



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

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

Notice is hereby given that a **Regular Council Meeting** of the City of Copperas Cove, Texas, will be held on the **15th day of June 2010 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**

**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. Pursuant to §551.042 of the Texas Open Meetings Act, any deliberation or decision about the subject of inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

**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 considered separately.

1. Consideration and action on approving the minutes from the regular council meeting on June 1, 2010. ***Stefanie Brown, Deputy City Secretary***
2. Consideration and action on a resolution authorizing continued participation with the steering committee of cities served by Oncor; and authorizing the payment of 10 cents per capita to the steering committee to fund regulatory and related activities related to Oncor Electric Delivery Company LLC. ***Andrea M. Gardner, City Manager***

3. Consideration and action on authorizing the City Manager to execute a letter revising the City's designated representative for the Electric Reliability Council of Texas, Inc (ERCOT). **Andrea M. Gardner, City Manager**
4. Consideration and action on authorizing the City Manager to submit a ballot form for the election of an ERCOT Unaffiliated Director to serve on the ERCOT Board. **Andrea M. Gardner, City Manager**

#### **H. PUBLIC HEARINGS/ACTION**

1. Public hearing and action on an ordinance amending the 2009-10 fiscal year budget for the City of Copperas Cove. **Andrea M. Gardner, City Manager**

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

1. Consideration and action on the appointment of members to the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Executive Director, Keep Copperas Cove Beautiful**
2. Consideration and action on authorizing the City Manager to enter into an amendment to the municipal solid waste transportation agreement with Comal Transportation L.L.C. **Michael Mundell, Superintendent of Solid Waste**
3. Consideration and action on authorizing the City Manager to enter into an amendment to the municipal solid waste disposal agreement with Waste Management of Texas Inc. **Michael Mundell, Superintendent of Solid Waste**
4. Consideration and action on an ordinance rescinding Personnel Policy No. 910, Travel Policy. **Kelli Sames, Human Resources Director**
5. Consideration and action on amending an ordinance to include the City of Copperas Cove Travel Policy as part of Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy; providing a severability clause; providing a savings clause; and declaring an effective date. **Andrea M. Gardner, City Manager**
6. Consideration and action on an ordinance amending Personnel Policy No. 022, Equal Employment Opportunity. **Kelli Sames, Human Resources Director**
7. Consideration and action on an ordinance adopting a new Personnel Policy No. 021, Requests for Accommodation. **Kelli Sames, Human Resources Director**
8. Consideration and action on a resolution authorizing the City Manager to execute an Advance Funding Agreement with TxDOT for voluntary utility relocation for the State Highway 9 project and release funds to TxDOT no

earlier than forty five (45) days prior to the date set for receipt of the construction bids. **Andrea M. Gardner, City Manager**

9. Consideration and action on authorizing the City Manager to execute a contract with TTG Utilities, LP for the Community Development Block Grant (CDBG) Water System Improvements Project. **Robert M. McKinnon, Public Works Director**
10. Discussion and possible action on appointing additional members to an ad hoc committee for the purposes of reviewing Chapter 3 of the City of Copperas Cove Code of Ordinances and to provide written guidance from the Council to the ad hoc committee. **Andrea M. Gardner, City Manager**

**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 the purchase, exchange, lease, or value of real property – Northeast Sewer Line Project.

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

**N. ADJOURNMENT**

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

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

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Copperas Cove was posted at \_\_\_\_\_, June 11, 2010, on the glass front door of City Hall, a place convenient and readily accessible to the general public at all times.

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



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

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

Notice is hereby given that a **Workshop** of the City of Copperas Cove, Texas will be held on the **15th day of June 2010**, at **6:00 p.m.**, in the City Hall Council Chambers at 507 South Main Street, Copperas Cove, Texas 76522 at which time the following subjects will be discussed:

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. WORKSHOP ITEMS**

1. Presentation and discussion on updates to the 2010-2014 CIP. **Andrea M. Gardner, City Manager.**
2. Provide direction to the City Manager on item C-1 above. **Andrea M. Gardner, City Manager.**

**D. ADJOURNMENT**

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\_\_\_\_\_  
Jane Lees, TRMC, CMC  
City Secretary

# Capital Improvement Updates



City of Copperas Cove

# Streets



City of Copperas Cove



**CIP Project Detail**

<b>Project Name:</b> South 1st Street Reconstruction	<b>Program:</b> Streets
<b>Description:</b> Reconstruct 1,132 LF of street, to include curbs (S. 1st Street to Meggs Street to Rose Street).	<b>Justification:</b> Current subgrade is failing which has caused the asphalt and curbing to sink and buckle in the S. 1st Street to Meggs Street to Rose Street area.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Operating - General Fund Tax Supported			216,600			216,600
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>216,600</b>	<b>0</b>	<b>0</b>	<b>216,600</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	26,600	0	0	26,600
Construction	0	0	190,000	0	0	190,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>216,600</b>	<b>0</b>	<b>0</b>	<b>216,600</b>





**CIP Project Detail**

<b>Project Name:</b> West Ave F Reconstruction	<b>Program:</b> Streets
<b>Description:</b> Reconstruct 2,013 LF of street and replace 2,600 LF of curbs (W. Ave F from 1st Street to W. Ave E).	<b>Justification:</b> Current subgrade is failing which has caused the asphalt and curbing to sink and buckle in W. Ave F from 1st Street to W. Ave E area.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
GO Bond - Tax Supported*			454,000			454,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>454,000</b>	<b>0</b>	<b>0</b>	<b>454,000</b>

\*Pending Voter Approval

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	53,000	0	0	53,000
Construction	0	0	381,000	0	0	381,000
Bond Issuance Costs	0	0	20,000	0	0	20,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>454,000</b>	<b>0</b>	<b>0</b>	<b>454,000</b>





**CIP Project Detail**

<b>Project Name:</b> Southeast Bypass	<b>Program:</b> Streets
<b>Description:</b> Construct 6.2 lane miles of roadway from the far east end of US Highway 190 to the intersection of FM 2657 and West US Highway 190 with access at FM 116 and FM 3046, FM 2657 and Highway 190 and Old Copperas Cove Road.	<b>Justification:</b> The project will allow improved egress in and around Copperas Cove and increase the City's economic development opportunities on the far East and West ends of Copperas Cove.

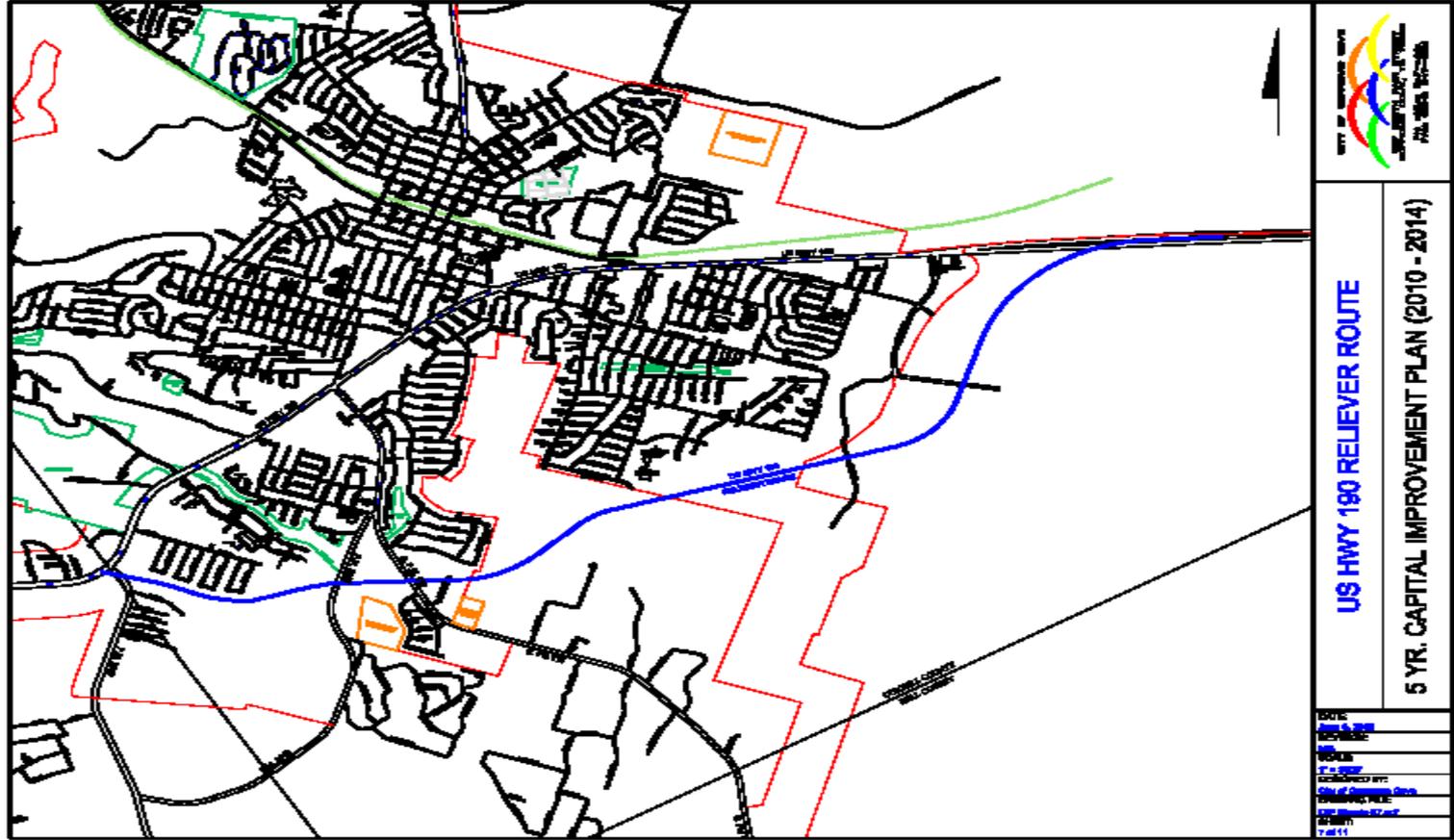
<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2001 CO - Tax Supported	265,000					265,000
2003 CO - Tax Supported	425,000					425,000
Reliever Route Fund	111,000					111,000
Operating - General Fund Tax Supported					214,766	214,766
Pass thru Toll Revenue		20,188,000	30,985,000	5,063,000		56,236,000
<b>TOTAL FUNDING SOURCES</b>	<b>801,000</b>	<b>20,188,000</b>	<b>30,985,000</b>	<b>5,063,000</b>	<b>214,766</b>	<b>57,251,766</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Construction	0	20,188,000	30,985,000	5,063,000	0	56,236,000
Utility Relocates	0	609,586	0	0	0	609,586
Right of Way	125,000	0	0	0	0	125,000
Bond Issuance Costs	0	281,180	0	0	0	281,180
<b>TOTAL FUNDING USE</b>	<b>125,000</b>	<b>21,078,766</b>	<b>30,985,000</b>	<b>5,063,000</b>	<b>0</b>	<b>57,251,766</b>

**Note: To be repaid by \$42,318,422 Category 3 State Funding and Category 12 State Funding of \$7,855,578.**

**Greater than 90% of the Right of Way was purchased prior to FY 2010.**

# Southeast Bypass





**CIP Project Detail**

<b>Project Name:</b> Northeast Bypass	<b>Program:</b> Streets
<b>Description:</b> Construct 3.2 miles of roadway connecting East Hwy 190 with North FM 116 including a railroad overpass.	<b>Justification:</b> The project will relieve traffic congestion in the downtown business district by providing a direct access route.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
State Funding	10,000,000	14,800,000				24,800,000
2010 GO Bond- Tax Supported	1,425,000					1,425,000
<b>TOTAL FUNDING SOURCES</b>	<b>11,425,000</b>	<b>14,800,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>26,225,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Construction	10,000,000	14,800,000	0	0	0	24,800,000
Utility Relocates	1,400,000	0	0	0	0	1,400,000
Bond Issuance Costs	25,000	0	0	0	0	25,000
<b>TOTAL FUNDING USE</b>	<b>11,425,000</b>	<b>14,800,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>26,225,000</b>





**CIP Project Detail**

<b>Project Name:</b> Bradford Drive Extension Phase I	<b>Program:</b> Streets
<b>Description:</b> Extend Bradford Drive to FM 1113. Close Olive Street railroad crossing and create a new railroad crossing on Bradford Drive.	<b>Justification:</b> The existing Olive Street crossing is steep and rough. A possible extension and new crossing at Bradford Drive could eliminate the Olive Crossing.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2008A Limited Tax Notes - Tax Supported	247,000					247,000
2010 Limited Tax Notes - Tax Supported	165,000					165,000
<b>TOTAL FUNDING SOURCES</b>	<b>412,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>412,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Land	50,106	0	0	0	0	50,106
Construction	360,000	0	0	0	0	360,000
Bond Issuance Costs	1,894	0	0	0	0	1,894
<b>TOTAL FUNDING USE</b>	<b>412,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>412,000</b>

\*Note Design for project will be completed in 2009 for \$17,000

# Bradford Drive Ext. Phase 1



# Parks & Recreation



City of Copperas Cove



**CIP Project Detail**

<b>Project Name:</b> City Park Ball Field Lighting Phase I	<b>Program:</b> Parks and Recreation
<b>Description:</b> Replace lighting in Fields 1-4.	<b>Justification:</b> The current ball field lighting is outdated and costly to operate and maintain. The new lighting would provide adequate lighting for playing field areas and reduce the overall operating cost with the new technology. Also, the improvement would prohibit unauthorized use of ball field lighting by requiring users to schedule practices and pay for light usage prior to holding practice. The new lighting is essential in providing safe and adequate lighting for the recreation programs.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
GO Bond - Tax Supported*			341,250			341,250
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>341,250</b>	<b>0</b>	<b>0</b>	<b>341,250</b>

\*Pending Voter Approval

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Construction	0	0	325,000	0	0	325,000
Bond Issuance Costs	0	0	16,250	0	0	16,250
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>341,250</b>	<b>0</b>	<b>0</b>	<b>341,250</b>

# City Park Ball Field Lighting Phase I





## CIP Project Detail

<p><b>Project Name:</b> Heritage Park Playground Equipment</p>	<p><b>Program:</b> Parks and Recreation</p>
<p><b>Description:</b> Replace Playground Equipment at Heritage Park.</p>	<p><b>Justification:</b> The playground equipment that currently exists at Heritage Park does not have the required fall zone and does not meet current safety standards.</p>

FUNDING SOURCE:	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	TOTAL
GO Bond - Tax Supported*			42,000			42,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>42,000</b>	<b>0</b>	<b>0</b>	<b>42,000</b>

\*Pending Voter Approval

FUNDING USE:	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	TOTAL
Equipment	0	0	40,000	0	0	40,000
Bond Issuance Costs	0	0	2,000	0	0	2,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>42,000</b>	<b>0</b>	<b>0</b>	<b>42,000</b>





**CIP Project Detail**

<b>Project Name:</b> High Chapparel Park Playground Equipment	<b>Program:</b> Parks and Recreation
<b>Description:</b> Replace Playground Equipment at High Chapparel Park.	<b>Justification:</b> The playground equipment that currently exists at High Chapparel Park does not have the required fall zone and does not meet current safety standards.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
GO Bond - Tax Supported*			42,000			42,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>42,000</b>	<b>0</b>	<b>0</b>	<b>42,000</b>

\*Pending Voter Approval

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Equipment	0	0	40,000	0	0	40,000
Bond Issuance Costs	0	0	2,000	0	0	2,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>42,000</b>	<b>0</b>	<b>0</b>	<b>42,000</b>



# Fire Department



City of Copperas Cove



**CIP Project Detail**

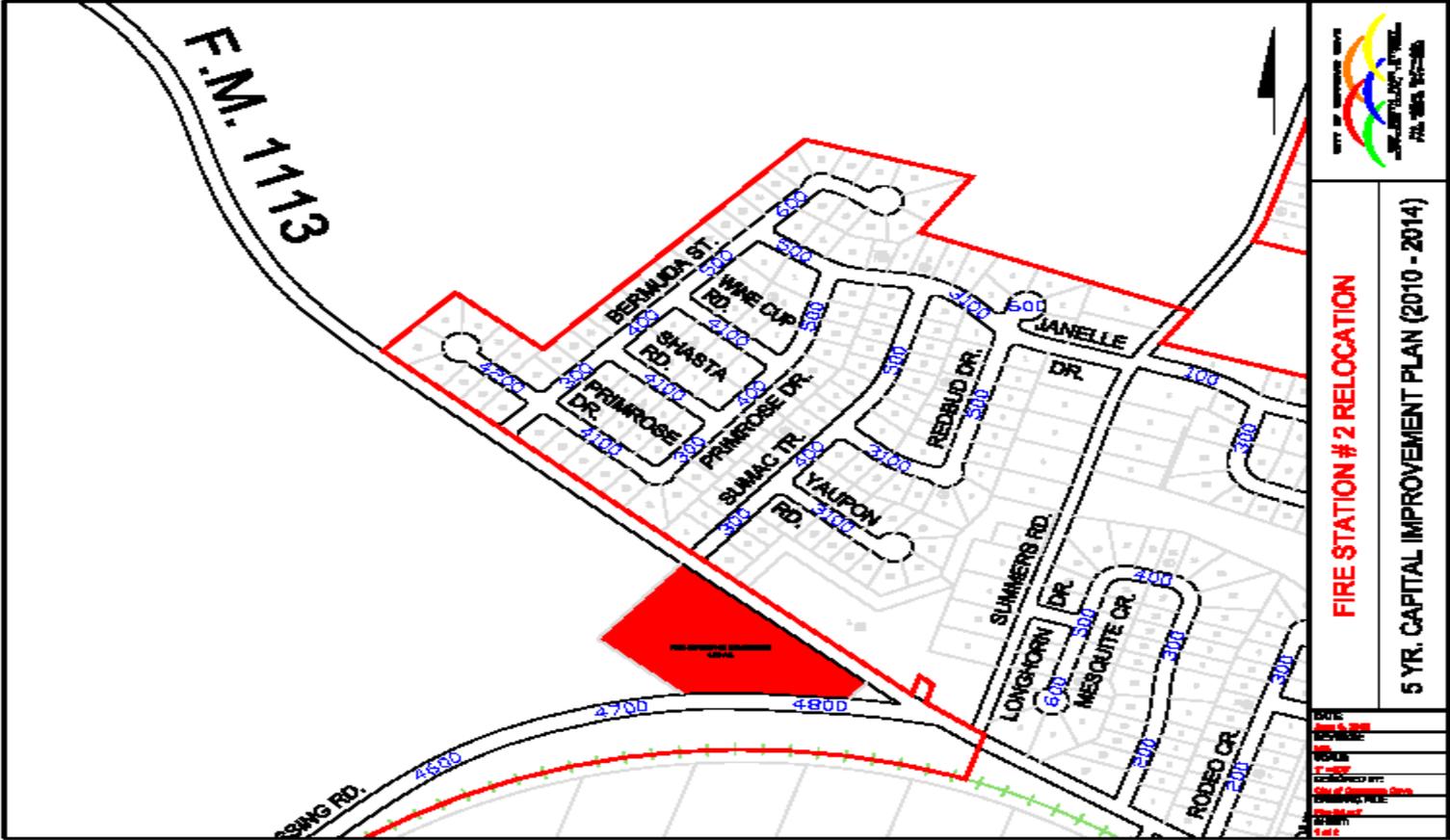
<b>Project Name:</b> Fire Station #2 Relocation	<b>Program:</b> Fire Department
<b>Description:</b> Relocate Fire Station #2 to include an estimated 7,500 SF to include apparatus bay space.	<b>Justification:</b> Current conditions of the existing Fire Station #2 are unsafe and outdated. The relocation will improve the response time for the newly developed area along Big Divide Road and ensure proper emergency coverage on the North side of the BNSF Railway.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2008 Limited Tax Notes - Tax Supported	125,000					125,000
GO Bond - Tax Supported*			3,097,500			3,097,500
<b>TOTAL FUNDING SOURCES</b>	<b>125,000</b>	<b>0</b>	<b>3,097,500</b>	<b>0</b>	<b>0</b>	<b>3,222,500</b>

\*Pending Voter Approval

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Land	125,000	0	0	0	0	125,000
Design/Engineering	0	0	250,000	0	0	250,000
Construction	0	0	2,500,000	0	0	2,500,000
Furniture, Fixtures, and Equipment	0	0	200,000	0	0	200,000
Bond Issuance Costs	0	0	147,500	0	0	147,500
<b>TOTAL FUNDING USE</b>	<b>125,000</b>	<b>0</b>	<b>3,097,500</b>	<b>0</b>	<b>0</b>	<b>3,222,500</b>

# Fire Station #2 Relocation



# Library



City of Copperas Cove



**CIP Project Detail**

<b>Project Name:</b> Library Automation System	<b>Program:</b> Library
<b>Description:</b> Install Library Automation System	<b>Justification:</b> The new library automation system would assist library patrons in finding library materials and enable the library to better manage, catalog, and circulate materials.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
CO - Tax Supported			40,500			40,500
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>40,500</b>	<b>0</b>	<b>0</b>	<b>40,500</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Equipment	0	0	40,500	0	0	40,500
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>40,500</b>	<b>0</b>	<b>0</b>	<b>40,500</b>

# Water & Sewer



City of Copperas Cove



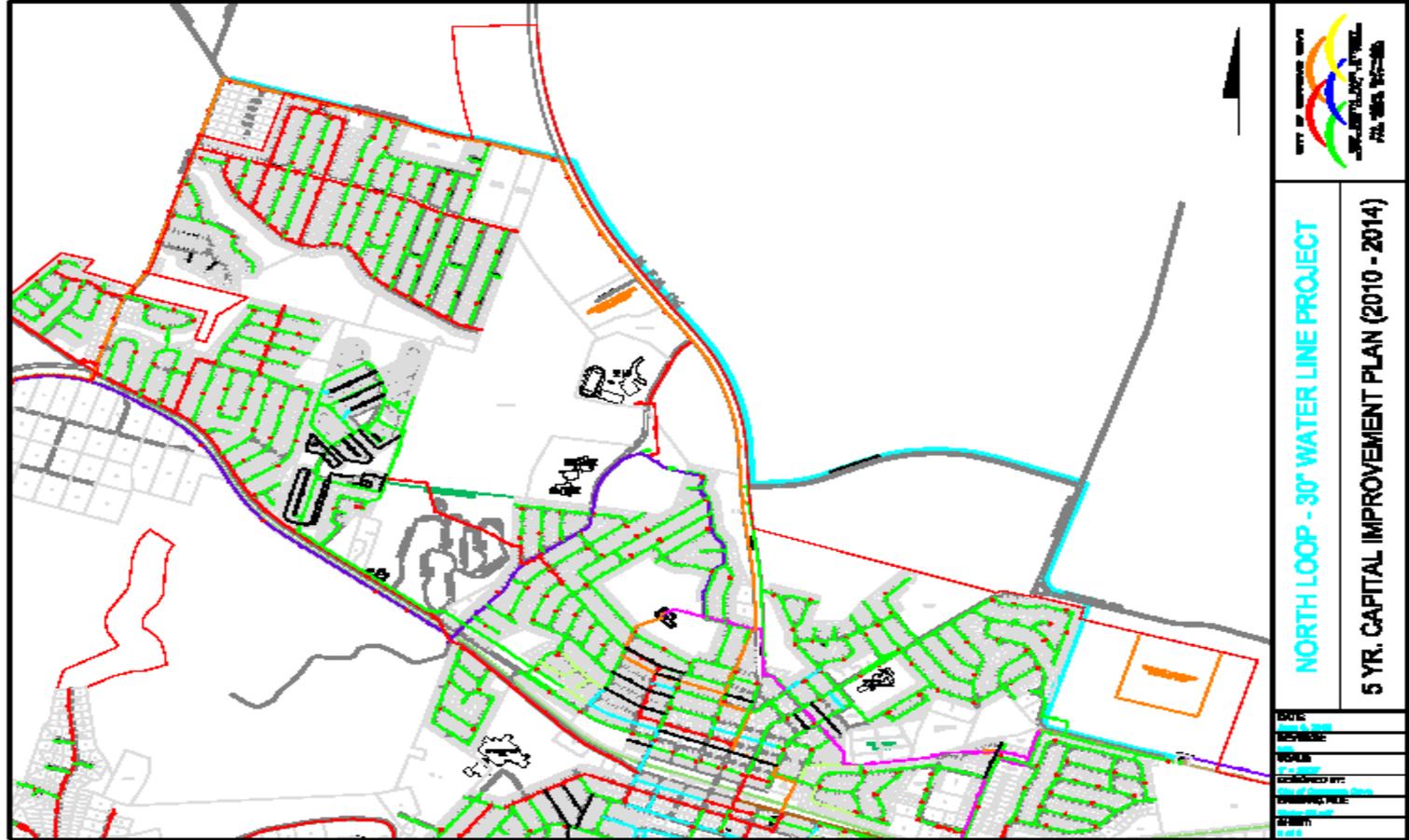
**CIP Project Detail**

<b>Project Name:</b> North Loop Waterline	<b>Program:</b> Water
<b>Description:</b> Construct a 30-inch waterline from Wolfe Road to the intersection of Anderson Mountain Road and North FM116.	<b>Justification:</b> The project was recommended in the Water Model and will hopefully be constructed in conjunction with the construction of the Northeast Loop Rd. The waterline will eventually terminate at the West side of Cove. The project will provide water needed to facilitate growth in the Northwestern and Southwestern portions of the City.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2010 Tax Notes - Water and Sewer		3,780,000				3,780,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>3,780,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,780,000</b>

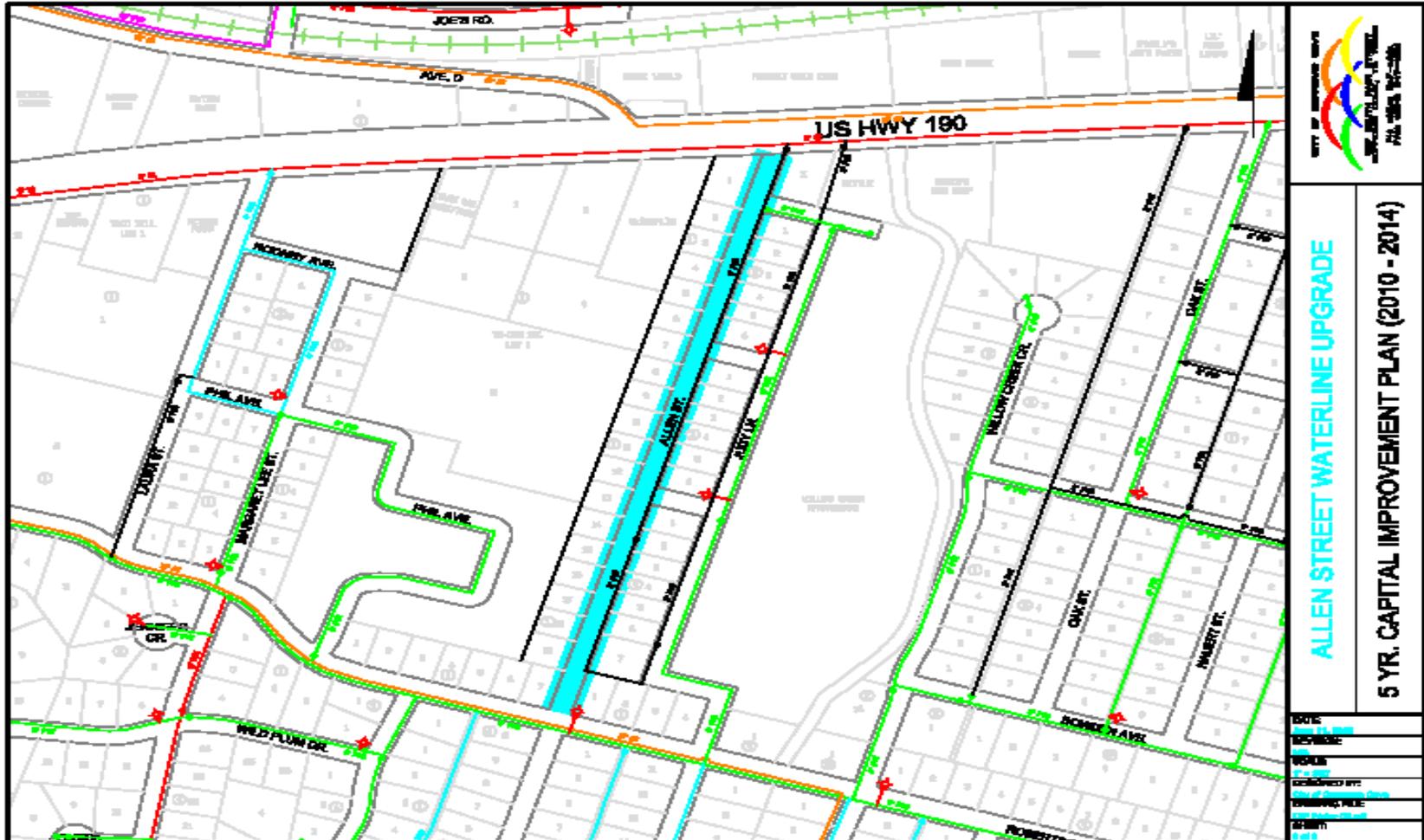
<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Land	0	479,001	0	0	0	479,001
Design/Engineering	319,599	0	0	0	0	319,599
Construction	0	2,943,520	0	0	0	2,943,520
Bond Issuance Costs	0	37,880	0	0	0	37,880
<b>TOTAL FUNDING USE</b>	<b>319,599</b>	<b>3,460,401</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,780,000</b>

# North Loop Water Line





# Allen St. Waterline Upgrade





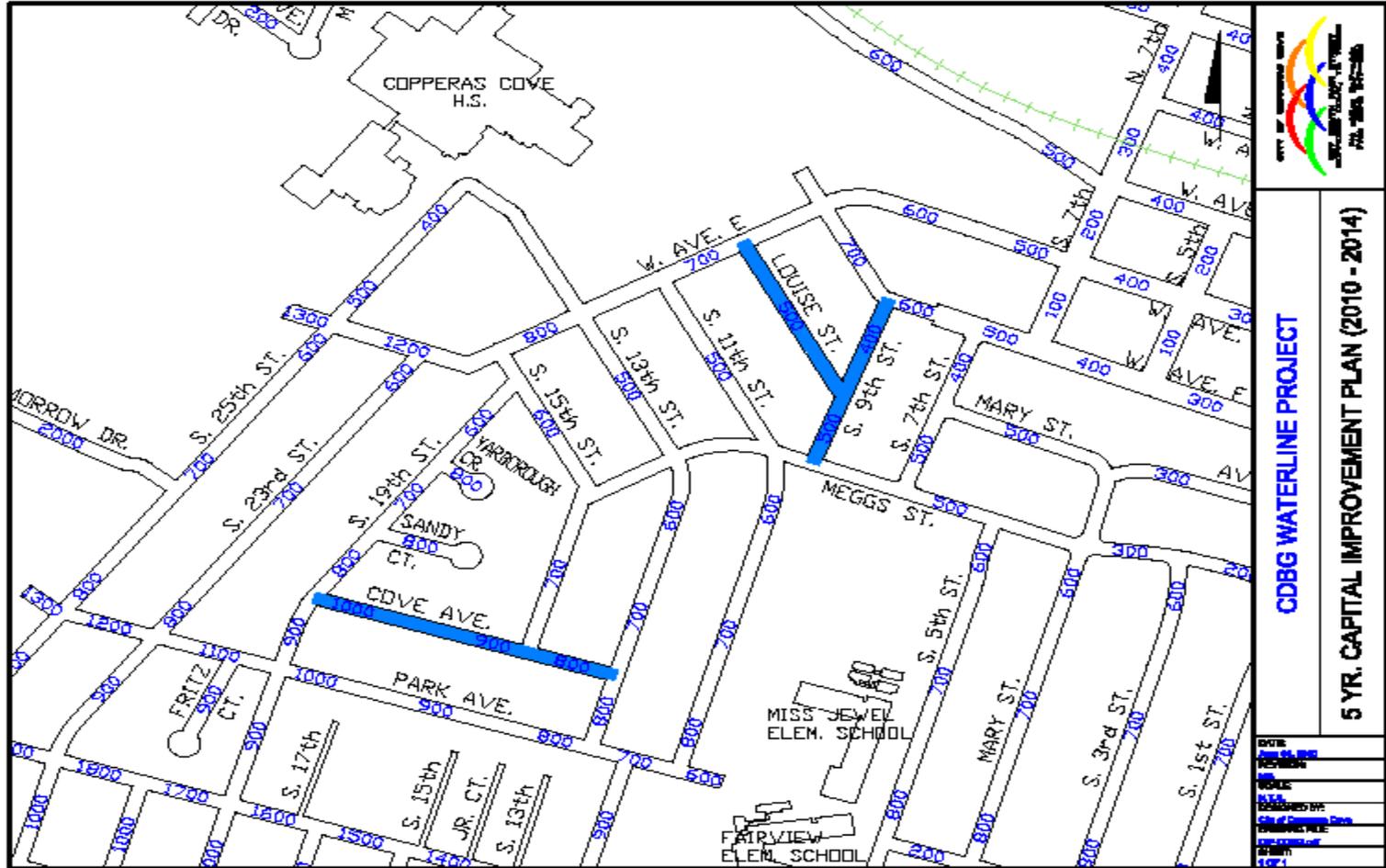
**CIP Project Detail**

<b>Project Name:</b> CDBG Waterline Project (2012)	<b>Program:</b> Water
<b>Description:</b> Replace existing 2" and 1 1/2" galvanized main and 3/4" service lines with a 6" PVC main and 3/4" and 1" poly services along Louise, S. 9th, Cove Ave and Allen Street.	<b>Justification:</b> The project will provide residents in the area with a better water flow and reduce service interruptions. The upgrade will reduce costs for street repairs and leak repairs.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Operating - Water and Sewer Fund			50,000			50,000
Grant - CDBG			200,000			200,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>250,000</b>	<b>0</b>	<b>0</b>	<b>250,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	50,000	0	0	50,000
Construction	0	0	200,000	0	0	200,000
Consulting Fees (Grant Writing)	0	0	0	0	0	0
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>250,000</b>	<b>0</b>	<b>0</b>	<b>250,000</b>

# 2012 CDBG WATERLINE PROJECT

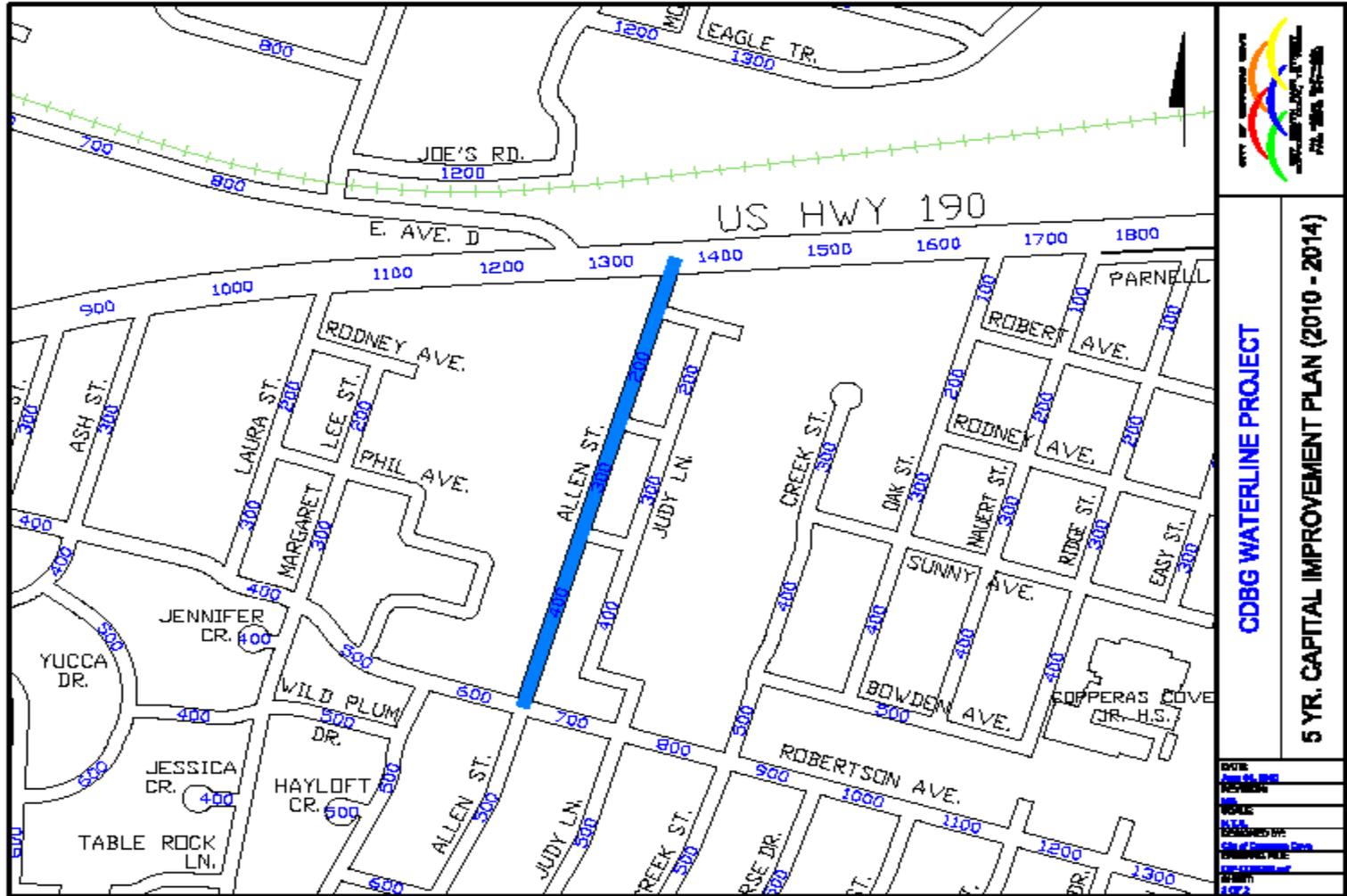


**CDBG WATERLINE PROJECT**

**5 YR. CAPITAL IMPROVEMENT PLAN (2010 - 2014)**

DATE:	10/15/11
DRAWN BY:	J. W. HARRIS
CHECKED BY:	J. W. HARRIS
DESIGNED BY:	J. W. HARRIS
PROJECT NAME:	CDBG WATERLINE PROJECT
SHEET:	157

# 2012 CDBG WATERLINE PROJECT





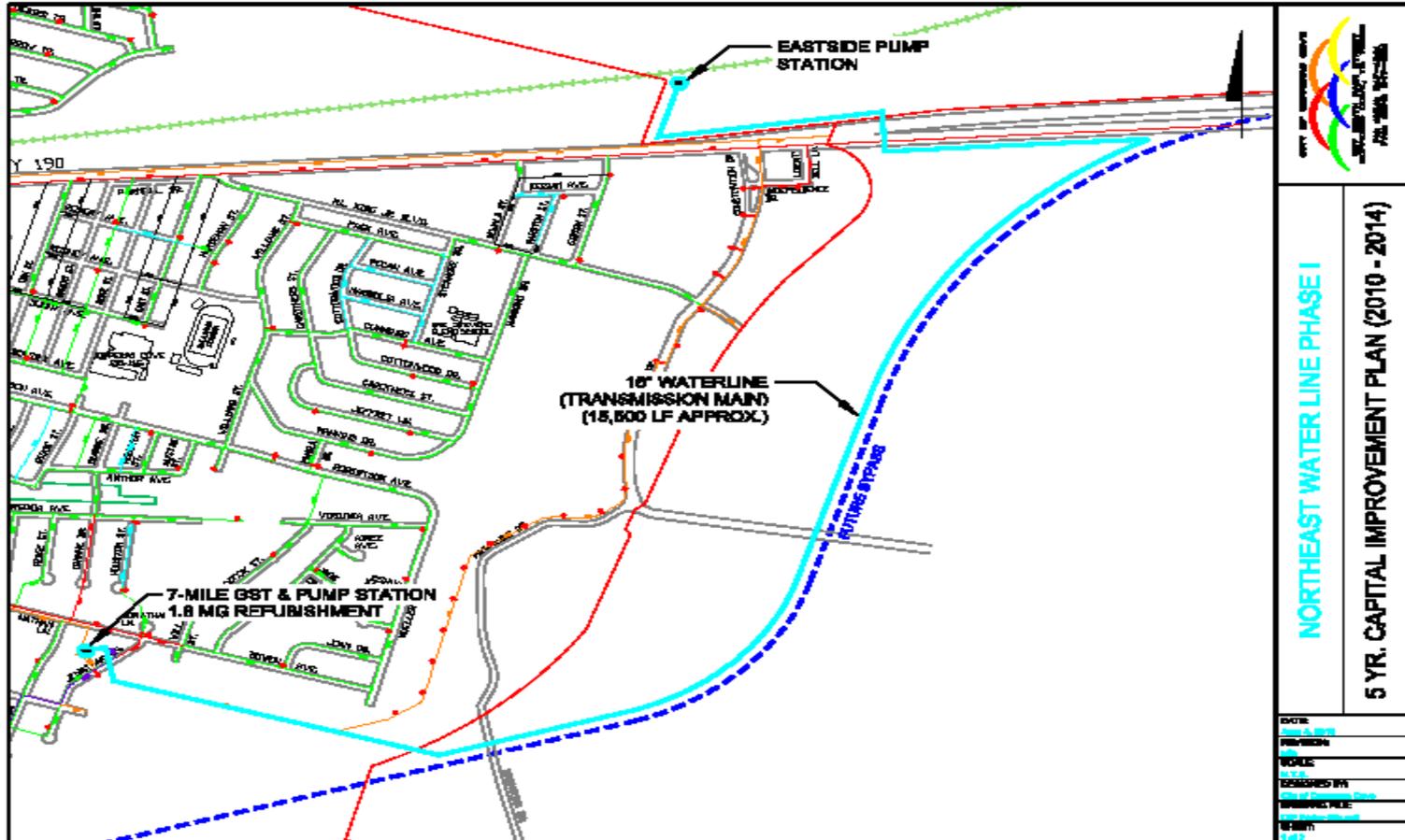
**CIP Project Detail**

<b>Project Name:</b> Northeast Water Line Phase I	<b>Program:</b> Water
<b>Description:</b> Construct a 16-inch transmission main from the East Side Pump Station to the 7-Mile Tank, running along the future HWY 190 Bypass.	<b>Justification:</b> The project will raise the 7-Mile Tank to float with the Central Pressure Plane.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2010 GO Bond - Water and Sewer	227,676					227,676
GO Bond-Voter Apprvd - W&S	1,300,657					1,300,657
<b>TOTAL FUNDING SOURCES</b>	<b>1,528,333</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,528,333</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	133,333	0	0	0	0	133,333
Construction	1,395,000	0	0	0	0	1,395,000
Bond Issuance Costs	0	0	0	0	0	0
<b>TOTAL FUNDING USE</b>	<b>1,528,333</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,528,333</b>

# Northeast Water Line Phase I





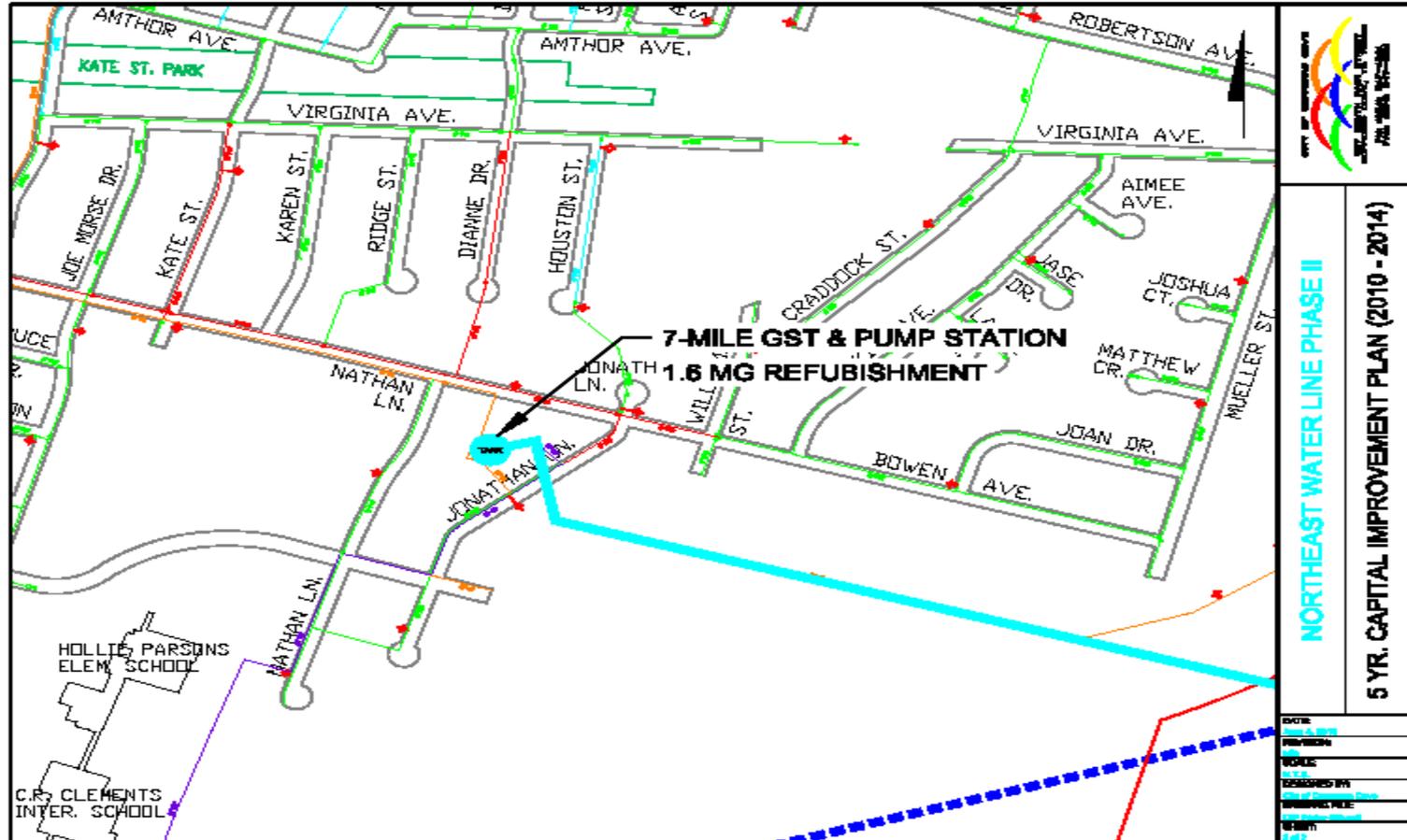
**CIP Project Detail**

<b>Project Name:</b> Northeast Water Line Phase II	<b>Program:</b> Water
<b>Description:</b> Replacing the existing 7-mile ground storage tank with a 1.6 MG Prestressed Concrete Storage Tank.	<b>Justification:</b> The project will raise the 7-Mile Tank to float with the Central Pressure Plane.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2010 GO Bonds	860,000					860,000
<b>TOTAL FUNDING SOURCES</b>	<b>860,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>860,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	0	0	0	0
Construction	860,000	0	0	0	0	860,000
<b>TOTAL FUNDING USE</b>	<b>860,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>860,000</b>

# Northeast Water Line Phase II





**CIP Project Detail**

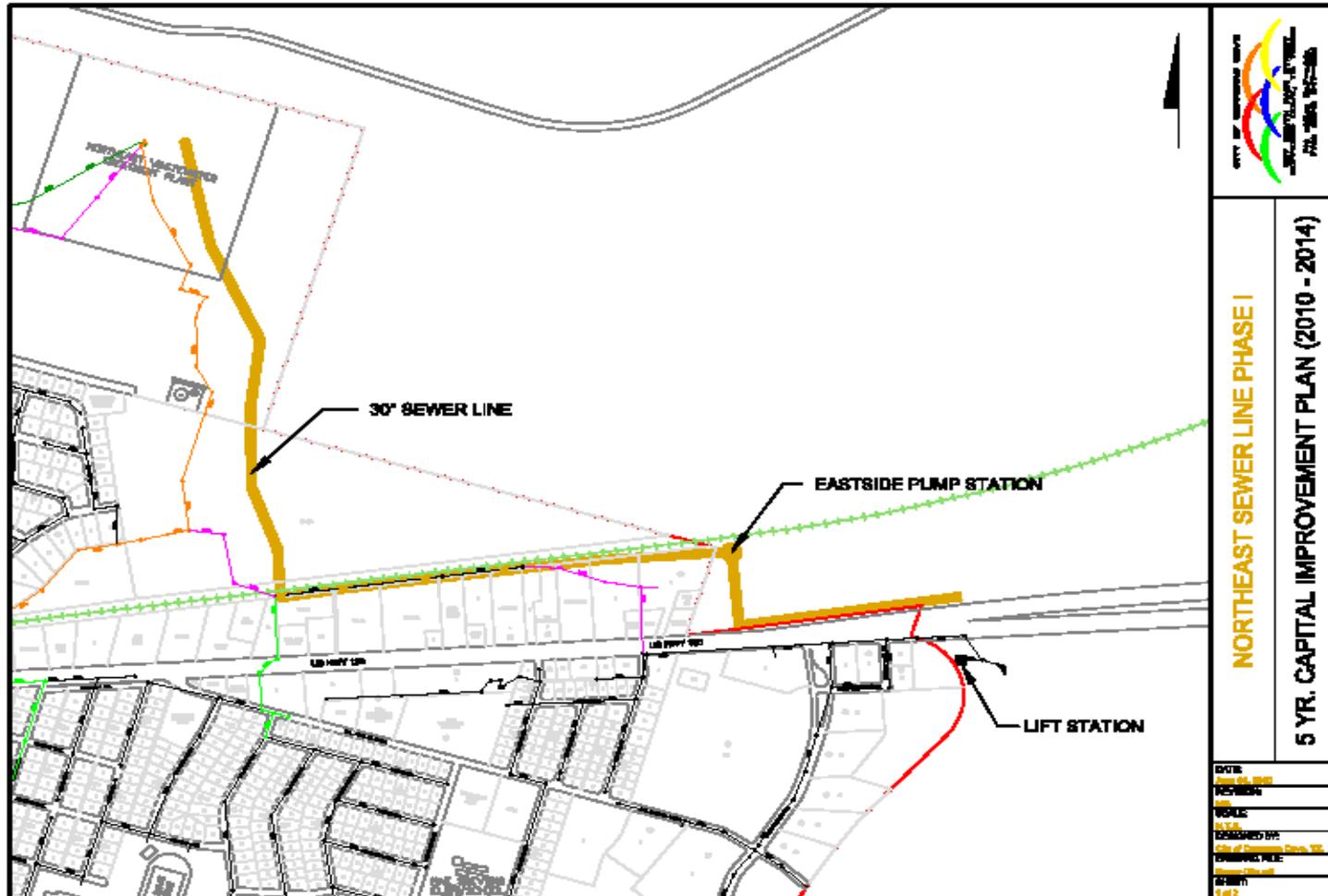
<b>Project Name:</b> Northeast Sewer Line Phase I	<b>Program:</b> Sewer
<b>Description:</b> Install a 30 inch sewer line from Highway 190 to the Northeast Plant and replace an undersized 15" transmission line with a 26" line.	<b>Justification:</b> The project will facilitate economic development in the Southeastern area of Cove and eliminate unauthorized sewer discharges from the current line. River City Engineering is currently surveying the proposed project with one main goal of finding a new route not running through the Golf Course.

Note: Project currently under design.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2010 GO Bonds	1,038,991					1,038,991
<b>TOTAL FUNDING SOURCES</b>	<b>1,038,991</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,038,991</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	133,333	0	0	0	0	133,333
Construction	685,658	0	0	0	0	685,658
Bond Issuance Costs	220,000	0	0	0	0	220,000
<b>TOTAL FUNDING USE</b>	<b>1,038,991</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,038,991</b>

# Northeast Sewer Line Phase I





**CIP Project Detail**

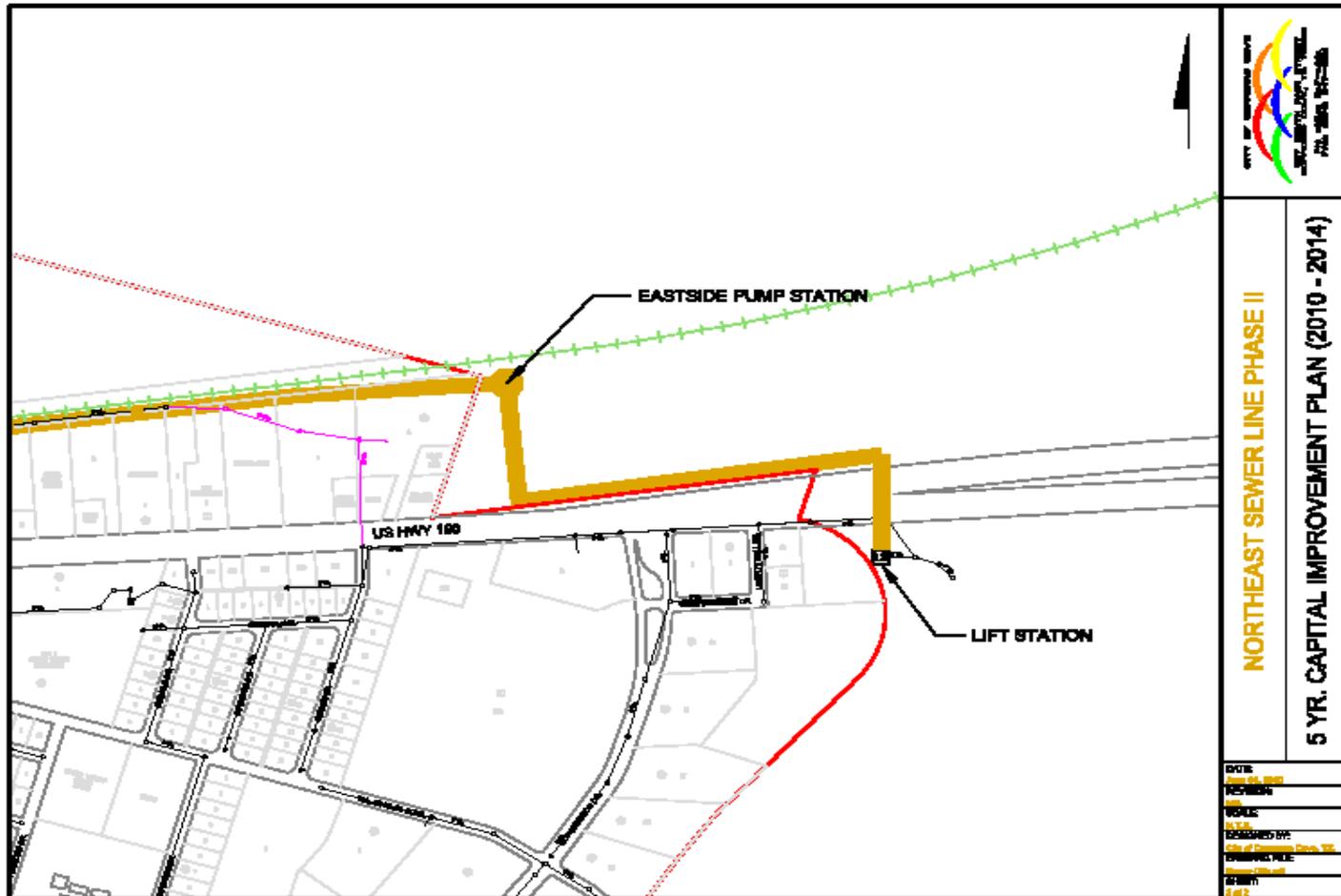
<b>Project Name:</b> Northeast Sewer Line Phase II	<b>Program:</b> Sewer
<b>Description:</b> Construction of a lift station located in the Copperas Cove Business Park and installation of various sized sewer lines and force mains from Highway 190 to the East Pump Station.	<b>Justification:</b> The project will facilitate economic development in the Southeastern area of Cove and eliminate unauthorized sewer discharges from the current line. River City Engineering is currently surveying the proposed project with one main goal of finding a new route not running through the Golf Course.

Note: Project currently under design.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
2010 GO Bonds	1,133,333					1,133,333
<b>TOTAL FUNDING SOURCES</b>	<b>1,133,333</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,133,333</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	133,333	0	0	0	0	133,333
Construction	1,000,000	0	0	0	0	1,000,000
Bond Issuance Costs	0	0	0	0	0	0
<b>TOTAL FUNDING USE</b>	<b>1,133,333</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,133,333</b>

# Northeast Sewer Line Phase II





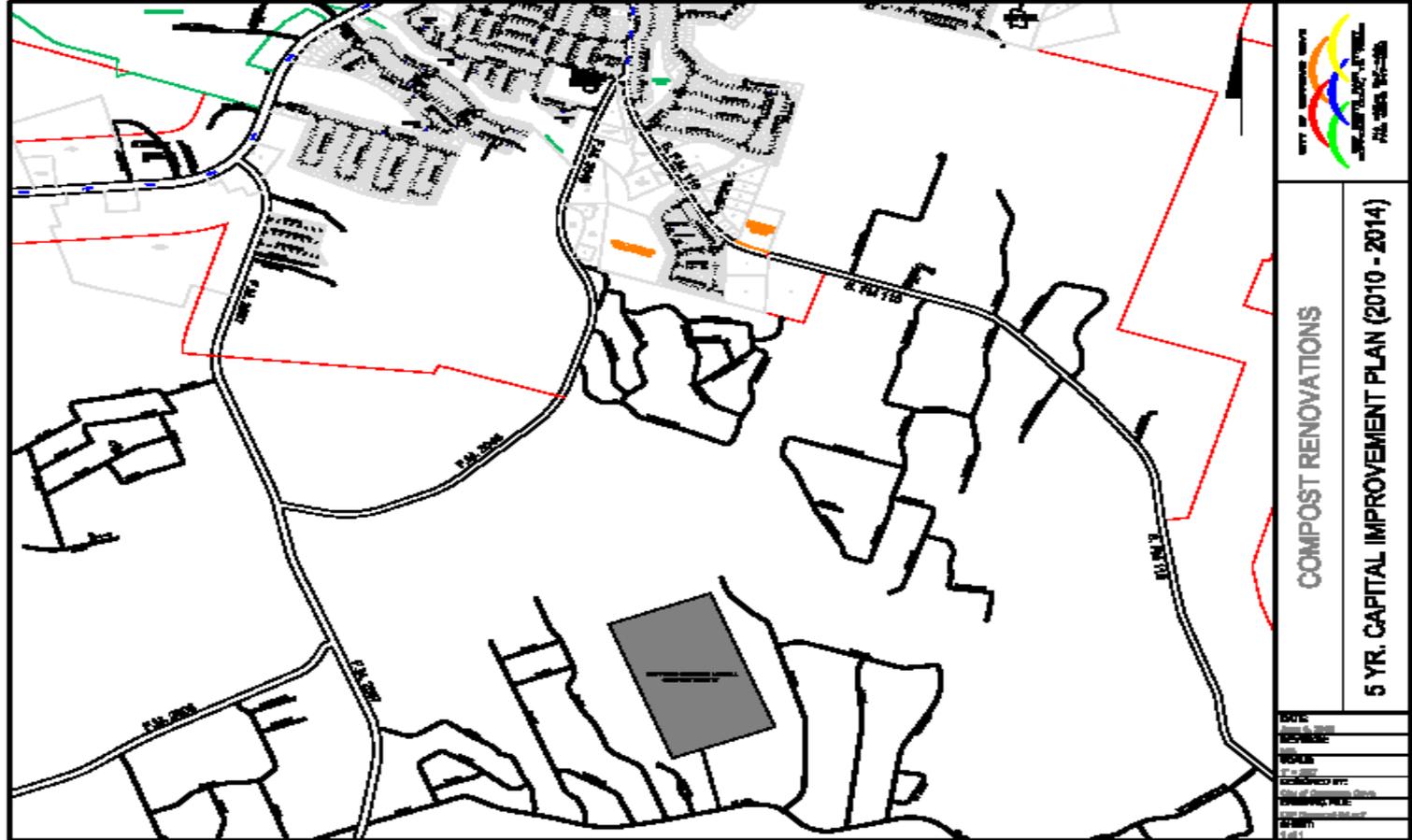
**CIP Project Detail**

<b>Project Name:</b> Compost Renovations	<b>Program:</b> Compost
<b>Description:</b> Install Compost Pad.	<b>Justification:</b> The City's sludge volume is currently exceeding the existing compost facility's capacity.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
CO - Water and Sewer		35,000	370,000			405,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>35,000</b>	<b>370,000</b>	<b>0</b>	<b>0</b>	<b>405,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	35,000	0	0	0	35,000
Construction	0	0	350,000	0	0	350,000
Bond Issuance Costs	0	0	20,000	0	0	20,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>35,000</b>	<b>370,000</b>	<b>0</b>	<b>0</b>	<b>405,000</b>

# Compost Renovations





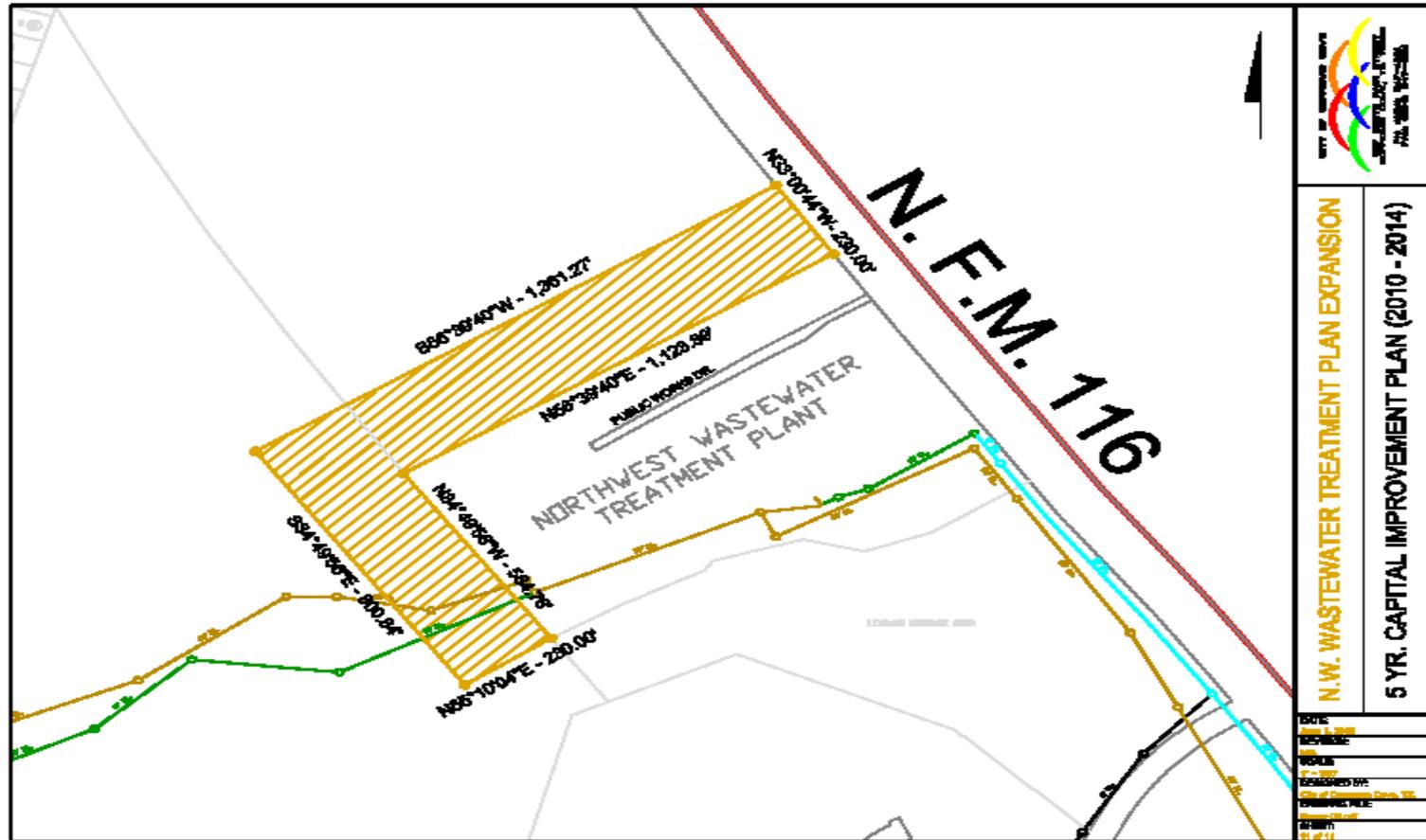
**CIP Project Detail**

<b>Project Name:</b> NWWWTP Land Purchase	<b>Program:</b> Wastewater
<b>Description:</b> Purchase approximately 10 acres of Lehman property North and West of the existing Northwest Wastewater Treatment plant.	<b>Justification:</b> The purchase will allow the expansion of City facilities and prevent residential development backing up to the North and West parameters of existing facilities.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
CO - Water and Sewer				115,000		115,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>115,000</b>	<b>0</b>	<b>115,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Land	0	0	0	100,000	0	100,000
Survey	0	0	0	10,000	0	10,000
Bond Issuance Costs	0	0	0	5,000	0	5,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>115,000</b>	<b>0</b>	<b>115,000</b>

# NWWWTP Land Purchase



# Drainage



City of Copperas Cove



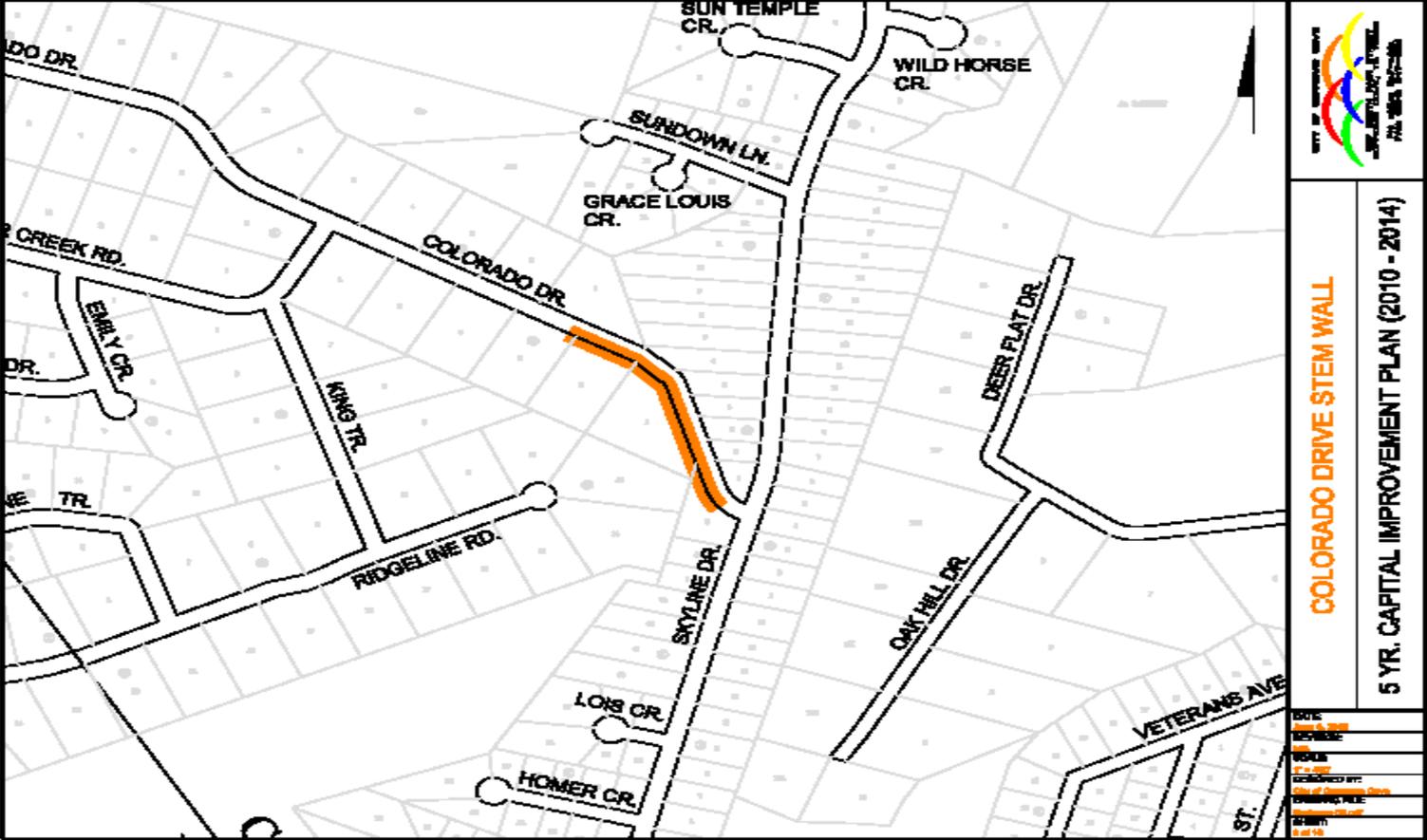
**CIP Project Detail**

<b>Project Name:</b> Colorado Drive Stem Wall	<b>Program:</b> Drainage
<b>Description:</b> Construct a 24" high concrete wall from the top of the hill on Colorado St. to the nearest channel at the bottom of the hill on Colorado St.	<b>Justification:</b> Currently runoff is going over the curb and causing major erosion of the hill on Colorado St. supporting the roadway. During heavy rains, the erosive action has caused rock slides to deposit in the area.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Operating - Drainage Fund			90,000			90,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>90,000</b>	<b>0</b>	<b>0</b>	<b>90,000</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	10,000	0	0	10,000
Construction	0	0	72,000	0	0	72,000
Consulting Fees (Grant Writing)	0	0	8,000	0	0	8,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>90,000</b>	<b>0</b>	<b>0</b>	<b>90,000</b>

# Colorado Drive Stem Wall





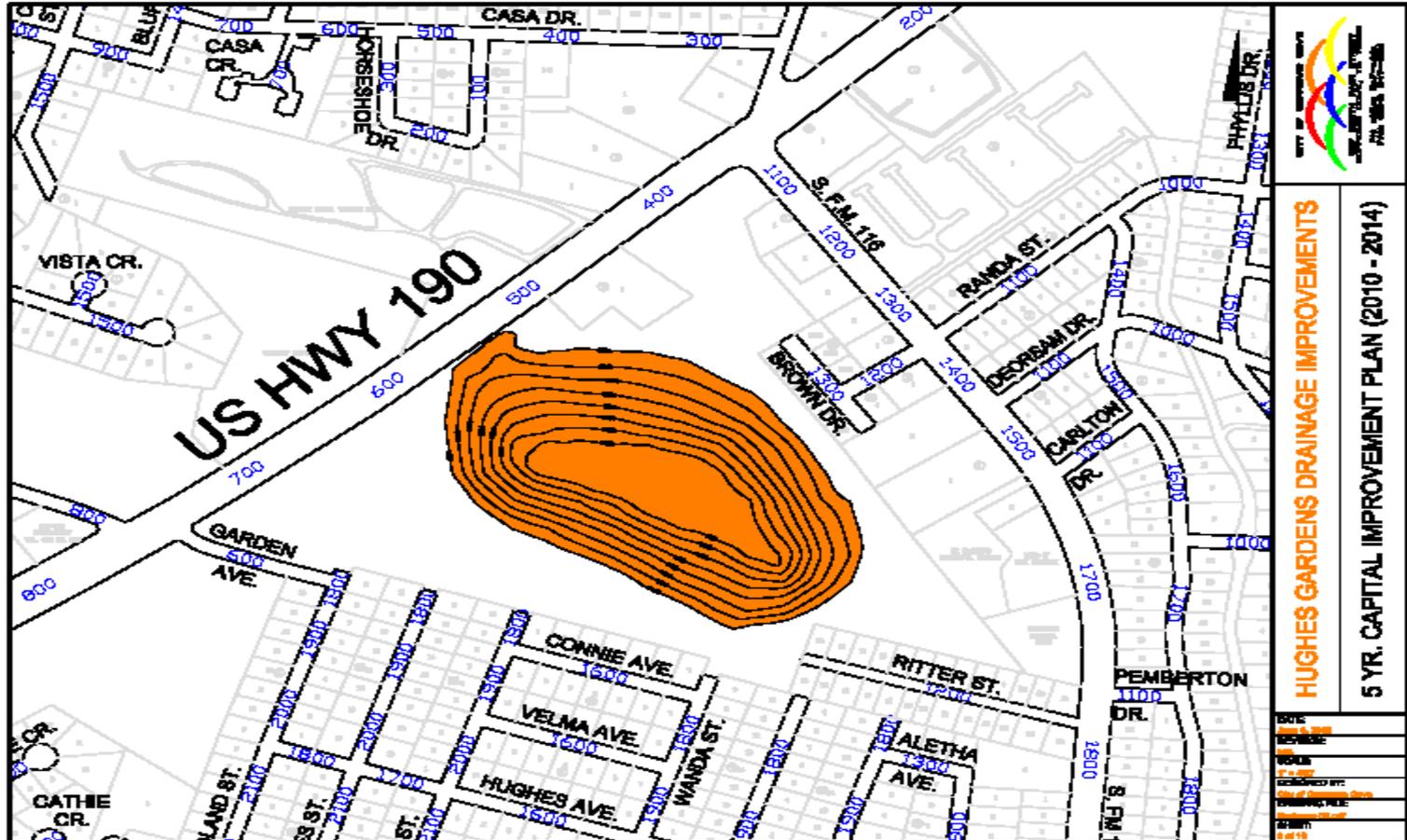
**CIP Project Detail**

<b>Project Name:</b> Hughes Gardens Drainage Improvements	<b>Program:</b> Drainage
<b>Description:</b> Install inlet boxes and underground pipe in the Hughes Garden area.	<b>Justification:</b> Currently, the runoff from the hillside is causing flooding of area houses and overloads the flow capacity of the existing drainage facilities.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
CO - Drainage			476,000			476,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>476,000</b>	<b>0</b>	<b>0</b>	<b>476,000</b>

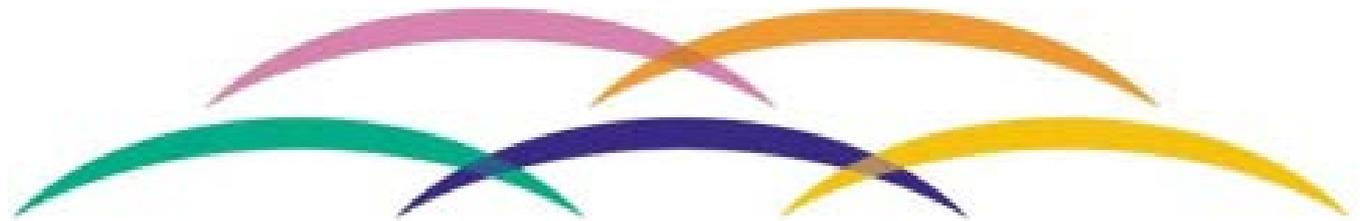
<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	56,000	0	0	56,000
Construction	0	0	400,000	0	0	400,000
Bond Issuance Costs	0	0	20,000	0	0	20,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>476,000</b>	<b>0</b>	<b>0</b>	<b>476,000</b>

# Hughes Gardens Drainage Improvements



**HUGHES GARDENS DRAINAGE IMPROVEMENTS**  
**5 YR. CAPITAL IMPROVEMENT PLAN (2010 - 2014)**

# Golf Course



City of Copperas Cove



**CIP Project Detail**

<b>Project Name:</b> Caddy Shack Renovations	<b>Program:</b> Golf Course
<b>Description:</b> Expand the kitchen and renovate existing kitchen.	<b>Justification:</b> As the Golf Course continues to grow, the need for an adequate kitchen to serve the golfers grows. The expansion and renovations would allow better service to customers.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
GO Bond - Golf Course*			45,000			45,000
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>0</b>	<b>45,000</b>	<b>0</b>	<b>0</b>	<b>45,000</b>

\*Pending Voter Approval

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	0	5,000	0	0	5,000
Construction	0	0	20,000	0	0	20,000
Furniture, Fixtures, and Equipment	0	0	20,000	0	0	20,000
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>0</b>	<b>45,000</b>	<b>0</b>	<b>0</b>	<b>45,000</b>

# Caddy Shack Renovations







**CIP Project Detail**

<b>Project Name:</b> Effluent Storage Pond	<b>Program:</b> Golf Course
<b>Description:</b> Construction of an approximately 1 acre pond on the golf course for the purpose of storing effluent water to be used for the irrigation of the golf course.	<b>Justification:</b> The golf course switched off it's potable irrigation system in the fall of 2009. In Spring 2010 it became clear that the current effluent storage tank will not be adequate in size to properly irrigate the golf course.

<b>FUNDING SOURCE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
CO - Tax Supported		199,675				199,675
<b>TOTAL FUNDING SOURCES</b>	<b>0</b>	<b>199,675</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>199,675</b>

<b>FUNDING USE:</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>TOTAL</b>
Design/Engineering	0	15,000	0	0	0	15,000
Construction	0	147,500	0	0	0	147,500
TCEQ Permitting	0	12,500	0	0	0	12,500
Contingency	0	14,750	0	0	0	14,750
Bond Issuance Cost	0	9,925	0	0	0	9,925
<b>TOTAL FUNDING USE</b>	<b>0</b>	<b>199,675</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>199,675</b>

# Effluent Storage Pond



# FY 2015-2019 Future Projects



# Water & Sewer

- 30" Waterline Phase II
  - Install a 30" water transmission line from the corner of Texas Street and Golf Course Rd, north along the west side of the golf course to Tank Destroyer Blvd.
- 30" Waterline Phase III
  - Install a 30" water transmission line from North FM116, west to a location TBD near Grimes Crossing Rd.

# Water & Sewer

- Mountain Top Pressure Plane Water
  - Install a 30” water transmission line from Grimes Crossing Road to a point near the northern tip of the Mountain Top Pressure Plane, to tie into a 1.2 million gallon Ground Storage Tank.
- Mickan Mountain Elevated Storage Tank
  - Construct a new 2 million gallon elevated storage tank at Mickan Mountain.

# Water & Sewer

- Clear Creek Water Line
  - Relocate approximately five miles of the 20” water transmission line located on Fort Hood, from Clear Creek Rd., west to the Freddie Dewald property which is near or under the Fort Hood Railhead.

# Parks & Recreation

- Upgrade Effluent Output
  - Upgrade waste water capability to produce Type I effluent from the current Type II.
- Spray Park at Golf Course
  - Installation of a Spray Park at the Golf Course Tennis Courts, renovation of existing restroom facilities and installation of retaining wall and sidewalks.

# Potential Projects



# Potential

- Downtown Event Parking
  - Demolish existing older P.D. building and construct and mark a parking lot for downtown event parking.

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
June 1, 2010 – 7:00 P.M.**

**A. CALL TO ORDER**

Mayor John Hull called the regular meeting of the City Council of the City of Copperas Cove Texas to order at 7:00 p.m.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Rev. Jody Jones, Robertson Baptist 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 - Absent  
Danny Palmer  
Bill L. Stephens  
Frank Seffrood

**ALSO PRESENT**

Andrea M. Gardner, City Manager  
Charles E. Zech, City Attorney  
Stefanie Brown, Deputy City Secretary

**D. ANNOUNCEMENTS**

Council Member Seffrood thanked everyone who paid tribute to our fallen soldiers over the Memorial Day weekend.

Council Member Palmer reminded citizens that the City swimming pools are now open for the summer.

City Manager Gardner informed the Council that the City received their bond report from Moody's and the City had an upgrade from an A1 to an Aa3. Ms. Gardner thanked staff for making the upgrade possible.

**E. PUBLIC RECOGNITION**

1. Recognition and farewell to outgoing Council Members. ***John Hull, Mayor***

Mayor John Hull thanked Chuck Downard, Position 3, and Bill L. Stephens, Position 5, for their service to the City and wished them the best.

2. Oath of Office. ***F. W. "Bill" Price, Municipal Court Judge***

F.W. "Bill" Price, Municipal Court Judge, administered the Oath of Office to Gary L. Kent, Council Member Position 3; Danny Palmer, Council Member Position 4; and Kenn Smith, Council Member Position 5.

3. Outgoing Unity Committee Members. ***Andrea M. Gardner, City Manager***

Andrea M. Gardner, City Manager presented the following outgoing Unity Committee Members with a certificate and Unity pin:

- Joseph Pace, Chairman – Municipal Court Administrator
- Carroll Merrell, Member – Utility Dept. Meter Reader/Service Tech.
- Ernest Wilkins, Member – Drainage Dept. Laborer
- Kevin Keller, Member – Police Dept. Corporal
- Calvin Aplaca, Member – Sewer Collection Assistant Supervisor

**F. CITIZENS' FORUM – None.**

**G. CONSENT ITEMS**

1. Consideration and action on approving the minutes from the workshop council meeting on May 18, 2010. **Jane Lees, City Secretary**

2. Consideration and action on approving the minutes from the regular council meeting on May 18, 2010. **Jane Lees, City Secretary**

3. Consideration and action on approving the minutes from the special council meeting on May 24, 2010. **Jane Lees, City Secretary**

Council Member Palmer made a motion to approve G-1, G-2, and G-3 as presented. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

**H. PUBLIC HEARINGS/ACTION**

1. Public hearing on an ordinance amending the 2009-10 fiscal year budget for the City of Copperas Cove. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item H-1.

Mayor Hull opened the public hearing at 7:24 p.m.

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:27 p.m.

No action was taken.

**I. ACTION ITEMS**

1. Consideration and action on the appointment of a mayor pro tem to serve for a period of one (1) year and who shall act as mayor during the absence or disability of the mayor. **Stefanie Brown, Deputy City Secretary**

Mayor John Hull gave an overview of agenda item I-1 and nominated Frank Seffrood, Position 7, to serve as Mayor Pro Tem.

Council Member Youngs made a motion to appoint Frank Seffrood, Position 7, as Mayor Pro Tem to serve for a period of one (1) year and who shall act as Mayor during the absence or disability of the Mayor. Council Member Kent seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on granting Council Member Frank Seffrood, Position 7, an excused absence from a regular council meeting. **Stefanie Brown, Deputy City Secretary**

Mayor John Hull gave an overview of agenda item I-2.

Council Member Kent made a motion to grant Council Member Frank Seffrood, Position 7, an excused absence from the next regular scheduled council meeting. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

3. Discussion on Fiscal Year 2010-11 Budget Calendar to include the dates established for budget workshops and the required public hearings per the City Charter and/or State Law. **Andrea M. Gardner, City Manager**

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

After discussion, the council concurred to use the Fiscal Year 2010-11 Budget Calendar as presented.

4. Consideration and action on an ordinance amending Personnel Policy No. 510, Family and Medical Leave. **Kelli Sames, Human Resources Director**

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

Council Member Meredith made a motion to approve Ordinance No. 2010-26 as presented. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

#### **ORDINANCE NO. 2010-26**

**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. 510, (FAMILY AND MEDICAL LEAVE ACT) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 510, (FAMILY AND MEDICAL LEAVE ACT) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.**

5. Consideration and action on appointments to the Board of Adjustment. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-5.

After a brief discussion among the Council and City Attorney, it was decided that each council member would have the opportunity to nominate an individual for each position to be filled. An individual receiving four or more nominations would be appointed to the position. These positions are to serve on the Board of Adjustment for a period of two (2) years starting July 1, 2010 and ending June 30, 2012.

Nominations for Position 2 were as follows:

Frank Seffrood	James Morival
Kenn Smith	Jack Widup
Danny Palmer	James Morival
Gary L. Kent	James Morival
Charlie D. Youngs	Gilbert Hancock
Cheryl L. Meredith	James Morival

James Morival was appointed to Position 2, having received 4 nominations.

Nominations for Position 4 were as follows:

Cheryl L. Meredith	Jack Widup
Charlie D. Youngs	Frank Somera
Gary L. Kent	Frank Somera
Danny Palmer	Frank Somera
Kenn Smith	Frank Somera
Frank Seffrood	Frank Somera

Frank Somera was appointed to Position 4, having received 5 nominations.

Nominations for Alternate Position 1 were as follows:

Frank Seffrood	Annabelle Smith
Kenn Smith	Annabelle Smith
Danny Palmer	Annabelle Smith
Gary L. Kent	Annabelle Smith
Charlie D. Youngs	Bill Stephens
Cheryl L. Meredith	Annabelle Smith

Annabelle Smith was appointed to Alternate Position 1, having received 5 nominations.

Nominations for Alternate Position 2 were as follows:

Kenn Smith	Gilbert Hancock
Danny Palmer	Bill Stephens
Gary L. Kent	Gilbert Hancock
Charlie D. Youngs	Gilbert Hancock
Cheryl L. Meredith	Gilbert Hancock
Frank Seffrood	Gilbert Hancock

Gilbert Hancock was appointed to Alternate Position 2, having received 5 nominations.

6. Consideration and action on appointments to the Planning and Zoning Commission. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-6.

After a brief discussion among the Council and City Attorney, it was decided that each council member would have the opportunity to nominate an individual for each position to be filled. An individual receiving four or more nominations would be appointed to the position. These positions are to serve on the Planning and Zoning Commission for a period of three (3) years starting July 1, 2010 and ending June 30, 2013.

Nominations for Position 3 were as follows:

Charlie D. Youngs	Melinda Montoya
Gary L. Kent	James Stockman
Danny Palmer	James Stockman
Kenn Smith	James Stockman
Frank Seffrood	Melinda Montoya
Cheryl L. Meredith	Melinda Montoya
John Hull	James Stockman

James Stockman was appointed to Position 3, having received 4 nominations.

Nominations for Position 4 were as follows:

Gary L. Kent	Jack Widup
Danny Palmer	Jack Widup
Kenn Smith	Jack Widup
Frank Seffrood	Bill Stephens
Cheryl L. Meredith	Jack Widup
Charlie D. Youngs	Jack Widup

Jack Widup was appointed to Position 4, having received 5 nominations.

Nominations for Position 5 were as follows:

Danny Palmer	Bill Stephens
Kenn Smith	Bill Stephens
Frank Seffrood	Bill Stephens
Cheryl L. Meredith	Bill Stephens
Charlie D. Youngs	Melinda Montoya
Gary L. Kent	Bill Stephens

Bill Stephens was appointed to Position 5, having received 5 nominations.

7. Consideration and action on authorizing the City Manager to execute an agreement between the City of Copperas Cove and Sunbelt Industrial Services Inc. for professional services to perform continuous coring and the installation of three piezometers to provide additional site characterization for the landfill groundwater

monitoring plan as suggested by the Texas Commission on Environmental Quality (TCEQ). **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste, gave an overview of agenda item I-7.

Council Member Palmer made a motion to authorizing the City Manager to execute an agreement between the City of Copperas Cove and Sunbelt Industrial Services Inc. for professional services to perform continuous coring and the installation of three piezometers to provide additional site characterization for the landfill groundwater monitoring plan as suggested by the Texas Commission on Environmental Quality (TCEQ). Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

8. Consideration and action on authorizing the City Manager to execute an agreement between the City of Copperas Cove and Hearn Engineering, Inc for professional services to survey and mark the locations for the installation of three piezometers and four permanent gas monitoring probes to provide additional site characterization for the landfill groundwater monitoring plan and the future installation of four permanent gas monitoring probes as suggested by the Texas Commission on Environmental Quality (TCEQ). **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste, gave an overview of agenda item I-8.

Council Member Meredith made a motion to authorizing the City Manager to execute an agreement between the City of Copperas Cove and Hearn Engineering, Inc for professional services to survey and mark the locations for the installation of three piezometers and four permanent gas monitoring probes to provide additional site characterization for the landfill groundwater monitoring plan and the future installation of four permanent gas monitoring probes as suggested by the Texas Commission on Environmental Quality (TCEQ). Council Member Kent seconded the motion, and with a unanimous vote, motion carried.

9. Consideration and action authorizing the submittal of an application for a grant through the Texas Forest Service for new air packs, bunker gear, and training. **Mike Baker, Fire Chief**

Mike Baker, Fire Chief, gave an overview of agenda item I-9.

Council Member Palmer made a motion to approve agenda item I-9 as presented. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

- J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS – None.**
- K. ITEMS FOR FUTURE AGENDAS – None.**
- L. EXECUTIVE SESSION – None.**
- M. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION**
- N. ADJOURNMENT**

There being no further business, Mayor Hull adjourned the meeting at 7:58 p.m.

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John Hull, Mayor

**ATTEST:**

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Stefanie Brown, Deputy City Secretary

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. G-2

Contact – Andrea M. Gardner, City Manager, 547-4221

[agardner@ci.copperas-cove.tx.us](mailto:agardner@ci.copperas-cove.tx.us)

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**SUBJECT: Consideration and action on a resolution authorizing continued participation with the steering committee of cities served by Oncor; and authorizing the payment of 10 cents per capita to the steering committee to fund regulatory and related activities related to Oncor Electric Delivery Company LLC.**

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### 1. BACKGROUND/HISTORY

The City is a member of a 146-member city coalition known as the Steering Committee of Cities Served by Oncor.

The Steering Committee undertakes activities on behalf of municipalities for which funding support is necessary from the members. Municipalities have original jurisdiction over the electric transmission and distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s and took on a formal structure in the early 1990s when cities served by TXU (since renamed as Oncor Electric Delivery Company) gave up statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for nearly two decades.

### 2. FINDINGS/CURRENT ACTIVITY

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company within the City. Steering Committee representation is also strong at ERCOT. The potential for additional efforts will be necessary on new issues that arise during the year, and importance remains on the Steering Committee's ability to fund participation on behalf of the member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

**3. FINANCIAL IMPACT**

The resolution approves the assessment of a ten cent (\$0.10) per capita fee to fund the activities of the Steering Committee. A copy of the invoice is attached and funds are included in the FY 2010 General Fund Non Departmental budget.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council adopt a resolution authorizing continued participation with the steering committee of cities served by Oncor; and authorizing the payment of 10 cents per capita to the steering committee to fund regulatory and related activities related to Oncor Electric Delivery Company LLC.

**RESOLUTION NO. 2010-25**

**A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF 10 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY LLC.**

**WHEREAS,** the City of Copperas Cove is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company LLC (Oncor) within the municipal boundaries of the city; and

**WHEREAS,** the Steering Committee has historically intervened in Oncor (formerly known as TXU) rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

**WHEREAS,** the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, affecting transmission and distribution utility rates; and

**WHEREAS,** the City is a member of the Steering Committee of Cities Served by Oncor; and

**WHEREAS,** in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

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

**I.**

That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Copperas Cove and protect the interests of the customers of Oncor Electric Delivery Company LLC residing and conducting business within the City limits.

**II.**

The City is further authorized to pay its assessment to the Steering Committee ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

**III.**

A copy of this Resolution and the assessment payment check made payable to "Oncor Cities Steering Committee" shall be sent to Jay Doegey, Chair, Oncor Cities Steering Committee, c/o City Attorney's Office, Mail Stop 63-0300, P. O. Box 90231, Arlington, Texas 76004-3231.

**PASSED, APPROVED, AND ADOPTED** on this 15th day of June 2010, at a regular meeting of the City Council of the City of Copperas Cove, Texas, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays 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

Oncor Cities Steering Committee

c/o Jay Doegey, City Attorney  
Post Office Box 90231  
Arlington, TX 76004-3231

# Invoice

Date	Invoice #
4/30/2010	10-35

Bill To
City of Copperas Cove (joined 2008)

01-4190-7500-6012

Population	Item	Per capita	Amount
30.710	2010 Assessment	0.10	3,071.00
<b>Total</b>			\$3,071.00

Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, c/o Jay Doegey, Chair, Arlington City Attorney's Office, PO Box 90231, Mail Stop 63-0300, Arlington, Texas 76004-3231

RECEIVED  
5-27-10  
L

## STEERING COMMITTEE CITIES (146)

Addison	Fate	Oak Leaf
Allen	Flower Mound	Oak Point
Alvarado	Forest Hill	Odessa
Andrews	Fort Worth	O'Donnell
Anna	Frisco	Ovilla
Archer City	Frost	Palestine
Argyle	Gainesville	Pantego
Arlington	Garland	Paris
Bedford	Glenn Heights	Plano
Bellmead	Grand Prairie	Pottsboro
Belton	Granger	Prosper
Benbrook	Grapevine	Ranger
Beverly Hills	Gunter	Rhome
Big Spring	Haltom City	Richardson
Breckenridge	Harker Heights	Richland Hills
Bridgeport	Henrietta	River Oaks
Brownwood	Hewitt	Roanoke
Buffalo	Highland Park	Robinson
Burkburnett	Honey Grove	Rockwall
Burleson	Howe	Rosser
Caddo Mills	Hurst	Rowlett
Cameron	Hutto	Sachse
Canton	Iowa Park	Saginaw
Carrollton	Irving	Seagoville
Cedar Hill	Jolly	Sherman
Celina	Josephine	Snyder
Centerville	Justin	Southlake
Cleburne	Kaufman	Springtown
Coahoma	Keller	Stephenville
Colleyville	Kerens	Sulphur Springs
Collinsville	Krum	Sunnyvale
Comanche	Lake Worth	Sweetwater
Commerce	Lakeside	Temple
Coppell	Lamesa	Terrell
Copperas Cove	Lancaster	The Colony
Corinth	Lewisville	Tyler
Crowley	Lindale	University Park
Dallas	Little Elm	Venus
Dalworthington Gardens	Little River Academy	Waco
DeLeon	Malakoff	Watauga
De Soto	Mansfield	Waxahachie
Denison	McKinney	White Settlement
Duncanville	Mesquite	Wichita Falls
Early	Midland	Willow Park
Eastland	Midlothian	Woodway
Edgecliff Village	Murchison	Wylie
Eules	Murphy	
Everman	Nacogoches	567089_1
Fairview	New Chapel Hill	
Farmers Branch	North Richland Hills	

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. G-3

Contact – Andrea M. Gardner, City Manager, 547-4221  
[agardner@ci.copperas-cove.tx.us](mailto:agardner@ci.copperas-cove.tx.us)

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**SUBJECT: Consideration and action on authorizing the City Manager to execute a letter revising the City's designated representative for the Electric Reliability Council of Texas, Inc (ERCOT).**

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### 1. BACKGROUND/HISTORY

On October 13, 2009, the City Council approved Resolution 2009-40 authorizing the City Manager to submit an application and agreement with ERCOT for membership year 2010. As part of the application and agreement, Wanda Bunting was specifically listed as the City's designated representative.

### 2. FINDINGS/CURRENT ACTIVITY

Wanda Bunting resigned from the City of Copperas Cove effective May 7, 2010. According to the executed Membership Agreement, "an ERCOT Member may change its representative at any time by written request (signed by a duly authorized representative of the ERCOT Member) submitted to the ERCOT Legal Department." Thus, City staff requests the governing body authorize the City Manager to change the City representative as per the following:

Name:	Bob McKinnon
Title:	Director of Public Works
Address:	1601 N. 1 <sup>st</sup> Street
City, State, Zip:	Copperas Cove, Texas 76522
Phone:	254-547-0751
Fax:	254-547-9851
Email:	<a href="mailto:bmckinnon@ci.copperas-cove.tx.us">bmckinnon@ci.copperas-cove.tx.us</a>

### 3. FINANCIAL IMPACT

No anticipated expenditures as a result of authorizing the City Manager to execute a change request for the designated City representative with ERCOT.

### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends the City Council authorize the City Manager to execute a letter revising the City's designated representative for ERCOT.

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. G-4

Contact – Andrea M. Gardner, City Manager, 547-4221  
[agardner@ci.copperas-cove.tx.us](mailto:agardner@ci.copperas-cove.tx.us)

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**SUBJECT: Consideration and action on authorizing the City Manager to submit a ballot form for the election of an ERCOT Unaffiliated Director to serve on the ERCOT Board.**

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#### 1. BACKGROUND/HISTORY

On March 22, 2010, the Nominating Committee of the ERCOT Board of Directors unanimously selected Jorge Bermudez as an Unaffiliated Director to serve on the Board for a term beginning July 1, 2010, subject to approval by ERCOT Corporate Members and the Public Utility Commission of Texas. The Nominating Committee members include all voting members of the ERCOT Board with the exception of ERCOT Interim President and Chief Executive Officer. The Nominating Committee retained Russell Reynolds Associates, a nationally recognized executive search firm, to assist in the search of a qualified candidate.

#### 2. FINDINGS/CURRENT ACTIVITY

The Board has called a Special Meeting of the Corporate Members for June 18, 2010, for the purpose of voting on the proposed Unaffiliated Director. Thus, ERCOT is seeking Corporate Membership approval to have the vote on the proposed Unaffiliated Director in writing, in lieu of a Special Meeting of the Corporate Members.

The ERCOT Bylaws require Unaffiliated Board Members to have “experience in one or more of the following fields: senior corporate leadership; professional disciplines of finance, accounting, engineering or law; regulation of utilities; risk management; and information technology,” and be independent from any Market Participant to prevent any potential conflict of interest. Texas residents are preferred.

Mr. Bermudez is the Chief Executive Officer of Byebrook Group in College Station, Texas, a research and advisory firm in the financial services industry. Information regarding his professional experience is attached.

### **3. FINANCIAL IMPACT**

No anticipated expenditures as a result of authorizing the City Manager to submit the ballot form.

### **4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council authorize the City Manager to submit a ballot form for the election of the ERCOT Unaffiliated Director to serve on the ERCOT Board.



**Official Consent and Ballot Form  
for Approval of Unaffiliated Director for the ERCOT Board of Directors**

The undersigned, Corporate Member of ERCOT, hereby approves Jorge Bermudez as an Unaffiliated Director to be seated on the ERCOT Board of Directors (Board) for a term beginning July 1, 2010.

For	Against
<input type="checkbox"/>	<input type="checkbox"/>

I hereby certify that:

1. I am a duly authorized representative of the Corporate Member of ERCOT listed below;
2. I consent to this action in writing in lieu of the Special Meeting of the Corporate Members currently scheduled for June 18, 2010;
3. My vote on the Unaffiliated Director is listed above.

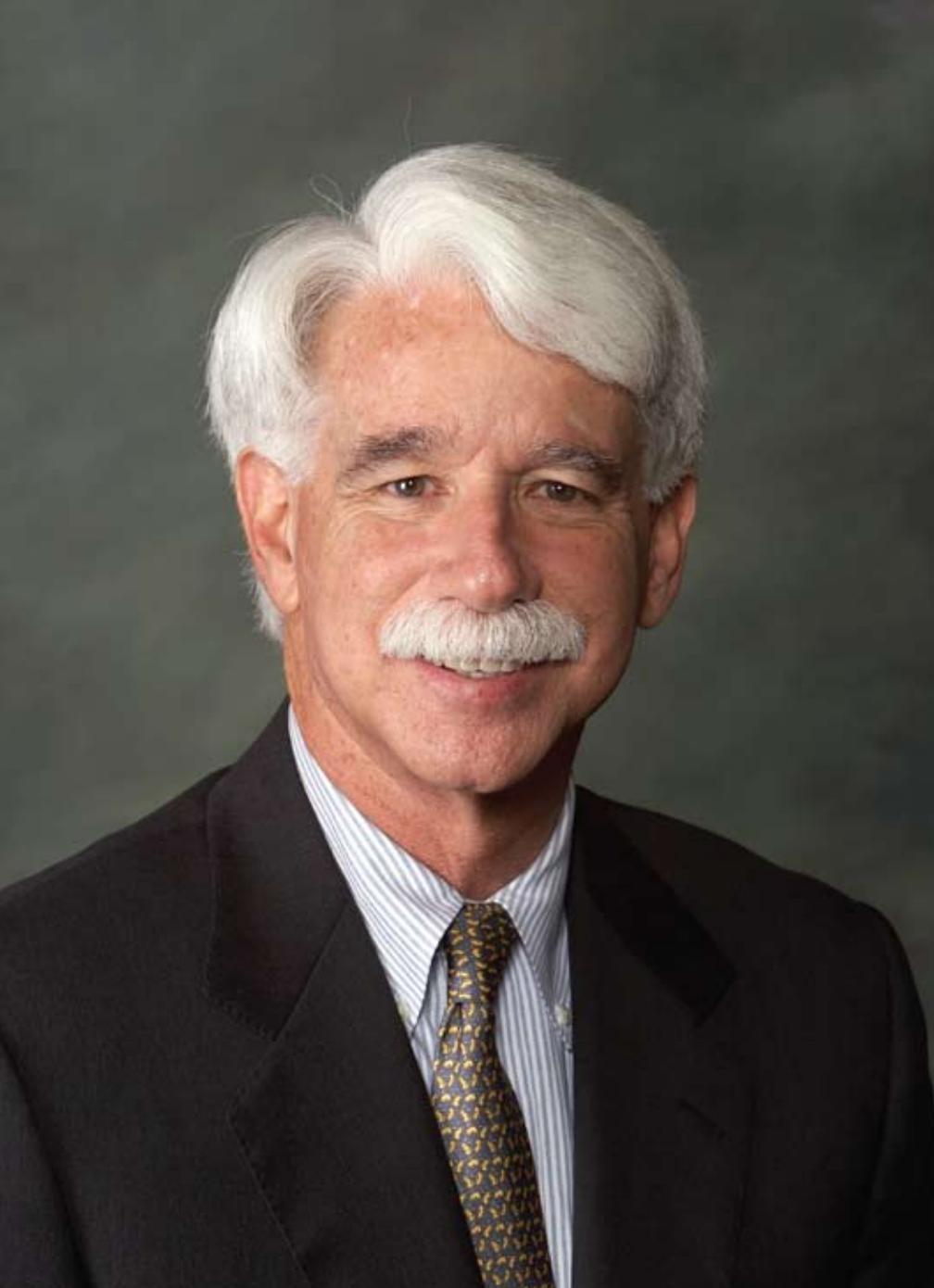
\_\_\_\_\_  
Signature

Name:

Corporate Member (Organization or Company):

Date:

Please make every effort to return this Official Consent and Ballot Form (Ballot) no later than 5:00 p.m. on June 16, 2010. The Ballot can be submitted via email (.pdf version) to [tweston@ercot.com](mailto:tweston@ercot.com), via facsimile to 512-225-7079, or via first class mail to ERCOT, Attention: Tisa Weston, 7620 Metro Center Drive, Austin, Texas 78744. If you have any questions, please contact Tisa Weston at [tweston@ercot.com](mailto:tweston@ercot.com).



## Connecting With Jorge Bermudez '73

**J**orge Bermudez knew all about integrity before he got to Texas A&M. While growing up, he watched and learned as his father demonstrated that value in the face of a revolution, government persecution, the separation of his family, the loss of all their possessions, and then having to build from scratch a new life in another country.

Jorge Bermudez was born and spent his first 10 years in Cuba. He distinctly remembers the revolution: “Bullets flying, airplanes strafing overhead ... sleeping on the floor because bullets might fly through the walls. It was a very interesting time to grow up.”

But after the Communist takeover, his memories include “lack of food, lack of medicine, lack of clothing. We began to see how uncomfortable life was becoming in Cuba.” And twice his father, Diomedes Bermudez, who had been a rancher and a high-ranking official in the Agricultural Development Bank of Cuba, was taken away by the secret police. “Both times he came back, but it was a very uncomfortable time, because we also saw people that were arrested never come back.”

After the failed Bay of Pigs invasion, “It was clear that if we were going to have a chance at a new life, a new beginning, we had to leave.”

Unable to get official permission to emigrate, his parents turned to “Pedro Pan,” an underground program of the Catholic church. On December 28, 1961, Jorge sat on a plane with his brother, leaving Cuba without his parents, who were unable to get permission to leave at that time. Jorge would begin his new life in America living with a foster family in Los Angeles.

“Fortunately for us, mother and father were able to leave eventually,” he says, though like everyone else leaving Cuba at the time, they were allowed to take nothing but the clothes on their backs.

Bermudez’s father was an educated and successful man, but when he arrived in the United States a year later, “He took a job as a janitor, \$19 per week, just to get our family back together,” Bermudez says. “Seeing a man at 49 years old restart his life, you begin to get a sense of what a work ethic will do for you.”

On the day Diomedes Bermudez took his sons back from the foster family, a social worker gave him an \$11 government payment to help with the children’s needs. He tried to refuse the money, but the social worker insisted.

“I’ll always remember at the end of the first week when he got paid, he took my brother and me and we went to see Mr. Duffy at Social Services. He went with

\$11 of the \$19 he got paid and said, 'Here's your money back.'"

The social worker refused the money, explaining that his department had no method of accepting repayment. Eventually, an agreement was reached whereby Mr. Bermudez would donate it to a church. It wasn't until Jorge was grown that he realized his father had taken him and his brother along in order to teach them an important lesson.

"If you don't need something, don't take it. Let others who need it more take advantage of that," he says. "My father said there are two things that can never be taken away from you: your education and your name. But you can give your name away if you don't act with integrity."

His father would eventually rebuild his banking career in the U.S., and that career would lead the family to Colombia, where Jorge attended an international high school. There he met two men who told him about Texas A&M University.

"From as young as I could remember,

people here and how quickly you get taken by what is A&M, and what are Aggies, and what that means. Over the next five and a half years, a very deep love for this place developed."

In those five and a half years, Jorge would obtain bachelor's and master's degrees in agricultural economics. But another deep love also developed while he was in College Station—he met the woman who would become his wife. Denise Pressley was a part-time student at Texas A&M and worked in the office of an apartment complex where Jorge lived as a graduate student. He remembers first seeing her in the office; she vividly remembers first seeing him getting out of a sports car in the parking lot. They began dating shortly afterward and have been together since.

In the fall of 1974, Bermudez was about to start his career in the midst of a depressed economy. "I had always told her I would not get married until such a time as I had a paying job," he says. "So when

Aggie or veteran who served in a conflict. The Bermudez scholarships, established through The Association of Former Students, were designed to be perpetually funded. Ten deserving students were recipients for the spring semester of 2008.

"Our armed forces play a critical role in defending the freedoms we enjoy," he says. "I saw what happens to a society and our family when these liberties are lost. I feel a deep gratitude, that my family shares, to the veterans who have defended our freedom."

Bermudez has never forgotten the lessons his father taught him about integrity. At the enhanced Clayton W. Williams, Jr. Alumni Center, a wall highlighting the A&M core value of integrity will be named for the Bermudez family.

Bermudez gives back in many other ways as well. He is a member of A&M's International Board and the development councils for the Mays Business School and the College of Agriculture and Life Sciences. He is a sponsor of the

“Many universities around the world are able to provide an education. However, what makes A&M unique is that it helps shape values that are so necessary to lead a successful career and life.”

I wanted to be involved in agriculture and I wanted to be banker, because my father was a banker," he says. The two men in Colombia knew A&M would be a good training ground for someone interested in agribusiness. Based on their recommendations, Bermudez decided to attend without knowing anything else other than what he had read in a course catalog.

When he arrived at the College Station airport, "It was a very hot day, as Texas can be on the 4th of July." When it was still hot at 9 o'clock that evening, "I literally thought, I've gone to Hell. It was a very depressing day—new country, new state, new situation."

And he got lost while trying to find his dorm. But that led to his first exposure to Aggie hospitality, when a young man in a pickup recognized his plight and drove him and his luggage to his dorm. "It's amazing how quickly you begin to meet

I got the letter from Citibank offering me the job, that is the same day I said to her, let's get married." They married the next day, Nov. 8, 1974.

He would spend his entire career with Citibank and Citigroup, rising from that first entry-level trainee position to chief risk officer for Citigroup worldwide. Until he retired this year, he was a member of Citigroup's Operating and Management committees. During a career in banking that took them around the world, Jorge and Denise raised four children, Jorge II, Andres, Elena and Antonio.

It is important to the Bermudezes to give back to the University and to the country that gave him so much opportunity. In the fall of 2007, they established the Jorge A. Bermudez '73 Family Endowed Scholarship Fund, to benefit the dependent child or spouse of an Aggie or veteran killed or disabled in a conflict; or the dependent child or spouse of an

Aggies on Wall Street program, and he serves on the board of The Association of Former Students.

His support for his alma mater ties back to those core values he learned from his parents. When he first arrived at Citibank in New York to begin his career, he had reservations about competing with the Ivy League graduates around him. He soon learned that A&M had given him the education he needed. "The rest was about hard work, dedication and doing what you are supposed to do and doing it as well as you possibly can. You bring that from home or from your upbringing, but those are all things that A&M helps to reinforce.

"Many universities around the world are able to provide an education. However, what makes A&M unique is that it helps shape values that are so necessary to lead a successful career and life." 🌱

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. H-1

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

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**SUBJECT: Public hearing and action on an ordinance amending the 2009-10 fiscal year budget for the City of Copperas Cove.**

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#### 1. BACKGROUND/HISTORY

The 2009-10 budget was adopted on September 15, 2009 with budget amendments approved on October 13, 2009, November 3, 2009, and March 2, 2010. According to Section 6.16(b)(1) of the Copperas Cove City Charter, in order for the City Council to amend the 2009-10 budget it must first hold a public hearing on the proposed amendments. The Charter also provides a requirement that when fund balance is to be used to fund increases in expenditures that two public hearings be held. The proposed budget amendment will require the use of fund balance. This public hearing is the second of two public hearings held as required by the Charter. The first Public Hearing was held on June 1, 2010.

#### 2. FINDINGS/CURRENT ACTIVITY

The General Fund requires a redistribution of \$42,298 and an increase of \$78,669 in expenditure appropriations.

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

- City Secretary \$20,890
- City Manager \$8,000
- City Attorney \$5,000
- Finance (\$2,000)
- Human Resources \$11,394
- Engineering \$36,344
- Building & Development (\$30,959)
- Municipal Court \$30,000
- Non-Departmental \$4,520
- Non-Departmental \$4,819
- Non-Departmental (\$9,339)

The redistribution of appropriations includes the following:

- Salary savings in Finance and Building and Development are being used to cover a portion of the expenditure appropriations increase.
- The Non-departmental Contingency account is being depleted to cover maintenance to the City Hall due to the recent roof repair (\$4,520) and expenses to hire a health consultant (\$4,819). The Human Resources Department is currently seeking quotations. Should the quotations exceed the funds available, the appropriation from the budget amendment will be returned to fund balance at year end.
- The City Secretary requires additional funds for an upcoming special election, a possible runoff election, and an equipment lease shortage.
- The City Attorney and Municipal Court require funds to cover projected legal fees. Should the total legal fees at year end equal an amount less than the appropriated total, the excess funds will be returned to fund balance at year end.
- A shortage of salaries and benefits in the Human Resources and Engineering departments exist due to a calculation error for Human Resources Director position and an accounting procedure change for the City Engineer position. The City Engineer position is no longer being allocated to the various capital projects.
- A proposed position of Director of Budget reporting to the City Manager will require a partial expenditure appropriation for the current year. The Assistant to the City Manager position has been reclassified to Director of Budget; however, the position can't be filled without an expenditure appropriation for the projected expenditure. Should any portion of the budget amendment appropriation not be utilized, the funds will be returned to fund balance at year end.

The Water and Sewer Fund requires a redistribution of \$66,325 and an increase of \$23,551 in expenditure appropriations.

The budget amendment includes the following appropriation changes:

- |                        |            |
|------------------------|------------|
| • Water Distribution   | \$18,600   |
| • Sewer                | \$5,200    |
| • Sewer                | (\$45,000) |
| • Wastewater Treatment | \$66,076   |
| • Non-Departmental     | (\$21,325) |

The redistribution includes the depletion of the Contingency account to cover expenses to replace sewer lines along West and East Reagan Streets which was approved by City Council at the May 18, 2010 regular meeting. In addition to the sewer lines, there are also funds from the Contingency account to cover expenses to develop Storm Water Pollution Prevention Plans for the South, Northeast, and Northwest Wastewater Treatment Plants (\$7,500) as required by the Texas Commission on Environmental Quality. The remaining funds in the Contingency account are required to cover a portion of the travel expenses due Greg Ellner Associates when repairing the Wastewater Treatment Plant because of the storm damage in 2007.

Increases in expenses in the Wastewater Treatment Department are to update the August 2004 Water System Study Master Plan (\$15,000) and funds for a Toxicity Reduction Evaluation Plan for the Northeast Wastewater Treatment Plan per the TCEQ Bio-monitoring requirement (\$30,000). Funds are also needed for Water System improvements for the Mesa Verde subdivision (\$3,600) and to cover the remaining travel expenses to Greg Ellner Associates totaling \$28,576.

The Grants Fund will require an increase in expenditure appropriations in the amount of \$26,441. The increase in appropriations is being funded by the Fire CT Trauma Council grant revenues totaling \$26,441 received for a prior fiscal year.

The Court Technology Fund will require an increase of \$5,000 in expenditure appropriations. The expenditure increase is to cover the expenses to purchase seven scanners for the successful implementation of the document imaging project included in the Five Year Capital Improvement Plan for year 2010.

The 2009 Tax Notes (Hotel Occupancy Tax) will require a redistribution of \$32,778 from the Allin House Roof Renovations to cover additional funds required for the renovations at the Civic Center.

**3. FINANCIAL IMPACT**

See attached ordinance and proposed amendments.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends that the City Council hold a public hearing, then take action on Ordinance No. 2010-25 amending the fiscal year 2009-10 Budget.

**ORDINANCE NO. 2010-25**

**AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING ON SEPTEMBER 30, 2010; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS,** the City Council desires to amend the operating budget of the municipal government of the City of Copperas Cove for the fiscal year October 1, 2009 to September 30, 2010; and

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

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

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

**SECTION I.**

That the City Council of the City of Copperas Cove ratify, approve and adopt the amendments to the budget considered for the fiscal year of October 1, 2009 to September 30, 2010, as identified in "Attachment A" of this ordinance.

**SECTION II.**

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

**SECTION III.**

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

**SECTION IV.**

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

**PASSED, APPROVED AND ADOPTED** this 15th day of June 2010, at a regular called meeting of the City Council of the City of Copperas Cove, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code 551.001*, et.seq., at which meeting a quorum was present and voting.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**CITY OF COPPERAS COVE, TEXAS  
FISCAL YEAR 2009-10 BUDGET**

Ordinance No. 2010-25 Attachment

**GENERAL FUND**

**SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2008-09	Adopted FY 2009-10	Proposed Amendment	Amended Budget FY 2009-10
<b>BEGINNING FUND BALANCE:</b>				
Unreserved, Undesignated	\$ 3,259,675	\$ 3,292,395	\$ -	\$ 3,292,395
Prior Yr Enc Voided in Current Yr	125	-	-	-
Prior Period Adjustment	76,952	-	-	-
Unreserved, Designated	1,000,000	1,000,000	-	1,000,000
<b>TOTAL BEGINNING FUND BALANCE</b>	<b>\$ 4,336,752</b>	<b>\$ 4,292,395</b>	<b>\$ -</b>	<b>\$ 4,292,395</b>
<b>REVENUES:</b>				
Taxes	\$ 10,689,885	\$ 10,879,365	\$ -	\$ 10,879,365
Permits & Licenses	171,361	180,870	-	180,870
Charges for Services	887,869	898,510	-	898,510
Fines	868,420	919,398	-	919,398
Administrative Reimbursements	1,260,441	1,250,500	-	1,250,500
Miscellaneous Revenue	401,419	367,882	-	367,882
<b>TOTAL REVENUES</b>	<b>\$ 14,279,395</b>	<b>\$ 14,496,525</b>	<b>\$ -</b>	<b>\$ 14,496,525</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$ 18,616,147</b>	<b>\$ 18,788,920</b>	<b>\$ -</b>	<b>\$ 18,788,920</b>
<b>EXPENDITURES:</b>				
City Council (21)	\$ 24,177	\$ 41,399	\$ -	\$ 41,399
City Manager (22)	256,939	280,542	8,000	288,542
City Secretary (23)	165,440	152,822	20,890	173,712
City Attorney (24)	218,056	87,922	5,000	92,922
Finance (31)	621,029	717,340	(2,000)	715,340
Human Resources (34)	236,631	300,272	11,394	311,666
Public Affairs Office (4250)	108,657	113,942	(8,176)	105,766
Information Systems (35)	238,778	247,899	8,176	256,075
Municipal Court (41)	320,035	412,634	30,000	442,634
Police (42)	4,279,761	4,807,019	-	4,807,019
Animal Control (43)	205,542	234,331	-	234,331
Fire/EMS (44)	3,103,956	3,302,101	-	3,302,101
Emergency Management (4420)	3,526	7,359	-	7,359
Engineering (51)	147,911	155,210	36,344	191,554
Streets (53)	682,797	881,387	-	881,387
Fleet Services (55)	245,785	255,003	-	255,003
Facility Maintenance (57)	101,294	105,730	-	105,730
Planning (61)	164,239	102,717	-	102,717
Building Development (52)	237,846	275,707	(30,959)	244,748
Code & Health (72)	186,836	218,150	-	218,150
Parks and Recreation (54)	984,070	1,077,549	-	1,077,549
Library (71)	478,059	557,032	-	557,032
Non-Departmental (75)	567,356	673,961	-	673,961
<b>TOTAL EXPENDITURES</b>	<b>\$ 13,578,724</b>	<b>\$ 15,008,028</b>	<b>\$ 78,669</b>	<b>\$ 15,086,697</b>
<b>OTHER EXPENDITURES:</b>				
Capital Outlay	\$ -	\$ 27,200	\$ -	\$ 27,200
<b>TOTAL OTHER EXPENDITURES</b>	<b>\$ -</b>	<b>\$ 27,200</b>	<b>\$ -</b>	<b>\$ 27,200</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 13,578,724</b>	<b>\$ 15,035,228</b>	<b>\$ 78,669</b>	<b>\$ 15,113,897</b>
<b>ENDING FUND BALANCE:</b>				
Unreserved, Undesignated	\$ 4,037,423	\$ 2,753,692	\$ -	\$ 2,675,023
Unreserved, Designated	1,000,000	1,000,000	-	1,000,000
<b>TOTAL ENDING FUND BALANCE</b>	<b>\$ 5,037,423</b>	<b>\$ 3,753,692</b>	<b>\$ (78,669)</b>	<b>\$ 3,675,023</b>
<b>IDEAL FUND BALANCE</b>	<b>\$ 3,394,681</b>	<b>\$ 3,752,007</b>	<b>\$ 19,667</b>	<b>\$ 3,771,674</b>
<b>OVER (UNDER) IDEAL FUND BALANCE</b>	<b>\$ 1,642,741</b>	<b>\$ 1,685</b>	<b>\$ (98,336)</b>	<b>\$ (96,651)</b>

\*The budget reflects 2009-10 budget amendments that were approved by City Council on 10/13/09, 11/3/09, and 03/02/10.

**CITY OF COPPERAS COVE  
FISCAL YEAR 2009-10 BUDGET  
WATER & SEWER FUND**

Ordinance No. 2010-25 Attachment

**SUMMARY OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE**

Description	Actual FY 2008-09	Adopted* FY 2009-10	Proposed Amendment	Amended Budget FY 2009-10
<b>BEGINNING FUND BALANCE:</b>				
Unreserved, Undesignated	\$ 1,730,313	\$ 1,765,613	\$ -	\$ 1,765,613
Prior Period Adjustment	81,721	-	-	-
<b>TOTAL BEGINNING FUND BALANCE</b>	<b>\$ 1,812,034</b>	<b>\$ 1,765,613</b>	<b>\$ -</b>	<b>\$ 1,765,613</b>
Water Revenue	\$ 4,943,385	\$ 4,981,455	\$ -	\$ 4,981,455
Sewer Revenue	3,473,199	3,737,155	-	3,737,155
Senior Citizen Discount	(146,977)	(142,000)	-	(142,000)
Water Tap Fees	44,582	35,000	-	35,000
Sewer Tap Fees	14,170	11,500	-	11,500
Connect Fee	56,275	53,000	-	53,000
Meter Box Reset Fee	-	300	-	300
Composting Sales Revenue	15,908	15,000	-	15,000
Subtotal	<u>\$ 8,400,541</u>	<u>\$ 8,691,410</u>	<u>\$ -</u>	<u>\$ 8,691,410</u>
Admin Reimb-Drainage	\$ 20,000	\$ 20,000	\$ -	\$ 20,000
Transfer from Bond Funds	-	300,000	-	300,000
Interest Revenue	23,982	25,000	-	25,000
Late Charge For Billing	246,722	260,000	-	260,000
Miscellaneous Revenues	63,386	54,890	-	54,890
Insurance Proceeds	3,400	-	-	-
Riser Forfeiture Revenue	1,960	2,000	-	2,000
Auction Proceeds	11,338	1,000	-	1,000
Subtotal	<u>\$ 370,788</u>	<u>\$ 662,890</u>	<u>\$ -</u>	<u>\$ 662,890</u>
<b>TOTAL REVENUE</b>	<b>\$ 8,771,329</b>	<b>\$ 9,354,300</b>	<b>\$ -</b>	<b>\$ 9,354,300</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$ 10,583,363</b>	<b>\$ 11,119,913</b>	<b>\$ -</b>	<b>\$ 11,119,913</b>
<b>OPERATING EXPENSES:</b>				
Public Works (80)	\$ 166,941	\$ 175,779	\$ -	\$ 175,779
Utility Administration (81)	564,328	600,323	-	600,323
Water Distribution (82)	1,254,997	1,321,590	18,600	1,340,190
Sewer Collection (83)	469,055	544,924	(39,800)	505,124
Wastewater Treatment (84)	1,217,791	1,323,915	66,076	1,389,991
Composting (84-01)	166,517	186,215	-	186,215
Non-Departmental (85)	2,700,993	2,932,754	(21,325)	2,911,429
<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 6,540,620</b>	<b>\$ 7,085,500</b>	<b>\$ 23,551</b>	<b>\$ 7,109,051</b>
<b>OTHER EXPENSES:</b>				
Capital Outlay	\$ -	\$ 31,835	\$ -	\$ 31,835
Principal & Int Debt Pymts	2,807,470	2,797,847	-	2,797,847
Principal & Int Pymts in Bond Funds	(1,135,505)	(430,000)	-	(430,000)
Transfer to Bond Funds	300,000	25,500	-	25,500
<b>TOTAL OTHER EXPENSES</b>	<b>\$ 1,971,965</b>	<b>\$ 2,425,182</b>	<b>\$ -</b>	<b>\$ 2,425,182</b>
<b>TOTAL EXPENSES</b>	<b>\$ 8,512,585</b>	<b>\$ 9,510,682</b>	<b>\$ 23,551</b>	<b>\$ 9,534,233</b>
<b>ENDING FUND BALANCE:</b>				
Unreserved, Undesignated	\$ 2,070,778	\$ 1,609,231	\$ (23,551)	\$ 1,585,680
<b>TOTAL ENDING FUND BALANCE</b>	<b>\$ 2,070,778</b>	<b>\$ 1,609,231</b>	<b>\$ (23,551)</b>	<b>\$ 1,585,680</b>
<b>IDEAL FUND BALANCE</b>	<b>\$ 1,635,155</b>	<b>\$ 1,771,375</b>	<b>\$ 5,888</b>	<b>\$ 1,777,263</b>
<b>OVER (UNDER) IDEAL FUND BALANCE</b>	<b>\$ 435,623</b>	<b>\$ (162,144)</b>	<b>\$ (29,439)</b>	<b>\$ (191,583)</b>

\*The budget reflects 2009-10 budget amendments that were approved by City Council on 10/13/09, 11/3/09, and 03/02/10.

## NOTICE OF PUBLIC HEARING

On June 15, 2010, during a Regular City Council Meeting, the City Council of the City of Copperas Cove will hold a public hearing on the ordinance to amend the FY 2009-10 Budget for the City of Copperas Cove. The June 15, 2010 City Council Meeting will begin at 7:00 pm and will be held in the City Council Chambers at City Hall, 507 South Main Street, Copperas Cove, Texas 76522.

The proposed amendments to the FY 2009-10 Annual Budget are as follows:

	<b>Increase (Decrease)</b>
<b>General Fund</b>	
Expenditure Appropriations	\$78,669
<b>Water and Sewer Fund</b>	
Expenditure Appropriations	\$23,551
<b>Grants Fund - Fire</b>	
Expenditure Appropriations	\$26,441*
<b>Court Technology Fund</b>	
Expenditure Appropriations	\$5,000
<b>2009 Tax Notes - Hotel Occupancy Tax</b>	
Expenditure Appropriations	\$0**

\*Grant funds received and recorded in 2008/09 and planned for expenditure in 2009/10.

\*\*Allin House Roof Renovation project expenditure under run is being re-appropriated to cover anticipated project over runs for the Civic Center Renovations.

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. I-1

Contact – Silvia Rhoads, Executive Director, Keep Copperas Cove Beautiful, 547-4242  
srhoads@ci.copperas-cove.tx.us

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**SUBJECT: Consideration and action on the appointment of members to the Keep Copperas Cove Beautiful Commission.**

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#### 1. Background/History

During a Regular Council Meeting on September 17, 2002, Ordinance No. 2002-20 was approved allowing the formation of the Keep Copperas Cove Beautiful Commission. The Commission allows for 15 members to be approved by the City Council. According to KCCB by-laws, the term of each Commission member shall be two (2) years.

#### 2. FINDINGS/CURRENT ACTIVITY

During the Regular City Council Meeting on May 18, 2010, one (1) member was appointed by the City Council bringing the total on the Commission to 9. Since that date, one (1) new member has applied to be on the Commission. With Council approval on the appointment, the number of vacant seats on the commission will be five (5).

The following individual is seeking appointment to the Keep Copperas Cove Beautiful Commission:

Ms. Elizabeth Sherman

Keep Copperas Cove Beautiful will continue to seek new members to fill the remaining five (5) positions.

#### 3. FINANCIAL IMPACT

None.

#### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that the City Council appoint Elizabeth Sherman to the Keep Copperas Cove Beautiful Commission.

# 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 5/24/10 - J. Lees  
Logged

Please attach your resume (optional).

Board Preference 1: Keep Copperas Cove Beautiful

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

Name: Elizabeth Sherman

Street Address: 507 Sumac Trl. Copperas Cove Tx 76522

City Resident: 4 years Personal E-Mail: eca-sumprincess@yahoo.com

Primary Phone: (254) 547-6872 Home Fax: (254) 547-6872

Profession: HR Admin Assist.

Business Name: GC Services

Business Address: 560 Town Square

City: Copperas Cove State TX Zip: 76522

Business Phone: (254) 518-1856 Business Fax: \_\_\_\_\_

Business E-Mail: elizabeth.sherman@gc.serv.com

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

I have been involved in Earth Day, started a recycling program at work.

Civic Activities/Professional Affiliations Participated w/water way clean up and Dont Mess w/Texas clean up.

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.

Elizabeth Sherman \_\_\_\_\_  
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"

# Elizabeth Sherman

## Experience

---

10/01-12/03

U.S. Army Family Childcare

Ft. Irwin, CA

### Childcare Provider

- Operated childcare program for infants through 12-year olds. Created daily program of activities; prepared nutritious lunches. To provide; a safe environment for children, all types and different activities, that encourage development. Maintain accurate records of diaper changes, meals provided, expenses, income, and tax documents

11/04-Present

GC Services

Copperas Cove, TX

### HR Administrative Assistant/ Supervisor/Customer Service Representative/Administrative Assistant (bilingual)

- Strong interpersonal and organizational skills. Excellent written and verbal communication skills. Strong PC skills, use and navigation. Open, sort, and distribute incoming correspondence. Providing information to supervisors, co-workers, and subordinates by telephone, e-mail, or in person. Developing constructive and cooperative working relationships with others, and maintaining them over time. Honor confidential nature of information. Ensure information entered in absenteeism tracking system is correct. Responsible for reviewing employee time clocks for accuracy and completeness. Maintain data for specified time frames and prepare concise reports in formats prescribed. Prepare and make certain conference room is satisfactory for meetings. Input and retrieve data for over 80 agents in access database. Excellent phone manners, and office etiquette.

Provide outstanding customer service to a broad range of customers from all backgrounds. Detail-oriented and skilled in establishing and maintaining bank accounts. Always, outstanding customer assistance in resolving complex account issues. Directly handle and address escalated calls, resolving complaints and disputes from irate customers with full attentiveness to reach compromising solutions.

## Education

---

01/06- Present

Central Texas College

Killeen, TX

### Major: Office Management

- GPA: 3.22 Semester Hours: 39

Description: Courses Completed: Child Psychology, Developmental Mathematics II, Developmental Mathematics IV, Beginning Keyboarding, Computer Applications I, Principles of Management, Office Management, Administrative Office Procedures I, Business English, Word Processing, Spreadsheets, Records Management I

05/96- 12/98

Cerritos Community College

Norwalk, CA

### Major: General Education

- Semester Hours: 24

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. I-10

Contact – Andrea M. Gardner, City Manager, 547-4221  
[agardner@ci.copperas-cove.tx.us](mailto:agardner@ci.copperas-cove.tx.us)

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**SUBJECT:** Discussion and possible action on appointing additional members to an ad hoc committee for the purposes of reviewing Chapter 3 of the City of Copperas Cove Code of Ordinances and to provide written guidance from the Council to the ad hoc committee.

---

#### 1. BACKGROUND/HISTORY

City staff conducted a Public Meeting to discuss Animal Control Operations on March 1, 2010. A multitude of issues surfaced during the public participation portion of the meeting that ultimately led to a request to complete a review of Chapter 3 of the Code of Ordinances.

On April 20, 2010, the City Council appointed the following individuals to serve on the ad hoc committee:

- Klaudia E. Brand
- Augustus H. Richardson III
- Carolyn "Sue" Carroll
- Robyn Bandinel
- Heidi Sjule
- Lois McMaster

#### 2. FINDINGS/CURRENT ACTIVITY

The first meeting of the committee was held on May 5, 2010. Since the first meeting, the City Manager received a written request from the Chairperson of the committee to appoint an additional member to serve (see attached). Following the request, several issues were raised by various individuals, thus City staff is recommending the governing body provide further direction and clarification of the initial direction provided.

#### 3. FINANCIAL IMPACT

No anticipated expenditures as a result of Council direction and/or additional appointments.

#### **4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council provide further direction to the ad hoc committee appointed for the purposes of reviewing Chapter 3 of the City of Copperas Cove Code of Ordinances and make additional appointments as deemed necessary.

**From:** Robyn Bandinel [mailto:robyn1160@yahoo.com]

**Sent:** Tuesday, May 18, 2010 10:10 PM

**To:** Andrea Gardner - City Manager

**Subject:** question

Andrea

Heidi and I discussed the fact that we feel a little lost in the Ordinance Meetings. We all four agree that having George on it too, would be beneficial for all concerned.--Can it be possible for that to be arranged? George knows these rules and ordinances very well and can help get the job at hand done without too much floundering. If I need to stay as the chairperson at least he can guide me since he will be on the committee. I would feel more comfortable since my experience is really hands on and fund raising not rule/regulations and laws and not in Texas. I have no problem listening to his suggestions and direction. If you can help make that happen I think we would all be better for it and could progress a little quicker.

Thanks, Robyn Bandinel

# 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  
3/25/10 Jlees

Please attach your resume (optional).

Board Preference 1: Guidelines For Rescue Groups 02

Board Preference 2: Rescue Chapter 3

Name: George Fox

Street Address: 1906 Hooter ST Hillen TX 76543

City Resident:      years Personal E-Mail: MOOSE@HOT.PP.COM

Primary Phone: 681-7126 Home Fax:     

Profession: President of ASSISI Animal Rescue + Animal Watch

Business Name: Animal Watch

Business Address: SAME AS ABOVE

City: Hillen State TX Zip: 76543

Business Phone: SAME AS ABOVE Business Fax:     

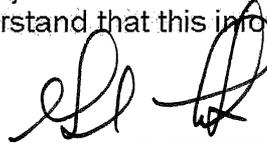
Business E-Mail: SAME AS ABOVE

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

See Attached Sheet

Civic Activities/Professional Affiliations See Attached Sheet

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

24 MAR 2010  
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"

## Application for George Fox

1. Current President Assisi Animal Refuge 2005-2010
2. President Centex Humane Society 2002-2005
3. Vice-President and Board Member Centex Humane Society 1994-1999
4. Board Member Texas Humane Legislation Network 5 Years (State wide organization)
5. Member Killeen Animal Advisory Committee. 8 Years
6. President Humane Education for Central Texas 4 Years
7. Certification in Cruelty Investigations (ACCI) 1995
8. Killeen Chief of Police Internal SOP Committee on Animal Control 2007-2008

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. I-2

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

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**SUBJECT: Consideration and action on authorizing the City Manager to enter into an amendment to the municipal solid waste transportation agreement with Comal Transportation L.L.C.**

---

### 1. BACKGROUND/HISTORY

The City entered into a municipal solid waste transportation agreement with Comal Transportation L.L.C. in April 2009.

### 2. FINDINGS/CURRENT ACTIVITY

Comal Transportation L.L.C. has made an offer to amend the current municipal solid waste disposal services agreement by extending the existing agreement for a two year period at the current base rate of \$245 per trailer taken to Temple and \$335 per trailer taken to Austin. This offer also provides the City an opportunity to opt out of the agreement after April 2011 with ninety (90) days' written notice should the Zero-emissions Energy Recycling Oxidation System (ZEROS) become available for use.

A legal review of the agreement was completed by the City Attorney.

### 3. FINANCIAL IMPACT

The amendment guarantees that there will be no base rate increase through April 15, 2013.

### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that City Council authorize the City Manager to enter into an amendment that would extend the current municipal solid waste transportation agreement with Comal Transportation L.L.C. for a term of two more years.

FIRST AMENDMENT TO THE TRANSPORTATION SERVICE AGREEMENT

This “**FIRST AMENDMENT TO THE TRANSPORTATION SERVICE AGREEMENT**” (This “Amendment”) is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_ 2010, by and between the **CITY OF COPPERAS COVE, TEXAS** (“City”), and **COMAL TRANSPORTATION, L.L.C.** (“Carrier”), a Limited Liability Company organized under the laws of the State of Texas.

**WITNESSETH:**

**WHEREAS**, the City and Carrier have heretofore entered into certain Transportation Service Agreement, dated on or about April 15, 2009 (the “Agreement”), whereby the City agreed to deliver its waste to the Carrier for transportation to a facility authorized to accept municipal solid waste for disposal, as more particularly set forth in the Agreement; and

**WHEREAS**, The City and Carrier desire to extend the term of the Agreement, and to otherwise amend the Agreement, as more particularly set forth below,

**NOW, THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the parties hereto agree as follows:

1. Section 3 of the Agreement is hereby amended in its entirety to read as follows:
3. **Term of Contract.** The term of this Agreement is hereby amended in part to extend the term of the Agreement for five (5) additional years through April 15, 2016. All other language in Section 3 of the Agreement remains the same.
2. After April 15, 2011, the City shall have the right to terminate this Agreement upon ninety (90) days’ written notice to Carrier if the City is able to dispose of its waste at a waste disposal facility (ZEROS: zero-emissions Energy Recycling Oxidation System) currently being explored by Zest-TX, LLC. If the City is able divert its waste to Zest-TX, LLC, but such facility then becomes unavailable for any reason, the City agrees to negotiate in good faith with Carrier, for the duration of the original Term, to resume transporting its waste by Carrier to an authorized municipal solid waste landfill, under a mutually acceptable separate agreement.
3. **ATTACHMENT 1** of the Agreement shall remain unchanged.
4. Nothing contained herein shall be deemed to amend or modify the Agreement except as expressly set forth herein. In the event of a conflict between the terms of the Agreement and this amendment, the terms of this Amendment shall control.

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. I-3

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

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**SUBJECT: Consideration and action on authorizing the City Manager to enter into an amendment to the municipal solid waste disposal agreement with Waste Management of Texas Inc.**

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### 1. BACKGROUND/HISTORY

The City has had an agreement with Waste Management of Texas, Inc. for the disposal of municipal solid waste since January 2005. The current disposal agreement between the City and Waste Management of Texas, Inc. has been in place since April 2009.

### 2. FINDINGS/CURRENT ACTIVITY

Waste Management of Texas Inc. has made an offer to amend the current municipal solid waste disposal services agreement by extending the existing agreement for a two year period at the current rate of \$23.75 per ton plus the required State Fee of \$1.25 per ton for an actual base rate of \$25 per ton. The offer also provides the City an opportunity to opt out of the agreement after April 2011 with ninety (90) days' written notice should the Zero-emissions Energy Recycling Oxidation System (ZEROS) become available for use.

The agreement will be executed upon Council consideration and final approval after a legal review is completed by the City Attorney.

### 3. FINANCIAL IMPACT

The amendment guarantees that there will be no base rate increase through April 15, 2013.

### 4. ACTION OPTIONS/RECOMMENDATION

City staff recommends that City Council authorize the City Manager to enter into an amendment that would extend the current municipal solid waste disposal agreement with Waste Management of Texas Inc. for a term of two more years.

**FIRST AMENDMENT TO NON-HAZARDOUS  
WASTE LANDFILL DISPOSAL AGREEMENT**

This **"FIRST AMENDMENT TO NON-HAZARDOUS WASTE LANDFILL DISPOSAL AGREEMENT"** (this "Amendment") is entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2010, by and between the **CITY OF COPPERAS COVE, TEXAS** ("City"), and **WASTE MANAGEMENT OF TEXAS, INC.** ("Company"), a Texas Corporation.

**WITNESSETH:**

**WHEREAS**, the City and Company have heretofore entered into a certain Non-Hazardous Landfill Disposal Agreement, dated on or about April 15, 2009 (the "Agreement"), whereby the City agreed to deliver its Waste to the Company for disposal, as more particularly set forth in the Agreement; and

**WHEREAS**, the City and Company desire to extend the term of the Agreement, and to otherwise amend the Agreement, as more particularly set forth below.

**NOW, THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the parties hereto agree as follows:

1. Section 2 of the Agreement is hereby amended in part to extend the term of the Agreement for five (5) additional years through April 15, 2016. All other language in Section 2 of the Agreement remains the same.
2. After April 15, 2011, the City shall have the right to terminate this Agreement upon ninety (90) days' written notice to the Company if the City is able to dispose of its Waste at a zero waste emissions free disposal facility (ZEROS: Zero-emissions Energy Recycling Oxidation System) currently being explored by Zest-TX, LLC. If the City is able to divert its Waste to Zest-TX, LLC's zero waste emissions free disposal facility, but such facility then becomes unavailable for any reason, the City agrees, for the duration of the term, to resume sending its Waste to Company for disposal under a mutually acceptable separate agreement.
3. Section 3.b. of the Agreement is hereby amended to require the disposal rate to remain fixed through April 15, 2013 in accordance with Exhibit A to the original Agreement (the "base rate" or "base disposal rate"), provided the City abides by the terms of the Agreement. Company can only petition for base rate increases, as set forth in Section 3.b., after April 15, 2013. All other language in Section 3 of the Agreement remains the same.

3. Nothing contained herein shall be deemed to amend or modify the Agreement, except as expressly set forth herein. In the event of a conflict between the terms of the Agreement and this Amendment, the terms of this Amendment shall control.

**IN WITNESS WHEREOF**, this Amendment has been executed as of the date first set forth above.

**CITY OF COPPERAS COVE**

**WASTE MANAGEMENT OF TEXAS,  
INC.**

\_\_\_\_\_  
**(Signature)**

\_\_\_\_\_  
**(Signature)**

\_\_\_\_\_  
**(Name, Please Print)**

\_\_\_\_\_  
**(Name, Please Print)**

\_\_\_\_\_  
**(Title)**

\_\_\_\_\_  
**(Title)**

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. I-4

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 rescinding Personnel Policy No. 910, Travel Policy.**

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**1. BACKGROUND/HISTORY**

The City of Copperas Cove currently has in effect an Employee Personnel Policies and Procedures Manual that was adopted by City Council August 15, 2006 with an effective date of September 1, 2006. Many revisions to the personnel policies and procedures have taken place since that original adoption.

**2. FINDINGS/CURRENT ACTIVITY**

The City Manager, Finance Staff, and Department Directors have reviewed and rewritten the policy for travel that will apply to City employees and the City Council. Staff recommends the current travel policy be rescinded and not be included in the Employee Personnel Policies and Procedures Manual but will be included in Chapter 2 of the City's Code of Ordinances.

A separate agenda item will be presented for review containing the new travel policy.

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

Human Resources recommends approval of Ordinance No. 2010-24, rescinding Personnel Policy No. 910, Travel Policy.

**ORDINANCE NO. 2010-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, RESCINDING EMPLOYEE PERSONNEL POLICY NO. 910, TRAVEL POLICY AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** The City of Copperas Cove has not updated this ordinance since August 15, 2006; and

**WHEREAS,** City Staff desires to improve Personnel Policies and Procedures for City Employees; and

**WHEREAS,** The City of Copperas Cove Council recognizes the need to establish a flexible and responsive personnel system; and

**WHEREAS,** The personnel policies and procedures manual establishes a personnel system and process for administrative purposes.

**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 rescinding current personnel policy, No. 910, (Travel Policy);

**Section 2.**

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

**Section 3.**

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

**Section 4.**

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

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

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective June 15, 2010.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 15th day of June 2010, 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

## TRAVEL POLICY

### Policy #910

September 2006

It is the City's policy to pay for, or reimburse, all reasonable and necessary expenses incurred by an employee when the employee travels on City-related business in accordance with this policy.

Establishment and administration of this policy is the responsibility of the City Manager and Director of Financial Services. Each Department Head/Director is responsible for ensuring that their employees, prior to departure on their first business trip, review this policy to understand its intent and requirements.

#### DEFINITIONS

A. Business Travel: Any out of town travel for City business including the following:

**Routine Travel** - Any out of town travel required as part of usual duties such as meetings, delivery or pick up of police evidence, vehicles, equipment, parts, or other supplies.

**Training Travel** - Any out of town travel plans required for seminars, short courses, certification testing, and other related training.

**Overnight Travel** - Any routine or training travel plans, which require an overnight stay away from home.

B. Car Allowance: An amount provided by the City of Copperas Cove to compensate an employee for the use of their personal vehicle while driving on City business.

#### POLICY

A. Approval for Travel:

All travel shall be approved in advance by the respective Department Head/Director or designee. The most efficient and economical mode of travel must be used.

B. Travel Advance:

Advances may be issued for meals and lodging only for seminars requiring an overnight stay. This advance will be released within two days prior to the seminar. Mileage reimbursement shall not be advanced.

C. Personal Automobile:

Employees traveling by personal automobile on City business will be reimbursed at the maximum mileage rate authorized by the Internal Revenue Service, plus tolls and parking charges. City employees receiving an automobile allowance

**TRAVEL POLICY**  
**Policy #910**

September 2006

shall be reimbursed for all mileage on all approved out of town travel. City Hall is considered the point of departure.

**D. Rooms and Meals:**

Employees are expected to use sound business judgment in selecting accommodations. In many cases a City rate may be available.

All hotel charges must have a receipt. The charges, when shown on the expense report form, should be itemized to show telephone charges, parking, etc. All hotel bills should be paid in full by the time of departure. The original hotel bill must be attached to the expense report.

Overnight travel may be authorized only for seminars that are greater than 60 miles in distance from City Hall. If business travel is more than one (1) day, overnight travel may be authorized by the City Manager.

Meals (including tips) will be reimbursed at the federal per diem for that area.

The City will not pay for alcoholic beverages, in-hotel pay televisions movies, dry cleaning and laundry, health club and spa services.

When the seminar registration fee includes meals (breakfast, lunch, or dinner), meal per diem will not be reimbursed. When the seminar registration fee includes only a continental breakfast, the breakfast meal per diem will be reimbursed.

**E. Guest on Trip:**

If an employee chooses to take a guest on an approved business trip, the additional expense incurred is personal. The City will reimburse expenses to the extent that it would have incurred for the employee alone; e.g., the single rate for a hotel room.

**F. Combined Business and Personal Travel:**

The City will pay for the cost of the business segment of the trip, and the employee will pay for the difference between that and the total. If the total is cheaper than the business segment, there are no additional charges.

**G. Receipts:**

Original receipts are required for all expenses other than the meal per diem and miscellaneous reasonable tips. The City Manager and Director of Financial Services reserve the right to determine if an expenditure is necessary and reasonable.

**TRAVEL POLICY**  
**Policy #910**

September 2006

H. Reporting Travel Expense:

An expense report form must be used to report all travel expenses. This form may be obtained from the Finance Department. The expense report must be submitted to the Finance Department within twenty (20) working days after completion of a trip. Any travel advances and/or City paid expenses must be noted on this report, and unused advance funds must be returned. The travel expenses report is self explanatory and instructions can be found on the back of the expense report.

I. Personal Phone Call Policy:

Only business telephone calls are encouraged. However, the City will reimburse one personal phone call a day (for overnight travel), not to exceed \$5.00 per day.

J. Public Relations Reimbursement:

Reimbursement for public relations expenses must be approved in advance by the City Manager.

K. Fire/EMS Training Sponsorship:

Firefighters assigned to shift operations may attend off-duty training that is out of town and the Department will cover the training costs only. Fire/EMS Training Sponsorship requires that the firefighter off-duty or on approved leave and all expenses associated with attending the training such as mileage, rooms and meals will not be paid by the City.

The Fire Chief must approve all Fire/EMS sponsorship requests in advance. Fire/EMS sponsorship is intended to cover training costs for firefighters to attend National Fire Academy Off-Campus Programs and Emergency Services Training institute classes in Texas while the firefighters are off-duty or on approved leave. Fire/EMS sponsorship will be in written form forwarded to the Fire Chief no less than 30 days before the course.

L. Compliance:

Abuse of this policy, including falsifying expense reports or submitting false claims, will result in disciplinary action, up to and including termination of employment.

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. I-5

Contact – Andrea M. Gardner, City Manager, 547-4221  
[agardner@ci.copperas-cove.tx.us](mailto:agardner@ci.copperas-cove.tx.us)

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**SUBJECT:** Consideration and action on amending an ordinance to include the City of Copperas Cove Travel Policy as part of Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy; providing a severability clause; providing a savings clause; and declaring an effective date.

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### 1. BACKGROUND/HISTORY

The current City of Copperas Cove Travel Policy was last revised and approved by the governing body on August 15, 2006 as part of the City's Personnel Policy.

### 2. FINDINGS/CURRENT ACTIVITY

The existing policy has become outdated and doesn't allow for changes in standard business travel procedures. Additionally, the existing policy is part of the City's Personnel Policy; however, Section 8.01(c) of the City Charter reads as follows:

"Under the direction of the city manager, the director of finance shall have charge of the administration of the financial affairs of the city, and to that end he/she shall have the authority and shall be required to..."

As a result of continual department feedback regarding the existing policy's lack of addressing all aspects of travel, the City Manager tasked the Executive Team (Police Chief, Fire Chief, City Engineer, Human Resources Director, Community Services Director, Financial Services Director and Public Works Director) with reviewing and drafting a new travel policy that will part of the City's financial policies for Council consideration. The review began in January 2010 and was completed in May 2010.

The policy was also presented to the City Attorney for completion of a legal review. The draft policy includes a requirement to review the policy on a bi-annual basis and present to the governing body for approval. The new requirement should prevent the policy from becoming outdated and is consistent with other City policy review requirements.

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council adopt an ordinance approving the City of Copperas Cove Travel Policy.

**ORDINANCE NO. 2010-27**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, FINANCIAL PROCEDURES AND FISCAL POLICY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** The City of Copperas Cove's Finance Department Staff, City Attorney, and City staff completed a thorough review of the current Travel Policy; and

**WHEREAS,** The City of Copperas Cove's Finance Department Staff, City Attorney, and City staff propose inclusion of the Travel Policy in Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy; and

**WHEREAS,** The City of Copperas Cove's Travel Policy No. 910 was included in the City of Copperas Cove Personnel Policy; and

**WHEREAS,** City Staff proposes to rescind Personnel Policy No. 910, effective June 15, 2010.

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

**SECTION 1.**

That the City Council of the City of Copperas Cove's Code of Ordinances, Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy is hereby amended, and "Exhibit A" attached hereto is made a part of this ordinance and for all purposes reflects the changes to Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy, whether amended, added or deleted from the Code of Ordinances, is hereby adopted and incorporated herein as if fully set out.

**SECTION 2.**

That any ordinances or resolutions or part of ordinances or resolutions in conflict with the provisions of this Financial Procedures and Fiscal Policy Ordinance are hereby repealed to the extent of such conflict.

**SECTION 3.**

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

**SECTION 4.**

That these amendments shall go into effect upon passage.

**PASSED, APPROVED, AND ADOPTED** on this 15th day of June, 2010, 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 Travel Policy

June 15, 2010

## I. Purpose

Establish standards for travel by City Employees and City Elected Officials that provide procedures for reporting, sufficient internal controls and accountability measures for budget management purposes.

## II. Definitions

*Authorized Leave:* Non-routine absence from the daily work environment which requires specified department and/or City Administration authorization.

*Auto Allowance:* An amount authorized by funding appropriation during the annual budget for specified exempt positions.

*Business Travel:* Travel for City-related business meetings and functions to include the following:

- Business meetings
- Certification testing
- Delivery or pick up of evidence, vehicles, equipment, parts or other supplies

*Check Request:* Required Finance Department standard form utilized to request payment of funds for City authorized expenses.

*Distant Travel:* Travel to a location outside the designated local travel area.

*Expense Report:* A post travel report required for reimbursement of expenses paid by traveler and all travel which advance payment, payment by purchasing card and/or purchase order is issued.

*GSA:* General Services Administration as defined by the United States Government.

*Guest Traveler:* A non-City employee or elected official accompanying an authorized City traveler.

*Least Cost Method:* A strategy for minimizing the travel cost associated with all business/training travel. The method or mode of travel generating the least cost to the City.

*Local Travel:* Business or training travel that will occur within the Waco/Austin area (approximately 60 miles either direction of the City of Copperas Cove).

*Mixed Use Travel:* Travel that includes both a business and personal segment.

*Out-of-State Travel:* Travel for City-related purposes which require travel beyond the borders of the State of Texas.

*Per Diem:* The amount allowed for advance payment or reimbursement of meal expenses for authorized travel purposes as recommended by the United States GSA.

*Purchasing Card:* A City credit card issued for payment of travel expenses, goods and/or services.

*Training Travel:* Travel for training purposes with a direct benefit to the City of Copperas Cove to include the following:

- Seminars
- Conferences
- Short courses
- Educational courses

*Travel Advance:* A request for funds in advance of travel.

*Travel Authorization:* An authorization to travel for business, training and out-of-State travel purposes.

### III. Procedures for Travel

#### A. Travel Advances

1. Travel advances are only issued for travel authorized for overnight stay.
2. Should payment prior to travel be necessary, a Check Request must be completed with the payee designated as the traveler and must include the purpose, dates and estimated amounts for advancement of funds.
3. The Check Request must indicate proper authorization by signature of required Department official and/or City Administration.
4. The Check Request must be submitted at least 14 days in advance of travel to ensure sufficient time for processing by the Finance Department.
  - a) Exceptions to this requirement shall be approved by the City Manager or his/her designee.
5. The traveler and authorizer of the travel will be held accountable to complete the required expense report upon return from the travel.
  - a) The amount provided through an advance and the date and check number for the issued advance must be recorded in the appropriate space(s) provided on the expense report form.
6. Should the advance exceed the amount of expenses reported, a reimbursement must be made to the City and attached to the expense report.
  - a) Should reimbursement not accompany the expense report, the amount due will be deducted from the next issued check (accounts payable and/or payroll).
7. No more than one travel advance shall remain outstanding at any given time per traveler.
  - a) Exceptions to this requirement shall be approved by the City Manager or his/her designee.

#### B. Travel Authorizations

1. Require authorization by the City Manager or his/her designee for all out-of-state travel. No exceptions will be made to this requirement.
2. Funds for travel must be available for expense.
  - a) The City Manager reserves the right to place any travel on hold regardless of appropriation by the governing body.
  - b) If a hold is placed on a travel account and/or specific travel, the funds are considered unavailable for use.
3. All travel requests are required to include the seminar name, location, account number, total estimated cost to include registration, hotel, airfare, mileage, meals, parking and all other miscellaneous travel expenses.
4. A travel authorization is only required for out-of-state, non-budgeted and/or travel placed on hold by the City Manager.
5. Travelers and approvers authorizing travel will be held accountable for completion of expense reporting.
  - a) Multiple outstanding expense reports per traveler are strictly prohibited under this policy.
  - b) Travel may not be authorized for a traveler with incomplete expense reporting.

#### C. Expense Reporting

1. All charges must be itemized for telephone charges, parking, meal per diem(s), airfare, hotel, taxis, rental car and miscellaneous expenses as required by the official expense report form.
2. An expense report must be completed for all travel within five (5) work days of the traveler's return.
3. Under no circumstances shall alcoholic beverages be reimbursable or charged on a City issued purchasing card.
4. All expenses for a guest traveler must be paid separately with personal funds by the authorized traveler.
  - a) The City will reimburse expenses to the extent it would have incurred for the authorized City traveler independent of the guest traveler (i.e. the single room rate for a hotel room).

b) Mixed use travel by a City authorized traveler requires a separate personal form of payment for the personal use segment directly to the private entity (i.e. Hotel, airline, rental car agency, etc.).

*(1) Reimbursement to the City is not an available option for mixed use travel.*

5. Mileage Reimbursement expenses require mileage odometer readings to include both beginning mileage and ending mileage.

a) Reimbursement for mileage of local travel is prohibited under this policy for recipients of an auto allowance.

b) Actual mileage traveled will be reimbursed at the rate set in accordance with IRS guidelines.

c) All mileage for personal use requires odometer readings and must be deducted from the mileage calculated.

6. Overnight travel requires utilization of the least cost method (an overnight stay will generate an overall savings to the City).

7. Receipts for all hotel, airfare, vehicle transportation (rental car or taxi) and entertainment must accompany the expense report.

a) Incidental expenses do not require a receipt; however, only standard rates provided in the policy will be reimbursed.

*(1) Authorized Reimbursable "Tip" amounts*

- (a) Hotel Bellman, \$1.00 per bag
- (b) Hotel Valet (only if self parking is unavailable on hotel site, \$2.00 per service)
- (c) Room Service, non-reimbursable
- (d) Hotel Room Cleaning Service, \$2.00 per day
- (e) Taxi, 15% of fare
- (f) Shuttle Service, \$5.00 for each 25 miles
- (g) Sky Cap Baggage Check, \$1.00 per bag
- (h) Airport wheelchair, \$3
- (i) Restaurant Wait Staff, 15% of total bill

*(2) Internet Usage*

- (a) Reimbursable for City business use of the internet.
- (b) Must include date and purpose of the use.

(c) If the traveler is issued a City air card, internet usage charges are not eligible for reimbursement.

*(3) Long Distance Phone charges*

(a) Only reimbursable if traveler was not issued a City cell phone.

(b) Phone calls may not exceed 15 minutes in duration and are limited to two calls per day for personal contact.

(c) Business phone calls should be reasonable and indicate the contact name and purpose of call.

*(4) Fax charges*

(a) Faxing is permitted for City business purposes only.

(b) Charges for necessary faxing of documents are reimbursable.

(c) The date, purpose, fax number to which the document was sent, recipient, and number of pages must be noted on the copy of the fax confirmation.

(d) Receipts, if available, should be attached to the Expense Report.

*(5) Copies*

(a) Copying City business documents is permitted.

(b) Charges for necessary copies of documents are reimbursable.

(c) The date, purpose and number of pages must be noted on the copy of the copy receipt.

(d) Receipts, if available, should be attached to the Expense Report.

## 8. Rental Cars

- a) A traveler shall not pay for both taxi fares and rental car expenses during travel.
- b) The least cost method should be used to determine if rental is more economical when compared to other modes of transportation.
- c) The size of the rental car should not exceed what is reasonable or necessary for the traveler.
- d) Any vehicle upgrades requested or granted should be at no additional charge to the city.
- e) There is no reimbursement on mileage for using a rental car.
- f) Extending the use of a rental car beyond the conference dates are at the traveler's expense.
- g) Purchasing additional insurance for a rental car is unnecessary and will not be reimbursed.
- h) Prepaid gasoline from the rental company is not reimbursable.
- i) The employee is responsible for filling the vehicle before returning the automobile to the vendor. This is a reimbursable expense.
- j) Gas can be paid for with a P-card.

*(1) If gas is purchased with a P-card, the original receipt will accompany the monthly P-card reconciliation report and a copy of the receipt should be submitted with the Expense Report.*

k) If gas is not purchased with a p- card, the original receipts for the gasoline are necessary to be included in the Expense Report.

l) Individuals receiving a car allowance will be reimbursed for gasoline with the proper documentation when using a rental car.

m) Tollbooth charges are an allowable expense subject to reimbursement with the appropriate supporting documentation.

9. Meals will be reimbursed based on the current per diem rates authorized by the United States GSA.

a) Meal per diem qualifications

*(1) On day of travel, departure at 8:00 a.m. or prior is required for breakfast per diem.*

*(2) On day of travel, return arrival at 6:00 p.m. or later is required for dinner per diem.*

*(3) If a fee for conference meal(s) is paid by the City, the traveler shall not seek a per diem for that meal.*

*(a) Applies even if the traveler elects not to attend the meal.*

*(b) Applies if the traveler attends the meal that was paid on behalf of another City traveler.*

*(4) If a meal is paid for by a vendor or other representative, the traveler shall not seek a per diem for that meal.*

*(5) A breakfast buffet or continental breakfast provided by the traveler's hotel does not disqualify the traveler from seeking the authorized per diem for that meal.*

10. Unauthorized Hotel Charges

a) The City shall not pay or reimburse for sales tax paid for a hotel stay regardless of purpose.

*(1) The City is tax exempt; therefore, a tax exempt form must be provided by the traveler to the hotel at time of check in or the traveler may request the*

*Finance Department fax a tax exempt form to the hotel prior to the stay or during the stay.*

- b) The City is not exempt from Hotel Occupancy Tax.
- c) Room service shall be subject to the per diem rate and shall not be charged to the hotel stay.
- d) Once reservations are made, any changes, cancellations, or no-show charges made for personal reasons are at the traveler's expense.

#### 11. Authorized Airfare Charges

- a) Only coach fares shall be paid or reimbursed on behalf of the authorized traveler for authorized travel.

*(1) Should a fare upgrade be requested, the traveler shall be required to pay or reimburse the City for the difference in the coach fare and the upgraded fare.*

- b) Airfare shall be purchased at the earliest date possible to ensure the lowest fare.

*(1) Should airfare be purchase late due to negligence of the traveler, the City may require reimbursement of the fare difference.*

c) Once reservations are made, any changes, cancellations, or no-show charges made for personal reasons are at the traveler's expense.

d) Baggage Fees will be reimbursed by the City for the City traveler baggage only.

#### 12. Non Allowable Expenses

- a) Movie rentals
- b) Refrigerator and its contents
- c) Video games
- d) Laundry service
- e) Spas/Beauty salons
- f) Exercise rooms
- g) Tour guides
- h) Shoe shines
- i) Coat checks
- j) All Alcoholic beverages

13. Business entertainment expenses are only authorized by the City Manager, Assistant City Manager or Mayor.

#### **IV. Violations of the Policy**

Violations of the City of Copperas Cove may result in suspension of travel privileges, unpaid time off and/or disciplinary action.

#### **V. Policy Exceptions**

All policy exceptions shall be directed to the City Manager or his/her designee.

## **VI. Appendix**

- A. City of Copperas Cove Expense Report Form
- B. City of Copperas Cove Check Request Form
- C. United States GSA Meal Per Diem Table

## **VII. Policy Adoption and Review**

The City of Copperas Cove Travel Policy is effective upon passage by the governing body. All prior policies will become invalid upon passage of the ordinance adopting the above policy. The policy must be reviewed every two years and presented for approval by the governing body. The only portion of the policy not requiring governing body approval for revisions is Appendix Item C. With adoption of the policy the governing body agrees to utilize the most recent version of the United States GSA Per Diem for meals.

## TRAVEL POLICY

### Policy #910

September 2006

It is the City's policy to pay for, or reimburse, all reasonable and necessary expenses incurred by an employee when the employee travels on City-related business in accordance with this policy.

Establishment and administration of this policy is the responsibility of the City Manager and Director of Financial Services. Each Department Head/Director is responsible for ensuring that their employees, prior to departure on their first business trip, review this policy to understand its intent and requirements.

#### DEFINITIONS

A. Business Travel: Any out of town travel for City business including the following:

**Routine Travel** - Any out of town travel required as part of usual duties such as meetings, delivery or pick up of police evidence, vehicles, equipment, parts, or other supplies.

**Training Travel** - Any out of town travel plans required for seminars, short courses, certification testing, and other related training.

**Overnight Travel** - Any routine or training travel plans, which require an overnight stay away from home.

B. Car Allowance: An amount provided by the City of Copperas Cove to compensate an employee for the use of their personal vehicle while driving on City business.

#### POLICY

A. Approval for Travel:

All travel shall be approved in advance by the respective Department Head/Director or designee. The most efficient and economical mode of travel must be used.

B. Travel Advance:

Advances may be issued for meals and lodging only for seminars requiring an overnight stay. This advance will be released within two days prior to the seminar. Mileage reimbursement shall not be advanced.

C. Personal Automobile:

Employees traveling by personal automobile on City business will be reimbursed at the maximum mileage rate authorized by the Internal Revenue Service, plus tolls and parking charges. City employees receiving an automobile allowance

**TRAVEL POLICY**  
**Policy #910**

September 2006

shall be reimbursed for all mileage on all approved out of town travel. City Hall is considered the point of departure.

**D. Rooms and Meals:**

Employees are expected to use sound business judgment in selecting accommodations. In many cases a City rate may be available.

All hotel charges must have a receipt. The charges, when shown on the expense report form, should be itemized to show telephone charges, parking, etc. All hotel bills should be paid in full by the time of departure. The original hotel bill must be attached to the expense report.

Overnight travel may be authorized only for seminars that are greater than 60 miles in distance from City Hall. If business travel is more than one (1) day, overnight travel may be authorized by the City Manager.

Meals (including tips) will be reimbursed at the federal per diem for that area.

The City will not pay for alcoholic beverages, in-hotel pay televisions movies, dry cleaning and laundry, health club and spa services.

When the seminar registration fee includes meals (breakfast, lunch, or dinner), meal per diem will not be reimbursed. When the seminar registration fee includes only a continental breakfast, the breakfast meal per diem will be reimbursed.

**E. Guest on Trip:**

If an employee chooses to take a guest on an approved business trip, the additional expense incurred is personal. The City will reimburse expenses to the extent that it would have incurred for the employee alone; e.g., the single rate for a hotel room.

**F. Combined Business and Personal Travel:**

The City will pay for the cost of the business segment of the trip, and the employee will pay for the difference between that and the total. If the total is cheaper than the business segment, there are no additional charges.

**G. Receipts:**

Original receipts are required for all expenses other than the meal per diem and miscellaneous reasonable tips. The City Manager and Director of Financial Services reserve the right to determine if an expenditure is necessary and reasonable.

**TRAVEL POLICY**  
**Policy #910**

September 2006

H. Reporting Travel Expense:

An expense report form must be used to report all travel expenses. This form may be obtained from the Finance Department. The expense report must be submitted to the Finance Department within twenty (20) working days after completion of a trip. Any travel advances and/or City paid expenses must be noted on this report, and unused advance funds must be returned. The travel expenses report is self explanatory and instructions can be found on the back of the expense report.

I. Personal Phone Call Policy:

Only business telephone calls are encouraged. However, the City will reimburse one personal phone call a day (for overnight travel), not to exceed \$5.00 per day.

J. Public Relations Reimbursement:

Reimbursement for public relations expenses must be approved in advance by the City Manager.

K. Fire/EMS Training Sponsorship:

Firefighters assigned to shift operations may attend off-duty training that is out of town and the Department will cover the training costs only. Fire/EMS Training Sponsorship requires that the firefighter off-duty or on approved leave and all expenses associated with attending the training such as mileage, rooms and meals will not be paid by the City.

The Fire Chief must approve all Fire/EMS sponsorship requests in advance. Fire/EMS sponsorship is intended to cover training costs for firefighters to attend National Fire Academy Off-Campus Programs and Emergency Services Training institute classes in Texas while the firefighters are off-duty or on approved leave. Fire/EMS sponsorship will be in written form forwarded to the Fire Chief no less than 30 days before the course.

L. Compliance:

Abuse of this policy, including falsifying expense reports or submitting false claims, will result in disciplinary action, up to and including termination of employment.



Purchase Order Request

Check Request

Advance Ck Req  
 Partial Pmt  
 Final Pmt

# CITY OF COPPERAS COVE

## REQUISITION OF GOODS OR SERVICES

### 2009-2010

Date: June 8, 2010

FORWARD CHECK TO:
<input checked="" type="radio"/> Mail to Payee
<input type="radio"/> Return to Department
<input type="radio"/> Other

Vendor Name:	Vendor#:	Total/Estimated Cost: \$ -
Address	Contract Name/Number	Purchase Oder #:
	Vendor Contact:	Bid#:
	Phone#:	Fixed Asset I.D.#:
	Fax #:	Date Requires:

PLEASE FURNISH THE FOLLOWING SUPPLIES, MATERIALS OR SERVICES WHICH ARE NECESSARY IN THE PROPER AND LEGAL CONDUCT OF MY DEPARTMENT. THIS PURCHASE IS PROPERLY AUTHORIZED BY THE BUDGET AND SUFFICIENT FUNDS ARE AVAILABLE TO PAY FOR THE EXPENDITURES AS PROVIDED FOR UNDER THE STATUTORY PROVISIONS OF THE LOCAL GOVERNMENT CODE OF TEXAS, CONCERNING THE LEGAL EXPENDITURES OF CITY FUNDS, AND IS TO BE CHARGE TO:

ACCOUNT #	INVOICE #	DESCRIPTION	QUANTITY	UNIT COST	FREIGHT	TOTAL COST
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-
						-

			PREPARED BY:	DEPT HEAD/DIRECTOR APPROVAL
SHIP TO:			FUND AVAILABLE <input checked="" type="checkbox"/> YES <input type="checkbox"/> YES/PENDING BUDGET TRANSFER	COUNCIL APPROVED DATE/ITEM # PURCHASING OFFICER
STATE EXACT PURPOSE FOR WHICH MATERIAL WILL BE USED				DIRECTOR/ASSISTANT DIRECTOR OF FINANCE

EMPLOYEE NAME: \_\_\_\_\_  
 DEPT / NUMBER: \_\_\_\_\_  
 NAME OF SEMINAR: \_\_\_\_\_  
 LOCATION / DATE OF SEMINAR: \_\_\_\_\_



## Expense Report

	AMOUNT	CK # / RECEIPT #
Cash Advance to Employee	\$ -	
Other Advance Payments	\$ -	
Seminar Registration	\$ -	
Amount Expensed	\$ -	
Amount Due City	\$ -	
Amount Due Employee	\$ -	

		MEAL PER DIEM <small>Indicate Authorized Meals with "Per Diem" Amount in Box Below</small>			OTHER EXPENSES <small>Attach receipts for all items in columns noted by *.</small>							
	ODOMETER READING BEGINNING/ENDING	BFAST	LUNCH	DINNER	SEMINAR / HOTEL*	PHONE*	AIRFAIR, TAXI, TRANSP.*	MISC. TIPS <small>(OTHER THAN MEAL TIPS)</small>	MISC.* Parking & Tolls	MILEAGE	@.50 cents per mile	TOTAL OTHER EXPENSES
Seminar Registration										<i>IRS Mileage Rate:</i>	0.50	-
Monday	/									-	-	-
Tuesday	/									-	-	-
Wednesday	/									-	-	-
Thursday	/									-	-	-
Friday	/									-	-	-
Saturday	/									-	-	-
Sunday	/									-	-	-
<b>TOTALS</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -

TOTAL MEAL PER DIEM \$ -

TOTAL PER DIEM + OTHER EXPENSES \$ -

Employee Signature: \_\_\_\_\_

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

Director of Financial Services

Date

Department Head / Director: \_\_\_\_\_

City Manager

Date

Note: Please fill in the shaded areas only. All other fields should have formulas to calculate the totals including the final amount due to the City or to the Employee.

Enter the seminar registration cost in the Seminar / Hotel column. The formula will carry the amount to the summary at the top of the page.

A Mileage Reimbursement Form should not be submitted with the Expense Report. All mileage related information is included in the Expense Report for the Travel.

[Back to Original](#)

U.S. General Services Administration

## Domestic Perdiem Rates

### Texas - FY 10

(October 1, 2009 through September 30, 2010)

Cities not appearing below may be located within a county for which rates are listed. To determine what county a city is located in, [visit the National Association of Counties \(NACO\) website](#) (a non-federal website).

NOTE: If neither the city nor the county is listed, the location is a standard CONUS destination with a rate of \$70.00 for lodging and \$46.00 for meals and incidental expenses (M&IE).

#### State Tax Rates & Exemption Forms

#### Properties at Per Diem (FedRooms)

Primary Destination (1)	County (2, 3)	Max Lodging (exc. taxes)	+	M&IE Rate	=	Max Per Diem Rate (4)	First & Last Day (75% of M&IE)
Arlington / Fort Worth / Grapevine	Tarrant county and City limits of Grapevine	151		56		207	42.0
Austin (October 1 - October 31)	Travis	121		71		192	53.25
Austin (November 1 - August 31)	Travis	115		71		186	53.25
Austin (September 1 - September 30)	Travis	121		71		192	53.25
Beaumont	Jefferson	93		51		144	38.25
College Station	Brazos	93		56		149	42.0
Corpus Christi	Nueces	90		51		141	38.25
Dallas (October 1 - December 31)	Dallas County and City of Dallas	117		71		188	53.25
Dallas (January 1 - March 31)	Dallas County and City of Dallas	122		71		193	53.25
Dallas (April 1 - September 30)	Dallas County and City of Dallas	117		71		188	53.25
El Paso	El Paso	91		51		142	38.25
Galveston (October 1 - May 31)	Galveston	108		56		164	42.0
Galveston (June 1 - July 31)	Galveston	128		56		184	42.0
Galveston (August 1 - September 30)	Galveston	108		56		164	42.0
Houston (L.B. Johnson Space Center)	Montgomery, Fort Bend and Harris	118		71		189	53.25
Hunt County	Hunt County	87		51		138	38.25
Laredo	Webb	85		56		141	42.0

McAllen	Hidalgo	89	56	145	42.0
Midland (April 1 - September 30)	Midland	90	51	141	38.25
Midland (note: these rates ended 3/3/10 after review; revised rates in effect 4/1/10). (October 1 - March 31)	Midland	70	46	116	34.5
Plano	Collin	116	61	177	45.75
Round Rock	Williamson	97	51	148	38.25
San Antonio	Bexar	117	66	183	49.5
South Padre Island (October 1 - May 31)	Cameron	83	56	139	42.0
South Padre Island (June 1 - July 31)	Cameron	107	56	163	42.0
South Padre Island (August 1 - September 30)	Cameron	83	56	139	42.0
Waco	McLennan	88	51	139	38.25



U.S. General Services Administration

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[Per Diem](#)

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[Per Diem Rates](#)

[FY09 & FY10 M&IE Breakdown](#)

[Factors Influencing Lodging Rates](#)

[FY 2010 Per Diem Highlights](#)

[Fire Safe Hotels](#)

[Have a Per Diem Question?](#)

[Per Diem Files \(Current & Archived\)](#)

[Home > Policy & Regulations > Travel, Transportation, & Relocation > Travel Management > Per Diem > FY09 & FY10 M&IE Breakdown](#)

## FY 09 and FY 10 Meals and Incidental Expenses ( M&IE) Breakdown

The following tables show the breakdown of continental breakfast/breakfast, lunch, and dinner components of the maximum daily reimbursement (per diem) rates for meals and incidental expenses while on travel. **The M&IE rates differ by travel location. View the per diem rate for your primary destination to determine which M&IE rates apply.** Refer to Section 301-11.18 of the Federal Travel Regulation for guidance on deducting these amounts from your per diem reimbursement claims for meals furnished to you by the government.

**NOTE: You must view the per diem rate for your primary destination to determine which M&IE rates apply.**

### FY09 M&IE Breakdown

The M&IE rates differ by travel location. View the per diem rate for your primary destination to determine which M&IE rates apply.						
M&IE Total	\$39	\$44	\$49	\$54	\$59	\$64
Continental Breakfast/ Breakfast	7	8	9	10	11	12
Lunch	11	12	13	15	16	18
Dinner	18	21	24	26	29	31
Incidentals	3	3	3	3	3	3

### FY10 M&IE Breakdown

The M&IE rates differ by travel location. View the per diem rate for your primary destination to determine which M&IE rates apply.						
M&IE Total	\$46	\$51	\$56	\$61	\$66	\$71
Continental Breakfast/ Breakfast	7	8	9	10	11	12
Lunch	11	12	13	15	16	18
Dinner	23	26	29	31	34	36
Incidentals	5	5	5	5	5	5

### CONTACTS

[Additional Contacts For Travel Management Policy](#)



### REFERENCE

[Federal Travel Regulation \(FTR\)](#)

### RELATED GSA TOPICS

[E-Gov Travel](#)

[State Tax Exemption Forms](#)

[FedRooms®](#)

[Travel E-mail Notification](#)

[POV Mileage Reimbursement Rates](#)

### GOVERNMENT LINKS

[Ask a Per Diem Question](#)

[Fire Safety Information](#)

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. I-6

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. 022, Equal Employment Opportunity.**

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**1. BACKGROUND/HISTORY**

The City of Copperas Cove currently has in effect Personnel Policy No. 022, Equal Employment Opportunity. From time to time, City staff makes recommendations to change personnel policies. In cases where changes are made to personnel policies, City Council's approval is required. Personnel Policy No. 022, Equal Employment Opportunity is attached for Council review and consideration.

**2. FINDINGS/CURRENT ACTIVITY**

Changes to the City's Equal Employment Opportunity policy are necessary to remain compliant with the new Genetic Information Nondiscrimination Law of 2009, commonly referred to as "GINA." Gina is a Federal law that prohibits discrimination in health coverage and employment based on genetic information. Gina prohibits employers from using genetic information for hiring, firing, or promotion decisions, and for any decisions regarding terms of employment.

As a result, City staff proposes to revise Personnel Policy No. 022, Equal Employment Opportunity. The revised areas are notated in "red" on the attached proposed policy.

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends approval of Ordinance No. 2010-28, amending Personnel Policy No. 022, Equal Employment Opportunity.

**ORDINANCE NO. 2010-28**

**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. 022, (EQUAL EMPLOYMENT OPPORTUNITY) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 022, (EQUAL EMPLOYMENT OPPORTUNITY) 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 August 15, 2006.

**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. 022, (Equal Employment Opportunity) and replacing the existing policy with a revised personnel policy, No. 022, (Equal Employment Opportunity) correctly shown by the attached Exhibit "A";

**Section 2.**

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

**Section 3.**

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

**Section 4.**

That any additions, deletions or other amendments to the Personnel Policies and Procedures Manual shall be made in a manner similar to process by which this manual is originally approved and only after compliance with the Texas Open Meetings Act and approved by the City Council of the City of Copperas Cove.

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective June 15, 2010.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 15th day of June 2010, 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

**EQUAL EMPLOYMENT OPPORTUNITY**  
**Policy #022**

June 2010

It is the policy of the City of Copperas Cove to provide equal employment opportunities to all employees and applicants for employment in recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, and any other terms and conditions of employment without regard to race, age, religion, color, disability, national origin, sexual orientation or gender, veteran status, citizenship, **genetic information**, or any status in any other group protected by **federal**, state or local law.

The City of Copperas Cove prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for making a good faith allegation of such a practice or participating in an investigation of an allegation of retaliation or discrimination. An employee who feels he or she has been discriminated or retaliated against must immediately report the matter to the Human Resources Department or the City Manager. The City of Copperas Cove requires employees to report these incidents so they can be thoroughly investigated. Based on the investigation findings, corrective action, up to and including termination of employment, will be taken against the offender, depending on the severity of their misconduct. Retaliation against anyone reporting discriminatory behavior is prohibited and must also be reported. The City of Copperas Cove takes discrimination claims very seriously. Employees who make false claims will also be subject to corrective action.

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. I-7

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 adopting a new Personnel Policy No. 021, Requests for Accommodation.**

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**1. BACKGROUND/HISTORY**

The City of Copperas Cove currently does not have a formal policy regarding employees requesting an accommodation. As this is a proposed new policy to be included in the City's Personnel Policy and Procedures Manual, City Council's approval is required. Proposed Personnel Policy No. 021, Requests for Accommodation is attached for Council review and consideration.

**2. FINDINGS/CURRENT ACTIVITY**

The City has a legal obligation under both the Americans with Disabilities Act (disability) and Title VII (religion) to provide employees with a reasonable accommodation under certain conditions. The policy is recommended so that the City has a written record of an employee's request for accommodation.

As a result, City staff proposes to adopt Personnel Policy 021, Requests for Accommodation.

**3. FINANCIAL IMPACT**

None.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends approval of Ordinance No. 2010-29, adopting a new Personnel Policy 021, Requests for Accommodation.

**ORDINANCE NO. 2010-29**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING EMPLOYEE PERSONNEL POLICY NO. 021, REQUESTS FOR ACCOMMODATION AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** City staff desires to improve Personnel Policies and Procedures for City Employees;

**WHEREAS,** The City of Copperas Cove Council recognizes the need to establish a flexible and responsive personnel system; and

**WHEREAS,** The personnel policies and procedures manual establishes a personnel system and process for administrative purposes.

**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 adopting a new personnel policy, No. 021, (Requests for Accommodation);

**Section 2.**

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

**Section 3.**

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

**Section 4.**

That any additions, deletions or other amendments to the Personnel Policies and Procedures Manual shall be made in a manner similar to process by which this manual is originally approved and only after compliance with the Texas Open Meetings Act and approved by the City Council of the City of Copperas Cove.

**Section 5.**

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

**Section 6.**

That this ordinance shall be effective June 15, 2010.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this 15th day of June 2010, 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

**REQUESTS FOR ACCOMMODATION**  
**Policy #021**

June 2010

**Disability.** The City of Copperas Cove will provide reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue. The City's obligation under this policy is limited to providing reasonable accommodations that will not result in undue hardship to the City. All requests for accommodation must be in writing and directed to the Human Resources Director or the City Manager.

Employees who have a complaint involving potential violations of the Americans with Disabilities Act, including, but not limited to, harassment, discrimination, or failure to provide reasonable accommodation, must immediately report such complaint as outlined in the City's Sexual and Other Unlawful Harassment Policy.

**Religion.** The City will provide reasonable accommodation to the sincerely held religious beliefs of its employees provided it does not impose an undue hardship on the City. All requests for accommodation must be in writing and directed to the Human Resources Director or the City Manager.

# City of Copperas Cove

## City Council Agenda Item Report

June 15, 2010

### Agenda Item No. I-8

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

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**SUBJECT: Consideration and action on a resolution authorizing the City Manager to execute an Advance Funding Agreement with TxDOT for voluntary utility relocation for the State Highway 9 project and release funds to TxDOT no earlier than forty five (45) days prior to the date set for receipt of the construction bids.**

---

#### 1. BACKGROUND/HISTORY

The Texas Department of Transportation (TxDOT) is nearing completion of the design for the State Highway 9 project (Northeast Bypass) from US Highway 190 to FM 116.

In November 2008, the voters approved the expenditure of \$1.4 million for construction costs (including utility relocations) associated with State Highway 9.

On March 2, 2010, the City Council authorized the City Manager to execute an agreement with Kellogg Brown & Root Services, Inc (KBR) in the amount of \$151,904 for the design of the required relocation of City utilities (water and wastewater) for the project.

On March 16, 2010, the City Council authorized the City Manager to execute an agreement with KBR in the amount of \$319,599 for the design of a 30-inch water line generally located along the limits of the proposed State Highway 9.

On May 5, 2010, the City Council authorized the issuance of General Obligation Bonds for the Northeast Bypass.

#### FINDINGS/CURRENT ACTIVITY

On May 28, 2010, TxDOT presented the Director of Public Works with an Advanced Funding Agreement for the utility relocation construction on the project.

The State of Texas agrees that when more economical and/or efficient for such relocation to be effected by including said contract in the State's

highway construction contract, an agreement may be executed authorizing the let of such relocation, including construction of a new 30-inch water line, with the project construction contract provided the responsible party agrees in advance to pay TxDOT for 100% of all estimated construction costs for the relocation of utilities at least forty five (45) days prior to the date set for receipt of the construction bids.

**3. FINANCIAL IMPACT**

The funding for the utility relocates, including the new 30-inch water line, is estimated by TxDOT to be \$3,623,560.47. In the event the State determines that additional funding is required by the Utility (the City of Copperas Cove) at any time during the project, the State will notify the Utility in writing. The Utility (City) is responsible for 100% of the authorized project cost and any overruns up to \$1.4 million. Furthermore, the City is responsible for 100% of the authorized project cost and any overruns for the proposed 30-inch water line. The City will make payment to the State within thirty (30) days from receipt of the State's written notification.

Funding for the utility relocates is available in the recently issued May 2010 General Obligation Bonds.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Council approve a resolution authorizing the City Manager to execute an Advanced Funding Agreement with TxDOT for voluntary utility relocation, including construction of a new 30-inch water line, for State Highway 9 (Northeast Bypass) project and release funds to TxDOT no earlier than forty five (45) days prior to the date set for the receipt of construction bids.

**RESOLUTION NO. 2010-24**

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER OF THE CITY OF COPPERAS COVE TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE FUNDS FOR THE VOLUNTARY UTILITY RELOCATION OF WATER AND WASTEWATER LINES AT THE PROPOSED STATE HIGHWAY 9 FROM FM 116 TO US 190.**

**WHEREAS,** City Administration requested TxDOT include the relocates of water and wastewater lines, including new construction of a 30-inch water line, be included in the construction let of the project; and

**WHEREAS,** the Utility (the City) and State agree that it is more economical and/or efficient for such relocation to be effected by including said contract in the State's highway construction contract; and

**WHEREAS,** the Utility contracted with Kellogg Brown & Root Services, Inc in March 2010 to complete the design of the water and wastewater lines relocation, including new construction of a 30-inch water line; and

**WHEREAS,** the Utility is responsible for funding up to \$1.4 million, including water and wastewater line relocation costs, associated with the construction of State Highway 9; and

**WHEREAS,** the Utility is responsible for funding for one hundred percent (100%) of the costs associated with the 30-inch water line; and

**WHEREAS,** TxDOT estimates the total cost for utility improvements to be \$3,623,560.47; and

**WHEREAS,** the Utility must advance to the State one hundred percent (100%) of its share of the estimated Project utility construction costs (\$3,623,560.47) to TxDOT at least forty five (45) days prior to the date set for receipt of the construction bids.

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

**SECTION 1.**

The City Manager is authorized to execute the attached AGREEMENT TO CONTRIBUTE FUNDS – LOCAL GOVERNMENT (Exhibit A) by and between the City and the Texas Department of Transportation.

**SECTION 2.**

The City Manager is authorized to transmit a check to the Texas Department of Transportation at least forty five days prior to the date set for receipt of the construction bids for the City's portion of the Project utility constructions costs in the amount of three million six hundred twenty three thousand five hundred sixty and 47/100 Dollars (\$3,623,560.47).

**PASSED, APPROVED, AND ADOPTED** on this 15th day of June 2010, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays, 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



# Texas Department of Transportation

100 SOUTH LOOP DRIVE • WACO, TEXAS 76704-2858 • (254) 867-2700

May 28, 2010

Bob McKinnon  
Director of Public Works  
City of Copperas Cove  
1601 North 1<sup>st</sup> Street  
Copperas Cove, Texas 76522

Subject: Advance Funding Agreement  
Voluntary Utility Relocation Contributions  
City Utility Relocations and Adjustments (Water and Waste Water Lines)  
SH 9 – From FM 116 to US190, NE Copperas Cove Bypass  
CCSJ: 3623-01-001  
RCSJ: 3623-01-002

Dear Mr. McKinnon:

Transmitted herewith please find duplicate original advance funding agreements for the above referenced project. Once the agreements are partially executed by the City, please return them to my office for further processing.

According to the provisions of the agreement, the City of Copperas Cove is required to submit its financial share of the Project's estimated construction oversight and construction costs for the proposed work, or **\$3,623,560.47**. These costs should be forwarded to the State forty-five (45) days prior to the date set for receipt of the construction bids. The State anticipates letting this project the first of August 2010.

Therefore, in accordance with the terms stipulated in the agreement, a warrant in the amount of **\$3,623,560.47**, made payable to the "Texas Department of Transportation" should be forwarded to my office by **June 18, 2010**.

If you should need any additional information, please let me know. I may be reached at the phone number 254-867-2733.

Sincerely,

Jim Reed  
TP&D Central Design Services

Enclosure

Duplicate Original Agreements

cc: Andy Petter, P.E.  
Ali Bashi, P.E.  
Ryan Bonner  
Kristi Kubitza  
Project File (2)

THE TEXAS PLAN

REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY  
PRESERVE THE VALUE OF TRANSPORTATION ASSETS

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ROW CSJ #3623-01-002  
CST CSJ #3623-01-001  
Waco District  
Code Chart 64 #09750  
Project: SH 9 – From FM 116 to  
US190, NE Copperas Cove Bypass

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

**ORIGINAL**

**ADVANCE FUNDING AGREEMENT FOR VOLUNTARY UTILITY RELOCATION  
CONTRIBUTIONS ON STATE HIGHWAY IMPROVEMENT PROJECTS**

**THIS AGREEMENT IS MADE BY AND BETWEEN** the State of Texas, acting through the Texas Department of Transportation (“State”) and the City of Copperas Cove (“Utility”),

**WITNESSETH**

**WHEREAS**, Transportation Code, Chapters 201, 221, 227 and 361, authorize the State to lay out, construct, maintain, and operate a system of streets, roads and highways that comprise the State Highway System; and,

**WHEREAS**, Transportation Code, Chapter 203, Subchapter E, Transportation Code §227.015, Transportation Code, §203.092 authorize the State to regulate the placement of public utility facilities along a state highway; and,

**WHEREAS**, Texas Transportation Commission Minute Order Number 111976 authorizes the State to undertake and complete a highway improvement generally described as: Constructing the Initial Two-Lanes of an Ultimate Four-Lane Divided Section for NE Relief Route and Tank Destroyer Boulevard Connection (“Project”); and,

**WHEREAS**, Utility possesses facilities that are affected by the abovementioned highway improvement, and Utility and the State agree that it is more economical and/or efficient for such relocation to be effected by including said contract in the State’s highway construction contract; and,

**NOW THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them kept and performed as hereafter set forth, the State and Utility do agree as follows:

**AGREEMENT**

**Article 1. Time Period Covered**

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed, and the State and Utility will consider it to be in full force and effect until the Project described herein has been completed and accepted by all parties or unless terminated, as hereinafter provided.

## **Article 2. Project Funding and Work Responsibilities**

A. The State will authorize the performance of only those Project items of work which are eligible for relocation reimbursements or for which Utility has requested and has agreed to pay for as described in Attachment A - Payment Provision and Work Responsibilities, which is attached to and made a part of this contract.

In addition to identifying those items of work to be paid for by payments to the State, Attachment A - Payment Provision and Work Responsibilities, also specifies those Project items of work that are the responsibility of Utility and will be carried out and completed by Utility, at no cost to the State.

B. If the Utility will perform any work under this contract for which reimbursement will be provided by or through the State, the Utility must complete training before a letter of authority is issued. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Utility shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Utility or an employee of a firm that has been contracted by the Utility to perform oversight of the Project. The State in its discretion may deny reimbursement if the Utility has not designated a qualified individual to oversee the Project.

C. Whenever funds from the American Recovery and Reinvestment Act of 2009 (ARRA) are distributed to a Utility, the Utility must complete its Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC), as required by OMB Circular A-133, and separately identify any ARRA expenditures for Federal Awards.

D. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.

## **Article 3. Termination**

This agreement may be terminated in the following manner:

- ◆ by mutual written agreement and consent of both parties
- ◆ by either party upon the failure of the other party to fulfill the obligations set forth herein
- ◆ by the State if it determines that the performance of the Project or utility work is not in the best interest of the State.

If the agreement is terminated in accordance with the above provisions, Utility will be responsible for the payment of Project costs incurred by the State on behalf of Utility up to the time of termination.

## **Article 4. Right of Access**

If Utility is the owner of any part of the Project site, Utility shall permit the State or its authorized representative access to the site to perform any activities required to execute the work.

**Article 5. Adjustments Outside the Project Site**

Utility will provide for all necessary right-of-way and utility adjustments needed for performance of the work on sites not owned or to be acquired by the State.

**Article 6. Responsibilities of the Parties and Indemnity**

Utility acknowledges that it is not an agent, servant, employee of the State, nor is it engaged in a joint enterprise, and it is responsible for its own acts and deeds and for those of its agents or employees during the performance of the work on the Project.

To the extent permitted by law, Utility agrees to indemnify and hold harmless the State, its agents and employees, from all suits, actions or claims and from all liability and damages for any and all injuries or damages sustained by any person or property in consequence with the performance of design, construction, maintenance or operation of the utility facility. Such indemnity includes but is not limited to any claims or amounts arising or recovered under the "Worker's Compensation Law", the Texas Tort Claims Act, Chapter 101, Texas Civil Practice and Remedies Code; or any other applicable laws or regulations, all as time to time may be amended.

**Article 7. Sole Agreement**

In the event the terms of the agreement are in conflict with the provisions of any other existing agreements between Utility and the State, the latest agreement shall take precedence over the other agreements in matters related to the Project.

**Article 8. Successors and Assigns**

The State and Utility each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of such other party in respect to all covenants of this agreement.

**Article 9. Amendments**

By mutual written consent of the parties, the scope of work and payment provisions of this agreement may be amended prior to its expiration.

**Article 10. Inspection and Conduct of Work**

Unless otherwise specifically stated in Attachment A - Payment Provision and Work Responsibilities, to this contract, the State will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the Project is accomplished in accordance with the approved plans and specifications. All correspondence and instructions to the contractor performing the work will be the sole responsibility of the State. Unless otherwise specifically stated in Attachment A to this contract, all work will be performed in accordance with the *Utility Accommodation Rules* as set forth in 43 *Texas Administrative Code* §21.31 et. seq. adopted by the State and incorporated herein by reference, or special specifications approved by the State.

ROW CSJ #3623-01-002  
CST CSJ #3623-01-001  
Waco District  
Code Chart 64 #09750  
Project: SH 9 – From FM 116 to  
US190, NE Copperas Cove Bypass

**Article 11. Maintenance**

Upon completion of the Project, Utility will assume responsibility for the maintenance of the completed utility facility unless otherwise specified in Attachment A to this agreement.

**Article 12. Notices**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid or sent by electronic mail, (electronic notice being permitted to the extent permitted by law but only after a separate written consent of the parties), addressed to such party at the following addresses:

<b>Utility:</b>	<b>State:</b>
Director of Public Works	District Engineer
City of Copperas Cove	TxDOT Waco District
1601 North 1 <sup>st</sup> Street	100 South Loop Drive
Copperas Cove, Texas 76522	Waco, Texas 76704-2858

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that such notices shall be delivered personally or by certified U.S. mail and such request shall be honored and carried out by the other party.

**Article 13. State Auditor's Provision**

The State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the State Auditor with access to any information the State Auditor considers relevant to the investigation or audit.

The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.

Whenever ARRA funds are used and the Utility is performing any work, either directly or through a contractor, it must comply with the following provisions. If a Utility is receiving ARRA funds, but is not performing any work, the following provisions apply, if appropriate, and to the extent necessary to comply with ARRA regulations.

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In accordance with Section 902 of the ARRA, should this agreement involve the expenditure of ARRA funds, then the U.S. Comptroller General and its representatives shall have the authority to:

- a. examine any records of the contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to the contract or subcontract; and
- b. interview any officer or employee of the contractor or any of its subcontractors, or any State or local agency administering the contract regarding such contracts.

Nothing in the section previously mentioned shall be interpreted to limit or restrict in any way the existing authority of the Comptroller General.

In accordance with Section 1515(a) of the ARRA, with respect to each contract or grant awarded using covered funds, any representative of an appropriate inspector general appointed under Section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.), is authorized:

- a. to examine any records of the contractor or grantee, any of its subcontractors or subgrantees, or any State or local agency administering such contract that pertain to and involve transactions relating to the contract, subcontract, grant, or subgrant; and
- b. to interview any officer or employee of the contractor, grantee or subgrantee, or agency regarding such transactions.

Section 1515(b) further provides that nothing in the section previously mentioned shall be interpreted to limit or restrict in any way the existing authority of an inspector general.

The ARRA requires that the Contractor report monthly employment information for its firm as well as that of all of its subcontractors. The Contractor, similarly, shall include this reporting requirement in all of its subcontracts. Failing to include the requirement in agreements with subcontractors can serve as grounds for contract termination.

Form FHWA-1589, Monthly Employment Report, promulgated by the Federal Highway Administration (FHWA), captures the necessary monthly employment information and shall be submitted by the Contractor on a regular basis to the Utility. It is the responsibility of the Utility to obtain this form from the prime Contractor and any subcontractors and, the Utility shall verify the accuracy, completeness, and reasonableness of the data contained in the form. The Utility shall ensure that this form is submitted by the Utility to the State according to the policies and at the direction of the State.

In order to meet any other FHWA and ARRA reporting requirements, the Utility shall provide to the State all information requested by the State, including data or information in possession of contractors and subcontractors for completing other necessary reporting forms, and the information shall be submitted in the manner required and according to all due dates as set by the State.

Furthermore, the ARRA mandates that the U.S. Comptroller General's Office shall have authority to examine the records of the contractor, subcontractor, or local agency relating to the project at any time.

**Article 14. Debarment Certifications**

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Utility certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive Federal funds and, when requested by the State, to furnish a copy of the certification.

**Article 15. Signatory Warranty**

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party they represent.

**IN WITNESS WHEREOF, THE STATE AND THE UTILITY** have executed duplicate counterparts to effectuate this agreement.

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By \_\_\_\_\_ Date \_\_\_\_\_  
District Engineer

**FOR UTILITY**

Name \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_

Typed or Printed Name and Title \_\_\_\_\_  
\_\_\_\_\_

Attest:

By \_\_\_\_\_ Date \_\_\_\_\_

ROW CSJ #3623-01-002  
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Project: SH 9 – From FM 116 to  
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## **ATTACHMENT A Payment Provision and Work Responsibilities**

### **Description of the Work Items**

The parties agree that the existing water and waste water lines shall be relocated and adjusted throughout the Project limits as defined in construction plans CSJ#3623-01-001. The Utility's facilities shall be owned, operated, and maintained by Utility from and after completion and final acceptance by the State and Utility. The estimated total construction cost for the relocated and adjusted facilities is **\$3,623,560.47**. The parties agree that it is their intent to complete the improvements within this estimate of cost.

### **Actual Cost Agreement**

Utility will be responsible for paying all costs associated with the planning, specification, and estimate (PS&E) development, and construction of the proposed utility work to the extent such is not reimbursed pursuant to state law. All the costs associated with relocating and adjusting the existing water and waste water lines for the Project shall be provided as defined under the Standard Utility Agreement, Utility Joint Use Agreement, and/or the Agreement to Contribute Funds executed between the State and Utility, which are attached to and made a part of this contract.

### **Schedule of Payments**

At least forty five (45) days prior to the date set for receipt of the construction bids, the Utility shall remit its remaining financial share for the State's estimated construction oversight and construction costs. Utility must advance to the State one hundred percent (100%) of its share of the estimated Project utility construction costs. The amount to be advanced for the utility improvements is estimated to be **\$3,623,560.47**. (See Attachment B – Estimated Utility Costs)

In the event the State determines that additional funding is required by the Utility at any time during the Project, the State will notify the Utility in writing. The Utility is responsible for 100% of the authorized project cost and any overruns. The Utility will make payment to the State within thirty (30) days from receipt of the State's written notification.

Whenever funds are paid by the Utility to the State under this agreement, the Utility will remit a warrant made payable to the "Texas Department of Transportation Trust Fund." The warrant will be deposited by the State in an escrow account to be managed by the State. Until the final project accounting, funds in the escrow account may only be applied by the State to the Project.

Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due by the Utility, the State, or the Federal Government will be promptly paid by the owing party.

## Work Responsibilities

The **Utility** shall provide the following services under this contract:

- Responsible for engaging the services of a Texas Registered Professional Engineer to prepare drawings and technical specifications for the water and waste water line relocation and adjustment within the project limits of SH 9. Utility will provide the plans and specifications to the State to include in the current planning specifications and estimate package being prepared by representatives of TxDOT's Waco District Office.
- Secure all necessary permitting as may be required for the installation of the Utility's facilities.
- Arrange and coordinate with the contractor, through the State, materials and equipment testing, rejection of all work not conforming to minimum requirements of the construction contract documents, maintenance of the proposed lines during construction, and the relocation and connection of services to customers.
- Advise the State of work that Utility determines should be corrected or rejected.
- Arrange, observe, and inspect all acceptance testing and notify the State of the results of these activities.
- Provide inspection services for the construction, notify the State of defects and deficiencies in the work, and observe actions of the contractor to correct such defects and deficiencies.
- Assume all responsibility for the maintenance of the existing facilities and the proposed adjustments during and upon completion of the construction contract.
- Ensure all TCEQ and all other regulatory rules, regulations and laws are strictly adhered to.
- Prepare and submit both a certificate of substantial completion and a list of observed items requiring completion or correction for the relocations and adjustments to the Project Engineer for his concurrence.
- Utility agrees that all construction activities performed by Utility's staff for the relocations and adjustments will be coordinated through the Project Engineer.

The **State** shall provide the following services under this contract:

- Combine the water and waste water relocation and adjustment plans with the plans being prepared for the Project.
- Review and approve the final construction plans prior to any construction-related activities. In order to ensure federal and/or state funding eligibility, projects must be authorized by the State prior to advertising for construction.
- Advertise for construction bids, issue bid proposals, receive and tabulate the bids and award and administer the contract for construction of the Project.
- Negotiate and administer all field changes and change orders required for the Project. All change orders increasing construction costs for Utility's Project shall be submitted to Utility for review and approval together with an evaluation. Utility agrees to review and either approve or disapprove all change orders within five (5) business days after receipt of such order unless Utility Board's approval is necessary in which case Utility shall bring the item to Utility Board as soon as reasonably possible.

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- Provide overall project management to supervise the day-to-day activities of the construction and monitor the activities of the contractor to promote the timely and efficient completion of the Project in accordance with the approved Plans and Specifications and construction schedule.
- Conduct field observations and coordinate with Utility's inspectors and the contractor to cure defects and deficiencies in the construction prior to final acceptance.
- Make timely payment to the contractor for work performed in connection with the Project.
- Ensure access and permit Utility's inspectors and other authorized representatives to inspect the water and waste water line construction at all times.
- Conduct and coordinate final inspection of the Project in the presence of Utility's Engineer and Inspector, transmit final list of items to be completed or repaired and observe contractor correction of same.
- Maintain job file.

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**ATTACHMENT B  
 Estimated Utility Costs**

Based on various calculations, Following are those amounts due and payable for Utility District's costs associated with this project.

Total Estimated Costs  
 \$ 3,623,560.47

Less Betterment Amount Due from Utility  
 \$ 0.00

**Amount of total utility relocation Costs  
 \$ 3,623,560.47**

Estimated Amount Eligible for Reimbursement  
 (Calculated eligibility Ratio – 0 %)  
 \$ 0.00

Amount of Utility Adjustment Due from Utility  
\$ 3,623,560.47

**Estimated amount to be included in Construction Agreement**

A. Betterment	\$ 0.00
B. Utility Adjustment	<u>\$ 3,623,560.47</u>

<b>GRAND TOTAL</b>	<b><u>\$ 3,623,560.47</u></b>
--------------------	-------------------------------

**Betterment Ratio Calculation – N/A**

Estimated Betterment Costs –

1. ...
2. ...

Betterment Calculation:		
<b>Total Costs of Betterment (Estimated)</b>	-	\$ _____
<b>Total Costs of Project (Estimated)</b>	-	\$ _____

***Betterment Percentage for final cost determination: . \_ % of final cost of relocation***

Determination of Betterment – Comparison of estimated cost to replace “as is” versus estimated costs associated with the betterment.

Item A:

Item B:



**STATEMENT COVERING UTILITY CONSTRUCTION CONTRACT WORK**  
(AS APPEARING IN ESTIMATE)

U-No. N/A

District: Waco  
County: Coryell  
Federal Project No.: N/A

ROW CSJ No.: 3623-01-002  
Highway No.: SH 9

I, Andrea M. Gardner, a duly authorized and qualified representative of the City of Copperas Cove, hereinafter referred to as **Owner**, am fully cognizant of the facts and make the following statements in respect to work which will or may be done on a contract basis as appears in the estimate to which this statement is attached.

It is more economical and/or expedient for **Owner** to contract this adjustment, or **Owner** is not adequately staffed or equipped to perform the necessary work on this project with its own forces to the extent as indicate on the estimate.

Procedure to be Used in Contracting Work

- A. Solicitation for bids is to be accomplished through open advertising and contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed.
- B. Solicitation for bids is to be accomplished by circulating to a list of pre-qualified contractors or known qualified contractors and such contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed. Such presently known contractors are listed below:
  - 1.
  - 2.
  - 3.
  - 4.
  - 5.
- C. The work is to be performed under an existing continuing contract under which certain work is regularly performed for **Owner** and under which the lowest available costs are developed. (If only part of the contract work is to be done under an existing contract, give detailed information by attachment hereto.)
- D. The utility proposes to contract outside the foregoing requirements and therefore evidence in support of its proposal is attached to the estimate in order to obtain the concurrence of the State, and the Federal Highway Administration Division Engineer where applicable, prior to taking action thereon (approval of the agreement shall be considered as approval of such proposal).
- E. The utility plans and specifications, with the consent of the State, will be included in the construction contract awarded by the State.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**ATTACHMENT "I"**  
**(to be used only for Inclusion in Highway Construction Contract)**

In the best interest of both the **State** and the **Utility**, the **Utility** requests the **State** to include the plans and specifications for this work in the general contract for construction of Highway SH 9 in this area, so that the work can be coordinated with the other construction operations; and the construction contract is to be awarded by the **State** to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed.

Utility: City of Copperas Cove  
*Name of Utility*

By: \_\_\_\_\_  
*Authorized Signature*

\_\_\_\_\_  
*Print or Type Name*

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Initial

\_\_\_\_\_  
Date

# City of Copperas Cove City Council Agenda Item Report

June 15, 2010

## Agenda Item No. I-9

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

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**SUBJECT: Consideration and action on authorizing the City Manager to execute a contract with TTG Utilities, LP for the Community Development Block Grant (CDBG) Water System Improvements Project.**

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### 1. BACKGROUND/HISTORY

In 2009 the City applied for a CDBG for rehabilitation of water lines within certain (Older) areas of the City. Recommendations were submitted containing one project area with four streets, South 9th, 11th, 13th and 15th Streets, all from Veterans Avenue to Highway Avenue. Water lines in the project area are galvanized 1 ½ to 2 inch and more than 40 years old, and none provide adequate pressure or volume. The lines are located in the back of homes in what used to be alleys and are now yards, making meter reading and any repairs difficult.

The City hired Grant Development Services to complete and submit the CDBG application, after which, the City was notified that the application had been approved. River City Engineering was contracted to provide all engineering services pertaining to the CDBG and Langford Community Management was hired to administer the grant funds.

### 2. FINDINGS/CURRENT ACTIVITY

River City Engineering prepared all construction plans and specifications to meet CDBG administrative requirements. Plans and specifications were reviewed and approved, after which the project was advertised for bid. Bid specifications asked bidders to provide a base bid, to install new six inch water main lines, service taps and meters, all to be located in streets and parkways in the front of homes. Bidders were also asked to provide "Add Alternate" bids for repairs to the streets. Bids were opened at 2:00 p.m. May 27, 2010. There were four bids submitted with TTG Utilities, LP, Gatesville, Texas providing the lowest qualified total bid (see Bid Tabulation attached).

### 3. FINANCIAL IMPACT

TTG Utilities, LP, Gatesville, Texas submitted a total bid of \$ 188,763.60. The bid and qualifications were checked (see letter attached) and TTG Utilities was found

to have submitted an accurate bid and to have an excellent work reputation. Funding for the project will come from a Community Development Block Grant (CDBG) and 2009 Tax Notes.

**4. ACTION OPTIONS/RECOMMENDATION**

City staff recommends the City Manager be authorized to execute a contract with TTG Utilities, LP, Gatesville, Texas for the Community Development Block Grant (CDBG) Water System Improvements Project.



June 2, 2010

Ms. Andrea Gardner  
CITY MANAGER  
CITY OF COPPERAS COVE  
507 S. Main Street  
Copperas Cove, Texas 76522

**RE: Bid Recommendation  
2010 TxCDBG Water System Improvements Contract No. 729171  
Bid 2010-07-82**

Dear Ms. Gardner:

On Thursday, May 27th, 2010 four (4) bids were received for the above listed project. Each contractor's bid was in accordance with the contract documents prepared by our firm. The bid packages allowed for add alternate asphalt repair options to the 9<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup> and 15<sup>th</sup> Street areas. **TTG Utilities, LP** submitted the lowest Base Bid plus Asphalt Repair add alternates of **\$112,188.60** and **\$76,575.00** respectively. We have enclosed the bid tabulations results for your review and consideration. We have checked the qualifications and references of the low bidder and find them to be in order. We therefore recommend the City award the project to **TTG Utilities, LP.** for the contract amount of **\$188,763.60.**

If you have any questions please feel free to contact our office.

Sincerely,

Brandon Mettler, E.I.T.

cc: Bob McKinnon – City of Copperas Cove

P:\Projects\5019 (Copperas Cove)\80-CDBG W & WW Projects\Construction Services\Bid Documents\Bid-Recommendation.doc

2010 TxCDBG WATER SYSTEM IMPROVEMENTS  
 BID TABULATION  
 May 27, 2010 - 2:00 PM

Item No.	Item	Quantity	Unit	TTG Utilities		K&S Backhoe		Bell Contractors		Lupe Rubio Const.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
<b>Base Bid</b>											
1	Bonding, Mobilization and Insurance	1	LS	\$8,030.00	\$8,030.00	\$6,550.46	\$6,550.46	\$9,600.00	\$9,600.00	\$6,600.00	\$6,600.00
2	Traffic Control	1	LS	\$5,425.00	\$5,425.00	\$1,679.88	\$1,679.88	\$6,000.00	\$6,000.00	\$3,850.00	\$3,850.00
3	6" C-900 DR 14 PVC Water Line	2112	LF	\$21.00	\$44,352.00	\$18.97	\$40,064.64	\$27.20	\$57,446.40	\$22.74	\$48,026.88
4	6" Gate Valve	8	EA	\$800.00	\$6,400.00	\$831.54	\$6,652.32	\$800.00	\$6,400.00	\$1,123.00	\$8,984.00
5	5 1/4" Fire Hydrant Assembly	2	EA	\$3,325.00	\$6,650.00	\$3,594.36	\$7,188.72	\$3,300.00	\$6,600.00	\$2,968.00	\$5,936.00
6	Tie to existing 6" Water Line	6	EA	\$1,285.00	\$7,710.00	\$824.16	\$4,944.96	\$2,700.00	\$16,200.00	\$2,310.00	\$13,860.00
7	New Single Service, Relocate Meter and Yard	8	EA	\$560.00	\$4,480.00	\$616.59	\$4,932.72	\$760.00	\$6,080.00	\$2,540.00	\$20,320.00
8	New Double Service, Relocate Meter and Yard	16	EA	\$820.00	\$13,120.00	\$869.58	\$13,913.28	\$1,300.00	\$20,800.00	\$3,720.00	\$59,520.00
9	Erosion Control	1	LS	\$1,295.00	\$1,295.00	\$3,616.90	\$3,616.90	\$1,900.00	\$1,900.00	\$3,300.00	\$3,300.00
10	Trench Protection System	2112	LF	\$0.55	\$1,161.60	\$0.12	\$253.44	\$1.00	\$2,112.00	\$0.83	\$1,752.96
11	Asphalt Repair	475	SY	\$23.00	\$10,925.00	\$35.14	\$16,691.50	\$24.00	\$11,400.00	\$33.00	\$15,675.00
12	Construction/Materials Testing	1	LS	\$2,640.00	\$2,640.00	\$578.46	\$578.46	\$1,600.00	\$1,600.00	\$2,200.16	\$2,200.16
<b>BASE BID (ITEMS 1 - 12)</b>					<b>\$112,188.60</b>		<b>\$107,067.28</b>		<b>\$146,138.40</b>		<b>\$190,025.00</b>
<b>Add Alternate Bid Items</b>											
1	Half Street Asphalt Repair (9th Street)	638	SY	\$16.50	\$10,527.00	\$33.37	\$21,290.06	\$14.00	\$8,932.00	\$11.00	\$7,018.00
2	Full Street Asphalt Repair (9th Street)	1276	SY	\$15.00	\$19,140.00	\$33.47	\$42,707.72	\$12.00	\$15,312.00	\$9.90	\$12,632.40
3	Half Street Asphalt Repair (11th Street)	639	SY	\$16.50	\$10,543.50	\$33.54	\$21,432.06	\$14.00	\$8,946.00	\$11.00	\$7,029.00
4	Full Street Asphalt Repair (11th Street)	1277	SY	\$15.00	\$19,155.00	\$33.55	\$42,843.35	\$12.00	\$15,324.00	\$9.90	\$12,642.30
5	Half Street Asphalt Repair (13th Street)	639	SY	\$16.50	\$10,543.50	\$33.54	\$21,432.06	\$14.00	\$8,946.00	\$11.00	\$7,029.00
6	Full Street Asphalt Repair (13th Street)	1276	SY	\$15.00	\$19,140.00	\$33.47	\$42,707.72	\$12.00	\$15,312.00	\$9.90	\$12,632.40
7	Half Street Asphalt Repair (15th Street)	638	SY	\$16.50	\$10,527.00	\$33.37	\$21,290.06	\$14.00	\$8,932.00	\$11.00	\$7,018.00
8	Full Street Asphalt Repair (15th Street)	1276	SY	\$15.00	\$19,140.00	\$33.47	\$42,707.72	\$12.00	\$15,312.00	\$9.90	\$12,632.40
<b>Full Street Asphalt Repair Cost (Total All Roads)</b>					<b>\$76,575.00</b>		<b>\$170,966.51</b>		\$61,260.00		\$50,539.50
<b>GRAND TOTAL (BASE BID &amp; FULL STREET REPAIR)</b>					<b>\$188,763.60</b>		<b>\$278,033.79</b>		<b>\$207,398.40</b>		<b>\$240,564.50</b>

*Note: Numbers in italic represent corrected values.*