewer system improvements in an amount not to exceed \$2,450.

On October 2, 2008, the City Council authorized the Mayor Pro Tem to execute an application for funding with the Office of Rural Community Affairs (ORCA) under the Community Development Block Grant (CDBG) 2009/2010 Funding Cycle for water system improvements and designating a local match commitment of \$50,000.

On August 5, 2009, the City received notification from ORCA of the CDBG 2010 grant award in the amount of \$250,000. The grant award requires a match of 20% (\$50,000).

City staff evaluated the firms of Langford Community Management Services and Grant Development Services when considering the grant management needs for the 2010 CDBG award. Staff selected Langford Community Management Services to administer the 2010 CDBG grant on behalf of the City. Therefore, the agreement executed with Grant Development Services in March 2008, requires compensation for commission equal to 5% of grant amount (\$12,500) to Grant Development Services.

**2. FINDINGS/CURRENT ACTIVITY**

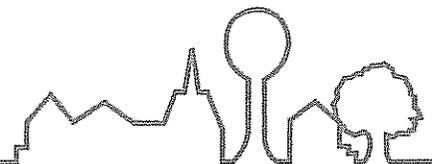
On August 20, 2009, Judy Langford from Langford Community Management Services presented a Contractual Agreement to the City for consideration. It sets forth the scope of services in administering the CDBG grant funds in cooperation with ORCA and using all applicable guidelines and statutes. The amount of the contract is \$27,000 which is to be paid out according to completion of various phases of the grant program as shown on the schedule of payments in the contract.

**3. FINANCIAL IMPACT**

There are matching funds that total \$50,000. These funds were secured in the August 2009 tax note issuance. Funds will not be disbursed until such time as the tax proceeds become available.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends that the City Council authorize the City Manager to execute a contract with Langford Community Management Services to provide administrative management services of the Phase II CDBG project in the amount of \$27,000.



COMMUNITY MANAGEMENT SERVICES

Serving Texas Cities and Counties

Judy Langford, President  
Billy D. Langford, Vice President  
Margaret J. Hardin, Secretary/Treasurer

August 20, 2009

Ms. Andrea Gardner  
City manager  
City of Copperas Cove  
507 S. Main  
Copperas Cove, Texas 76522-2241

RE: Contractual Agreement for Administrative Management Services to Implement the 2009 Community Development Block Grant Project

Dear Ms. Gardner:

Insofar as Langford Community Management Services was selected by the City to administer its grant from the Office of Rural Community Affairs (ORCA) and will be paid with local money, I am pleased to submit this contractual document to the City of Copperas Cove.

Scope of Services

Langford Community Management Services will administer the grant funds in accordance with the Texas Community Development Block Grant Program (TxCDBG) guidelines, in cooperation with ORCA, and in compliance with all applicable state and federal statutes, terms, and conditions as per the attached list.

This contract for service shall include, as a minimum, the following:

1. General administration of the grant;
2. An environmental assessment;
3. Assistance to the City in fiscal administration, equal opportunity compliance, and labor standards compliance;
4. Assistance with any acquisition/relocation items;
5. Completion and submission of close-out documents.

Method of Payment

The amount of \$27,000.00 (twenty-seven thousand dollars) in local money will be paid to Langford Community Management Services for performing the above listed scope of services. Payments will be made by the City to Langford Community Management Services on the following schedule:

1. Establishment of Record-keeping System	\$5,000.00
2. Completion of Environmental/Special Conditions Clearance	\$5,000.00
3. Completion of all Acquisition Activities	\$1,000.00
4. Design Phase/Bid	\$2,500.00
5. Comply with EEO/Fair Housing Requirements	\$2,900.00
6. Preconstruction Phase	\$2,900.00
7. Construction Phase	\$5,000.00
8. Filing of all Required Close-out Information	<u>\$2,700.00</u>
Total	\$27,000.00

Additional Services

The City and Langford Community Management Services will negotiate a mutually acceptable amendment to this contract for any additional services above the normal day-to-day administration of this grant.

Special Provisions

1. Langford Community Management Services will work with the City Manager as the primary contact and local liaison.
2. This contract may be terminated by either party submitting a written explanation for cancellation at least thirty days prior to the effective cancellation date, upon agreement of the other party, and upon payment of any and all fees due for work completed through the date that the written notice of Langford Community Management Services is received.

If you are in agreement with the terms of this contract, please sign both original contracts, keep one for your files and return the other to me.

Yours truly,  
LANGFORD COMMUNITY MANAGEMENT SERVICES



Judy Langford  
Management Consultant

Attachment

Contract for Management Services  
Page 3 of 3

Accepted and agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by:

Signed:

Andrea Gardner, City Manager  
City of Copperas Cove

## ATTACHMENT

### STATE AND FEDERAL STATUTES, TERMS AND CONDITIONS APPLICABLE TO THE ADMINISTRATION OF THE CITY OF COPPERAS COVE TEXAS COMMUNITY DEVELOPMENT PROGRAM FUNDS

1. Vernon's Annotated Texas Statutes, Article 66-4, Professional Services Procurement Act, which permits and outlines state requirements for municipalities and counties regarding procurement of professional services.
2. Executive Order 11246, paragraphs a-c: Equal Employment Opportunity.
3. Title VI of the Civil Rights Act, which requires that no one may be denied access to benefits from projects which receive federal assistance.
4. Section 109 of the Housing and Community Development Act of 1974: Nondiscrimination related to benefits from projects funded specifically under Title I of the Act.
5. Section 3 of the HUD Act of 1968, which requires that maximum effort be made to provide employment, training, and business opportunities to low income families and/or residents of the project area.
6. Access to Records, which requires that the contractor's records be open to inspection by any federal, state, or local agency that has monitoring responsibility for the TCDP-funded project.
7. Conflict of Interest, which provides guidelines for cases in which actual or potential conflicts of interest might occur.

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. I-5

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

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**SUBJECT: Consideration and action on an ordinance amending Personnel Policy No. 312, Holidays.**

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#### 1. BACKGROUND/HISTORY

The City of Copperas Cove currently has in effect Personnel Policy No. 312, Holidays. This policy establishes the City paid holidays and guidelines for holiday pay. From time to time City Staff makes recommendations to change this policy. In cases where changes are required to this policy, City Council's approval is required.

#### FINDINGS/CURRENT ACTIVITY

In the 81<sup>st</sup> Regular Legislative Session House Bill No. 2113 was approved and effective September 1, 2009. This Bill allows for a paid day off from working on September 11<sup>th</sup> of each year if the police officer or firefighter agrees to take September 11<sup>th</sup> in lieu of another holiday, take the day as vacation, or take the day as a compensatory time. In addition, the department's minimum staffing requirements must be met in order to have the day off.

The Holiday Policy, No. 312, has been updated and reads -

**Public Safety 911 Remembrance Day** – Per House Bill No. 2113 effective 9-1-2009 police officers and firefighters are entitled to and may request a paid day off from working on September 11<sup>th</sup> of each year. This day may be requested as a vacation day, an accumulated compensatory time day, or as a holiday. If taken as a holiday, it would replace the Columbus Day holiday. Provided that minimum staffing is met for the department, police officers and firefighters would follow normal leave procedures for requesting this day off.

The entire policy is also attached for your review.

#### 2. FINANCIAL IMPACT

N/A

**3. ACTION OPTIONS/RECOMMENDATION**

City staff recommends approval of Ordinance No. 2009-23 amending the personnel policies.

**ORDINANCE NO. 2009-23**

**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. 312, (HOLIDAYS) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 312, (HOLIDAYS) 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 July 7, 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. 312, (Holidays) and replacing the existing policy with a revised personnel policy, No. 312, (Holidays) correctly shown by the attached Exhibit "A";

**Section 2.**

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

**Section 3.**

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

**Section 4.**

That any additions, deletions or other amendments to the Personnel Policies and Procedures Manual shall be made in a manner similar to process by which this manual is originally approved and only after compliance with the Texas Open Meetings Act and approved by the City Council of the City of Copperas Cove.

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective September 1, 2009.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 1st day of September 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

## **HOLIDAYS** **Policy #312**

September 2009

The City of Copperas Cove provides paid holidays to all regular full-time and regular part-time employees. Every other employee is extended the official holiday, but without pay.

The following official holidays will be observed:

New Year's Day	January
Martin Luther King, Jr. Day	January
Presidents Day	February
Good Friday	March/April
Memorial Day	May
Independence Day	July
Labor Day	September
Columbus Day	October
Veterans Day	November
Thanksgiving Day	November
Day after Thanksgiving Day	November
Christmas Eve	December
Christmas Day	December

**Holidays** – Depending on the employee's schedule a holiday shall be defined as a period of eight (8) hours or (10) hours for full time or up to (6) hours for part time except in the case of 24-hour shift employees in the uniformed fire service where the holiday shall be the equivalent of 12 work hours.

**Scheduling of Holidays** - Holidays occurring on Saturday will normally be observed on the preceding Friday and holidays occurring on Sunday will normally be observed on the following Monday.

**Calculation of Holiday Hours** - Holiday pay or hours are normally calculated on an hour for hour basis, except for 24-hour fire shift personnel, where the holiday shall be the equivalent of 12 work hours.

**Eligibility for Holidays** - Regular full time and regular part-time employees that are currently in a paid status, excluding workers' compensation are eligible after the completion of one day of work.

**Regular Part-Time Employees Eligible for Holiday Pay** - Regular part-time employees are eligible for holiday pay for the number of hours he/she would ordinarily have been scheduled to work. Should a holiday fall on Saturday or Sunday and be observed on the preceding Friday or the following Monday, regular part-time employees shall be compensated if the rescheduled holiday is a day they would ordinarily have been scheduled to work.

**HOLIDAYS**  
**Policy #312**

September 2009

**Temporary and Seasonal Employees** - Temporary and seasonal employees (either full-time or part-time) are not paid for holidays except for holiday hours actually worked.

**Employees Required to Work on a Holiday** – When the holiday occurs on a regularly scheduled workday, employees who are required to work shall receive “holiday earned leave” at straight time or will be “paid” for the holiday at their regular rate of pay in addition to payment for the hours worked. The decision to accrue a paid holiday as “holiday earned leave” or to receive holiday pay must be made at the time the holiday is worked and must be approved by the Department Head/Director. In no event will double pay be authorized (i.e. Holiday pay plus Personal Leave) for any day not actually worked.

**Holiday Earned Leave** – Employees will have until September 1<sup>st</sup> of each year in which to use the accrued “holiday earned” leave time. If the employee has not used their earned holiday by September 1<sup>st</sup> of each year, the Department Head/Director shall request approval from the City Manager to pay the employee for the holiday earned time.

Any “Holiday Earned” Leave on the books at the time of employee separation from the City will be paid to the employee at their current rate of pay.

**Non-Exempt Emergency Personnel Called Back on a Holiday**- Employees who are called in on an emergency basis to work a holiday for which they are not scheduled, will be paid for all hours worked on the holiday.

**Employees Scheduled Off Duty on a Holiday**- When the holiday and the regularly scheduled day off occur on the same day, employees scheduled off duty for the holiday will accrue one day of “holiday earned” leave (depending on their normal work schedule - 8, 10, or 12 hours) to be taken at a later date or can be paid for the holiday at the discretion of the Department Head/Director.

**Ineligibility for Holiday Pay** – Employees on unpaid leave are not eligible for holiday pay. Likewise, non-exempt employees who are absent without authorized leave on the day immediately preceding or following a scheduled holiday will not be paid for the holiday.

**Holiday Occurring During Vacation Leave** - A holiday that falls within an employee's approved vacation period will be counted as a holiday in lieu of a day of vacation.

**Separating Employees** - Separating employees will not be allowed to use a holiday as their final day of employment unless scheduled and approved in advance by the City Manager.

**Other Religious Holidays** - Employees may request an approved absence to celebrate a holiday, that is not a scheduled City holiday, but any such request is subject to the approval of the supervisor after consulting with the Human Resources Department. If

**HOLIDAYS**  
**Policy #312**

September 2009

approved, the employee must charge the time to their vacation leave, compensatory time, or an excused absence without pay.

**Public Safety 911 Remembrance Day** – Per House Bill No. 2113 effective 9-1-2009 police officers and firefighters are entitled to and may request a paid day off from working on September 11<sup>th</sup> of each year. This day may be requested as a vacation day, an accumulated compensatory time day, or as a holiday. If taken as a holiday, it would replace the Columbus Day holiday. Provided that minimum staffing is met for the department, police officers and firefighters would follow normal leave procedures for requesting this day off.

The City of Copperas Cove City Manager may alter the holiday schedule for the best interest of the public.

**Definition of Holiday Earned Leave -**

Employee that earns compensatory time for a holiday will accrue the compensatory time in a “Holiday Earned” pay code. This will allow the City to track Holiday compensatory time separate from regular compensatory time.

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. I-6

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

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**SUBJECT: Consideration and action on rescheduling the date of a Regular City Council meeting to another date.**

---

#### 1. BACKGROUND/HISTORY

The City Charter Sec. 2.09 states “*The council shall hold at least two (2) regular meetings each month with the exception of December, which shall have a minimum of one (1) regular meeting, and as many additional meetings as it deems necessary to transact the business of the city and its citizens. The council shall fix, by ordinance, the days, time and place of the regular meetings. All meetings shall be open to the public, except as otherwise provided for by law. Special meetings of the council shall be held at the call of the mayor or of four (4) or more council members.*” City Ordinance 2000-26 Sec. 2.1(c) City Council Rules of Order and Procedure states “*At other times when the council deems appropriate, one or more regular meetings may be canceled and rescheduled by a majority vote of the council.*”

#### 2. FINDINGS/CURRENT ACTIVITY

The October 6, 2009 regular council meeting falls during the annual Association of the United States Army (AUSA) conference held in Washington, D.C. Council Member/Mayor pro tem Frank Seffrood and City Manager Andrea M. Gardner will be representing the City of Copperas Cove at the AUSA Event, therefore, City staff requests that the council consider changing the date of the October 6, 2009 regular council meeting to another date. Possible dates would be October 8, 2009 or October 13, 2009.

City Council approval is required to change the date of the meeting.

#### 3. FINANCIAL IMPACT

None.

#### 4. ACTION OPTIONS/RECOMMENDATION

City Council has the option to reschedule the regular City Council meeting of October 6, 2009 to a date of their choosing.

# **City of Copperas Cove**

## **City Council Agenda Item Report**

**September 1, 2009**

### **Agenda Item No. I-7**

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

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**SUBJECT: Consideration and action on adopting a resolution approving the request to vacate Mesa Verde at Skyline Phase II.**

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#### **1. BACKGROUND/HISTORY**

The plat of Mesa Verde at Skyline Phase II was recommended for approval by the Planning and Zoning Commission on October 12, 2004. The final approval of the plat was decided by the City Council on November 9, 2004. This subdivision was an extension of Mesa Verde at Skyline which consisted of three blocks and 48 residential lots. The location of the subdivision presented some costly problems with the utility infrastructure. The developers have been delaying the development because of the added expense. Now due to the economy, the developers have decided to vacate the plat. Vacating the plat provides an opportunity to reconfigure the subdivision and take advantage of a better economy.

#### **2. FINDINGS/CURRENT ACTIVITY**

On August 5, 2009, the City received a letter (see attached) from Mesa Verde Partnership requesting the City vacate the Mesa Verde at Skyline Phase II subdivision. According to the City's Subdivision Ordinance Section 3-12, the request must be submitted to the Planning and Zoning Commission. On August 17, 2009, the request was presented to the Commission. By a vote of 6-0, the Commissioners recommended approval of the request to vacate. The City Council must now consider and approve or disapprove the vacation within 30 days after the date the plat is recommended for approval by the Planning and Zoning Commission.

In order to preserve an easement on the plat, the Mesa Verde Partners have executed a Memorandum of Understanding (see attached) which agrees to the granting of an easement in the future.

**3. FINANCIAL IMPACT**

The property was not previously annexed into the City therefore a loss of tax revenue other than any change in the County taxing amounts will not occur.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends adoption of Resolution No. 2009-38, approving the request to vacate the subdivision known as Mesa Verde at Skyline Phase II.

**RESOLUTION NO. 2009-38**

**A RESOLUTION TO APPROVE THE REQUEST TO VACATE THE SUBDIVISION RECORDED AS MESA VERDE AT SKYLINE PHASE II IN CABINET B, SLIDE 583 PLAT RECORDS OF CORYELL COUNTY, TEXAS.**

**WHEREAS,** The Mesa Verde Partnership submitted a letter requesting that the City vacate the subdivision known as Mesa Verde at Skyline Phase II; and

**WHEREAS,** The Planning and Zoning Commission considered this request at a meeting held on August 17, 2009; and

**WHEREAS,** The Planning and Zoning Commission by a vote of 6-0 recommended approval of the request; and

**WHEREAS,** The City Council of the City of Copperas Cove has now considered this request at the meeting held on September 1, 2009; and

**WHEREAS,** The City Council has determined that this subdivision known as Mesa Verde at Skyline Phase II should be vacated;

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

**SECTION 1.**

The Mesa Verde Partnership has submitted a valid request to vacate the subdivision of Mesa Verde at Skyline Phase II.

**SECTION 2.**

The City Council is declaring the Mesa Verde at Skyline Phase II subdivision is now vacated.

**PASSED, APPROVED, AND ADOPTED** on this 1st day of September 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

JWC  
C Inc.

FOR DEVELOPER, MESA VERDE PARTNERSHIP

1406 S. FM 116, Suite C  
Copperas Cove, Texas 76522  
254-547-3821

City Of Copperas Cove  
P.O. Box 1449  
Copperas Cove, Texas 76522

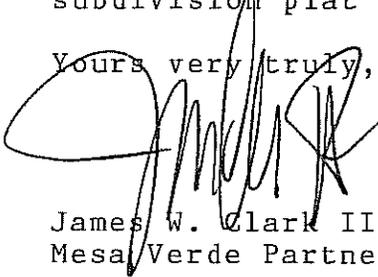
Attention: City Planning Department

Reference: Request To Vacate Recorded Subdivision Plat  
Mesa Verde At Skyline Phase II

Greetings:

We, the undersigned Developer and Owner of all lots in the subdivision, do hereby request the referenced recorded subdivision plat be vacated.

Yours very truly,

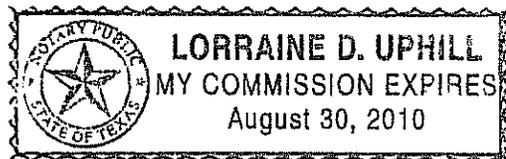


James W. Clark II, Partner  
Mesa Verde Partnership

STATE OF TEXAS  
COUNTY OF CORYELL

Before me, the undersigned authority, on this day personally appeared James W. Clark II known unto me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purpose and consideration herein stated.

Given under my hand and seal of office this the 5<sup>th</sup> day of August, 2009.



*Lorraine D. Uphill*

NOTARY PUBLIC in and for Coryell County, Texas

JW  
C Inc.

FOR MESA VERDE PARTNERS

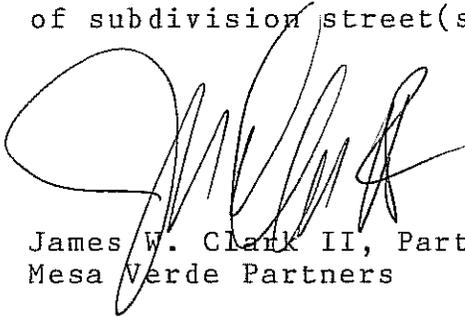
1406 S. FM 116, Suite C  
Copperas Cove, Texas 76522  
254-547-3821

MEMORANDUM OF UNDERSTANDING  
EX-MESA VERDE AT SKYLINE PHASE II PROPERTY  
POTENTIAL FUTURE CITY UTILITY EASEMENT

Date: August 13, 2009

Mesa Verde Partners, Developer of Mesa Verde at Skyline Subdivision realizes the future plan for a City installed water tank with water supply main to be located on the vacant ex-Mesa Verde at Skyline Phase II property.

Developer hereby agrees to not withhold granting of utility easement for said water supply main in the future when a design location is available coinciding with a newly confirmed location of subdivision street(s).



James W. Clark II, Partner  
Mesa Verde Partners

# City of Copperas Cove

## City Council Agenda Item Report

September 1, 2009

### Agenda Item No. I-8

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

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**SUBJECT: Consideration and action on granting Council Member Charlie D. Youngs, Position 2, an excused absence for a regular council Meeting.**

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**1. BACKGROUND/HISTORY**

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

**2. FINDINGS/CURRENT ACTIVITY**

Council Member Charlie D. Youngs is requesting an excused absence for the September 1, 2009 regular meeting due to business travel.

**3. FINANCIAL IMPACT**

N/A.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council take action on the request.