

# CITY OF OVILLA

Ralph G. Hall, Place One  
Larry Stevenson, Place Two  
David Griffin, Place Three

Tom Leverentz, Mayor

Doug Hunt, Place Four  
Richard Dormier, Mayor Pro-Tem/Place Five  
Vacant, City Administrator

## *Ovilla City Council Agenda*

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, December 10, 2012

7:00 P.M.

Council Chamber Room

Pursuant to the provisions of Chapter 551 VTCA Government Code, NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, December 10, 2012 at 7:00 P.M. in the City Hall Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

### **I. CALL TO ORDER**

- ◆ Invocation
- ◆ Pledge of Allegiance

### **II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS & REPORTS**

#### ◆ **Citizen Comments**

*The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decision at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.*

#### ◆ **Department Activity Reports / Discussion**

- ◆ Police Department Chief M. Moon
  - ◆ Monthly Report
- ◆ Fire Department Captain B. Kennedy
  - ◆ Monthly Report
- ◆ Public Works Director B. Piland
  - ◆ Monthly Report
  - ◆ CIP (Capital Improvements Projects Committee) Report
- ◆ Finance Department City Accountant S. Jungman
  - ◆ Monthly Municipal Court Report
- ◆ Administration Mayor ProTem R. Dormier
  - ◆ Update status on Ovilla Road Baptist Church
  - ◆ Update status of Ovilla Parc
  - ◆ General Information
  - ◆ Monthly Reports – Code Enforcement/Animal Control, Mike Dooly
- ◆ Committees

### **III. CONSENT AGENDA**

*The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration.*

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- ◆ Financial transactions
- ◆ Minutes of the November 13, 2012 Regular Council Meeting
- ◆ Minutes of the November 17, 2012 Special Council Meeting

## IV. REGULAR AGENDA

- ITEM 1. **DISCUSSION/ACTION** – Consider director appointments and/or approve solicitation for applications for the Municipal Development District.
- ITEM 2. **DISCUSSION/ACTION** – Consider member appointments and/or approve solicitation for applications for the Capital Improvements Projects Committee.
- ITEM 3. **DISCUSSION/ACTION** – Consider appointment and/or solicitation for applications to fill vacancy on the Planning and Zoning Commission.
- ITEM 4. **DISCUSSION/ACTION** – Consider changes Chapter 8, Offenses and Nuisances, Section 8.05.001, junked vehicles, and direct staff to forward approved changes to legal counsel for ordinance preparation.
- ITEM 5. **DISCUSSION/ACTION** – Consider and review the City's process for utility billing and consider alternatives.
- ITEM 6. **DISCUSSION/ACTION** – Consider approving a contract with AVR, Inc., for utility billing.
- ITEM 7. **DISCUSSION/ACTION** – Consider Ordinance 2012-021 amending the FY2012-2013 Water Fund Budget and Annual Program of Services for the City of Ovilla to allow for an Adjustment in the Water Fund to offset an increase for expenditures for contractual services with AVR, Inc.
- ITEM 8. **DISCUSSION/ACTION** – Consider amending the Code of Ordinances, Section 9; City Administrator duties to include long-range planning and direct staff to prepare in ordinance form.
- ITEM 9. **DISCUSSION/ACTION** – Consider approval of the Annual Interlocal Cooperation Contract between County of Ellis and the City of Ovilla.
- ITEM 10. **DISCUSSION/ACTION** – Deliberate the appointment employment and/or duties of the interim City Administrator and/or permanent City Administrator.

## V. EXECUTIVE SESSION

*The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).*

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- ◆ Closed session pursuant to Texas Local Government Code section 551.074

**ITEM 10. DISCUSSION/ACTION** – Deliberate the appointment employment and/or duties of the interim City Administrator and/or permanent City Administrator.

**COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.**

- ◆ Consider action as a result of discussion.

## VI. ADJOURNMENT

This is to certify that a copy of the Notice of the Regular City Council Meeting for December 10, 2012, was posted on the bulletin board at City Hall, 105 S. Cockrell Hill Road, Ovilla, on the 7th day of December 2012 prior to 6:00 p.m.



Pamela Woodall, City Secretary

I, Pam Woodall, City Secretary, do hereby certify that a copy of the December 10, 2012, City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofovilla.org](http://www.cityofovilla.org), in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: 12.07.2012  
TIME OF POSTING: 11:45 am/pm  
TAKEN DOWN: \_\_\_\_\_ am/pm

\_\_\_\_\_, Pamela Woodall

**IF YOU OR YOUR REPRESENTATIVE HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AND YOU PLAN TO ATTEND THIS PUBLIC MEETING, PLEASE CALL THE CITY SECRETARY AT 972-617-7262 WITHIN 24 HOURS OF THE MEETING. REASONABLE ACCOMMODATIONS WILL BE MADE TO MEET YOUR NEEDS AT THE MEETING. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.**

OVILLA POLICE DEPARTMENT  
 105 S Cockrell Hill Rd  
 Ovilla, TX 75154  
 (972) 617-7262

Mayor Tom Leverentz, Mr. Randy Whiteman,  
 and the Ovilla City Council

Subject: Police Department Monthly Activity Report:

<b>Nov-12</b>	<b>YTD</b>
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<u>Calls For Service</u>	<u>Total</u>	<u>Total</u>
ACCIDENT	5	27
ALARMS	19	166
ARREST	2	21
ASSAULT	1	4
ASSISTS: Agency/Unit: 16 EMS/Fire: 0 Motorist: 3	19	346
BLDG / HOUSE SECURITY CHECK	1256	16277
BURGLARY	1	4
BURGLARY OF MOTOR VEHICLE	1	8
CRIMINAL MISCHIEF	0	11
DISTURBANCE	8	64
NEIGHBORHOOD CHECK	1496	18419
OTHER CALLS FOR SERVICE	92	956
SUSPICIOUS PERSON	9	70
SUSPICIOUS VEHICLE	7	92
THEFT	3	23
TRAFFIC ASSIGNMENT	9	438
<b>TOTAL CALLS FOR SERVICE</b>	<b>2928</b>	<b>36926</b>
RESERVE OFFICER HOURS	56.75	293.25
AVERAGE RESPONSE TIME (MINUTES)	5.39	4.535454545
TRAFFIC STOP (WARNINGS)	19	504
CITATIONS	26	364
TOTAL	45	868

PERCENT OF STOPS RECEIVING CITATIONS	57.8	41.9
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**OVILLA PD VEHICLE MILEAGE**

<b>August-12</b>	Beginning	Ending	Accrued	Unit #	September-12	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
Unit #					Unit #					Unit #		
100	54543	55408	865	100	100	55408	56763	1355	100	55408	56763	1355
101	123103	124498	1395	101	101	124498	124738	240	101	124498	124738	240
102	60504	61587	1083	102	102	61587	62420	833	102	61587	62420	833
103	59495	62141	2646	103	103	62141	64596	2455	103	62141	64596	2455
104	33906	35954	2048	104	104	35954	38012	2058	104	35954	38012	2058
<b>October-12</b>					<b>November-12</b>							
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Accrued
100	56763	58204	1441	100	58204	59769	1565	100	58204	59769	1565	1565
101	124738	125061	323	101	125061	125471	410	101	125061	125471	410	410
102	62420	63918	1498	102	63918		-63918	102	63918			
103	64596	66540	1944	103	66540	67827	1287	103	66540	67827	1287	1287
104	38012	39869	1857	104	39869	41075	1206	104	39869	41075	1206	1206
105	0	1920	1920	105	1920	4389	2469	105	1920	4389	2469	2469
<b>December-12</b>					<b>January-13</b>							
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Accrued
100			0	100			0	100			0	0
101			0	101			0	101			0	0
102			0	102			0	102			0	0
103			0	103			0	103			0	0
104			0	104			0	104			0	0
105			0	105			0	105			0	0
<b>February-13</b>					<b>March-13</b>							
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Accrued
100			0	100			0	100			0	0
101			0	101			0	101			0	0
102			0	102			0	102			0	0
103			0	103			0	103			0	0
104			0	104			0	104			0	0
105			0	105			0	105			0	0
<b>April-13</b>					<b>May-13</b>							
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Accrued
100			0	100			0	100			0	0
101			0	101			0	101			0	0
102			0	102			0	102			0	0
103			0	103			0	103			0	0
104			0	104			0	104			0	0
105			0	105			0	105			0	0

Ovilla Fire Department

Copy of Year-to-date Incident Participation

Activity Date Between {11/01/2012} And  
{11/30/2012} and Career = "2 "

Staff Id/Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
741 Bailey, Randall S.	0	0	0	0	0	0	0	0	0	0	2	0	2	4.16
751 Baker, Dalton	0	0	0	0	0	0	0	0	0	0	2	0	2	4.16
749 Chapman, John Daniel	0	0	0	0	0	0	0	0	0	0	13	0	13	27.08
740 Espinosa, Anthony	0	0	0	0	0	0	0	0	0	0	2	0	2	4.16
750 Guffey, Nicholas Ray	0	0	0	0	0	0	0	0	0	0	7	0	7	14.58
716 Leverentz, Thomas G	0	0	0	0	0	0	0	0	0	0	11	0	11	22.91
707 Martinez, Erick I	0	0	0	0	0	0	0	0	0	0	4	0	4	8.33
710 McCumber, Sean	0	0	0	0	0	0	0	0	0	0	5	0	5	10.41
724 O'Brien, Steve G	0	0	0	0	0	0	0	0	0	0	4	0	4	8.33
722 Spencer, Everett H	0	0	0	0	0	0	0	0	0	0	29	0	29	60.41
745 Velasquez, Adrian C.	0	0	0	0	0	0	0	0	0	0	1	0	1	2.08
717 Witherspoon, Jacki D	0	0	0	0	0	0	0	0	0	0	16	0	16	33.33

Total Runs by Month											
Jan	0	Feb	0	Mar	0	Apr	0	May	0	Jun	0
Jul	0	Aug	0	Sep	0	Oct	0	Nov	48	Dec	0

Grand Total Runs: 48

Ovilla Fire Department

Staff with No Activities

Date >= {11/01/2012} and )Career = "2 "

Staff Member	Staff ID	Status	Status Date	Rank	Station
Bell, Warren J	726	LV	08/20/2012	FFE	1
Blanchet, Shawn M.	738	AL	08/20/2012	FF	1
Graham, Justin L.	723	VO	01/18/2011	PR	1
Holt, William Neal	713	VO	11/13/2007	FF	1
Paluga, Patrick	732	VO	07/01/2002	FFE	1
Sidler, Joni L	711	VO	09/15/1999	FFP	1

## Ovilla Fire Department

## OFD Fuel Usage Report

Date Between {11/01/2012} And {11/30/2012}

Date	Fuel Type	Gallons	Cost	Unit
<b>FA Fuel Apparatus</b>				
<b>Diesel</b>				
11/06/2012	Diesel	7.897	\$30.79	744
	748 Lindsey, Kevin Ray			
11/06/2012	Diesel	9.704	\$36.87	755
	744 Maples, Patrick D			
11/07/2012	Diesel	10.339	\$39.28	700
	719 Ray, Kevin			
11/07/2012	Diesel	11.557	\$43.91	703
	731 Godfrey, Jake W			
11/11/2012	Diesel	13.570	\$51.57	704
	739 Sodek, Larry Ray			
	737 Skidmore, Nolan D			
11/12/2012	Diesel	15.740	\$59.81	R701
	720 Wesson, Geoffrey S			
11/15/2012	Diesel	8.196	\$31.14	704
	725 Wolf, Darrell G.			
11/15/2012	Diesel	11.615	\$44.13	755
	744 Maples, Patrick D			
11/16/2012	Diesel	16.037	\$60.92	755
	742 Turner, Cole A.			
	751 Baker, Dalton			
11/18/2012	Diesel	10.666	\$40.52	700
	725 Wolf, Darrell G.			
	762 Barkham, James B			
11/19/2012	Diesel	14.670	\$55.73	E701
	721 Kennedy, Brandon Kobby			
11/24/2012	Diesel	5.530	\$21.02	E702
	747 Dennehy, Matt B			
11/24/2012	Diesel	11.700	\$44.48	E701
	747 Dennehy, Matt B			
11/24/2012	Diesel	19.760	\$75.08	755
	716 Leverentz, Thomas G			
	717 Witherspoon, Jacki D			
11/27/2012	Diesel	15.860	\$60.25	B702
	730 Lucia, Kevin B			
11/27/2012	Diesel	15.066	\$57.24	E701
	747 Dennehy, Matt B			

Ovilla Fire Department

OFD Fuel Usage Report

Date Between {11/01/2012} And {11/30/2012}

Date	Fuel Type	Gallons	Cost	Unit
<b>FA Fuel Apparatus</b>				
11/30/2012	Diesel	1.840	\$6.99	E701
733 Rudd, Justin E.				
<b>Diesel Totals:</b>		<b>199.747 Gal</b>	<b>\$759.73</b>	

<b>Gasoline</b>				
11/05/2012	Gasoline	25.245	\$82.02	C708
708 Brancato, Phillip M.				
11/24/2012	Gasoline	23.901	\$75.50	C701
708 Brancato, Phillip M.				
11/27/2012	Gasoline	5.000	\$15.80	B702
730 Lucia, Kevin B				
<b>Gasoline Totals:</b>		<b>54.146 Gal</b>	<b>\$173.32</b>	

City of Ovilla Fire Department

Inspections by Inspector

Date Completed Between {11/01/2012} And  
{11/30/2012}

Date	Time	Inspection Type/Occupancy	Hours
730 Lucia, Kevin B			
11/09/2012	10:02	299 Safety Inspection TARV01 Tarver Foster Home 408 Thorntree DR	0.31
11/09/2012	10:31	200 INSPECTION - General GRACECHURCH Grace Church of Ovilla 519 N Westmoreland RD	0.64
11/12/2012	10:59	264 INSPECTION - City SH_BBQ Smokin Hot BBQ 705 W Main ST	0.10
11/27/2012	14:16	200 INSPECTION - General GRACECHURCH Grace Church of Ovilla 519 N Westmoreland RD	0.16
Total for Staff:		4	Total Hours: 1.21
Grand Total Activities:		4	Grand Totals: 1.21

Ovilla Fire Department

Average Response Time by District/Incident Type (M

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District = "OVILA"

OVILA City of Ovilla

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
<b>111 Building fire</b>					
12-0000531	11/16/2012 19:00:11	11/16/2012 19:23:49	1	A	00:23:38
Average Response Time for District/Incident Type					00:23:38
<b>114 Chimney or flue fire, confined to chimney or flue</b>					
12-2000519	11/12/2012 19:27:18	11/12/2012 19:36:49	1	C	00:09:31
Average Response Time for District/Incident Type					00:09:31
<b>311 Medical assist, assist EMS crew</b>					
12-2000532	11/17/2012 04:18:19	11/17/2012 04:28:25	1	A	00:10:06
Average Response Time for District/Incident Type					00:10:06
<b>321 EMS call, excluding vehicle accident with injury</b>					
12-2000508	11/07/2012 13:02:56	11/07/2012 13:09:19	1	A	00:06:23
12-2000517	11/12/2012 07:40:00	11/12/2012 07:45:20	1	C	00:05:20
12-2000529	11/16/2012 09:16:00	11/16/2012 09:22:28	1	A	00:06:28
12-2000535	11/18/2012 20:25:39	11/18/2012 20:35:08	1	C	00:09:29
12-2000538	11/19/2012 13:25:39	11/19/2012 13:28:34	1	A	00:02:55
12-2000541	11/21/2012 06:58:32	11/21/2012 07:05:27	1	C	00:06:55
12-2000559	11/30/2012 07:51:36	11/30/2012 07:56:09	1	C	00:04:33
Average Response Time for District/Incident Type					00:06:00
<b>324 Motor Vehicle Accident with no injuries</b>					
12-2000512	11/10/2012 11:27:48	11/10/2012 11:27:48	1	A	00:00:00
12-2000539	11/19/2012 14:19:16	11/19/2012 14:26:02	1	A	00:06:46
Average Response Time for District/Incident Type					00:03:23
<b>440 Electrical wiring/equipment problem, Other</b>					
12-2000545	11/24/2012 00:48:17	11/24/2012 00:56:40	1	B	00:08:23
Average Response Time for District/Incident Type					00:08:23
<b>511 Lock-out</b>					
12-2000522	11/13/2012 13:18:24	11/13/2012 13:18:24	1	A	00:00:00
Average Response Time for District/Incident Type					00:00:00
<b>552 Police matter</b>					
12-2000543	11/22/2012 11:56:49	11/22/2012 12:03:35	1	A	00:06:46
Average Response Time for District/Incident Type					00:06:46
<b>554 Assist invalid</b>					
12-2000504	11/05/2012 07:41:58	11/05/2012 07:45:34	1	B	00:03:36
12-0000533	11/17/2012 15:37:27	11/17/2012 15:42:17	1	B	00:04:50
12-2000556	11/27/2012 15:41:55	11/27/2012 15:46:39	1	C	00:04:44
Average Response Time for District/Incident Type					00:04:23
<b>No Incident found on arrival at dispatch address</b>					
12-2000510	11/07/2012 22:27:12	11/07/2012 22:33:22	1	A	00:06:10
12-2000516	11/11/2012 21:32:00	11/11/2012 21:38:32	1	B	00:06:32
Average Response Time for District/Incident Type					00:06:21

Ovilla Fire Department

Average Response Time by District/Incident Type (M

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District = "OVILA"

OVILA City of Ovilla

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
733 Smoke detector activation due to malfunction					
12-2000520	11/13/2012 04:08:19	11/13/2012 04:16:56	1	C	00:08:37
Average Response Time for District/Incident Type					00:08:37
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Overall Average Response Time for District 00:06:45					

Total Incident Count: 21

Overall Average Response Time: 00:06:45

Ovilla Fire Department

Average Response Time by District/Incident Type (M

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District = "ESD2 "

ESD2 Midlothian ESD#2

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
<b>122 Fire in motor home, camper, recreational vehicle</b>					
12-2000515	11/11/2012 12:27:26	11/11/2012 12:51:06	1	B	00:23:40
Average Response Time for District/Incident Type					00:23:40
<b>142 Brush or brush-and-grass mixture fire</b>					
12-2000553	11/25/2012 16:37:00	11/25/2012 16:46:22	1	A	00:09:22
Average Response Time for District/Incident Type					00:09:22
<b>143 Grass fire</b>					
12-2000500	11/01/2012 11:30:00	11/01/2012 11:38:42	1	A	00:08:42
Average Response Time for District/Incident Type					00:08:42
<b>311 Medical assist, assist EMS crew</b>					
12-2000506	11/06/2012 00:29:38	11/06/2012 00:41:52	1	B	00:12:14
12-2000511	11/09/2012 06:55:21	11/09/2012 07:03:37	1	C	00:08:16
12-2000513	11/10/2012 21:47:00	11/10/2012 21:56:02	1	A	00:09:02
12-2000514	11/11/2012 02:35:00	11/11/2012 02:49:55	1	A	00:14:55
12-2000530	11/16/2012 15:33:29	11/16/2012 15:41:22	1	A	00:07:53
12-2000542	11/21/2012 11:25:00	11/21/2012 11:37:05	1	C	00:12:05
Average Response Time for District/Incident Type					00:10:44
<b>321 EMS call, excluding vehicle accident with injury</b>					
12-2000518	11/12/2012 10:09:28	11/12/2012 10:17:30	1	A	00:08:02
12-2000540	11/19/2012 21:38:00	11/19/2012 21:46:37	1	A	00:08:37
12-2000560	11/30/2012 10:41:00	11/30/2012 10:49:33	1	C	00:08:33
Average Response Time for District/Incident Type					00:08:24
<b>554 Assist invalid</b>					
12-2000537	11/19/2012 09:51:00	11/19/2012 10:00:58	1	A	00:09:58
Average Response Time for District/Incident Type					00:09:58
<b>736 CO detector activation due to malfunction</b>					
12-2000523	11/13/2012 18:19:00	11/13/2012 18:29:47	1	A	00:10:47
Average Response Time for District/Incident Type					00:10:47
<b>740 Unintentional transmission of alarm, Other</b>					
12-2000502	11/03/2012 19:32:00	11/03/2012 19:41:37	1	C	00:09:37
Average Response Time for District/Incident Type					00:09:37
-----					
Overall Average Response Time for District 00:10:47					

Total Incident Count: 15

Overall Average Response Time: 00:10:47

Ovilla Fire Department

Avg Resp Time of the First Arriving Unit

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District In "ESD2 "

Incident#	Unit	Date	Alm Time	Arr Time	Response Code	Response
12-2000500	744 Brush Truck	11/01/2012	11:30:00	11:38:42	Emergency	00:08:42
12-2000502	703 Rescue Truck	11/03/2012	19:32:00	19:41:37	Emergency	00:09:37
12-2000506	STA1 Standby at Station 1	11/06/2012	00:29:38	00:41:52	Emergency	00:12:14
12-2000511	703 Rescue Truck	11/09/2012	06:55:21	07:03:37	Emergency	00:08:16
12-2000513	703 Rescue Truck	11/10/2012	21:47:00	21:56:02	Emergency	00:09:02
12-2000514	703 Rescue Truck	11/11/2012	02:35:00	02:49:55	Emergency	00:14:55
12-2000515	704 Engine	11/11/2012	12:27:26	12:51:06	Emergency	00:23:40
12-2000518	703 Rescue Truck	11/12/2012	10:09:28	10:17:30	Emergency	00:08:02
12-2000523	704 Engine	11/13/2012	18:19:00	18:29:47	Emergency	00:10:47
12-2000530	704 Engine	11/16/2012	15:33:29	15:41:22	Emergency	00:07:53
12-2000537	704 Engine	11/19/2012	09:51:00	10:00:58	Emergency	00:09:58
12-2000540	704 Engine	11/19/2012	21:38:00	21:46:37	Emergency	00:08:37
12-2000542	E701 Central States Engine	11/21/2012	11:25:00	11:37:05	Emergency	00:12:05
12-2000553	STA1 Standby at Station 1	11/25/2012	16:37:00	16:46:22	Emergency	00:09:22
12-2000560	E701 Central States Engine	11/30/2012	10:41:00	10:49:33	Emergency	00:08:33

Overall Average Response Time: 00:10:47

Ovilla Fire Department

Avg Resp Time of the First Arriving Unit

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District In "OVILA"

Incident#	Unit	Date	Alm Time	Arr Time	Response Code	Response
12-0000531	755 SVI Air/Light/Rehab	11/16/2012	19:00:11	19:23:49	Emergency	00:23:38
12-0000533	704 Engine	11/17/2012	15:37:27	15:42:17	Emergency	00:04:50
12-2000504	703 Rescue Truck	11/05/2012	07:41:58	07:45:34	Emergency	00:03:36
12-2000508	704 Engine	11/07/2012	13:02:56	13:09:19	Emergency	00:06:23
12-2000510	STA1 Standby at Station 1	11/07/2012	22:27:12	22:33:22	Emergency	00:06:10
12-2000512	703 Rescue Truck	11/10/2012	11:27:48	11:27:48	Emergency	00:00:00
12-2000516	703 Rescue Truck	11/11/2012	21:32:00	21:38:32	Emergency	00:06:32
12-2000517	STA1 Standby at Station 1	11/12/2012	07:40:00	07:45:20	Emergency	00:05:20
12-2000519	STA1 Standby at Station 1	11/12/2012	19:27:18	19:36:49	Emergency	00:09:31
12-2000520	700 Engine/Tanker	11/13/2012	04:08:19	04:16:56	Emergency	00:08:37
12-2000522	704 Engine	11/13/2012	13:18:24	13:18:24	Non-emergency	00:00:00
12-2000529	704 Engine	11/16/2012	09:16:00	09:22:28	Emergency	00:06:28
12-2000532	704 Engine	11/17/2012	04:18:19	04:28:25	Emergency	00:10:06
12-2000535	STA1 Standby at Station 1	11/18/2012	20:25:39	20:35:08	Emergency	00:09:29
12-2000538	STA1 Standby at Station 1	11/19/2012	13:25:39	13:28:34	Emergency	00:02:55
12-2000539	704 Engine	11/19/2012	14:19:16	14:26:02	Emergency	00:06:46
12-2000541	E701 Central States Engine	11/21/2012	06:58:32	07:05:27	Emergency	00:06:55
12-2000543	STA1 Standby at Station 1	11/22/2012	11:56:49	12:03:35	Emergency	00:06:46
12-2000545	STA1 Standby at Station 1	11/24/2012	00:48:17	00:56:40	Emergency	00:08:23
12-2000556	E701 Central States Engine	11/27/2012	15:41:55	15:46:39	Non-emergency	00:04:44
12-2000559	E701 Central States Engine	11/30/2012	07:51:36	07:56:09	Emergency	00:04:33

Overall Average Response Time: 00:06:45

Ovilla Fire Department

Incident Type Report (Summary)

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District = "OVILA"

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
<b>1 Fire</b>				
111 Building fire	1	4.76%	\$0	0.00%
114 Chimney or flue fire, confined to chimney	1	4.76%	\$0	0.00%
	<u>2</u>	<u>9.52%</u>	<u>\$0</u>	<u>0.00%</u>
<b>3 Rescue &amp; Emergency Medical Service Incident</b>				
311 Medical assist, assist EMS crew	1	4.76%	\$0	0.00%
321 EMS call, excluding vehicle accident with	7	33.33%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	2	9.52%	\$0	0.00%
	<u>10</u>	<u>47.61%</u>	<u>\$0</u>	<u>0.00%</u>
<b>4 Hazardous Condition (No Fire)</b>				
440 Electrical wiring/equipment problem, Other	1	4.76%	\$0	0.00%
	<u>1</u>	<u>4.76%</u>	<u>\$0</u>	<u>0.00%</u>
<b>5 Service Call</b>				
511 Lock-out	1	4.76%	\$0	0.00%
552 Police matter	1	4.76%	\$0	0.00%
554 Assist invalid	3	14.28%	\$0	0.00%
	<u>5</u>	<u>23.80%</u>	<u>\$0</u>	<u>0.00%</u>
<b>6 Good Intent Call</b>				
622 No Incident found on arrival at dispatch	2	9.52%	\$0	0.00%
	<u>2</u>	<u>9.52%</u>	<u>\$0</u>	<u>0.00%</u>
<b>7 False Alarm &amp; False Call</b>				
733 Smoke detector activation due to	1	4.76%	\$0	0.00%
	<u>1</u>	<u>4.76%</u>	<u>\$0</u>	<u>0.00%</u>
<b>Total Incident Count:</b>	<b>21</b>		<b>Total Est Loss:</b>	<b>\$0</b>

Ovilla Fire Department

Incident Type Report (Summary)

Alarm Date Between {11/01/2012} And {11/30/2012}  
and District = "ESD2 "

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
<b>1 Fire</b>				
122 Fire in motor home, camper, recreational	1	5.88%	\$0	0.00%
142 Brush or brush-and-grass mixture fire	1	5.88%	\$0	0.00%
143 Grass fire	1	5.88%	\$0	0.00%
	<u>3</u>	<u>17.64%</u>	<u>\$0</u>	<u>0.00%</u>
<b>3 Rescue &amp; Emergency Medical Service Incident</b>				
311 Medical assist, assist EMS crew	6	35.29%	\$0	0.00%
321 EMS call, excluding vehicle accident with	3	17.64%	\$0	0.00%
	<u>9</u>	<u>52.94%</u>	<u>\$0</u>	<u>0.00%</u>
<b>5 Service Call</b>				
554 Assist invalid	1	5.88%	\$0	0.00%
	<u>1</u>	<u>5.88%</u>	<u>\$0</u>	<u>0.00%</u>
<b>6 Good Intent Call</b>				
611 Dispatched & cancelled en route	2	11.76%	\$0	0.00%
	<u>2</u>	<u>11.76%</u>	<u>\$0</u>	<u>0.00%</u>
<b>7 False Alarm &amp; False Call</b>				
736 CO detector activation due to malfunction	1	5.88%	\$0	0.00%
740 Unintentional transmission of alarm, Other	1	5.88%	\$0	0.00%
	<u>2</u>	<u>11.76%</u>	<u>\$0</u>	<u>0.00%</u>
<b>Total Incident Count:</b>	<b>17</b>		<b>Total Est Loss:</b>	<b>\$0</b>



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**DATE:** December 4<sup>th</sup> 2012

**TO:** Honorable Mayor and City Council Members

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for November

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- Patched potholes - East Main, Cockrell Hill, Westmoreland, Ovilla oaks
- Cleaned Storm drain inlets in Cumberland Forest
- Sewer Lift Station Repairs- pulled pump 1 at Heritage lift station removed pump 1 from Highland Meadows lift station for repair Pulled pump from Cumberland
- Pump Station - mow and weed eat
- Trimmed trees on Red Oak Creek
- Read Water meters, Service Disconnects and Reconnects
- Repaired sidewalk at 128 Meadow Glen
- Mow vacant lots in Ovilla Park
- Update marquee as needed
- Daily water maintenance residual and pressure test
- Heritage Park, Silver Spur Park and Baseball fields and park - tree and grass maintenance
- Repaired culvert at Westmoreland and Red Oak creek
- Put up banners and lights in right of ways and park

- Repaired lift station force main from Highland Meadows
- Repaired water leak at 619 Malloy

❖ Jimmy Bryan -

- Serviced PD Units 101 & 103
- Repaired Kubota Tractor
- Tags and inspection for 1500 Chevy
- Daily Rounds

\*\*Flushed Hydrants

- Collect water samples for TCEQ reporting
- Water Maintenance – routine flushing mains and hydrant
- Meter Box repair and replace lids as needed

\*\*Water plants at City Hall and park



Jessica Foresman  
Court Clerk

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**DATE:** December 10, 2012  
**TO:** Honorable Mayor Leverentz and City Council Members  
**FROM:** Jessica Foresman, Court Clerk  
**SUBJECT:** Monthly Staff Report

33 traffic, 1 penal code and 3 state law related cases were filed for the month of November. 19 warrants were issued

Court Collection for the month of November was \$6,490.20

\$3,884.25 is kept by the City    FYTD \$8,369.26  
\$2,605.95 is remitted to State    FYTD \$5,606.94



**DATE: 12-10-2012**

**TO: Honorable Mayor and Council Members**

**FROM: Sharon Jungman**

**SUBJECT: Financial Statements  
As of October 31, 2012**

**City of Ovilla General Fund  
Profit & Loss Budget vs. Actual  
October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
<b>4000100 · Taxes</b>				
4000105 · Ad Valorem, Current	584	1,235,000	(1,234,416)	0%
4000110 · Ad Valorem, Delinquent	1,990	20,000	(18,010)	10%
4000113 · Interest/Penalties - Prop Tax	491	10,000	(9,509)	5%
4000120 · Sales Tax	11,686	155,000	(143,314)	8%
4000125 · Sales Tax - Street Improvement	2,921	32,500	(29,579)	9%
4000130 · Franchise Tax	4,647	150,000	(145,353)	3%
<b>Total 4000100 · Taxes</b>	<b>22,319</b>	<b>1,602,500</b>	<b>(1,580,181)</b>	<b>1%</b>
<b>4000200 · Licenses and Permits</b>				
<b>4000208 · Building Permits</b>				
4000210 · Residential Building Permits	2,655	6,500	(3,845)	41%
4000213 · Fire Inspection Permits	150	1,000	(850)	15%
4000214 · Misc Building Permits	1,680	10,000	(8,320)	17%
<b>Total 4000208 · Building Permits</b>	<b>4,485</b>	<b>17,500</b>	<b>(13,015)</b>	<b>26%</b>
4000230 · Plan Review Fee	700	3,000	(2,300)	23%
4000260 · Alarm Permits	115	2,000	(1,885)	6%
4000270 · Animal Tag Fees	144	3,000	(2,856)	5%
4000272 · Impound Fees	80	1,550	(1,470)	5%
4000290 · Misc Licenses and Permits	145	1,000	(855)	15%
<b>Total 4000200 · Licenses and Permits</b>	<b>5,669</b>	<b>28,050</b>	<b>(22,381)</b>	<b>20%</b>
<b>4000400 · Charges for Services</b>				
4000325 · ESD #2	0	145,000	(145,000)	0%
4000330 · ESD #4	0	39,000	(39,000)	0%
4000411 · Copies and Maps	0	75	(75)	0%
4000415 · Police Reports	12	100	(88)	12%
4000440 · Oak Leaf Animal Control	0	2,000	(2,000)	0%
4000450 · Subdivision Fees	3,750	1,000	2,750	375%
4000480 · Solid Waste (Garbage)	17,266	196,000	(178,734)	9%
4000490 · Misc Charges for Services	154	2,500	(2,346)	6%
<b>Total 4000400 · Charges for Services</b>	<b>21,182</b>	<b>385,675</b>	<b>(364,493)</b>	<b>5%</b>
<b>4000500 · Fines and Forfeitures</b>				
4000510 · Fines - Police	7,056	85,000	(77,944)	8%
4000520 · Fines - Animal Control	0	1,000	(1,000)	0%
4000525 · Fines - Code Enforcement	164	2,000	(1,836)	8%
4000590 · Misc Fines and Forfeitures	0	150	(150)	0%
<b>Total 4000500 · Fines and Forfeitures</b>	<b>7,220</b>	<b>88,150</b>	<b>(80,930)</b>	<b>8%</b>
<b>4000800 · Other Revenue</b>				
4000810 · Heritage Day	1,018	5,500	(4,482)	19%
4000820 · Water Tower Lease	4,941	82,000	(77,059)	6%
4000840 · Interest Earned	275	4,000	(3,725)	7%
4000867 · HB3667 TX.Forest Service Grant	0	3,840	(3,840)	0%

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
 October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
4000870 · Insurance Proceeds	1,856			
4000887 · HOA Revenue	0	1,015	(1,015)	0%
4000890 · Misc Other Revenue	631	4,500	(3,869)	14%
<b>Total 4000800 · Other Revenue</b>	<b>8,721</b>	<b>100,855</b>	<b>(92,134)</b>	<b>9%</b>
<b>4000900 · Transfers In</b>				
4000925 · Transfer In - 4B-EDC	0	2,500	(2,500)	0%
4000930 · Transfer In From W&S Fund	0	116,301	(116,301)	0%
4000940 · Transfer in MDD Fund	0	500	(500)	0%
<b>Total 4000900 · Transfers In</b>	<b>0</b>	<b>119,301</b>	<b>(119,301)</b>	<b>0%</b>
<b>Total Income</b>	<b>65,111</b>	<b>2,324,531</b>	<b>(2,259,420)</b>	<b>3%</b>
<b>Gross Profit</b>	<b>65,111</b>	<b>2,324,531</b>	<b>(2,259,420)</b>	<b>3%</b>
<b>Expense</b>				
<b>10 · Administration</b>				
<b>5101100 · Salaries &amp; Wages</b>				
5101110 · City Administrator	6,486	63,225	(56,739)	10%
5101115 · City Secretary	3,473	36,375	(32,902)	10%
5101117 · City Accountant	3,846	37,500	(33,654)	10%
5101120 · Part Time- Admin. Support	300	7,700	(7,400)	4%
<b>Total 5101100 · Salaries &amp; Wages</b>	<b>14,105</b>	<b>144,800</b>	<b>(130,695)</b>	<b>10%</b>
<b>5102100 · Employee Benefits</b>				
5102110 · Group Insurance	1,255	16,350	(15,095)	8%
5102135 · TMRS	714	7,550	(6,836)	9%
5102160 · Worker's Compensation	108	440	(332)	25%
5102170 · Payroll Taxes	228	3,250	(3,022)	7%
5102180 · Unemployment Taxes	0	1,000	(1,000)	0%
5102196 · Indiv. Membership Dues	90	700	(610)	13%
<b>Total 5102100 · Employee Benefits</b>	<b>2,395</b>	<b>29,290</b>	<b>(26,895)</b>	<b>8%</b>
<b>5102200 · Special Services</b>				
5102210 · Tax Assessing & Collecting Fees	0	1,800	(1,800)	0%
5102220 · Tax Appraisal Fee	0	14,000	(14,000)	0%
5102230 · Legal Fees	278	40,000	(39,722)	1%
5102240 · Audit	0	7,155	(7,155)	0%
5102250 · Accounting	0	2,000	(2,000)	0%
5102260 · Engineering Fees	0	1,000	(1,000)	0%
<b>Total 5102200 · Special Services</b>	<b>278</b>	<b>65,955</b>	<b>(65,677)</b>	<b>0%</b>
<b>5102300 · Contractual Services</b>				
5102310 · Consultant Fees	164	30,000	(29,836)	1%
<b>Total 5102300 · Contractual Services</b>	<b>164</b>	<b>30,000</b>	<b>(29,836)</b>	<b>1%</b>
<b>5102500 · Operating Services</b>				

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5102510 · Maintenance Agreements	100			
5102530 · Custodial Service Contract	265	3,600	(3,335)	7%
<b>Total 5102500 · Operating Services</b>	<b>365</b>	<b>3,600</b>	<b>(3,235)</b>	<b>10%</b>
<b>5102600 · Special Expenses</b>				
5102610 · Election - Payroll	0	850	(850)	0%
5102620 · Election - Supplies	0	2,725	(2,725)	0%
5102630 · Election Meeting Expense	0	100	(100)	0%
5102650 · Codification Book Update	0	2,000	(2,000)	0%
<b>Total 5102600 · Special Expenses</b>	<b>0</b>	<b>5,675</b>	<b>(5,675)</b>	<b>0%</b>
<b>5103100 · General Supplies</b>				
5103110 · Office Supplies	543	6,000	(5,457)	9%
5103140 · Uniforms	0	300	(300)	0%
<b>Total 5103100 · General Supplies</b>	<b>543</b>	<b>6,300</b>	<b>(5,757)</b>	<b>9%</b>
<b>5103400 · Maintenance Supplies / Parts</b>				
5103410 · Supplies - Custodial	0	1,916	(1,916)	0%
5103440 · Maintenance Agreement Expense	0	900	(900)	0%
5103460 · Miscellaneous	0	200	(200)	0%
<b>Total 5103400 · Maintenance Supplies / Parts</b>	<b>0</b>	<b>3,016</b>	<b>(3,016)</b>	<b>0%</b>
<b>5104200 · Travel Expenses</b>				
5104210 · Travel - Local	0	500	(500)	0%
5104220 · Professional Development	263	5,000	(4,737)	5%
5104222 · Professional Develop - Council	260	1,500	(1,240)	17%
5104225 · City Council Meal Expense	8	800	(792)	1%
5104230 · Professional Develop - In-House	0	100	(100)	0%
<b>Total 5104200 · Travel Expenses</b>	<b>531</b>	<b>7,900</b>	<b>(7,369)</b>	<b>7%</b>
<b>5105200 · Data Processing Expenses</b>				
5105230 · Data Proc-Maintenance & Repair	208	4,500	(4,292)	5%
5105240 · Data Processing - Software	2,822	10,000	(7,178)	28%
<b>Total 5105200 · Data Processing Expenses</b>	<b>3,030</b>	<b>14,500</b>	<b>(11,470)</b>	<b>21%</b>
<b>5105300 · Printing Expense</b>				
5105310 · Copier Expense	255	4,800	(4,545)	5%
5105320 · Printing - Newsletters	0	4,800	(4,800)	0%
5105330 · Printing - Forms	186	2,000	(1,814)	9%
5105350 · Printing - Other	0	500	(500)	0%
<b>Total 5105300 · Printing Expense</b>	<b>441</b>	<b>12,100</b>	<b>(11,659)</b>	<b>4%</b>
<b>5105400 · Utilities</b>				
5105410 · Telephone	208	1,200	(992)	17%
5105415 · Cellular Phone	82	1,100	(1,018)	7%
5105417 · Internet	128	775	(647)	17%
5105450 · Electricity	279	6,500	(6,221)	4%

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
Total 5105400 · Utilities	697	9,575	(8,878)	7%
5105500 · Repairs & Bldg Improvements				
5105520 · Repairs - Buildings	860	7,000	(6,140)	12%
5105540 · Repairs - Machinery & Equipment	208	1,000	(792)	21%
5105590 · Repairs - Other	0	500	(500)	0%
Total 5105500 · Repairs & Bldg Improvements	1,068	8,500	(7,432)	13%
5105600 · Insurance				
5105610 · Insurance - Property	281	1,250	(969)	22%
5105620 · Insurance - Liability	346	1,385	(1,039)	25%
5105630 · Insurance - Fidelity Bond	0	500	(500)	0%
5105635 · Public Officials Surety Bonds	0	900	(900)	0%
Total 5105600 · Insurance	627	4,035	(3,408)	16%
5105700 · Other Expenses				
5105705 · Postage	0	6,000	(6,000)	0%
5105710 · Cash - Over/Short	0	10	(10)	0%
5105725 · Records Management Expense	100	1,000	(900)	10%
5105730 · City - Memberships	300	2,100	(1,800)	14%
5105740 · Legal Notices/Advertisement	72	6,000	(5,928)	1%
5105752 · Employment Screening	65	300	(235)	22%
5105760 · Bank Service Charge	0	25	(25)	0%
5105764 · Filing Fees	248	250	(2)	99%
5105765 · Miscellaneous	0	2,000	(2,000)	0%
Total 5105700 · Other Expenses	785	17,685	(16,900)	4%
5106400 · Minor Capital Outlay				
5106440 · Machinery & Equipment	1,615	2,500	(885)	65%
5106465 · Furniture	0	1,375	(1,375)	0%
5106470 · Audio & Visual Equipment	0	2,000	(2,000)	0%
Total 5106400 · Minor Capital Outlay	1,615	5,875	(4,260)	27%
5109000 · Reserves				
5109001 · Reserve for Contingency	0	44,644	(44,644)	0%
Total 5109000 · Reserves	0	44,644	(44,644)	0%
<b>Total 10 · Administration</b>	<b>26,644</b>	<b>413,450</b>	<b>(386,806)</b>	<b>6%</b>
<b>20 · Police</b>				
5201100 · Salaries & Wages				
5201120 · Police Chief	4,684	59,995	(55,311)	8%
5201143 · Command Staff	3,665	46,950	(43,285)	8%
5201150 · Certification Pay	185	2,400	(2,215)	8%
5201180 · Merit Raises - Staff	0	3,208	(3,208)	0%
Total 5201100 · Salaries & Wages	8,534	112,553	(104,019)	8%

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>5201400 · Support Salaries</b>				
5201405 · Support Staff	1,642	21,029	(19,387)	8%
5201410 · Patrol	16,393	236,392	(219,999)	7%
5201415 · Certification Pay	162	5,100	(4,938)	3%
5201480 · Merit Raises	0	7,092	(7,092)	0%
5201490 · Overtime	558	6,600	(6,042)	8%
<b>Total 5201400 · Support Salaries</b>	<b>18,755</b>	<b>276,213</b>	<b>(257,458)</b>	<b>7%</b>
<b>5202100 · Employee Benefits</b>				
5202110 · Group Insurance	3,415	54,360	(50,945)	6%
5202135 · TMRS	1,411	21,405	(19,994)	7%
5202160 · Worker's Compensation	2,139	8,550	(6,411)	25%
5202170 · Payroll Taxes	406	5,445	(5,039)	7%
5202196 · Membership Dues	30	315	(285)	10%
<b>Total 5202100 · Employee Benefits</b>	<b>7,401</b>	<b>90,075</b>	<b>(82,674)</b>	<b>8%</b>
<b>5202300 · Contractual Services</b>				
5202355 · Contract Labor - Individual	0	500	(500)	0%
5202356 · Gingerbread House	1,000	1,000	0	100%
5202380 · Dispatch	6,198	13,135	(6,937)	47%
5202385 · Jail Expense	1,000	2,000	(1,000)	50%
<b>Total 5202300 · Contractual Services</b>	<b>8,198</b>	<b>16,635</b>	<b>(8,437)</b>	<b>49%</b>
<b>5202500 · Operating Services</b>				
5202540 · Computer Maintenance	0	500	(500)	0%
5202560 · Internet Subscriptions	0	1,450	(1,450)	0%
<b>Total 5202500 · Operating Services</b>	<b>0</b>	<b>1,950</b>	<b>(1,950)</b>	<b>0%</b>
<b>5202600 · Special Expenses</b>				
5202675 · National Night Out	306	500	(194)	61%
<b>Total 5202600 · Special Expenses</b>	<b>306</b>	<b>500</b>	<b>(194)</b>	<b>61%</b>
<b>5203100 · General Supplies</b>				
5203110 · Office Supplies	238	1,500	(1,262)	16%
5203140 · Uniforms	386	1,400	(1,014)	28%
5203170 · Evidence Gathering	0	300	(300)	0%
<b>Total 5203100 · General Supplies</b>	<b>624</b>	<b>3,200</b>	<b>(2,576)</b>	<b>20%</b>
<b>5203400 · Maintenance Supplies &amp; Parts</b>				
5203410 · Supplies - Custodial	0	600	(600)	0%
<b>Total 5203400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>600</b>	<b>(600)</b>	<b>0%</b>
<b>5204200 · Travel Expenses</b>				
5204210 · Travel - Local	0	300	(300)	0%
5204220 · Professional Development	0	2,000	(2,000)	0%
5204270 · Vehicle Expenses	372	24,000	(23,628)	2%

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
 October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
Total 5204200 · Travel Expenses	372	26,300	(25,928)	1%
<b>5205200 · Data Processing Expenses</b>				
5205220 · Data Proc - Equipment Rental	0	400	(400)	0%
5205240 · Data Processing - Software	18,326	17,500	826	105%
Total 5205200 · Data Processing Expenses	18,326	17,900	426	102%
<b>5205300 · Printing Expenses</b>				
5205310 · Copier Expense	110	1,500	(1,390)	7%
5205330 · Printing - Forms	0	600	(600)	0%
5205350 · Printing - Other	12	600	(588)	2%
Total 5205300 · Printing Expenses	122	2,700	(2,578)	5%
<b>5205400 · Utilities</b>				
5205410 · Telephone	224	1,300	(1,076)	17%
5205415 · Cellular Phone	106	1,550	(1,444)	7%
5205417 · Internet - PD	198	950	(752)	21%
5205420 · Wireless Cards	190	2,350	(2,160)	8%
5205450 · Electricity	0	4,000	(4,000)	0%
Total 5205400 · Utilities	718	10,150	(9,432)	7%
<b>5205500 · Repairs &amp; Building Improvements</b>				
5205520 · Repairs - Building	0	300	(300)	0%
5205540 · Repairs- Machinery & Equipment	0	700	(700)	0%
5205550 · Repairs - Vehicles	40	7,500	(7,460)	1%
Total 5205500 · Repairs & Building Improvements	40	8,500	(8,460)	0%
<b>5205600 · Insurance</b>				
5205610 · Insurance - Property	400	1,600	(1,200)	25%
5205620 · Insurance - Liability	1,286	5,200	(3,914)	25%
5205640 · Insurance - Vehicle	555	2,600	(2,045)	21%
Total 5205600 · Insurance	2,241	9,400	(7,159)	24%
<b>5205700 · Other Expenses</b>				
5205752 · Employment Screeing	0	600	(600)	0%
5205742 · Public Relations	0	100	(100)	0%
5205765 · Miscellaneous	0	1,800	(1,800)	0%
Total 5205700 · Other Expenses	0	2,500	(2,500)	0%
<b>5206400 · Minor Capital Outlay</b>				
5206440 · Machinery & Equipment	0	1,150	(1,150)	0%
5206445 · Personal Protective Equipment	0	2,000	(2,000)	0%
Total 5206400 · Minor Capital Outlay	0	3,150	(3,150)	0%
<b>Total 20 · Police</b>	<b>65,637</b>	<b>582,326</b>	<b>(516,689)</b>	<b>11%</b>
<b>25 · Municipal Court</b>				

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>5251100 · Salaries &amp; Wages</b>				
5251140 · Municipal Judge	440	6,000	(5,560)	7%
<b>Total 5251100 · Salaries &amp; Wages</b>	<b>440</b>	<b>6,000</b>	<b>(5,560)</b>	<b>7%</b>
<b>5251400 · Support Staff</b>				
5251405 · Support Staff	2,182	27,975	(25,793)	8%
5251420 · Jury Fees	0	200	(200)	0%
5251425 · City Prosecutor	440	8,500	(8,060)	5%
5251480 · Merit Raises	0	850	(850)	0%
5251490 · Overtime	0	1,000	(1,000)	0%
<b>Total 5251400 · Support Staff</b>	<b>2,622</b>	<b>38,525</b>	<b>(35,903)</b>	<b>7%</b>
<b>5252100 · Employee Benefits</b>				
5252110 · Group Insurance	453	5,440	(4,987)	8%
5252135 · TMRS	113	1,600	(1,487)	7%
5252160 · Worker's Compensation	27	110	(83)	25%
5252170 · Payroll Taxes	32	425	(393)	8%
5252196 · Membership Dues	0	80	(80)	0%
<b>Total 5252100 · Employee Benefits</b>	<b>625</b>	<b>7,655</b>	<b>(7,030)</b>	<b>8%</b>
<b>5252300 · Contractual Services</b>				
5252375 · Traffic Fines	8,350	38,000	(29,650)	22%
<b>Total 5252300 · Contractual Services</b>	<b>8,350</b>	<b>38,000</b>	<b>(29,650)</b>	<b>22%</b>
<b>5252500 · Operating Services</b>				
5252540 · Computer Maintenance	0	150	(150)	0%
<b>Total 5252500 · Operating Services</b>	<b>0</b>	<b>150</b>	<b>(150)</b>	<b>0%</b>
<b>5253100 · General Supplies</b>				
5253110 · Office Supplies	17	75	(58)	23%
5253140 · Uniforms	0	75	(75)	0%
<b>Total 5253100 · General Supplies</b>	<b>17</b>	<b>150</b>	<b>(133)</b>	<b>11%</b>
<b>5254200 · Travel Expenses</b>				
5254210 · Travel - Local	0	25	(25)	0%
5254220 · Professional Development	0	100	(100)	0%
<b>Total 5254200 · Travel Expenses</b>	<b>0</b>	<b>125</b>	<b>(125)</b>	<b>0%</b>
<b>5255200 · Data Processing Expenses</b>				
5255240 · Data Processing - SW Maint.	1,687	1,735	(48)	97%
<b>Total 5255200 · Data Processing Expenses</b>	<b>1,687</b>	<b>1,735</b>	<b>(48)</b>	<b>97%</b>
<b>5255300 · Printing Expense</b>				
5255350 · Printing - Other	0	150	(150)	0%
<b>Total 5255300 · Printing Expense</b>	<b>0</b>	<b>150</b>	<b>(150)</b>	<b>0%</b>
<b>5255600 · Insurance</b>				

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
 October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5255620 · Insurance - Liability	43	250	(207)	17%
5255630 · Insurance - Fidelity Bond	0	50	(50)	0%
<b>Total 5255600 · Insurance</b>	<b>43</b>	<b>300</b>	<b>(257)</b>	<b>14%</b>
<b>5255700 · Other Expenses</b>				
5255752 · Employment Screening	0	35	(35)	0%
5255765 · Miscellaneous	0	75	(75)	0%
<b>Total 5255700 · Other Expenses</b>	<b>0</b>	<b>110</b>	<b>(110)</b>	<b>0%</b>
<b>Total 25 · Municipal Court</b>	<b>13,784</b>	<b>92,900</b>	<b>(79,116)</b>	<b>15%</b>
<b>30 · Fire</b>				
<b>5301100 · Salaries &amp; Wages</b>				
5301130 · Asst. Fire Chief	3,000	39,000	(36,000)	8%
5301140 · Fire Captains	0	93,600	(93,600)	0%
5301180 · Merit Raises - Staff	0	2,000	(2,000)	0%
<b>Total 5301100 · Salaries &amp; Wages</b>	<b>3,000</b>	<b>134,600</b>	<b>(131,600)</b>	<b>2%</b>
<b>5301400 · Support Salaries</b>				
5301445 · Firefighter - Officer in Charge	114			
5301440 · Firefighters	20,006	196,200	(176,194)	10%
5301480 · Merit Raises	0	5,800	(5,800)	0%
5301485 · Volunteer Incentive Program	990	13,000	(12,010)	8%
<b>Total 5301400 · Support Salaries</b>	<b>21,110</b>	<b>215,000</b>	<b>(193,890)</b>	<b>10%</b>
<b>5302100 · Employee Benefits</b>				
5302135 · TMRS	155	2,300	(2,145)	7%
5302137 · Volunteer Retirement	0	2,500	(2,500)	0%
5302160 · Worker's Compensation	2,959	12,500	(9,541)	24%
5302170 · Payroll Taxes	1,583	23,500	(21,917)	7%
5302196 · Membership Dues	85	2,000	(1,915)	4%
<b>Total 5302100 · Employee Benefits</b>	<b>4,782</b>	<b>42,800</b>	<b>(38,018)</b>	<b>11%</b>
<b>5302300 · Contractual Services</b>				
5302310 · Consultant Fees	0	1,600	(1,600)	0%
5302380 · Dispatch	6,198	12,500	(6,302)	50%
5302385 · Emergency Transport Service	15,343	61,400	(46,057)	25%
<b>Total 5302300 · Contractual Services</b>	<b>21,541</b>	<b>75,500</b>	<b>(53,959)</b>	<b>29%</b>
<b>5302500 · Operating Services</b>				
5302510 · Maintenance Agreements	0	10,505	(10,505)	0%
5302540 · Computer Maintenance	0	2,000	(2,000)	0%
5302570 · Warning System Maintenance	780	780	0	100%
5302580 · Generator Maintenance	0	1,380	(1,380)	0%
<b>Total 5302500 · Operating Services</b>	<b>780</b>	<b>14,665</b>	<b>(13,885)</b>	<b>5%</b>
<b>5302600 · Special Expenses</b>				

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5302675 · National Night Out	0	500	(500)	0%
<b>Total 5302600 · Special Expenses</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
<b>5303100 · General Supplies</b>				
5303110 · Office Supplies	0	1,400	(1,400)	0%
5303140 · Uniforms	776	4,000	(3,224)	19%
5303160 · Medical Supplies	632	5,000	(4,368)	13%
5303165 · Medical Support	0	500	(500)	0%
5303170 · Evidence Gathering	0	50	(50)	0%
5303175 · Education Aids	0	50	(50)	0%
<b>Total 5303100 · General Supplies</b>	<b>1,408</b>	<b>11,000</b>	<b>(9,592)</b>	<b>13%</b>
<b>5303400 · Maintenance Supplies &amp; Parts</b>				
5303410 · Supplies - Custodial	0	2,400	(2,400)	0%
5303420 · Building Alarm Maintenance	0	420	(420)	0%
<b>Total 5303400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>2,820</b>	<b>(2,820)</b>	<b>0%</b>
<b>5304200 · Travel Expenses</b>				
5304220 · Professional Development	0	1,000	(1,000)	0%
5304270 · Vehicle Expenses	521	10,000	(9,479)	5%
<b>Total 5304200 · Travel Expenses</b>	<b>521</b>	<b>11,000</b>	<b>(10,479)</b>	<b>5%</b>
<b>5305200 · Data Processing Expenses</b>				
5305230 · Data Proc-Maintenance & Repair	94	500	(406)	19%
5305240 · Data Processing - Software	1,783	2,850	(1,067)	63%
<b>Total 5305200 · Data Processing Expenses</b>	<b>1,877</b>	<b>3,350</b>	<b>(1,473)</b>	<b>56%</b>
<b>5305300 · Printing Expense</b>				
5305310 · Copier Expense	213	3,100	(2,887)	7%
5305330 · Printing - Forms	0	100	(100)	0%
<b>Total 5305300 · Printing Expense</b>	<b>213</b>	<b>3,200</b>	<b>(2,987)</b>	<b>7%</b>
<b>5305400 · Utilities</b>				
5305410 · Telephone	326	2,100	(1,774)	16%
5305415 · Cellular Phone	22	1,200	(1,178)	2%
5305417 · Internet - Fire Dept.	477	3,600	(3,123)	13%
5305430 · Natural Gas	26	1,200	(1,174)	2%
5305450 · Electricity	0	8,000	(8,000)	0%
<b>Total 5305400 · Utilities</b>	<b>851</b>	<b>16,100</b>	<b>(15,249)</b>	<b>5%</b>
<b>5305500 · Repairs &amp; Bldg Improvements</b>				
5305520 · Repairs - Building	72	4,500	(4,428)	2%
5305540 · Repairs - Machinery & Equipment	668	19,000	(18,332)	4%
5305545 · Repairs - Apparatus	1,175	12,000	(10,825)	10%
5305550 · Repairs - Vehicles	0	3,500	(3,500)	0%
<b>Total 5305500 · Repairs &amp; Bldg Improvements</b>	<b>1,915</b>	<b>39,000</b>	<b>(37,085)</b>	<b>5%</b>

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>5305600 · Insurance</b>				
5305610 · Insurance - Property	0	60	(60)	0%
5305620 · Insurance - Liability	595	6,500	(5,905)	9%
5305640 · Insurance - Vehicle	2,442	10,000	(7,558)	24%
<b>Total 5305600 · Insurance</b>	<b>3,037</b>	<b>16,560</b>	<b>(13,523)</b>	<b>18%</b>
<b>5305700 · Other Expenses</b>				
5305705 · Postage	0	200	(200)	0%
5305752 · Employment Screening	50	700	(650)	7%
5305770 · Matching Fire Grant Expense	0	50	(50)	0%
<b>Total 5305700 · Other Expenses</b>	<b>50</b>	<b>950</b>	<b>(900)</b>	<b>5%</b>
<b>5306400 · Minor Capital Outlay</b>				
5306440 · Machinery & Equipment	0	10,800	(10,800)	0%
5306445 · Personal Protective Equipment	1,633	20,500	(18,867)	8%
<b>Total 5306400 · Minor Capital Outlay</b>	<b>1,633</b>	<b>31,300</b>	<b>(29,667)</b>	<b>5%</b>
<b>Total 30 · Fire</b>	<b>62,718</b>	<b>618,345</b>	<b>(555,627)</b>	<b>10%</b>
<b>40 · Community Services</b>				
<b>5401100 · Salaries &amp; Wages</b>				
5401135 · ACO/Code Enforcement Officer	2,659	34,200	(31,541)	8%
5401180 · Merit Raises - Staff	0	1,025	(1,025)	0%
5401190 · Overtime	0	150	(150)	0%
<b>Total 5401100 · Salaries &amp; Wages</b>	<b>2,659</b>	<b>35,375</b>	<b>(32,716)</b>	<b>8%</b>
<b>5402100 · Employee Benefits</b>				
5402110 · Group Insurance	350	5,440	(5,090)	6%
5402135 · TMRS	139	2,000	(1,861)	7%
5402160 · Worker's Compensation	55	275	(220)	20%
5402170 · Payroll Taxes	44	550	(506)	8%
5402190 · License	0	200	(200)	0%
<b>Total 5402100 · Employee Benefits</b>	<b>588</b>	<b>8,465</b>	<b>(7,877)</b>	<b>7%</b>
<b>5402300 · Contractual Services</b>				
5402315 · Contract Building Inspections	1,987	10,000	(8,013)	20%
5402325 · Fire Inspections	0	600	(600)	0%
5402370 · Impound Fees	184	2,000	(1,816)	9%
<b>Total 5402300 · Contractual Services</b>	<b>2,171</b>	<b>12,600</b>	<b>(10,429)</b>	<b>17%</b>
<b>5402500 · Operating Services</b>				
5402540 · Computer Maintenance	0	100	(100)	0%
<b>Total 5402500 · Operating Services</b>	<b>0</b>	<b>100</b>	<b>(100)</b>	<b>0%</b>
<b>5402600 · Special Expenses</b>				
5402685 · Clean up Day	0	100	(100)	0%

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
Total 5402600 · Special Expenses	0	100	(100)	0%
<b>5403100 · General Supplies</b>				
5403110 · Office Supplies	0	125	(125)	0%
5403120 · Animal Care	0	150	(150)	0%
5403122 · Pet Supplies	0	200	(200)	0%
5403140 · Uniforms	0	350	(350)	0%
Total 5403100 · General Supplies	0	825	(825)	0%
<b>5403400 · Maintenance Supplies &amp; Parts</b>				
5403460 · Miscellaneous	0	100	(100)	0%
Total 5403400 · Maintenance Supplies & Parts	0	100	(100)	0%
<b>5404200 · Travel Expenses</b>				
5404210 · Travel - Local	0	25	(25)	0%
5404220 · Professional Development	0	200	(200)	0%
5404270 · Vehicle Expenses	0	1,800	(1,800)	0%
Total 5404200 · Travel Expenses	0	2,025	(2,025)	0%
<b>5405200 · Data Processing Expenses</b>				
5405230 · Data Proc-Maintenance & Repairs	0	100	(100)	0%
Total 5405200 · Data Processing Expenses	0	100	(100)	0%
<b>5405300 · Printing Expense</b>				
5405330 · Printing - Forms	0	150	(150)	0%
Total 5405300 · Printing Expense	0	150	(150)	0%
<b>5405400 · Utilities</b>				
5405415 · Cellular Phone	41	700	(659)	6%
Total 5405400 · Utilities	41	700	(659)	6%
<b>5405600 · Insurance</b>				
5405610 · Insurance - Property	2	8	(6)	25%
5405620 · Insurance - Liability	51	205	(154)	25%
5405640 · Insurance - Vehicle	131	525	(394)	25%
Total 5405600 · Insurance	184	738	(554)	25%
<b>5405700 · Other Expenses</b>				
5405765 · Miscellaneous	0	100	(100)	0%
Total 5405700 · Other Expenses	0	100	(100)	0%
<b>5406400 · Minor Capital Outlay</b>				
5406440 · Machinery & Equipment	0	826	(826)	0%
Total 5406400 · Minor Capital Outlay	0	826	(826)	0%
<b>Total 40 · Community Services</b>	<b>5,643</b>	<b>62,204</b>	<b>(56,561)</b>	<b>9%</b>

**City of Ovilla General Fund  
Profit & Loss Budget vs. Actual  
October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>45 · Solid Waste</b>				
5455400 · Utilities				
5455465 · Solidwaste Pickup (Garbage)	16,496	198,000	(181,504)	8%
<b>Total 5455400 · Utilities</b>	<b>16,496</b>	<b>198,000</b>	<b>(181,504)</b>	<b>8%</b>
<b>Total 45 · Solid Waste</b>	<b>16,496</b>	<b>198,000</b>	<b>(181,504)</b>	<b>8%</b>
<b>50 · Streets</b>				
5501400 · Support Staff				
5501415 · Maintenance Crew	738	22,500	(21,762)	3%
5501480 · Merit Raises	0	700	(700)	0%
5501490 · Overtime	0	1,500	(1,500)	0%
5501500 · Streets - On Call	0	750	(750)	0%
<b>Total 5501400 · Support Staff</b>	<b>738</b>	<b>25,450</b>	<b>(24,712)</b>	<b>3%</b>
5502100 · Employee Benefits				
5502110 · Group Insurance	0	5,440	(5,440)	0%
5502135 · TMRS	38	1,350	(1,312)	3%
5502160 · Worker's Compensation	436	1,745	(1,309)	25%
5502170 · Payroll Taxes	11	375	(364)	3%
5502190 · License	0	122	(122)	0%
<b>Total 5502100 · Employee Benefits</b>	<b>485</b>	<b>9,032</b>	<b>(8,547)</b>	<b>5%</b>
5502200 · Special Services				
5502280 · NCTCOG- SWMP Fees	0	6,250	(6,250)	0%
<b>Total 5502200 · Special Services</b>	<b>0</b>	<b>6,250</b>	<b>(6,250)</b>	<b>0%</b>
5502600 · Special Expenses				
5502620 · Emergency Clean Up	0	2,500	(2,500)	0%
<b>Total 5502600 · Special Expenses</b>	<b>0</b>	<b>2,500</b>	<b>(2,500)</b>	<b>0%</b>
5503100 · General Supplies				
5503110 · Office Supplies	0	100	(100)	0%
5503140 · Uniforms	0	400	(400)	0%
<b>Total 5503100 · General Supplies</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
5503400 · Maintenance Supplies & Parts				
5503405 · Drainage Maintenance	0	500	(500)	0%
5503420 · Supplies - Street Signs	0	2,000	(2,000)	0%
5503460 · Miscellaneous	0	214	(214)	0%
<b>Total 5503400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>2,714</b>	<b>(2,714)</b>	<b>0%</b>
5504200 · Travel Expenses				
5504220 · Professional Development	0	500	(500)	0%
5504270 · Vehicle Expenses	0	6,000	(6,000)	0%
<b>Total 5504200 · Travel Expenses</b>	<b>0</b>	<b>6,500</b>	<b>(6,500)</b>	<b>0%</b>

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
 October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5505300 · Printing Expense				
5505350 · Printing - Other	0	300	(300)	0%
Total 5505300 · Printing Expense	0	300	(300)	0%
5505400 · Utilities				
5505450 · Electricity	0	45,500	(45,500)	0%
Total 5505400 · Utilities	0	45,500	(45,500)	0%
5505500 · Repairs & Bldg Improvements				
5405520 · Repairs - Building	0	1,000	(1,000)	0%
5505540 · Repairs - Machinery & Equipment	0	3,000	(3,000)	0%
5505550 · Repairs - Vehicles	992	2,500	(1,508)	40%
5505560 · Repairs -Street Maint.& Repairs	960	50,000	(49,040)	2%
5505565 · Repairs - Infrastruct Drainage	501	5,000	(4,499)	10%
5505590 · Repairs - Other	105	1,500	(1,395)	7%
Total 5505500 · Repairs & Bldg Improvements	2,558	63,000	(60,442)	4%
5505600 · Insurance				
5505610 · Insurance - Property	40	100	(60)	40%
5505620 · Insurance - Liability	245	1,000	(755)	25%
5505640 · Insurance - Vehicle	795	3,400	(2,605)	23%
Total 5505600 · Insurance	1,080	4,500	(3,420)	24%
5505700 · Other Expenses				
5505752 · Employment Screening	90	100	(10)	90%
Total 5505700 · Other Expenses	90	100	(10)	90%
5506400 · Minor Capital Outlay				
5506440 · Machinery & Equipment	0	8,100	(8,100)	0%
5506445 · Personal Protective Equipment	0	300	(300)	0%
5506490 · Other	0	500	(500)	0%
Total 5506400 · Minor Capital Outlay	0	8,900	(8,900)	0%
5507400 · Capitalized Assets				
5507440 · Machinery & Equipment	0	8,000	(8,000)	0%
5507460 · Infrastructure	0	148,000	(148,000)	0%
Total 5507400 · Capitalized Assets	0	156,000	(156,000)	0%
<b>Total 50 · Streets</b>	<b>4,951</b>	<b>331,246</b>	<b>(326,295)</b>	<b>1%</b>
60 · Parks				
5602400 · Rentals				
5602490 · Rental - Other	0	2,900	(2,900)	0%
Total 5602400 · Rentals	0	2,900	(2,900)	0%
5602600 · Special Expenses				

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5602680 · Heritage Day	0	8,000	(8,000)	0%
Total 5602600 · Special Expenses	0	8,000	(8,000)	0%
5603400 · Maintenance Supplies & Parts				
5603460 · Miscellaneous	0	250	(250)	0%
Total 5603400 · Maintenance Supplies & Parts	0	250	(250)	0%
5605400 · Utilities				
5605450 · Electricity	108	9,000	(8,892)	1%
Total 5605400 · Utilities	108	9,000	(8,892)	1%
5605500 · Repairs & Bldg Improvements				
5605530 · REPAIRS-IMP OTHER THAN BLDGS	45	1,500	(1,455)	3%
Total 5605500 · Repairs & Bldg Improvements	45	1,500	(1,455)	3%
5605600 · Insurance				
5605610 · Insurance - Property	0	160	(160)	0%
5605620 · Insurance - Liability	12	50	(38)	24%
Total 5605600 · Insurance	12	210	(198)	6%
5605700 · Other Expenses				
5605765 · Miscellaneous	66	200	(134)	33%
Total 5605700 · Other Expenses	66	200	(134)	33%
5606400 · Minor Capital Outlay				
5606410 · Land Improvements	0	500	(500)	0%
5606440 · Machinery & Equipment	0	500	(500)	0%
Total 5606400 · Minor Capital Outlay	0	1,000	(1,000)	0%
5607400 · Capitalized Assets				
5607440 · Machinery & Equipment	0	3,000	(3,000)	0%
Total 5607400 · Capitalized Assets	0	3,000	(3,000)	0%
<b>Total 60 · Parks</b>	<b>231</b>	<b>26,060</b>	<b>(25,829)</b>	<b>1%</b>
<b>Total Expense</b>	<b>196,104</b>	<b>2,324,531</b>	<b>(2,128,427)</b>	<b>8%</b>
<b>Net Income</b>	<b>(130,993)</b>	<b>0</b>	<b>(130,993)</b>	<b>100%</b>

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000400 · Charges for Services				
4000460 · Water Sales	119,770	1,100,000	-980,230	11%
4000461 · Sewer Service	13,077	150,000	-136,923	9%
4000465 · Water & Sewer Penalties	2,085	19,000	-16,915	11%
4000471 · Reconnect Fees	661	5,000	-4,339	13%
4000473 · Connect Fees	275	2,000	-1,725	14%
4000478 · Infrastructure Improvement Fee	4,910	55,000	-50,090	9%
<b>Total 4000400 · Charges for Services</b>	<b>140,778</b>	<b>1,331,000</b>	<b>-1,190,222</b>	<b>11%</b>
4000800 · Other Revenue				
4000840 · Interest Earned	209	2,500	-2,291	8%
4000890 · Misc Other Revenue	1,250	5,000	-3,750	25%
<b>Total 4000800 · Other Revenue</b>	<b>1,459</b>	<b>7,500</b>	<b>-6,041</b>	<b>19%</b>
<b>Total Income</b>	<b>142,237</b>	<b>1,338,500</b>	<b>-1,196,263</b>	<b>11%</b>
<b>Gross Profit</b>	<b>142,237</b>	<b>1,338,500</b>	<b>-1,196,263</b>	<b>11%</b>
<b>Expense</b>				
70 · Administration				
5701100 · Salaries & Wages				
5701120 · Part Time Admin. Support	0	2,550	-2,550	0%
5701110 · City Administrator	0	21,220	-21,220	0%
5701115 · City Secretary	0	12,225	-12,225	0%
5701117 · Finance Accountant	0	12,500	-12,500	0%
5701130 · Public Works Director	3,596	46,150	-42,554	8%
5701180 · Merit Raises, Staff	0	2,100	-2,100	0%
<b>Total 5701100 · Salaries &amp; Wages</b>	<b>3,596</b>	<b>96,745</b>	<b>-93,149</b>	<b>4%</b>
5702100 · Employee Benefits				
5702110 · Group Insurance	453	5,440	-4,987	8%
5702135 · TMRS	187	2,700	-2,513	7%
5702170 · Payroll Taxes	52	800	-748	7%
<b>Total 5702100 · Employee Benefits</b>	<b>692</b>	<b>8,940</b>	<b>-8,248</b>	<b>8%</b>
5702200 · Special Services				
5702230 · Legal Fees	0	1,382	-1,382	0%
5702240 · Audit	0	5,600	-5,600	0%
5702250 · Accounting	0	1,500	-1,500	0%
<b>Total 5702200 · Special Services</b>	<b>0</b>	<b>8,482</b>	<b>-8,482</b>	<b>0%</b>

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>5702300 · Contractual Services /Personnel</b>				
5702310 · Consultant Fees	0	5,000	-5,000	0%
<b>Total 5702300 · Contractual Services /Personnel</b>	<b>0</b>	<b>5,000</b>	<b>-5,000</b>	<b>0%</b>
<b>5703100 · General Supplies</b>				
5703110 · Office Supplies	0	800	-800	0%
<b>Total 5703100 · General Supplies</b>	<b>0</b>	<b>800</b>	<b>-800</b>	<b>0%</b>
<b>5703400 · Maintenance Supplies / Parts</b>				
5703410 · Supplies - Custodial	0	200	-200	0%
<b>Total 5703400 · Maintenance Supplies / Parts</b>	<b>0</b>	<b>200</b>	<b>-200</b>	<b>0%</b>
<b>5704200 · Travel Expenses</b>				
5704210 · Travel - Local	0	200	-200	0%
5704220 · Professional Development	0	750	-750	0%
<b>Total 5704200 · Travel Expenses</b>	<b>0</b>	<b>950</b>	<b>-950</b>	<b>0%</b>
<b>5705200 · Data Processing Expenses</b>				
5705240 · Data Processing - Software	0	1,000	-1,000	0%
<b>Total 5705200 · Data Processing Expenses</b>	<b>0</b>	<b>1,000</b>	<b>-1,000</b>	<b>0%</b>
<b>5705300 · Printing Expense</b>				
5705350 · Printing - Other	0	250	-250	0%
<b>Total 5705300 · Printing Expense</b>	<b>0</b>	<b>250</b>	<b>-250</b>	<b>0%</b>
<b>5705400 · Utilities</b>				
5705410 · Telephone	208	1,300	-1,092	16%
5705415 · Cellular Phone	37	1,100	-1,063	3%
5705417 · Internet	128	800	-672	16%
<b>Total 5705400 · Utilities</b>	<b>373</b>	<b>3,200</b>	<b>-2,827</b>	<b>12%</b>
<b>5705700 · Other Expenses</b>				
5705705 · Postage	400	6,000	-5,600	7%
5705740 · Advertising	0	500	-500	0%
5705760 · Bank Service Charge	12	250	-238	5%
5705765 · Miscellaneous	0	100	-100	0%
5705775 · Credit Card Transaction Fee	314	3,400	-3,086	9%
<b>Total 5705700 · Other Expenses</b>	<b>726</b>	<b>10,250</b>	<b>-9,524</b>	<b>7%</b>
<b>5706400 · Minor Capital Outlay</b>				

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5706440 · Machinery & Equipment	0	500	-500	0%
<b>Total 5706400 · Minor Capital Outlay</b>	<b>0</b>	<b>500</b>	<b>-500</b>	<b>0%</b>
<b>5709000 · Reserve</b>				
5708215 · Transfer Out - General Fund	0	116,301	-116,301	0%
5709002 · Capital Improv. Water Reserve	0	84,000	-84,000	0%
5709003 · Capital Improv. Sewer Reserve	0	18,659	-18,659	0%
5709010 · Administrative Reserves	0	10,000	-10,000	0%
<b>Total 5709000 · Reserve</b>	<b>0</b>	<b>228,960</b>	<b>-228,960</b>	<b>0%</b>
<b>Total 70 · Administration</b>	<b>5,387</b>	<b>365,277</b>	<b>-359,890</b>	<b>1%</b>
<b>75 · Water</b>				
<b>5751100 · Salaries &amp; Wages</b>				
5751133 · Superintendent	3,308	44,000	-40,692	8%
5751180 · Merit Raises - Staff	0	1,350	-1,350	0%
<b>Total 5751100 · Salaries &amp; Wages</b>	<b>3,308</b>	<b>45,350</b>	<b>-42,042</b>	<b>7%</b>
<b>5751400 · Support Salaries</b>				
5751405 · Support Staff	2,761	27,000	-24,239	10%
5751415 · Maintenance Crew	3,806	49,000	-45,194	8%
5751430 · Seasonal Crew	0	2,000	-2,000	0%
5751450 · Certification Pay	35	1,200	-1,165	3%
5751480 · Merit Raises	0	2,250	-2,250	0%
5751490 · Overtime	78	4,000	-3,922	2%
5751500 · Water - On Call	0	1,000	-1,000	0%
<b>Total 5751400 · Support Salaries</b>	<b>6,680</b>	<b>86,450</b>	<b>-79,770</b>	<b>8%</b>
<b>5752100 · Employee Benefits</b>				
5752110 · Group Insurance	1,503	22,000	-20,497	7%
5752135 · TMRS	516	7,000	-6,484	7%
5752160 · Worker's Compensation	696	2,800	-2,104	25%
5752170 · Payroll Taxes	160	2,000	-1,840	8%
5752190 · Licenses	0	222	-222	0%
<b>Total 5752100 · Employee Benefits</b>	<b>2,875</b>	<b>34,022</b>	<b>-31,147</b>	<b>8%</b>
<b>5752300 · Contractual Services/Personnel</b>				
5752350 · Contract Labor - Company	0	1,500	-1,500	0%
5752380 · Dispatch	4,355	9,230	-4,875	47%
<b>Total 5752300 · Contractual Services/Personnel</b>	<b>4,355</b>	<b>10,730</b>	<b>-6,375</b>	<b>41%</b>

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>5752400 · Rentals</b>				
5752420 · Rental - Machinery & Equipment	0	500	-500	0%
5752490 · Rental - Other	0	200	-200	0%
<b>Total 5752400 · Rentals</b>	<b>0</b>	<b>700</b>	<b>-700</b>	<b>0%</b>
<b>5752500 · Operating Services</b>				
5752580 · Water Testing	55	4,000	-3,945	1%
5752590 · TCEQ Fees	0	3,000	-3,000	0%
<b>Total 5752500 · Operating Services</b>	<b>55</b>	<b>7,000</b>	<b>-6,945</b>	<b>1%</b>
<b>5753100 · General Supplies</b>				
5753140 · Uniforms	0	1,500	-1,500	0%
<b>Total 5753100 · General Supplies</b>	<b>0</b>	<b>1,500</b>	<b>-1,500</b>	<b>0%</b>
<b>5753400 · Maintenance Supplies &amp; Parts</b>				
5753460 · Miscellaneous	21	250	-229	8%
<b>Total 5753400 · Maintenance Supplies &amp; Parts</b>	<b>21</b>	<b>250</b>	<b>-229</b>	<b>8%</b>
<b>5754200 · Travel Expenses</b>				
5754220 · Professional Development	0	1,000	-1,000	0%
5754270 · Vehicle Expenses	77	9,000	-8,923	1%
<b>Total 5754200 · Travel Expenses</b>	<b>77</b>	<b>10,000</b>	<b>-9,923</b>	<b>1%</b>
<b>5755200 · Data Processing Expenses</b>				
5755230 · Data Proc-Maintenance & Repairs	0	4,500	-4,500	0%
5755240 · Data Processing - Software	0	500	-500	0%
5755250 · Data Proc - Computer Repair	0	500	-500	0%
<b>Total 5755200 · Data Processing Expenses</b>	<b>0</b>	<b>5,500</b>	<b>-5,500</b>	<b>0%</b>
<b>5755300 · Printing Expenses</b>				
5755310 · Copier Expense	0	2,700	-2,700	0%
5755350 · Printing - Other	0	1,500	-1,500	0%
<b>Total 5755300 · Printing Expenses</b>	<b>0</b>	<b>4,200</b>	<b>-4,200</b>	<b>0%</b>
<b>5755400 · Utilities</b>				
5755415 · Cellular Phone	113	900	-787	13%
5755450 · Electricity	135	28,370	-28,235	0%
5755460 · Water, wholesale	0	375,000	-375,000	0%
<b>Total 5755400 · Utilities</b>	<b>248</b>	<b>404,270</b>	<b>-404,022</b>	<b>0%</b>

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>5755500 · Repairs &amp; Building Improvements</b>				
5755540 · Repairs- Machinery & Equipment	385	8,000	-7,615	5%
5755550 · Repairs - Vehicles	0	2,000	-2,000	0%
5755570 · Inventory Expense	430	18,705	-18,275	2%
5755590 · Repairs - Other	0	4,601	-4,601	0%
<b>Total 5755500 · Repairs &amp; Building Improvements</b>	<b>815</b>	<b>33,306</b>	<b>-32,491</b>	<b>2%</b>
<b>5755600 · Insurance</b>				
5755610 · Insurance - Property	648	2,600	-1,952	25%
5755620 · Insurance - Liability	432	1,750	-1,318	25%
5755640 · Insurance - Vehicle	459	2,000	-1,541	23%
<b>Total 5755600 · Insurance</b>	<b>1,539</b>	<b>6,350</b>	<b>-4,811</b>	<b>24%</b>
<b>5755700 · Other Expenses</b>				
5755752 · Employment Screening	0	300	-300	0%
<b>Total 5755700 · Other Expenses</b>	<b>0</b>	<b>300</b>	<b>-300</b>	<b>0%</b>
<b>5756400 · Minor Capital Outlay</b>				
5756440 · Machinery & Equipment	0	1,000	-1,000	0%
5756490 · Other	0	500	-500	0%
<b>Total 5756400 · Minor Capital Outlay</b>	<b>0</b>	<b>1,500</b>	<b>-1,500</b>	<b>0%</b>
<b>5757400 · Capitalized Assets</b>				
5757470 · Infrastructure - Water	0	6,000	-6,000	0%
<b>Total 5757400 · Capitalized Assets</b>	<b>0</b>	<b>6,000</b>	<b>-6,000</b>	<b>0%</b>
<b>5757900 · Long-Term Debt</b>				
5758225 · Transfer out to Debt Fund	0	162,610	-162,610	0%
<b>Total 5757900 · Long-Term Debt</b>	<b>0</b>	<b>162,610</b>	<b>-162,610</b>	<b>0%</b>
<b>Total 75 · Water</b>	<b>19,973</b>	<b>820,038</b>	<b>-800,065</b>	<b>2%</b>
<b>80 · Sewer</b>				
<b>5801400 · Support Salaries</b>				
5801405 · Support Staff	0	8,800	-8,800	0%
5801415 · Maintenance Crew	3,922	52,000	-48,078	8%
5801450 · Certification Pay	46	1,200	-1,154	4%
5801480 · Merit Raises	0	2,000	-2,000	0%
5801490 · Overtime	63	1,800	-1,737	4%
5801500 · Sewer - On Call	100	850	-750	12%

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
Total 5801400 · Support Salaries	4,131	66,650	-62,519	6%
<b>5802100 · Employee Benefits</b>				
5802110 · Group Insurance	905	10,900	-9,995	8%
5802135 · TMRS	212	3,500	-3,288	6%
5802160 · Worker's Compensation-Sewer	669	2,700	-2,031	25%
5802170 · Payroll Taxes	59	875	-816	7%
5802190 · Licenses	0	222	-222	0%
Total 5802100 · Employee Benefits	1,845	18,197	-16,352	10%
<b>5802300 · Contractual Services/Personnel</b>				
5802350 · Contract Labor - Company	195	4,800	-4,605	4%
Total 5802300 · Contractual Services/Personnel	195	4,800	-4,605	4%
<b>5802500 · Operating Services</b>				
5802515 · Sardis Collection Expense	189	0	189	100%
5802590 · TCEQ Fees - Sewer	0	60	-60	0%
Total 5802500 · Operating Services	189	60	129	315%
<b>5803100 · General Supplies</b>				
5803140 · Uniforms	0	1,000	-1,000	0%
Total 5803100 · General Supplies	0	1,000	-1,000	0%
<b>5803400 · Maintenance Supplies &amp; Parts</b>				
5803460 · Miscellaneous	0	343	-343	0%
Total 5803400 · Maintenance Supplies & Parts	0	343	-343	0%
<b>5804200 · Travel Expenses</b>				
5804220 · Professional Development	0	500	-500	0%
5804270 · Vehicle Expense	0	1,600	-1,600	0%
Total 5804200 · Travel Expenses	0	2,100	-2,100	0%
<b>5805400 · Utilities</b>				
5805450 · Electricity	0	3,300	-3,300	0%
5805463 · TRA Wastewater Treatment	2,262	41,000	-38,738	6%
Total 5805400 · Utilities	2,262	44,300	-42,038	5%
<b>5805500 · Repairs &amp; Bldg Improvements</b>				
5805510 · Repairs - Land Improvements	0	300	-300	0%
5805540 · Repairs - Machinery & Equipment	0	6,000	-6,000	0%
5805570 · Inventory Expense	0	750	-750	0%

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
5805590 · Repairs - Other	1	5,000	-4,999	0%
<b>Total 5805500 · Repairs &amp; Bldg Improvements</b>	<b>1</b>	<b>12,050</b>	<b>-12,049</b>	<b>0%</b>
<b>5805600 · Insurance</b>				
5805610 · Insurance - Property	14	100	-86	14%
5805620 · Insurance - Liability	84	335	-251	25%
5805640 · Insurance - Vehicle	10	50	-40	20%
<b>Total 5805600 · Insurance</b>	<b>108</b>	<b>485</b>	<b>-377</b>	<b>22%</b>
<b>5805700 · Other Expenses</b>				
5805752 · Employment Screening	0	200	-200	0%
<b>Total 5805700 · Other Expenses</b>	<b>0</b>	<b>200</b>	<b>-200</b>	<b>0%</b>
<b>5807400 · Capitalized Assets</b>				
5807440 · Machinery & Equipment	0	3,000	-3,000	0%
<b>Total 5807400 · Capitalized Assets</b>	<b>0</b>	<b>3,000</b>	<b>-3,000</b>	<b>0%</b>
<b>Total 80 · Sewer</b>	<b>8,731</b>	<b>153,185</b>	<b>-144,454</b>	<b>6%</b>
<b>Total Expense</b>	<b>34,091</b>	<b>1,338,500</b>	<b>-1,304,409</b>	<b>3%</b>
<b>Net Income</b>	<b>108,146</b>	<b>0</b>	<b>108,146</b>	<b>100%</b>

**Ovilla Debt Service**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
<b>4000100 · Taxes</b>				
4000107 · Ad Valorem, Current I & S	200	425,942	(425,742)	0%
4000111 · Ad Valorem, Delinquent I & S	821	7,000	(6,179)	12%
4000114 · Interest/Penalties - I & S	214	4,000	(3,786)	5%
<b>Total 4000100 · Taxes</b>	<b>1,235</b>	<b>436,942</b>	<b>(435,707)</b>	<b>0%</b>
<b>4000800 · Other Revenue</b>				
4000840 · Interest Earned	25	1,000	(975)	3%
4000900 · Reduction of Reserve Fund Bal.	0	36,873	(36,873)	0%
4000930 · Transfer In - Water & Sewer	0	162,610	(162,610)	0%
<b>Total 4000800 · Other Revenue</b>	<b>25</b>	<b>200,483</b>	<b>(200,458)</b>	<b>0%</b>
<b>Total Income</b>	<b>1,260</b>	<b>637,425</b>	<b>(636,165)</b>	<b>0%</b>
<b>Expense</b>				
<b>5157900 · Long-Term Debt</b>				
5157930 · Paying Agent Fees	0	500	(500)	0%
5157935 · 2011 Bond Issue Principle	0	400,000	(400,000)	0%
5157940 · 2011 Bond Issue Interest	0	225,425	(225,425)	0%
<b>Total 5157900 · Long-Term Debt</b>	<b>0</b>	<b>625,925</b>	<b>(625,925)</b>	<b>0%</b>
<b>5159000 · Reserves</b>				
5159015 · Debt Reserves	0	11,500	(11,500)	0%
<b>Total 5159000 · Reserves</b>	<b>0</b>	<b>11,500</b>	<b>(11,500)</b>	<b>0%</b>
<b>Total Expense</b>	<b>0</b>	<b>637,425</b>	<b>(637,425)</b>	<b>0%</b>
<b>Net Income</b>	<b>1,260</b>	<b>0</b>	<b>1,260</b>	<b>100%</b>

**City of Ovilla Capital Projects Fund**  
**Profit & Loss Budget vs. Actual**  
 October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000800 · Other Revenue				
4000845 · Interest Earned - Texstar	0	2	-2	0%
4000850 · Interest Earned - Prosperity	22	250	-228	9%
<b>Total 4000800 · Other Revenue</b>	<b>22</b>	<b>252</b>	<b>-230</b>	<b>9%</b>
<b>Total Income</b>	<b>22</b>	<b>252</b>	<b>-230</b>	<b>9%</b>
<b>Expense</b>				
5879000 · Reserves				
5879010 · Admin Reserves	0	252	-252	0%
<b>Total 5879000 · Reserves</b>	<b>0</b>	<b>252</b>	<b>-252</b>	<b>0%</b>
<b>Total Expense</b>	<b>0</b>	<b>252</b>	<b>-252</b>	<b>0%</b>
<b>Net Income</b>	<b>22</b>	<b>0</b>	<b>22</b>	<b>100%</b>

**City of Ovilla - Park Impact Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000400 · Charges for Services				
4000460 · Park Impact	335	1,300	(965)	26%
<b>Total 4000400 · Charges for Services</b>	<b>335</b>	<b>1,300</b>	<b>(965)</b>	<b>26%</b>
4000800 · Other Revenue				
4000840 · Interest Earned	1	15	(14)	7%
4000900 · Reduction of Fund Balance	0	2,185	(2,185)	0%
<b>Total 4000800 · Other Revenue</b>	<b>1</b>	<b>2,200</b>	<b>(2,199)</b>	<b>0%</b>
<b>Total Income</b>	<b>336</b>	<b>3,500</b>	<b>(3,164)</b>	<b>10%</b>
<b>Expense</b>				
5606400 · Minor Capital Outlay				
5606410 · Land Improvements	0	500	(500)	0%
5606440 · Machinery and Equipment	0	3,000	(3,000)	0%
<b>Total 5606400 · Minor Capital Outlay</b>	<b>0</b>	<b>3,500</b>	<b>(3,500)</b>	<b>0%</b>
<b>Total Expense</b>	<b>0</b>	<b>3,500</b>	<b>(3,500)</b>	<b>0%</b>
<b>Net Income</b>	<b>336</b>	<b>0</b>	<b>336</b>	<b>100%</b>

**Ovilla W&S Impact Fee Fund**  
**Profit & Loss Budget vs. Actual**  
**October 2012 through September 2013**

	Oct '12 - Sep 13	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
<b>4000400 · Charges for Services</b>				
4000476 · Water Impact Fee	0	1,105	(1,105)	0%
4000477 · Sewer Impact Fee	87	0	87	100%
<b>Total 4000400 · Charges for Services</b>	<b>87</b>	<b>1,105</b>	<b>(1,018)</b>	<b>8%</b>
<b>4000800 · Other Revenue</b>				
4000840 · Interest Earned	12	150	(138)	8%
<b>Total 4000800 · Other Revenue</b>	<b>12</b>	<b>150</b>	<b>(138)</b>	<b>8%</b>
<b>Total Income</b>	<b>99</b>	<b>1,255</b>	<b>(1,156)</b>	<b>8%</b>
<b>Expense</b>				
<b>5859000 · Reserves</b>				
5859020 · Water Impact Fees Reserve	0	1,205	(1,205)	0%
5859030 · Sewer Impact Fees Reserve	0	50	(50)	0%
<b>Total 5859000 · Reserves</b>	<b>0</b>	<b>1,255</b>	<b>(1,255)</b>	<b>0%</b>
<b>Total Expense</b>	<b>0</b>	<b>1,255</b>	<b>(1,255)</b>	<b>0%</b>
<b>Net Income</b>	<b>99</b>	<b>0</b>	<b>99</b>	<b>100%</b>

Ovilla 4B Economic Development Corporation  
**Profit & Loss Budget vs. Actual**  
 October 2011

	Oct 11	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000100 · Taxes				
4000120 · Sales tax	5,507	60,000	(54,493)	9%
<b>Total 4000100 · Taxes</b>	<b>5,507</b>	<b>60,000</b>	<b>(54,493)</b>	<b>9%</b>
4000800 · Other Revenue				
4000840 · Interest Income	45	550	(505)	8%
<b>Total 4000800 · Other Revenue</b>	<b>45</b>	<b>550</b>	<b>(505)</b>	<b>8%</b>
<b>Total Income</b>	<b>5,552</b>	<b>60,550</b>	<b>(54,998)</b>	<b>9%</b>
<b>Expense</b>				
8102200 · Special Services				
8102220 · Website Support & Maintenance	0	5,000	(5,000)	0%
8102230 · Legal Fees	0	500	(500)	0%
8102240 · Audit	0	1,360	(1,360)	0%
<b>Total 8102200 · Special Services</b>	<b>0</b>	<b>6,860</b>	<b>(6,860)</b>	<b>0%</b>
8102300 · Consultant Services				
8102310 · Consultant Fees	0	7,500	(7,500)	0%
8102350 · Contract Labor	0	5,000	(5,000)	0%
<b>Total 8102300 · Consultant Services</b>	<b>0</b>	<b>12,500</b>	<b>(12,500)</b>	<b>0%</b>
8103100 · General Supplies				
8103110 · Office Supplies	0	100	(100)	0%
<b>Total 8103100 · General Supplies</b>	<b>0</b>	<b>100</b>	<b>(100)</b>	<b>0%</b>
8104200 · Travel Expense				
8104210 · Travel Expense	0	1,500	(1,500)	0%
8104220 · Professional Development	89	1,500	(1,411)	6%
<b>Total 8104200 · Travel Expense</b>	<b>89</b>	<b>3,000</b>	<b>(2,911)</b>	<b>3%</b>
8105600 · Insurance				
8105620 · Insurance - Liability	0	175	(175)	0%
<b>Total 8105600 · Insurance</b>	<b>0</b>	<b>175</b>	<b>(175)</b>	<b>0%</b>
8105700 · Other Expenses				
8105705 · Postage	0	200	(200)	0%
8105730 · Memberships	0	1,100	(1,100)	0%
8105765 · Miscellaneous	0	1,000	(1,000)	0%
<b>Total 8105700 · Other Expenses</b>	<b>0</b>	<b>2,300</b>	<b>(2,300)</b>	<b>0%</b>
8109000 · Reserves				

2:33 PM  
11/29/12  
Accrual Basis

Ovilla 4B Economic Development Corporation  
Profit & Loss Budget vs. Actual  
October 2011

	Oct 11	Budget	\$ Over Budget	% of Budget Thru October 9%
8109015 · Administrative Reserves	0	33,115	(33,115)	0%
8109215 · Transfer Out - General Fund	0	2,500	(2,500)	0%
Total 8109000 · Reserves	0	35,615	(35,615)	0%
Total Expense	89	60,550	(60,461)	0%
Net Income	5,463	0	5,463	100%

Ovilla Municipal Development District  
 Profit & Loss Budget vs. Actual  
 October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000100 · Taxes				
4000120 · Sales tax	1,514	20,000	-18,486	8%
<b>Total 4000100 · Taxes</b>	<b>1,514</b>	<b>20,000</b>	<b>-18,486</b>	<b>8%</b>
4000800 · Other Revenue				
4000840 · Interest Income	3	20	-17	15%
<b>Total 4000800 · Other Revenue</b>	<b>3</b>	<b>20</b>	<b>-17</b>	<b>15%</b>
<b>Total Income</b>	<b>1,517</b>	<b>20,020</b>	<b>-18,503</b>	<b>8%</b>
<b>Expense</b>				
9102200 · Special Services				
9102230 · Legal Fees	0	250	-250	0%
9102240 · Audit	0	1,600	-1,600	0%
9102250 · Accounting	0	250	-250	0%
<b>Total 9102200 · Special Services</b>	<b>0</b>	<b>2,100</b>	<b>-2,100</b>	<b>0%</b>
9102300 · Consultant Services				
9102310 · Consultant Fees	0	500	-500	0%
<b>Total 9102300 · Consultant Services</b>	<b>0</b>	<b>500</b>	<b>-500</b>	<b>0%</b>
9103100 · General Supplies				
9103110 · Office Supplies	0	100	-100	0%
<b>Total 9103100 · General Supplies</b>	<b>0</b>	<b>100</b>	<b>-100</b>	<b>0%</b>
9104200 · Travel Expense				
9104220 · Professional Development	0	250	-250	0%
<b>Total 9104200 · Travel Expense</b>	<b>0</b>	<b>250</b>	<b>-250</b>	<b>0%</b>
9105600 · Insurance				
9105620 · Insurance - Liability	72	200	-128	36%
<b>Total 9105600 · Insurance</b>	<b>72</b>	<b>200</b>	<b>-128</b>	<b>36%</b>
9105700 · Other Expenses				
9105705 · Postage	0	25	-25	0%
<b>Total 9105700 · Other Expenses</b>	<b>0</b>	<b>25</b>	<b>-25</b>	<b>0%</b>
9109000 · Reserves				
9109015 · Administrative Reserves	0	16,345	-16,345	0%
9109215 · Transfer Out - General Fund	0	500	-500	0%
<b>Total 9109000 · Reserves</b>	<b>0</b>	<b>16,845</b>	<b>-16,845</b>	<b>0%</b>

Ovilla Municipal Development District  
Profit & Loss Budget vs. Actual  
October 2012

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
Total Expense	72	20,020	-19,948	0%
Net Income	1,445	0	1,445	100%

**Ovilla Fire Department Auxiliary**  
**Profit & Loss Budget vs. Actual**  
**October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000800 · Other Revenue				
4000815 · Gifts	0	1,500	(1,500)	0%
4000830 · Vending Machines	57	1,000	(943)	6%
4000880 · Reduction in Fund Balance	0	5,750	(5,750)	0%
<b>Total 4000800 · Other Revenue</b>	<b>57</b>	<b>8,250</b>	<b>(8,193)</b>	<b>1%</b>
<b>Total Income</b>	<b>57</b>	<b>8,250</b>	<b>(8,193)</b>	<b>1%</b>
<b>Expense</b>				
5332100 · Employee Benefits				
5332196 · Membership Dues	0	100	(100)	0%
<b>Total 5332100 · Employee Benefits</b>	<b>0</b>	<b>100</b>	<b>(100)</b>	<b>0%</b>
5333400 · Maintenance Supplies and Parts				
5333460 · Supplies - Miscellaneous	68	3,000	(2,932)	2%
<b>Total 5333400 · Maintenance Supplies and Parts</b>	<b>68</b>	<b>3,000</b>	<b>(2,932)</b>	<b>2%</b>
5334200 · Travel Expenses				
5334220 · Professional Development	0	150	(150)	0%
<b>Total 5334200 · Travel Expenses</b>	<b>0</b>	<b>150</b>	<b>(150)</b>	<b>0%</b>
5335700 · Other Expense				
5335735 · Official Functions	0	3,000	(3,000)	0%
5335765 · Miscellaneous	0	2,000	(2,000)	0%
<b>Total 5335700 · Other Expense</b>	<b>0</b>	<b>5,000</b>	<b>(5,000)</b>	<b>0%</b>
<b>Total Expense</b>	<b>68</b>	<b>8,250</b>	<b>(8,182)</b>	<b>1%</b>
<b>Net Income</b>	<b>(11)</b>	<b>0</b>	<b>(11)</b>	<b>100%</b>

**Ovilla Police Department Special Fund  
Profit & Loss Budget vs. Actual  
October 2012**

	Oct 12	Budget	\$ Over Budget	% of Budget Thru October 9%
<b>Income</b>				
4000800 · Other Revenue				
4000815 · Gifts	0	8,000	(8,000)	0%
<b>Total 4000800 · Other Revenue</b>	<b>0</b>	<b>8,000</b>	<b>(8,000)</b>	<b>0%</b>
<b>Total Income</b>	<b>0</b>	<b>8,000</b>	<b>(8,000)</b>	<b>0%</b>
<b>Expense</b>				
5232600 · Special Expenses				
5232690 · Special Expenses - Other	0	2,265	(2,265)	0%
<b>Total 5232600 · Special Expenses</b>	<b>0</b>	<b>2,265</b>	<b>(2,265)</b>	<b>0%</b>
5235500 · Repairs and Bldg Improvements				
5235540 · Repairs - Machinery & Equipment	0	100	(100)	0%
<b>Total 5235500 · Repairs and Bldg Improvements</b>	<b>0</b>	<b>100</b>	<b>(100)</b>	<b>0%</b>
5235700 · Other Expense				
5235735 · Official Functions	0	500	(500)	0%
<b>Total 5235700 · Other Expense</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
5236400 · Minor Capital Outlay				
5236440 · Machinery and Equipment	620	1,800	(1,180)	34%
<b>Total 5236400 · Minor Capital Outlay</b>	<b>620</b>	<b>1,800</b>	<b>(1,180)</b>	<b>34%</b>
5239000 · Reserves				
5239010 · Administrative Reserves	0	3,335	(3,335)	0%
<b>Total 5239000 · Reserves</b>	<b>0</b>	<b>3,335</b>	<b>(3,335)</b>	<b>0%</b>
<b>Total Expense</b>	<b>620</b>	<b>8,000</b>	<b>(7,380)</b>	<b>8%</b>
<b>Net Income</b>	<b>(620)</b>	<b>0</b>	<b>(620)</b>	<b>100%</b>

# November 2012 Code Enforcement Report

Complaint- 63

Follow up -67

Door Notice - 17

Mail Notice- 2

Posted Property -2 grass

Court - No Permit - Postponed

Citizen contacts -72

Permits reviewed - 16

Permits issued - 14

Inspections - 19

Nuisance Abated By City- Junk vehicle/High Grass/Brush - 0

Nuisance- Signs - 32 (11 Garage Sale , 21 Business)

Nuisance - Illegal Dumping -

Court Results - 0

Garage Sale Permits - 163 at \$5 = \$80

Board Of Adjustment - 1 Special Exception Approved (Fence-Building Line)

# November 2012

## Animal Control Report

Complaint- 35

Follow up – 47

Door Notice – 12

Impounded Animal – 1

Impound Animal Results - 1 Return to Owner

Impound Fee Collected - \$35

Court – 4 Plea Guilty - \$400 (4 at large,)

Citizen contacts - 53

Tags Issued – 8 Total \$96.00

Registration Reminder Mailed- 0

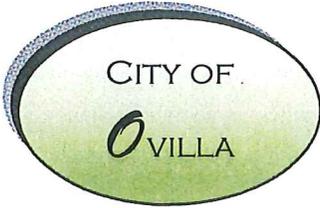
Nuisance Letter Mailed- 1

Animals Released -2 (1 Possum 1 Raccoon )

Deceased Removed - 16

Oak Leaf -1 Call (1 Dog – Transported )

Traps Checked Out - 7



# Villa City Council

## CONSENT REPORT

Meeting Date : December 10, 2012

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

Attachments:
<ul style="list-style-type: none"><li>◆ Financial transactions</li><li>◆ Minutes of the November 13, 2012 Regular Council Meeting</li><li>◆ Minutes of the November 17, 2012 Special Council Meeting</li></ul>
Agenda Item / Topic:
Consent/Action –Financial Transactions Consent/Action –Minutes – November 13 & November 17
Discussion / Justification:
Recommendation / Staff Comments:
Staff recommends approval.
Sample Motion(s):
<b><i>“I MAKE A MOTION THAT COUNCIL APPROVES THE CONSENT ITEMS AS PRESENTED.”</i></b>



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**DATE:** 12-10-12

**TO:** Honorable Mayor and Council Members

**FROM:** Sharon Jungman

**SUBJECT:** Expenditures in November 2012 over  
\$5,000

**City of Ovilla Expenditures in November  
2012 Over \$5,000**

**General Fund**

Date	Check#	Payee	Description	Amount
11/27/2012	40797	Blue Cross/Blue Shield	Health Insurance	\$5,758.24
11/29/2012	40805	Community Waste Disposal	Garbage Pick up for October	\$16,496.42
11/8/2012	ACH	Quick Books Payroll Service	Payroll	\$35,635.69
11/20/2012	ACH	Quick Books Payroll Service	Payroll	\$40,587.56
11/14/2012	40767	T.M.R.S.	Retirement	\$8,200.87
11/9/2012	ACH	US Treasury	Payroll Taxes	\$7,212.53
11/21/2012	ACH	US Treasury	Payroll Taxes	\$9,131.79
<b>Total General Fund Transactions Paid in November 2012 \$5,000 and Over</b>				<b>\$123,023.10</b>

**Water & Sewer Fund**

Date	Check#	Payee	Description	Amount
11/9/2012	14964	City of Dallas	Water Purchase	\$22,868.76
11/29/2012	14983	City of Ovilla General Fund	Garbage Transfer for Nov.	\$16,742.71
<b>Total Water &amp; Sewer Fund Transactions Paid in November 2012 \$5,000 and Over</b>				<b>\$39,611.47</b>

# CITY OF OVILLA MINUTES

*Monday, November 13, 2012*

*Regular City Council Meeting*

*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Leverentz called the Regular Council Meeting of the Ovilla City Council to order at 7:00 P.M. The following City Council Members were present:

Ralph Hall	Council Member Place 1
Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Richard Dormier	Council Member Place 5/Mayor Pro-Tem

Mayor Leverentz noted present members thus constituting a quorum. City Administrator Randy Whiteman, various department-heads and staff were also present.

PL3 Griffin gave the Invocation

PL4 Hunt led the recitation of the Pledge of Allegiance

## **COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS**

### **◆ Mayor's Comments:**

- Announced the planning of the Annual Christmas Tree Lighting was underway, scheduled for December 6, 7:00 p.m., at Heritage Park.
- Announced the dedication to all Veterans and the placement of three pavers scheduled on November 17 at 10:00 a.m., at the Ovilla Veteran's Memorial.
- Announced Randy Whiteman's resignation effective November 14 and presented Randy with a clock/plaque. PL4 Hunt presented Randy with an "Ovilla" monogrammed blanket and coffee mug. Citizen Dale Helm presented Randy with one of his own hand-made personalized clocks. Each Council Member voiced their appreciation to Randy and his service to Ovilla and wished him luck.

### **◆ Citizens Comments / Citizens Forum:**

1. Ms Dani Muckleroy: As a representative of the Salvation Army, Ms Muckleroy asked for volunteers to work the Wal-Mart in Red Oak during the holiday season. Contact information and business cards were left to schedule a block of hours for interested individuals.

### **◆ Department Activity Reports / Discussion**

- Police Department Chief M. Moon
  - Chief Moon praised Randy for always supporting and "backing up" the employees.
  - Briefed Council on the Police Department monthly report.
- Fire Department Assistant Chief P. Brancato
  - Chief Brancato praised Randy for his support and guidance during the budget process and helping him acclimate to his new role as head of the department.
  - Briefed Council on the Fire Department monthly report.
- Public Works Director B. Piland
  - PW Director Brad Piland thanked Randy for hiring him and giving him the opportunity as department director.
  - Briefed Council on the Public Works Department monthly report. PL3 Griffin shared received compliments on the refurbishing of Red Oak Creek Road.
- Finance Department City Accountant S. Jungman

- City Accountant Sharon Jungman thanked Randy for his help and said she was glad his new position would have him working closer to home.
- Briefed Council on the monthly Court report.
- Administration City Administrator R. Whiteman
  - Code Enforcement Officer Mike Dooly was present and voiced his appreciation to Randy.
  - Mr. Dooly briefed Council on the monthly Code Enforcement and Animal Control reports.
- Committees/General Information – None.

Randy thanked everyone (Council, staff and citizens) for working with him the past four years and stated he has enjoyed Ovilla. Additionally, Randy said he was proud of his staff and will miss them.

### CONSENT ITEMS

- Financial transactions
- Minutes of the October 22, Regular Council Meeting
- Minutes of the October 29, 2012 Special Council Meeting

PL1 Hall asked that the Minutes of the October 29 Special Council Meeting be pulled from Consent for discussion prior to approval. Mayor pulled the noted minutes and designated the minutes as Item 8 on the agenda.

PL4 Hunt made a motion to approve the remaining consent items: Minutes of the October 22, 2012 Council Meeting and the financial transactions as presented. PL2 Stevenson seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

***VOTE: The motion carried unanimously: 5-0.***

### REGULAR AGENDA

**ITEM 1.***DISCUSSION/ACTION* – Consider director reappointments and/or approve solicitation for applications for the Municipal Development District.

Staff was instructed to solicit for interested applicants and return to Council.

***There was no action.***

**ITEM 2.***DISCUSSION/ACTION* – Consider Proposed Resolution 2012-013 adopting a Council Rules of Procedure, Placement and Order of Items on Agendas.

During the October 22, Council meeting staff was instructed to return with revisions to a draft resolution provided by Ovilla's legal counsel. Staff submitted two optional resolutions for Council's review. Option 1, prepared by legal counsel included a few changes and Option 2 was a draft (suggestions only) by Mayor ProTem Dormier, put into resolution form. Members shared their thoughts on proper procedure for placement with differing opinions. After compromise, Council agreed to combine portions of both drafted options.

PL1 Hall made the motion to amend Option 1 with the following:

1. Under A. (1) add the word "only" to the end of the sentence to read: *The Mayor or any Council Member may place any subject matter on the agenda for discussion only.*
2. A. (2) shall read: *Two Council Members (not including the Mayor) can place an item on the agenda for action and will be heard within a month of the request.*
3. A. (3) shall read: *The City Administrator may place any subject matter on the agenda.*
4. A. (4) shall read: *All agenda items to be placed on the agenda must be submitted to the City Secretary in writing no later than 4:30 p.m., on the third day before the date of the agenda posting (e.g. agenda items due by 4:30 p.m., on Tuesday for posting of agenda on Friday).*
5. A. (5) shall read: *All requests for agenda placements must clearly state the nature and subject matter of the item to be considered and be accompanied by any applicable supporting data.*

The remaining wording under Option 1 shall be as presented. PL 2 Stevenson seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Council Members, PL1 Hall, PL2 Stevenson, PL3 Griffin and Mayor Pro Tem Dormier announced AYE in favor. PL4 Hunt voted in opposition stating his desires for agenda/packets and postings to be earlier than the 72-hour deadline. No abstentions.*

**VOTE: The motion carried: 4-1.**

**ITEM 3. DISCUSSION/ACTION** – Consider appointment of Interim City Administrator and/or consultant, and approve compensation.

PL4 Hunt suggested allowing the Mayor to act as interim. PL3 Griffin stated that he believed that staff was capable and reliable to work temporarily without a City Administrator. Knowing that the Mayor is out of town often on business, appointing the Mayor Pro-Tem might be more feasible. Additionally, retaining Randy for \$1,000 a month for assistance would be a good idea. Council debated PL3 Griffin's suggestions. PL1 Hall agreed with an appointment of Mayor Pro-Tem Dormier as interim and believed Council could rely on the department heads until a new City Administrator was hired.

PL1 Hall made the motion that Council approves the appointment of Mayor Pro-Tem Dormier as interim City Administrator. PL2 Stevenson seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Council Members PL1 Hall, PL2 Stevenson, PL3 Griffin and Mayor Pro-Tem Dormier announced AYE in favor. PL4 Hunt voted in opposition. No abstentions.*

**VOTE: The motion carried: 4-1.**

**ITEM 4. DISCUSSION/ACTION** – Consider an Inter-local Agreement between the City of Ovilla and the City of Oak Leaf for the Provision of Animal Control Services.

PL4 Hunt voiced concerns that Ovilla was not being compensated for animal control services adequately and suggested revising the costs for services.

PL2 Stevenson made the motion that Council approves the Interlocal Agreement between the City of Ovilla and the City of Oak Leaf for the Provision of Animal Control Services with the following amended charges to the contract:

- |  |               |
|--|---------------|
| 1. (1) a. Animal Pick Up                 | \$65 per hour |
| 2. (1) b. Animal Traps                   | \$65 per trap |
| 3. (1) c. Dead Animal Pick up            | \$40 per hour |
| 4. (1) d. Called out but no animal found | \$65 per hour |

- |   |                         |
|---|-------------------------|
| 5. (1) e. Court appearance by A/C Officer           | \$25 per hour           |
| 6. (1) f. Reported Biting                           | \$40 per hour           |
| 7. (1) g. Delivery of animal to entity outside city | \$45 per hour           |
| 8. (1) h. Additional assistance required            | \$25 per hour / per man |

PL1 Hall seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

***VOTE: The motion carried unanimously: 5-0.***

**ITEM 5.        *DISCUSSION ONLY*** – Discussion related to the installation/replacement of utilities (sewer & water) lines for downtown Ovilla and continuing to City Hall.

PL1 Hall addressed the Council commenting that he could smell the City Hall septic system outside right now. It was not determined or discussed that it was the city's septic system and not some other system in the area. PL2 Stevenson said on more than one occasion he had been asked by citizens why the city is watering during a drought. When he explained that it was septic water spraying, they acted offended that "that type water" was being sprayed in the air. PL1 Hall also said that Ovilla was going to lose a business (the post office/cleaners) because they could not get adequate sewer to their location. He said it was time the city helped the downtown develop by extending the sewer through downtown and to City Hall. Staff pointed out that potential sewer lines to serve City Hall would be on Cockrell Hill Road, not West Main. Meaning, it would take two sewers to serve both areas. It was stated that until the sewer was extended up to the vacant land across from Ashburne Glen, the City would most likely stay on septic.

Several comments, including some from the audience discussed Mrs. Wade's (Main Street Cleaners/Post Office) attempts to get sewer to her building and it was determined that she had not met all the requirements set out by either the Council or the Economic Development Corporation (EDC) Board. Mayor ProTem Dormier said there might be a way for Mrs. Wade to get sewer if the city granted her an easement to run a private force main to the sewer in front of the Medical Clinic. City Administrator Randy Whiteman stated that was contrary to city policy. Council asked Mayor ProTem Dormier to check into the possibility with Mrs. Wade and let them know.

PL4 Hunt asked about the water line to serve Water Street. Mayor Leverentz explained that the Water Street line was never funded because the road would have to be rebuilt as well. Water Street was not on this year's Capital Improvement Projects (CIP) list. Public Works Director Brad Piland explained that when the line was completed it would serve not only Water Street, but provide a necessary loop-feed to Ovilla Oaks and Cumberland Forest. He said even though the pressure was good for both areas, the lack of a secondary feed was cause for concern. Brad said he has had the City's engineer to redesign the line location and size to allow the line to utilize city property when possible and intersect with the highway - bore already in place in front of Ali's. The Council asked Mayor ProTem Dormier to assist Brad in getting a quote on the project and possibly letting city crews do the job. Brad said he thought they could do everything but the creek crossing.

***Discussion Only. There was no action.***

**Mayor Leverentz called a break at 8:50 p.m.**

**Mayor Leverentz resumed the meeting at 9:00 p.m.**

**ITEM 6. DISCUSSION ONLY** – Discuss any updated negotiations and progress with Ovilla Auto.

Mayor Pro-Tem Dormier and Code Enforcement Officer Mike Dooly met to review the issues with Ovilla Auto and hoped to find a solution for Mr. Tennison's business to remain compliant with Ovilla's Code. Mr. Dooly developed a draft ordinance that would revise the existing ordinance to carve out an exception to cover auto repair and allow vehicles to remain on the premises for a reasonable time for mechanics lien. Council conferred and offered suggestions to the draft. Code Enforcement Officer Dooly would return with the changes.

**Discussion Only. There was no action.**

**ITEM 7. DISCUSSION/ACTION** – Consider nomination, appointment and/or solicitation for applications to fill vacancy on the Planning and Zoning Commission.

P & Z Member Emmett Fox submitted his resignation, leaving an unexpired term. Mayor ProTem Dormier directed staff to check with two previous applicants that had not been appointed: Mr. Dean Oberg and Mr. Darrell Jungman, both currently serving on the Capital Improvements Projects Committee. It was also recommended that staff begin soliciting voluntary board applicants.

**Discussion Only. There was no action.**

**ITEM 8. DISCUSSION/ACTION** – Consider approval of the minutes of the Special Council Meeting of October 29, 2012.

PL1 Hall asked that this be pulled from the Consent Agenda for discussion; particularly the city administrator job posting attached to the minutes. During previous meetings, PL1 Hall thought it was consensual that long-range planning needed to be added to the City Administrator's job description. Randy Whiteman explained that what was attached to the minutes was the posting for the job, not the actual job description. Council could consider revising the job description at a later date.

PL1 Hall made the motion that Council approves minutes of the October 29, 2012 Special Council Meeting. PL3 Griffin seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

**VOTE: The motion carried unanimously: 5-0.**

**Adjournment**

There being no further business, Mayor Leverentz adjourned the meeting at 9:25 p.m.

\_\_\_\_\_  
Thomas Leverentz, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary

**Approved December 10, 2012**

# CITY OF OVILLA MINUTES

*Monday, November 17, 2012*

*Special City Council Meeting*

*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Leverentz called the Special Council Meeting of the Ovilla City Council to order at 9:00 a.m. The following City Council Members were present:

Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Richard Dormier	Council Member Place 5/Mayor ProTem

Absent: Ralph Hall Council Member Place 1

Mayor Leverentz noted present members thus constituting a quorum.

Mayor Leverentz gave the Invocation and led the recitation of the Pledge of Allegiance.

## **COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS**

### **◆ Mayor's Comments:**

- Reminded Council that the dedication to all Veterans and the placement of three pavers was scheduled today at 10:00 a.m., at the Ovilla Veteran's Memorial.
- Mayor advised that he had briefly reviewed submitted applications/resumes for the city administrator position. A workshop/special meeting would be scheduled sometime after the Thanksgiving holiday for the governing body to review all applicants.

## **REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Consideration to hire Randy Whiteman as a consultant on an interim basis for the City of Ovilla at \$1000.00 per month.

PL3 Griffin opened discussion by acknowledging that although Mayor ProTem Dormier had been appointed interim City Administrator (November 13 Council Meeting), he would be unable to act in the capacity full-time. In his opinion, hiring Randy Whiteman on a contractual basis for \$50 a day and having the advantage of unlimited access to Randy's expertise and knowledge was a good option. Mayor ProTem Dormier and PL4 Hunt concurred. Additionally, Randy had already received approval from his new employer to assist Ovilla until a new City Administrator was hired. *The Letter of Understanding* prepared had previously been reviewed and endorsed by Ovilla's legal counsel.

PL2 Stevenson made the motion that Council authorizes Mayor Leverentz to sign the *Letter of Understanding* to hire Randy Whiteman as a consultant on an interim basis for the City of Ovilla at \$1,000 per month; seconded by PL3 Griffin.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council Members announced AYE in favor. No opposition. No abstention.*

***VOTE: The motion carried: 4-0; PL1 Hall absent.***

**ITEM 2. DISCUSSION/ACTION** – Consider approval of bank and investment pool resolutions updating authorized signatures.

With the resignation of City Administrator Randy Whiteman, the bank account and investment pools resolutions required updating.

PL3 Griffin made the motion to approve the placement of Mayor ProTem Dormier as an authorized signature on all city bank accounts and investment pool resolutions, and, to remove Randy Whiteman from the same; seconded by PL2 Stevenson.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council Members announced AYE in favor. No opposition. No abstention.*

***VOTE: The motion carried 4-0; PL1 Hall absent.***

**Adjournment**

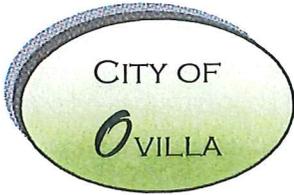
There being no further business, Mayor Leverentz adjourned the meeting at 9:25 a.m.

\_\_\_\_\_  
Thomas Leverentz, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary

***Approved December 10, 2012***



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 1 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>		
1. Current MDD Membership		
2. Application		
<b>Agenda Item / Topic:</b>		
<b>ITEM 1.</b>	<b>DISCUSSION/ACTION</b> – Consider director reappointments and/or approve solicitation for applications for the Municipal Development District.	
<b>Discussion / Justification:</b>		
Staff was directed to contact an applicant for her interest in serving on the board (or other boards) – resulting in a positive response. (Name-Barbara Byrum-Key)		
The MDD was established in November 2009 following the residents of the City and ETJ voted its authorization in a special election.		
The MDD By-Laws state the Board shall consist of five directors, each of whom shall be appointed by Council and must be a resident of either the City of Ovilla or its Extra Territorial Jurisdiction (ETJ). Each member shall be appointed to serve two years with place number to coincide with even/odd years. Not less than two directors shall be persons who are not employees, officers of the City or members of the Council.		
PL2 (formerly held by Mike Dickey) - vacant PL4 held by Mayor Leverentz PL3 currently held by Charles Daniels and expires in November 2013, however, it is rumored that Mr. Daniels no longer resides in Ovilla.		
<b>Recommendation / Staff Comments:</b>		
N/A		
<b>Sample Motion(s):</b>		
<b>“I MAKE A MOTION THAT COUNCIL APPOINTS THE FOLLOWING TO THE MDD BOARD FOR A NEW TERM and/or FILL VACANCY TO COMPLETE TERM:</b>		
<b>PL 2</b> _____	<b>PL3</b> _____	<b>PL4</b> _____
<b>AND/OR</b>		
<b>“I MAKE A MOTION THAT COUNCIL AUTHORIZES STAFF TO CONTINUE SOLICITATION FOR BOARD APPLICATIONS AND RETURN TO COUNCIL FOR REVIEW, CONSIDERATION AND APPOINTMENT.”</b>		

MDD & CIP  
Municipal Dev. District / Capital  
received  
9-17-12

DATE RECEIVED:



This Information is Public Record  
Public Service opportunities are offered by the City Of Ovilla without regard  
to race, color, national origin, religion, sex or disability.

**CITY OF OVILLA  
BOARD AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

*(Faint, illegible text)*

**Boards and commissions members must meet the required qualifications listed below:**

- ❖ Be a resident of the city for at least 6 months prior to date of appointment;
- ❖ Be a qualified voter at the time of the appointment;
- ❖ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ❖ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ❖ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ❖ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ❖ Have a creditable record of attendance and performance in any previous board service.

\*\*If you are interested in applying for more than one position, please indicate the order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)\*\*

- BOARDS AND COMMISSIONS**
- # 1  Planning and Zoning Commission
  - Board of Adjustment
  - Economic Development Corporation
  - Municipal Development District
  - Capital Improvements Projects Committee

- MEETING INFORMATION**
- 1<sup>st</sup> Monday of each month – 7:00 PM
  - 3<sup>rd</sup> Monday of each month – 7:00 PM
  - Every other 4<sup>th</sup> Monday – 6:00 PM
  - Every other 1<sup>st</sup> Monday – 6:00 PM
  - As needed

NAME BARBARA BYRUM-KEY

HOME ADDRESS 305 SHADOW WOOD  
OVILLA, TX 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 38 YR EMAIL \_\_\_\_\_

HOME TELEPHONE: \_\_\_\_\_ BUSINESS TELEPHONE \_\_\_\_\_

PROFESSION RETIRED SEC. TO MIDDLE SCHOOL PRINCIPAL

INTERESTS GARDENING, OUTDOOR ACTIVITIES,  
COOKING-

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

Served on PLANNING & ZONING SEVERAL YEARS Ago.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

NO.

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

NO

If yes to one or both, please list the municipality, committee and dates served:

[Empty box for listing municipalities, committees, and dates served]

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ PARTICIPANT IN HERITAGE DAY
- ❖ RAISED MONEY FOR A YOUNG BOY IN OUR COMMUNITY WHO WAS PARALYZED.

5.) WOULD YOU BE WILLING TO SERVE ANY COMMITTEE IF APPOINTED? NO  
(YES OR NO)

6.) IF YOU ARE INTERESTED IN SERVING ON A SPECIFIC BOARD OR COMMISSION, PLEASE SPECIFY

PLANNING & ZONING.

Barbara Byrum-Key  
SIGNATURE

9-15-12  
DATE

Barbara Byrum-Key  
PRINTED NAME OF APPLICANT

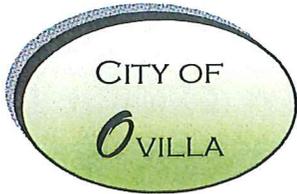


CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pam Woodall



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 2 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>	
1. Current CIP Membership	
<b>Agenda Item / Topic:</b>	
<b>ITEM 2.</b>	<b>DISCUSSION/ACTION</b> – Consider member appointments and/or approve solicitation for applications for the Capital Improvements Projects Committee.
<b>Discussion / Justification:</b>	
The current CIP membership is Darrell Jungman, Paul Lamar and Dean Oberg (unless he is moved to P&Z). Mayor Leverentz and Mayor ProTem Dormier may attend.  Ms Byrum–Key offered to serve on the CIP or the MDD.	
<b>Recommendation / Staff Comments:</b>	
N/A	
<b>Sample Motion(s):</b>	
"I MAKE A MOTION THAT COUNCIL APPOINTS THE FOLLOWING TO SERVE ON THE CIP BOARD, _____."	
OR	
"I MAKE A MOTION THAT COUNCIL AUTHORIZES STAFF TO CONTINUE SOLICITATION FOR BOARD APPLICATIONS AND RETURN TO COUNCIL FOR REVIEW, CONSIDERATION AND APPOINTMENT."	

***CITY OF OVILLA***  
**Capital Improvement Projects Committee**

**New Members as of July 23, 2012**

**Brad Piland – PW Director  
Darrell Jungman  
Paul Lamar  
Dean Oberg**

**Former Committee**

**Tom Leverentz, Mayor Pro-Tem  
Richard Dormier, Place Five  
~~Michael Dickey, Place Two-February 2012 resigned~~  
Brad Piland, Public Works Director**

**Randy Whiteman, City Administrator**

DATE RECEIVED:

received  
9-17-12



This Information is Public Record  
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to race, color, national origin, religion, sex or disability.

**CITY OF OVILLA**  
**BOARD AND COMMISSIONS**  
**INFORMATION STATEMENT AND APPLICATION**

*The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.*

**Boards and commissions members must meet the required qualifications listed below:**

- ❖ Be a resident of the city for at least 6 months prior to date of appointment;
- ❖ Be a qualified voter at the time of the appointment;
- ❖ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ❖ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ❖ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ❖ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ❖ Have a creditable record of attendance and performance in any previous board service.

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**BOARDS AND COMMISSIONS**

- 1 Planning and Zoning Commission
- Board of Adjustment
- Economic Development Corporation
- Municipal Development District
- Capital Improvements Projects Committee

**MEETING INFORMATION**

- 1<sup>st</sup> Monday of each month – 7:00 PM
- 3<sup>rd</sup> Monday of each month – 7:00 PM
- Every other 4<sup>th</sup> Monday – 6:00 PM
- Every other 1<sup>st</sup> Monday – 6:00 PM
- As needed

NAME BARBARA BYRUM-KEY

HOME ADDRESS 305 SHADOW WOOD  
OVILLA, TX 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 38 Yr EMAIL

HOME TELEPHONE  BUSINESS TELEPHONE

PROFESSION Retired Sec. To middle School Principal

INTERESTS GARDENING, OUTDOOR ACTIVITIES,  
COOKING-

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

Served on PLANNING & ZONING SEVERAL YEARS Ago.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

NO.

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

NO

If yes to one or both, please list the municipality, committee and dates served:

Empty box for listing municipalities, committees, and dates served.

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ PARTICIPANT IN HERITAGE DAY
- ❖ RAISED MONEY FOR A YOUNG BOY IN OUR COMMUNITY WHO WAS PARALYZED.

5.) WOULD YOU BE WILLING TO SERVE ANY COMMITTEE IF APPOINTED? NO  
(YES OR NO)

6.) IF YOU ARE INTERESTED IN SERVING ON A SPECIFIC BOARD OR COMMISSION, PLEASE SPECIFY  
PLANNING & ZONING.

Barbara Brown-Key  
SIGNATURE

9-15-12  
DATE

Barbara Brown-Key  
PRINTED NAME OF APPLICANT

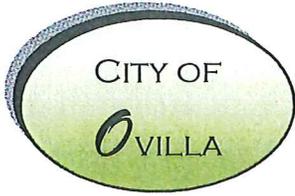


**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

**RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262**

**ATTENTION: Pam Woodall**



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 3 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration

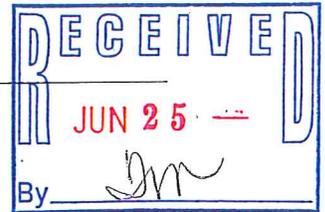
Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>
1. Current P&Z Membership 2. Application
<b>Agenda Item / Topic:</b>
<b>ITEM 3. DISCUSSION/ACTION</b> – Consider nomination, appointment and/or solicitation for applications to fill vacancy on the Planning and Zoning Commission.
<b>Discussion / Justification:</b>
Last Council meeting staff shared Mr. Fox’s resignation, leaving a vacancy on the P&Z. Mr. Dean Oberg is a current member on the Capital Improvements Projects Committee and a former P & Z Member. Staff was directed to contact Mr. Oberg to inquire his interest in serving on the P&Z again. Mr. Oberg’s response was affirmative if Council approves. (Leaving a vacancy on the CIP)
<b>Recommendation / Staff Comments:</b>
N/A
<b>Sample Motion(s):</b>
<b>“I MAKE A MOTION THAT COUNCIL APPOINTS Mr. Dean Oberg TO SERVE AS PLACE 4 ON THE PLANNING &amp; ZONING COMMISSION FOR THE REMAINDER OF THE TERM (EXPIRES 2014).”</b>
<b>OR</b>
<b>“I MAKE A MOTION THAT COUNCIL AUTHORIZES STAFF TO CONTINUE SOLICITATION FOR BOARD APPLICATIONS AND RETURN TO COUNCIL FOR REVIEW, CONSIDERATION AND APPOINTMENT.”</b>

DATE RECEIVED:



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To race, color, national origin, religion, sex or disability.

CITY OF OVILLA
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION

The City of Ovilla desires qualified, interested citizens to serve on city boards and/or
commissions. We appreciate your interest in Ovilla's current needs and future. If you believe
you meet the requirements and have the allowed time to serve on a board or commission,
please complete the following.

Board and commission members must meet the required qualifications listed below:

- Be a resident of the city for at least 6 months prior to date of appointment;
Be a qualified voter at the time of the appointment;
Have no criminal record that is considered by the City Council to be so serious that it serves as a
disqualification (i.e. felony conviction);
Not be an adversary party to pending litigation or claim against the city (except for eminent
domain proceedings);
Not to be an employee or a business associate of either an adversary party or a representative of
an adversary party;
Not in arrears on city taxes, water service charges or other obligations owed to the city; and
Have a creditable record of attendance and performance in any previous board service.

\*\*If you are interested in applying for more than one position, please indicate the order of your preference
by placing a number in the space to the left of the board/commission/committee for which you are applying
(#1 being your 1st choice, #3 being your last choice)\*\*

BOARDS AND COMMISSIONS

- Planning and Zoning Commission
2 Board of Adjustment
Economic Development Corporation
Municipal Development District
P.F.C.

MEETING INFORMATION

- 1st Monday of each month - 7:00 PM
3rd Monday of each month - 7:00 PM
Every other 4th Monday - 6:00 PM
Undetermined

NAME DEAN L. OBEDI
HOME ADDRESS 204 OAKWOOD LN.
OVILLA, TX 75154
HOW LONG HAVE YOU LIVED IN OVILLA? 25 YR
HOME TELEPHONE 9217-6745 BUSINESS TELEPHONE 21860-7432
PROFESSION SUP. OF GROUNDS FOR G.P.I.S.D.
INTERESTS FAMILY, HUNTING, FISHING

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

CONSTRUCTION, CONCRETE, ASPHALT

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

P. & Z

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

[Empty box for listing municipalities and dates served]

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- Three bullet points with lines for listing activities.

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) G.P.I.S.D.

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied.

[Signature]  
SIGNATURE

6/24/12  
DATE

DEAN L. OBERG  
PRINTED NAME OF APPLICANT

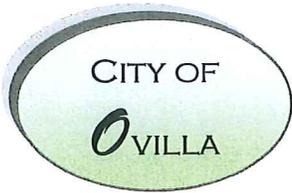


CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Higgins



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 4 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration/Code Enf.

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>
1. Council recommended changes to Chapter 8, Code of Ordinances.
<b>Agenda Item / Topic:</b>
<b>ITEM 4.</b> <b>DISCUSSION/ACTION</b> – Consider changes Chapter 8, Offenses and Nuisances, Section 8.05.001, junked vehicles, and direct staff to forward approved changes to legal counsel for ordinance preparation.
<b>Discussion / Justification:</b>
The Council considered changes to Chapter 8, Code of Ordinances, developed by Code Enforcement Officer Mike Dooly and Mayor ProTem Dormier in the last meeting. Staff was directed to return to Council with the typed changes. These are the amendments directed by Council.
<b>Recommendation / Staff Comments:</b>
<b>Sample Motion(s):</b>
<b>“I MAKE A MOTION THAT COUNCIL APPROVES THE PRESENTED CHANGES AND DIRECTS STAFF TO FORWARD TO LEGAL COUNSEL FOR ORDINANCE PREPARATION.”</b>

This change in the ordinance will

- A) Allow 6 months for vehicles qualified as junk vehicles to be on the repair lot
- B) Allow storage of vehicles properly screened from view
- C) Allow for auto sales by auto garage for 90 days after title received.

(Ordinance 08-018, sec. 1, adopted 8/25/08)

(2) The term “junked vehicle” in a residentially zoned area does not include:

(A) A vehicle or part there of which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property;

(B) A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard; or

(C) An unlicensed operable or inoperable antique and special interest vehicle stored by a collector on his property, provided that the vehicle and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means

(3) The term “junked vehicle” in a non- residentially zoned area does not include

(A) Any vehicle on the property of a licensed auto garage for the purpose of repair provided-

(1) Vehicles not having attached valid license and valid registration may remain outside the repair garage for a period not to exceed 180 (one hundred eighty days) provided a mechanics lien has been properly filed and documentation can be provided to Code Enforcement or Designated City official.

(2) Vehicles stored in such a manner that does not constitute a health hazard, screened from public view on all sides by means of a fence or screening wall.

#### Definition

Auto Sales /New and Used –An open area or lot used for the display or sale of automobiles, trucks Auto Garage Owner are permitted to sell vehicles obtained by Mechanics lien or received in lieu of payment for services rendered. Such vehicles allowed for sale on premises 90 days after title has been received by garage owner.



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 5 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration/Water Dept.

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>	
1. Letter from AVR	
2. Current AVR Annual Agreement	
<b>Agenda Item / Topic:</b>	
<b>ITEM 5.</b>	<b>DISCUSSION/ACTION</b> – Consider and review the City’s process for utility billing and consider alternatives.
<b>Discussion / Justification:</b>	
Staff recently received notice from the city’s contractual software provider for utility billing statement of changes. AVR advised that certain regulations will require them to terminate the use of providing postcards.	
<b>Recommendation / Staff Comments:</b>	
<b>Sample Motion(s):</b>	
“I MAKE A MOTION THAT COUNCIL _____.”	



Total Solutions for the Utility Billing Industries - Since 1964

Tammy McCoy  
Ovilla, City of  
105 South Cockrell Hill Rd  
Ovilla, TX 75154

\$1499.00

\$187.24

HP LaserJet 600 M60



Dear Tammy McCoy,

As I am sure you are aware, the United States Postal Service will be enacting new requirements and regulations on bulk mail processors on January 28<sup>th</sup>, 2013. The main change is the discontinuing of the POSTNET barcode and the requiring of the Intelligent Mail Barcode (elsewhere referred to as the ImB). AVR has been hard at work to research how this change will affect you as one of our valued customers. These new regulations will affect you in two ways.

The first change is in how it will affect CASS certification. AVR has been using a Pitney Bowes product, SmartMailer, to process your CASS certifications. This software was capable of processing numerous POSTNET compliant CASS certifications, but is unable to process multiple ImB compliant CASS certifications. It is cost prohibitive for us to purchase individual SmartMailer software rights for each CASS certification that needs to be processed. Due to the new barcode requirements and the additional costs that it causes, we will no longer be able to process your CASS certification as of January 1<sup>st</sup>, 2013.

If you choose to continue to process your own mail, AVR has made the commitment to make our software compliant with Pitney Bowes SmartMailer software for the ImB in order to ease this transition. To learn more about how to purchase and operate this software, please visit their website listed below. In addition, AVR is welcome to hold a webinar that will give you basic overview of how to go into the SmartMailer software and set it up for ImB. AVR can provide you with resources that guide you through how the new regulations will affect how you process and submit your mail to the post office.

<http://www.pb.com/software/Mailing-and-Postal-Compliance/CASS-Certification/SmartMailer7-SmartMailer-Premium-Mail-Management-Software.shtml>

If you have prepaid for CASS certification past this effective date, then you will be issued a prorated return by our Accounts Payable department.

The second change is that AVR will no longer be able to support postcards as of January 1<sup>st</sup>, 2013. The USPS ImB regulations have affected the programming and design of the postcard form so severely that it has made it prohibitive for us to continue to offer this option. We will be requiring that you move to paper-statements.

Trisha will be contacting you to handle the transition from your current bill program to the paper statement program.

You may choose from several generic forms that we keep in stock. AVR will be contacting you with your form options.

Trisha Innis  
Project Manager

AVR, Inc. 2000 W. Governors Circle, Suite M • Houston, Texas 77092 • Bus: 713.523.1623, Ext. • Fax: 713.523.0571

[www.avrub.com](http://www.avrub.com)

SOFTWARE MAINTENANCE AGREEMENT

THIS SOFTWARE MAINTENANCE AGREEMENT ("Agreement") is made as of the Effective Date by and between AVR, Inc. with offices located at 2000 W Governors Circle Suite M, Houston, Texas 77092 (hereinafter "AVR, Inc.") and City of Ovilla with offices located at South Cockreel Hill Rd. Ovilla, TX 75154 (hereinafter "Customer").

**WITNESSETH:**

WHEREAS, AVR, Inc. has licensed to Customer that certain Licensed Software and Documentation as defined in that certain Software License Agreement by and between AVR, Inc. as Licensor and Customer as Licensee for that certain computer software known as uVision ("Software License"), which is incorporated herein by this reference; and

WHEREAS, effective use of the Licensed Software and Documentation requires certain maintenance, training and user support services; and

WHEREAS, AVR, Inc. is in the business of maintaining the Licensed Software and Documentation and has the expertise to maintain the Licensed Software and Documentation; and

WHEREAS, AVR, Inc. is in the business of providing computer software training and support services for the Licensed Software; and

WHEREAS, Customer desires AVR, Inc. to provide Customer with computer software maintenance, training and user support services for the Licensed Software and Documentation.

NOW, THEREFORE, in consideration of the mutual benefits of the covenants and restrictions herein contained, AVR, Inc. and Customer hereby agree as follows:

**ARTICLE I: RECITALS AND DEFINITIONS**

Section 1.01 -- Recitals: The above recitals and identification of parties is true and correct.

Section 1.02 -- Definitions: The following definitions shall apply:

- (1) Computer: The term "Computer" shall mean the computer as defined in the Software License, including any and all additional or replacement equipment attached thereto or integrated therewith by Customer during the Maintenance Term as well as any updates, revisions, or upgrades thereto.
- (2) Defect: The term "Defect" shall mean any deviation between the actual performance, utility and functionality of the Licensed

Software on the Computer and the performance, utility, and functionality of the Licensed Software as represented in the Documentation. The term "Defect" shall also mean any inefficiency or problem encountered in using, operating or executing the Licensed Software.

- (3) Documentation: The term "Documentation" shall mean the user manuals, systems documentation, brochures, product and service descriptions and training materials for the Licensed Software including all modifications, improvements, replacements, updates, enhancements, additions, upgrades and changes thereto made from time to time during the Maintenance Term.
- (4) Effective Date: The term "Effective Date" shall mean the date this Agreement is signed by AVR, Inc..
- (5) Enhancement: The term "Enhancement" shall mean a change to the Licensed Software desired by Customer involving substantial programming additions or modifications to the source code of the Licensed Software which is performed by AVR, Inc. pursuant to Section 3.02 of this Agreement for use solely by Customer.
- (6) Implement: The term "implement" and variants thereof (including, but not limited to, the terms "implementation", "implementing" and "implemented") shall mean to install and make fully operational for user access and use.
- (7) Licensed Software: The term "Licensed Software" shall mean uVision as defined in the Software License and as improved, modified, replaced, updated, enhanced, upgraded, corrected, maintained and further developed from time to time by AVR, Inc. during the Maintenance Term.
- (8) Maintenance: The term "Maintenance" shall mean the work required by AVR, Inc. to keep its software operating as intended, but does not specifically include (unless purchased by the Customer) the additional services listed in Section 3.04 below)
- (9) Maintenance Term: The term "Maintenance Term" shall mean a period starting with the Effective Date and continuing for twelve (12) consecutive months or until terminated under this Agreement. This Agreement shall automatically renew starting with the first anniversary of the Effective Date and each anniversary thereafter, unless notice of its election not to renew is delivered to the non-terminating party within sixty (60) days of the

then current term.

- (10) Update: The term "Update" shall mean any and all corrections, updates, additions, or changes to the Licensed Software.

#### **ARTICLE II: MAINTENANCE SERVICES**

Section 2.01 -- Error Correction: AVR, Inc. shall correct any Defects in the Licensed Software within a reasonable time after such Defect is reported to AVR, Inc. by Customer, during normal business hours 8:00 a.m. to 5:00 p.m. CST Monday to Friday, excluding holidays as follows:

- (1) Problem Reporting: Upon discovering a Defect, Customer shall report the Defect ("Service Request") to Help Desk by prompt communication by telephone, e-mail or faxing a report. The Help desk will be responsible for facilitating Error Correction Services. A Help Desk coordinator will be responsible for logging and tracking Errors after they have been reported by Customer, contacting the Technical Coordinator to confirm receipt of a Problem Report and jointly determining the priority level of the Error. Priority levels will be determined as follows:

A. Priority "Level 1" - Means a Discrepancy with the software which causes substantial downtime of the system, or which causes data corruption, or which otherwise renders the Software inoperable or significantly impacts functionality. Discrepancy given this priority have no viable workaround or voidance procedure. These discrepancies will be addressed immediately. Customer will be advised by the Help Desk as to the status of efforts to resolve the "Level 1" Error.

B. Priority "Level 2" - Means a Discrepancy with the software which results in an inconvenience to users but do not render the software inoperable, but which have an important impact on functionality. These discrepancies will be addressed after all "Level 1" errors have been resolved.

C. Priority "Level 3" - Means a Discrepancy in the software which can easily be avoided or detoured. Discrepancy given this priority have a workaround and which does not have impact on functionality. These are low priority issues that shall be responded to within (48) hours after receiving request.

- (2) Telephone Support: Within one (1) business day of receiving a Service Request, AVR, Inc. shall provide unlimited telephone support in the form of consultations, assistance and

advice concerning use of the Licensed Software and correction of the Defect.

- (3) Off-site Support: If a Defect cannot be corrected through telephone support AVR, Inc. shall immediately begin conducting tests and analysis at AVR, Inc.'s facility designed to reproduce, isolate and correct the Defect on a first priority basis using data and information provided to AVR, Inc. by Customer. Customer shall submit to AVR, Inc. all such data and information which AVR, Inc. may reasonably require to reproduce the Defect on AVR, Inc.'s computer located at AVR, Inc.'s facility.

- (4) On-Site Support: If a Defect can not be corrected at AVR, Inc. we shall provide qualified software engineers at Customer's facility for the purpose of correcting the Defect ("On-site Services"). AVR, Inc. shall implement work around processes designed to minimize the impact of the Defect while AVR, Inc. continues on-site testing and analysis procedures for the purposes of reproducing, isolating and correcting the Defect.

Section 2.02 -- Software Updates: AVR, Inc. shall implement all Updates on the Computer within thirty days after the date that such Update is released by AVR, Inc. Along with any Updates provided to Customer by AVR, Inc. hereunder, AVR, Inc. shall provide documentation describing the purpose, function and utility of such Update.

#### **ARTICLE III: CUSTOMER SUPPORT**

Section 3.01 -- Customer Consultations: AVR, Inc. shall provide Customer with unlimited telephone consultations in answering questions concerning use of the Licensed Software. AVR, Inc. shall respond to any such questions on a priority basis.

Section 3.02 -- Program Modifications: Upon discovering a desired Enhancement in the Licensed Software, Customer may request implementation of the Enhancement. AVR, Inc. shall implement such Enhancements, at its discretion, as of the software release of the Licensed Software next following the date implementation of the Enhancement is requested. Along with any Enhancements provided to Customer by AVR, Inc. hereunder, AVR, Inc. shall provide documentation describing the purpose, function and utility of such Enhancement. Such modifications shall not jeopardize the basic functionality of the Software or coverage of the Software under this Section. AVR, Inc. reserves the right and ownership of all Enhancements and may at its discretion provide these Enhancement to all Customer at the next release of Licensed Software Update. These services are normally charged on a time and materials basis including expenses and are subject to availability.

Section 3.03 -- Data Storage & Recovery: AVR, Inc. shall offer assistance, upon purchase of such additional services by Customer, to recover the files of the Licensed Software upon Customer request, providing the Customer has exercise one of the following option;

- A) Purchased and is current with payment for a "Back up Disaster Program" thru AVR, Inc. If purchased, Customer must use this service as it is intended on regularly scheduled intervals. This service connects to Customer's server to generates a full back up each night of either/or Utility Billing and Accounting Software. Checks for corruption and/or FTP transmission problems. AVR, Inc. guarantees that 3 out of the 5 back ups per week will be usable and free of corruption. This service is an added back up to Customer normal back up routine and should not be relied upon as the sole source of data storage.
- B) Purchased and is current with payment for "Statement Outsource Printing" thru AVR, Inc. If purchased, Customer must use this service as it is intended on regularly scheduled intervals. The backup process is an added feature of this service and AVR, Inc. guarantees that 3 out of the 5 back ups per week will be usable and free of corruption. This service is an added back up to Customer's normal back up routine and should not be relied upon as the sole source of data storage.
- C) Provide AVR, Inc. with Customer most recent backup data on a media device that is compatible with AVR, Inc. equipment. AVR, Inc. Licensed Software Data recovery shall be performed according to methodology and time frame established by AVR, Inc. This service will be performed and invoiced at the published labor rate of AVR, Inc. exclusive of any and all travel related cost and applicable taxes. This option provides no guarantee of success by AVR, Inc. since the backup data is being created and provided solely by Customer.

Section 3.04 -- Additional Services and Charges: AVR, Inc. may and does offer additional services such as training and consulting under separate agreements. Such services can be performed at a site and time mutually agreeable. These services are normally charged on a time and materials basis including expenses and are subject to availability. AVR, Inc. reserves the right to charge for services outside of the range of normal support services. Such services considered outside of the range of normal support services are (1) Implementing Rate Changes, (2) Rate Analysis Consulting, (3) Training (New or existing

employee (s)), (4) Interface(s) for GIS, Accounting, Hand Held or Online Payments, (5) Statement Processing, (6) Online bill presentment and payment hosting, (7) Special or modified programs, (8) Data Storage & Recovery, (9) Additional district or cycle setup, (10) Troubleshooting Network or Hardware Issues, (11) Troubleshooting problems in non-AVR Software supported products, or in combination of AVR Software supported and non-supported products where the problem occurs in the non-AVR software product, (12) Other cases where it is judged highly likely that the suspected problem is not the responsibility of AVR Software. When a situation occurs where a reported problem is likely to fall outside of the range of supported services, you will be advised of the potential of incurring charges to have AVR, Inc. software work on the problem. An estimate of the cost of the additional services will be prepared and delivered to you, by appropriate means, for your approval and agreement. Should we find that the problem is, indeed, caused by a supported product, no charges will be incurred. However, if it is proven that the problem is not the responsibility of AVR, Inc. software, you will be charged for the time spent at the rates specified in the estimate/service agreement. Should you not agree that the requested service fall out of the bounds of supported services, your account representative at AVR, Inc. will mediate the issue for you.

#### **ARTICLE IV: TRAINING**

Section 4.01 -- Classroom Training: Representatives of Customer (as designated by Customer) shall have the right to attend classroom training at the classroom facilities of AVR, Inc. as described in the Proposal Documentation during the initial implementation. Such classroom training shall provide instruction and guidance on using and operating the Licensed Software, including, but not limited to, performing all of the functions and processes described in the Documentation. Such classroom instruction shall be made available to Customer on an as needed basis. After initial implementation this service will be performed and invoiced at the published labor rate of AVR, Inc.

Section 4.02 -- On-Site Training: During the initial implementation days of the License Software, as described in the Proposal Documentation AVR, Inc. shall provide on-site individual training and customer support to Customer as purchased by Customer. Such on-site training shall include individualized instruction and training on using and operating the Licensed Software for persons designated by Customer. Such training shall include instructions and guidelines on performing all of the functions and processes described in the Documentation. After initial implementation this service will be performed and invoiced at the published labor rate of AVR, Inc. exclusive of any and all travel related cost and applicable taxes.

#### **ARTICLE V: PAYMENT**

Section 5.01 -- Maintenance Fees: Customer shall pay the Maintenance Fee on the Effective Date of this Agreement in accordance with Schedule A which is attached and incorporated herein to this Agreement, and shall further pay for all renewals of said Agreement on each anniversary of the Effective Date, subject to receipt of notice from AVR, Inc. that such Maintenance Fee is due and payable per Section 5.04 immediately below. Payment of the Maintenance Fee shall be subject to a thirty (30) day grace period.

Section 5.02 -- Customer Support Fees: The program modification services described in Section 3.02 shall be performed at the published labor rates of AVR, Inc. and will incur additional Maintenance Fee on approved modification equal to a percentage of the current retail value of modification. The Data recovery services described in Section 3.03 shall be performed by AVR, Inc. at the published labor rates of AVR, Inc. The additional services described in Section 3.04 shall be performed at the published labor rates of AVR, Inc. and may incur additional Maintenance Fee equal to a percentage of the current retail value of modification.

Section 5.03 -- Costs: The fees set forth above shall exclude all applicable taxes for (federal, state, county, local, or other taxes arising in the United States or its states (or other internal jurisdictions). Customer shall pay shipping and insurance charges for products shipped between AVR, Inc. and Customer.

Section 5.04 -- Invoicing and Payment: AVR, Inc. shall invoice Customer annually in advance for any maintenance fees for providing services under this Agreement pursuant to Section 5.01 immediately above herein. Customer shall pay any such invoice in full within thirty (30) days after receipt by Customer.

## **ARTICLE VI: TERMINATION**

Section 6.01 -- Termination Limitations: This Agreement may only be terminated as provided under this Article VI.

Section 6.02 -- Termination: Starting one (1) year after the Effective Date, either party may terminate this Agreement with sixty (60) days written notice of termination to the other party.

Section 6.03 -- Re-instatement after Termination: Customer shall be charged a re-instatement fee equivalent to twenty-five percent (25%) of the current retail value of the SOFTWARE if the re-instatement fee occurs within twelve (12) months of the original cancellation date. Beyond twelve (12) months from the original cancellation date, the re-instatement fee will be fifty percent (50%) of the current retail value of the SOFTWARE. In addition to the re-instatement fee, Customer must pay the appropriate annual Maintenance Fee calculated at the current published prices, in order to re-instate support.

Section 6.04 -- Termination for AVR, Inc. Failure: Notwithstanding any provision to the contrary herein, Customer shall have the right to terminate this Agreement upon providing AVR, Inc. with ten (10) days advance written notice in the event any one of the following occurs:

- (1) Termination of Business Activity: AVR, Inc. terminates or suspends business operations;
- (2) Bankruptcy: AVR, Inc. becomes insolvent, bankrupt, makes an assignment for the benefit of creditors or becomes subject to any bankruptcy or insolvency proceeding under any Federal or state statute;

Section 6.05 -- Force Majeure: If AVR, Inc. is unable to perform its obligations under this Agreement for causes beyond its reasonable control, including without limitation, an act of government, fire, flood, power shortage or blackouts, breakdown of telephone lines and services, failure of Internet, accident, acts of public enemy, war, rebellion, labor dispute or unrest, insurrection, sabotage, transportation delays (other than administrative oversights), shortage of raw material, energy or machinery, acts of God, government or the judiciary, such nonperformance shall be excused and shall not be considered a breach or default for so long as such conditions prevail.

## **ARTICLE VII: WARRANTY AND INDEMNIFICATION**

Section 7.01 -- Maintenance Warranty: AVR, Inc. warrants that all Updates and Enhancements implemented by AVR, Inc. shall be fully compatible with each other, the Licensed Software and the Computer. AVR, Inc. warrants that the Licensed Software shall be kept current to AVR internal standards.

Section 7.02 -- Service Warranty: The services to be provided by AVR, Inc. hereunder shall be performed on a best efforts basis and in a timely and professional manner by qualified software personnel familiar with the Licensed Software, and shall conform to the standards generally observed in the industry for similar services. Such services shall be in compliance with all applicable laws, rules, regulations or orders.

Section 7.03 -- Software Modifications: If the Licensed Software is modified by any party other than AVR, Inc., the maintenance warranty granted in Section 7.01 shall be void.

Section 7.04 -- Original Development: Licensor represents and warrants that use of any Updates or Enhancements by Customer shall not infringe upon or violate any patent, copyright, trade secret or other property right of any third party.

Section 7.05 -- Documentation Warranty: AVR, Inc.

warrants that the Documentation shall be kept current with the Updates and Enhancements for the Licensed Software as such Updates and Enhancements are released.

Section 7.06 (a) -- Indemnification by AVR: AVR, Inc. shall defend, indemnify and hold harmless Customer (including employees, consultants, agents, and subcontractors of Customer) against any liability arising from the failure of AVR, Inc. to perform the services described under this Agreement or any claim by any third party against Customer arising from, or related to, Customer's use of any Update or Enhancement, including (but not limited to) any claimed violations of trade secrets, proprietary information, trademark, copyright or any patent rights. If Customer's quiet enjoyment and use of any Update or Enhancement is disrupted as a result of a third party claim, AVR, Inc. shall perform one or all of the following actions within one year of the date such third party's claim is discovered by Customer:

Section 7.06 (b) -- Indemnification by Customer: Subject to the preceding paragraph, Customer shall defend, indemnify and hold harmless AVR, Inc. (including employees, consultants, agents, and subcontractors of AVR) against any liability and/or claims brought against AVR, Inc. arising from the failure of Customer to perform the services required of Customer and described under this Agreement arising from, or related to such claims being based upon allegations that software data Customer was lost, damaged, and/or destroyed without Customer first having previously purchased and maintained the service of AVR, Inc. under paragraph 3.03 of this Agreement.

Section 7.06 (c) -- Conditions to Indemnification: The foregoing obligations are conditioned upon: (a) prompt written notices by the indemnified party to the indemnifying party of any claim, action or demand for which indemnity is claimed; (b) complete control of the defense and settlement thereof by the indemnifying party, provided that no settlement of an indemnified claim shall be made without the consent of the indemnified party, such consent not to be unreasonably withheld or delayed; and (c) reasonable cooperation by the indemnifying party may request. The indemnified party shall have the right to participate in the defense against the indemnified claims with counsel of its choice at its own expense.

Section 7.06 (d) -- Definition of "Claims": For purpose of Section 7.06 "Claims" means losses, actions, liabilities, damages, expenses and reasonable attorneys' fee and court costs.

- (1) Replacement: Replace the Update or Enhancement, at AVR, Inc.'s cost, with a compatible, functionally equivalent and non-infringing software product; or
- (2) Modification: Modify the Update or

Enhancement to avoid the infringement without frustrating the purpose for which the Update or Enhancement was developed or reducing the capability of the Update or Enhancement; or

- (3) License: Obtain a license for Customer to use the Update or Enhancement for the remainder of the Maintenance Term.

Section 7.07 -- Authorized AVR, Inc.: AVR, Inc. hereby represents and warrants that AVR, Inc. is authorized to provide the maintenance, customer support and training services described under this Agreement.

## **ARTICLE VIII: INTELLECTUAL PROPERTY AND INSURANCE**

Section 8.01 -- Update Ownership and Title: Title to any Update or Enhancement including applicable ownership rights to patents, copyrights, trademarks and trade secrets therein shall remain the exclusive property of AVR, Inc..

Section 8.02 -- Confidentiality: AVR, Inc. hereby acknowledges that in providing the maintenance, training and customer support services described hereunder, AVR, Inc. may learn information which is confidential and proprietary to Customer or the patients of Customer. AVR, Inc. hereby agrees not to disclose any information identified by Customer as confidential or proprietary.

Section 8.03 -- Security Regulation: In providing services under this Agreement, AVR, Inc. shall insure that its employees, servants and agents obey all reasonable instructions, directions and regulations of Customer while on the premises of Customer.

## **ARTICLE IX: MISCELLANEOUS**

Section 9.01 -- Reasonable Assistance: Customer shall provide AVR, Inc. with reasonable access to the Licensed Software, Documentation and the Computer upon request by AVR, Inc. for purposes of rendering services hereunder.

Section 9.02 -- Assignments: All assignments of rights under this Agreement by AVR, Inc. without the prior written consent of Customer shall be void.

Section 9.03 -- Entire Agreement: Excepting the Software License, this Agreement contains the entire understanding of the parties and supersedes previous verbal and written agreements between the parties concerning maintenance, customer support or training services for the Licensed Software.

Section 9.04 -- Amendments and Modifications: Waivers, alterations, modifications or amendments of a provision of this Agreement shall not be binding unless such waiver, alteration, modification or amendment is in writing and signed by an authorized representative of

both parties.

Section 9.05 -- Severability: If a provision of this Agreement is rendered invalid by legislation, or by a court of last resort, the remaining provisions shall remain in full force and effect.

Section 9.06 -- Captions: The headings and captions of this Agreement are inserted for reference convenience and do not define, limit or describe the scope or intent of this Agreement or any particular section, paragraph, or provision.

Section 9.07 -- Counterparts: This Agreement may be executed in multiple counterparts, each of which shall be an original, but which together shall constitute one and the same instrument.

Section 9.08 -- Governing Law: This Agreement is governed by the laws of the State of Texas with venue in Harris County, Texas

Section 9.09 -- Notice: Notices shall be in writing and shall be deemed delivered in person when delivered by hand or mailed postage prepaid by Certified or Registered Mail -- Return Receipt Requested -- to the person and address designated below. Notice shall be deemed given on the date of receipt -- as evidenced in the case of Certified or Registered Mail by Return Receipt

AVR, INC.: c/o Ron Emberg, CEO,  
2000 W Governors Circle Suite M,  
Houston, Texas 77092

CUSTOMER:  
City of Ovilla  
South Cockreel Hill Rd.  
Ovilla, TX 75154

Section 9.10 -- Pronouns/Gender: Pronouns shall refer to the masculine, feminine, neuter, singular or plural as the context shall require.

Section 9.11 -- Bankruptcy: If either party must institute, defend, appear or attend a bankruptcy proceeding as a result of the filing of bankruptcy by the other party, fees and expenses shall be born by the filing party. If either party has a bankruptcy proceeding filed against it, the other party shall recover attorney fees, expert witness fees, and other costs incurred in connection with the bankruptcy proceeding, hearing or trial.

Section 9.12 -- Waiver: Waiver of breach of this Agreement shall not constitute waiver of another breach.

Failing to enforce a provision of this Agreement shall

not constitute a waiver or create an estoppel from enforcing such provision.

Section 9.13 -- Relationship of the Parties: It is agreed that the relationship of the parties is primarily that of Customer and AVR, Inc.. Nothing herein shall be construed as creating partnership, employment relationship, or agency relationship between the parties, or as authorizing either party to act as agent for the other. Each party maintains its separate identity.

Section 9.14 -- Arbitration: Any controversy or claim arising out of or relating to this Agreement, or breach thereof, shall be settled by arbitration in accordance with the American Arbitration Association Rules. Arbitration shall occur in Houston, Harris County, Texas. Judgment upon the award rendered by the arbitrators may be entered in any court having jurisdiction thereof. Each Party shall be initially responsible for one-half of the costs of said arbitration with the possible reimbursement of legal and arbitration costs being an issue subject to decision in said arbitration. Qualified Arbitrators shall be selected by the parties in accordance with the American Arbitration Association Rules. Each Party shall have the right of discovery as set forth in the Federal Rules of Civil Procedure. The Arbitration shall be administered by the American Arbitration Association.

Section 9.15 -- Assurances: Each party hereby represents and warrants that all representations, warranties, recitals, statements and information provided to each other under this Agreement are true, correct and accurate as of the date of this Agreement to the best of their knowledge.

IN WITNESS WHEREOF, this Agreement has been executed as of the date first written above.

AVR, INC.

Signature Ron Emberg

TITLE: CEO

DATE: 11-15-11

CUSTOMER: City of Ovilla

Signature: [Signature]

TITLE: [Signature]

DATE: 11/5/11



Date	Invoice #
11/14/2011	26355

**Bill To**

OVILLA, CITY OF  
 105 S COCKREEL HILL RD  
 OVILLA, TX 75154

**AVR, Inc.**

2000 W GOVERNORS CIRCLE  
 SUITE M  
 HOUSTON, TEXAS 77092

Phone # 713-523-1623

Fax # 713-523-0571

www.avrub.com

Print Date	Terms	Rep
	01/01/12	ZKR

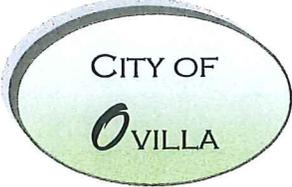
Quantity	Description	Price Each	Amount
1	ANNUAL UB SOFTWARE SUPPORT FROM 01/01/12 TO 12/31/12	3,434.00	3,434.00

57155230

mailed on 12/6/11  
@Taylor  
payment was mailed  
separately.

Subtotal	\$3,434.00
Sales Tax (0.0%)	\$0.00
Payments/Credits	\$0.00
<b>Balance Due</b>	<b>\$3,434.00</b>

For questions e-mail: tina@avrub.com



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 6 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration/Water Dept.

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>
1. Cost Comparison and Proposed Agreement with AVR 2. Staff cost analysis 3. Sample Billing Statement
<b>Agenda Item / Topic:</b>
<b>ITEM 6. DISCUSSION/ACTION</b> – Consider approving a contract with AVR for utility billing.
<b>Discussion / Justification:</b>
The City’s utility billing software provider informed the City that they would no longer support the use of postcards for billing. They are requiring additional software resulting in a new contract to provide support for letter billing. The City’s current agreement with AVR expires on December 31, 2012.
<b>Recommendation / Staff Comments:</b>
<b>Sample Motion(s):</b>
<b>“I MAKE A MOTION THAT COUNCIL _____.”</b>

**AVR, INC.'S STATEMENT PROCESSING  
COST COMPARISON FOR  
CITY OF OVILLA**

**IN-HOUSE PROCESSING – CITY OF OVILLA**

<u>ITEM</u>	<u>MONTHLY</u>	<u>ANNUALLY</u>
8 ½ X 11 Statements (1250 units @ \$54.62/1,000)	\$ 68.27	819.24
#10 Mailing Envelopes (1250 units @ \$54.00/1,000)	\$ 67.50	810.00
#9 Return Envelopes (1250 units @ \$45.00/1,000)	\$ 56.25	675.00
CASS Certification (\$600 per quarter)	\$ 200.00	2,400.00
Postage (1250units @ \$0.38/unit)	\$ 475.00	5,700.00
Postage Permit	\$ 10.42	125.00
Labor (1 Employee, 8 hrs @ \$12.00/hr)	\$ 96.00	<del>1,152.00</del> 1680.96
Maintenance, Supplies	\$ 100.00	1,200.00
 <i>IN-HOUSE PROCESSING RECURRING COSTS</i>	 <del>\$ 1,073.44</del> 1117.52	 <del>12,881.24</del> 13,410.20
 Folder (AVR, Inc.)		\$ 1,500.00
Barcode Software		\$ 890.00
Barcode Printer Chip (AVR, Inc.)		\$ 500.00
 <i>UPFRONT ONE-TIME COSTS</i>		 \$ 2,890.00

**OUTSOURCE PROCESSING – AVR, INC.**

<u>ITEM – AVR, INC.</u>	<u>MONTHLY</u>	<u>ANNUALLY</u>
Forms (Statement, Mailing & Return Envelope)		
Postage		
Statement Folding & Inserting		
Return Envelope Inserting		
Statement Printing		
1250 units @ \$.74/unit + \$65 Service Charge	\$ 990.00	11,880.00
 <i>AVR, INC. OUTSOURCE PROCESSING TOTAL EXPENSE</i>	 \$ 990.00	 11,880.00

<u>1<sup>st</sup> Year Costs:</u>	
In-house	13410.20 \$12,881.24 + 2,890.00 = \$15,771.24
AVR's Cost	= \$ 11,880.00
1 <sup>st</sup> Year Savings	= \$ 3,891.24 4420.20
 <u>Subsequent Years Cost:</u>	
In-house	13410.20 = \$12,881.24
AVR's Cost	= \$ 11,880.24
Renewal Savings	= \$ 1,001.00 1,529.96

# Outsource Statement Processing

## The Service Includes:

- A. Receive calculated master via modem or Internet.
- B. Post-Net all accounts using Pitney Bowes Smart Mailer Software.
- C. Run spool file & balance to your total receivables.
- D. Statements printed in Zip Code sequence. Finals, transfers & Special Select up front.
- E. Options to have final, transfers new and/or old sent back to you.
- F. Option to print separate message for current and delinquent accounts.
- G. All "ACH" accounts will receive special information message.
- H. Payment Bar Code and Post-Net Bar Code will be imprinted on each statement.
- I. Statement folded and stuffed in a double window envelope along with a return envelope, postage applied and items taken to the Post Office.
- J. Your statements will be in the mail the day after SFTP file has been received.
- K. A daily backup of UB Master, Service Orders and Cash Collections will be copied to AVR's SFTP site as an offsite backup. In addition, a backup of UB history will be included each Friday.
- L. AVR separates very large statements before mailing and we work with our customers to decide to either mail or send back for reworking. This will minimize the risk of embarrassing bills reaching the customer.
- M. Check billing dates and messages for accuracy before statements are mailed.
- N. Evaluate current billing totals to detect abnormal fluctuations in receivables.
- O. Accounts on recurring Credit Card Draft will be notified on statement when credit card is approaching expiration date.
- P. For On-line customers, they can elect to not receive a paper bill. They will be notified, by e-mail their bill is available for viewing on-line and receive warning e-mails if not paid before penalty date or cutoff date.

## Forms Included with Service:

- A. 8 ½ X 11 Statement
- B. A #10 double window mailing envelope
- C. A #9 single window return envelope

## Costs:

- A. Monthly service charge of \$65.00 or \$45.00 per district if less than 100 units plus 74¢ per item. (Price includes statement, return & mailing envelopes and postage)
- B. Inserts billed at 10¢ per item for automatic processing.
- C. Online Service – Electronic statement processing in lieu of paper bill which results in a 43¢ credit/statement.

**Contract:** Three year renewable agreement, Termination requires 90 days' notice.  
If customized forms are used client will be liable for any unused stock.

## Authorized Signature

AVR is approved to start work and proceed with project deliverables. I have agreed to the payment terms and milestones of the agreement and accept it in its entirety. The respective signature that appears below has been and is on the date of this Agreement duly authorized by all necessary and appropriate corporate action to execute this Agreement.

ACCEPTED BY: TAMMY MCCOY, UB CLERK-- CITY OF OVILLA

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

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

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

Proposal Date: 12/03/12

\*AVR Reserves the Right to Increase the per Statement Cost Relative to any U.S. Postal Service Increase

## Cost Comparison to Change Water Bills from Post Cards to Invoices

### W&S Fund

<u>Budget Adjustment needed if they print Statements</u>	<u>Account #</u>	<u>Amount</u>
Current budgeted postage for Water Bills	5705705	(4,800.00)
Annual Cost for AVR to process & mail Statements		11,880.00
Net increase to budget		7,080.00

<u>Budget Adjustment</u>	<u>Account #</u>	<u>Amount</u>
Processing Fees for W&S Bills	5705780	11,900.00
Postage	5705705	(4,800.00)
Administrative Reserve	5709010	(7,100.00)
		0.00

### Benefits of going to larger bills:

Privacy of customer information such as account numbers and usage details  
Customer will have a return envelope to mail payment back in  
We will have a larger area to convey information to customers  
Customer will see their past 12 months of history for comparison  
We will have the opportunity to do inserts, if we plan ahead and at an additional cost

### Pros for having AVR print bills:

All inclusive cost  
No storage for supplies such as envelopes and bills  
They supply software for postage  
They can print, stuff, and mail mechanically  
No wear and tear on our printers or overusage of toner  
Saves a minimum of 8 hours for UB clerk to prepare for mailing  
No set up costs

### Pros for in house printing:

Can process in a shorter period of time  
Have more control for pulling bills for dep refunds

### Cons for having AVR print bills:

Costs  
2 day turn around  
May take a little longer for bill to get to customer

### Cons for in house printing:

Costs are much higher due to supplies we have to purchase  
Must buy and keep updated postage software  
Must buy a folder to fold bills  
Manpower to fold and stuff may be overwhelming  
Equipment will have more wear and tear  
Initial set up costs

WILLIAMS, JOHN B. JR

SAMPLE 1  
BLUE / RED

<b>MAKE CHECK PAYABLE TO:</b> VILLAGE OF JAMAICA BEACH 5264 JAMAICA BEACH JAMAICA BEACH TX 77554	SERVICE ADDRESS		ACCOUNT NUMBER	
	4314 SPANISH MAIN		1-02-35500-00 35	
	SERVICE PERIOD	FROM TO	BILLING DATE	
	10/23/12	11/22/12	12/03/12	
READ DATE (W) METER NUM. PRES. READ PREV. READ TOTAL GALLONS	11/15/12 24677090 1049.1 1049.0 .1	*** USAGE HISTORY *** ----- WATER GALLONS 10/10/12 .4 09/14/12 1.1 08/13/12 1.0 07/16/12 2.7 06/12/12 2.1 05/10/12 .6 04/17/12 1.6 03/14/12 .5 02/15/12 .0 01/12/12 .5 12/09/11 1.2 11/18/11 .8	DESCRIPTION EMS SEWER GARBAGE WATER VFD  THIS MONTH	AMOUNT 1.00 39.35 11.52 19.00 4.00  74.87
			TOTAL NOW DUE	74.87
			PENALTY AMOUNT	PAY THIS AMOUNT AFTER
			10.00	12/22/2012 84.87

388 \* SALES TAXES INCLUDED

MESSAGES

VILLA CONTACT INFO	PHONE: 409-737-1142 SALES TAXES INCLUDED.
	VISIT OUR WEBSITE: WWW.CI.JAMAICABEACH.TX.US TO VIEW AND/OR PAY YOUR BILL ONLINE AND TO SIGN-UP FOR EMERGENCY MESSAGES FROM THE CITY OF JAMAICA BEACH. PLEASE CALL CITY HALL IF YOU NEED ASSISTANCE.

357

AVR, Inc.

VILLAGE OF JAMAICA BEACH

5264 JAMAICA BEACH  
 JAMAICA BEACH TX 77554-8674  
 PHONE NO. (409) 737-1142

IF YOUR MAILING ADDRESS HAS CHANGED PLEASE CORRECT  
 PLEASE RETURN WITH PAYMENT

Account Number 1-02-35500-00 35  
 Service Address 4314 SPANISH MAIN

74.87	12/22/12	84.87
ON OR BEFORE DUE DATE	DUE DATE	AFTER DUE DATE

AMOUNT PAID

PRE SORT-AUTO  
 WILLIAMS, JOHN B. JR  
 NANCY SMITH  
 10816 LONG SHADOW LN  
 HOUSTON TX 77024-6831

VILLAGE OF JAMAICA BEACH  
 5264 JAMAICA BEACH  
 JAMAICA BEACH TX 77554-8674



03510235500000000000848700000748700000748705



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 7 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration/Water Dept.

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

Attachments:	
1. Proposed Ordinance	
Agenda Item / Topic:	
<b>ITEM 7.</b>	<b>DISCUSSION/ACTION</b> – Consider Ordinance 2012-021 amending the FY2012-2013 Water Fund Budget and Annual Program of Services for the City of Ovilla to allow for an Adjustment in the Water Fund to offset an increase for expenditures for Contractual Services with AVR, Inc.
Discussion / Justification:	
The City’s utility billing software provider informed the City that they would no longer support the use of postcards for billing. In order to make the transition to letter billing, the accompanying budget amendment is necessary.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<b>“I MAKE A MOTION THAT COUNCIL APPROVES ORDINANCE 2012-021 AMENDING THE FY2012-2013 WATER FUND BUDGET AND ANNUAL PROGRAM OF SERVICES TO ALLOW FOR AN ADJUSTMENT, INCREASING THE WATER FUND ACCOUNT 5705780 AND DECREASING THE ADMINISTRATIVE RESERVE 5709010 IN THE WATER FUND, TO OFFSET AN INCREASE FOR EXPENDITURES FOR CONTRACTUAL SERVICES WITH AVR, INC.”</b>	

**ORDINANCE NO. 2012-021**

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING THE FISCAL YEAR 2012-13 WATER FUND BUDGET AND ANNUAL PROGRAM OF SERVICES FOR THE CITY OF OVILLA TO ALLOW FOR AN ADJUSTMENT OF \$ \_\_\_\_\_ FOR EXPENDITURES FOR CONTRACTUAL SERVICES WITH AVR, INC'S STATEMENT PROCESSING OF UTILITY BILLS, PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ordinance No.2012-015, the City Council of the City of Ovilla, Texas approved the Fiscal Year 2012-13 Operating Budget and Annual Program of Services (the Budget);

**WHEREAS**, the City Council approved the Water/Sewer Fund Budget of **\$ 1,338,500** in the 2012-13 Operating Budget and the Administrative Reserve will be used to off-set the \$ \_\_\_\_\_ in increased expenditures for contractual services with AVR for statement processing.

**WHEREAS**, the City Council finds that this budget amendment also serves an important municipal purpose, consistent with §102.010 of the Texas Local Government Code;

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:**

**SECTION ONE**

The FY2012-13 Water/Sewer Fund Budget findings set forth in the above preamble to this ordinance are true and correct, and hereby adopted.

**SECTION TWO**

The amounts listed on the attached Budget Revision Requests are hereby appropriated out of their respective and designated funds.

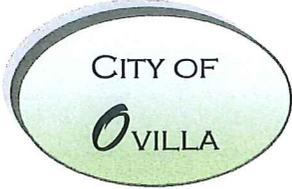
**SECTION THREE**

The Water/Sewer Fund 2012-13 Budget is hereby amended by the City Council to allow for the expenditure of \$ \_\_\_\_\_ to compensate for the expenditures of AVR statement utility processing.

***PASSED AND APPROVED ON THIS 10 DAY OF December 2012.***

\_\_\_\_\_  
Tom Leverentz, MAYOR

\_\_\_\_\_  
Pamela Woodall, CITY SECRETARY



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 8 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>	
1. Copy of city administrator duties – excerpt taken from Code of Ordinances	
<b>Agenda Item / Topic:</b>	
<b>ITEM 8.</b>	<b>DISCUSSION/ACTION</b> – Consider amending the Code of Ordinances, Section 9; City Administrator duties to include long-range planning and direct staff to prepare in ordinance form.
<b>Discussion / Justification:</b>	
Place 1 Hall recommended the review and amendment to the Code of Ordinances, Section 9, City Administrator job duties to include long-range planning.	
<b>Recommendation / Staff Comments:</b>	
<b>Sample Motion(s):</b>	
<b>“I MAKE A MOTION THAT COUNCIL APPROVES THE AMENDMENT(S) NOTED AND DIRECTS STAFF TO PREPARE IN ORDINANCE FORM.”</b>	

**Sec. 9.03.034 Powers and duties**

The city administrator shall be the administrative officer of the city. He or she shall be responsible to the governing body of the city for the proper administration of all affairs of the city. To that end, he or she shall be empowered and shall be required to:

- (1) Prepare job descriptions for all officers and employees of the city, and fill budgeted positions on the city staff, other than department heads. Recommend to the mayor and city council the appointment of department heads. He or she shall be empowered to suspend department heads and recommend their termination to the mayor and city council. He or she shall direct and supervise the day-to-day activities of all employees through department heads.
- (2) Prepare the budget draft annually in conjunction with the heads of departments, and submit it to the governing body together with a message describing the important features and be responsible for the administration of the adopted body [budget].
- (3) Prepare and submit to the governing body, with the assistance of the heads of departments, at the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year.
- (4) Keep the governing body advised of the financial condition and future needs of the city, and make such recommendations as may be deemed desirable. Make proposals for applications for federal grants and make required reports for such grants as may be applicable and desirable for city needs.
- (5) Keep the governing body informed on a timely basis of the significant activities of the city, with special emphasis on the expansion projects associated with the growth of the city.
- (6) Recommend to the governing body a standard schedule of pay for each appointive office and position in the service, including minimum, intermediate and maximum rates.
- (7) Recommend to the governing body (from time to time) adoption of such measures, ordinances, and resolutions as may be deemed necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.
- (8) Attend all meetings of the governing body unless excused therefrom, and be prepared to answer questions that may be asked.
- (9) Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; and purchase materials and supplies necessary for operation or maintenance of city services for amounts up to and including two thousand dollars (\$2,000.00), and up to and including four thousand nine hundred ninety-nine and 99/100 dollars (\$4,999.99) with the proper approval of the governing body to the extent funds have been provided in the budget. No purchase shall be made, contract let or obligation incurred which exceeds the current budget appropriation without a supplemental appropriation by the governing body. No contract shall be let except by

the mayor and the city council. The city administrator may issue such rules governing procedures for purchasing within the administrative organization as the governing body shall approve.

- (10) Transfer any unneeded surplus in the amount budgeted from one account to another account in which a deficiency exists, if and when, in the judgment of the city administrator, actual or probable receipts are less than the amount estimated and therein appropriated for expenditures of the several departments. The city administrator may authorize the transfer of funds by department heads among major account divisions within department budgets.
- (11) See that all laws and ordinances are duly enforced and see that all franchises, permits and privileges granted by the city are faithfully observed.
- (12) Investigate the affairs of the city, or any department or division thereof. Investigate all complaints in relation to matters concerning the administration of the governing of the city, and regarding service maintained by the public utilities in the city, and see that the quality of service be maintained by the public works department.
- (13) Perform such other duties as may be required by the governing body not inconsistent with the law or ordinances of the city.

(1989 Code, ch. 8, sec. 9.04)

**Sec. 9.03.035 Conflict of interest**

He or she shall hold no other public office, nor any office, whether public or not, within the city and shall not be employed by or affiliated with any business or organization doing business with the city, in order to assure the duties and responsibilities of this office may be performed in a timely and responsible manner. This section shall not be interpreted to prevent the city administrator from holding offices in civic organizations, with city council approval. (1989 Code, ch. 8, sec. 9.05)

**State law reference**—Conflicts of interest of officers, V.T.C.A., Local Government Code, ch. 171.

**Sec. 9.03.036 Emergency expenditures**

In case of accident, disaster, or other circumstance creating a public emergency, the city administrator may award contracts and make purchases for the purpose of meeting said emergency, but he or she shall file within seventy-two (72) hours with the governing body a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures. (1989 Code, ch. 8, sec. 9.06)

**Sec. 9.03.037 Bond**

The city administrator shall furnish a surety bond to be approved by the city council, said bond to be conditioned on the faithful performance of duties. The premium of the bond shall be paid by the city. (1989 Code, ch. 8, sec. 9.07)



# Ovilla City Council

## AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 9 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>	
1. Annual contract with Ellis County	
<b>Agenda Item / Topic:</b>	
<b>ITEM 9.</b>	<b>DISCUSSION/ACTION</b> – Consider approval of the Annual Interlocal Cooperation Contract Between County of Ellis and the City of Ovilla.
<b>Discussion / Justification:</b>	
This is the annual agreement for maintenance, repair and/or construction of streets, roads, alley, bridges and parking areas as well as the maintenance and construction of waterways and ditches.	
<b>Recommendation / Staff Comments:</b>	
<b>Sample Motion(s):</b>	
<b>"I MAKE A MOTION THAT COUNCIL APPROVES THE ANNUAL INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND THE CITY OF OVILLA."</b>	

**INTERLOCAL COOPERATION CONTRACT**  
**BETWEEN**  
**COUNTY OF ELLIS AND CITY OF OVILLA**

**WHEREAS,** the hereinafter below described government entities desire to increase their efficiency and effectiveness by entering into this contract one with the other; and

**WHEREAS,** such contracts are authorized under Chapter 791 of the Government Code of the State of Texas, said law cited as the Interlocal Cooperation Act of the State of Texas; and

**WHEREAS,** the function or service contracted for and to be provided by this agreement is with the definition of "Governmental function and services" as defined by Section 791.003 of the Government Code; and

**WHEREAS,** the function or service contracted to be provided is a function or service that each party to the contract is authorized to perform individually;

**NOW, THEREFORE,** the parties agree and covenant one with the other as follows:

- A) The County of Ellis (hereinafter COUNTY) shall be the party providing the function or service which shall include the maintenance, repair and / or construction of streets, roads, alleys, bridges, and parking areas, as well as the maintenance and construction of waterways and ditches. The COUNTY shall be further authorized to sell to the CITY goods and services.
- B) The City of Ovilla (hereinafter CITY) shall be the party receiving the function, goods, or service and providing payment for such function, goods and / or services.
- C) CITY, as paying party, acknowledges and certifies, as required by the Interlocal Cooperation Act, that all payments shall be made from current revenues available to CITY.
- D) The term of this agreement shall be from February 1, 2013 to October 1, 2013.

E) Both parties acknowledge and understand, in reference to any project undertaken under this contract involving the construction, improvement, or the repair of a road, building or other facility, the following:

- 1) That prior to beginning said project, a work order in the form similar to Exhibit A attached hereto shall be adopted describing the project to be undertaken and identifying the project's location, and
- 2) That the payment and penalty provisions set out in Section 791.014 (c) and (d) of the Government Code Interlocal Cooperation Act shall apply to this contract.

F) CITY agrees to pay to COUNTY within thirty (30) days of billing by COUNTY for the goods, governmental function, and / or services provided in an amount that fairly compensates COUNTY for service or functions performed by COUNTY under this Contract.

EXECUTED in duplicate this the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

\_\_\_\_\_  
COUNTY JUDGE  
ELLIS COUNTY, TEXAS

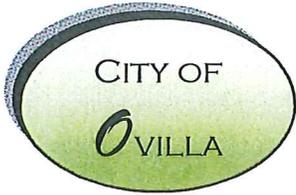
Attest:

\_\_\_\_\_  
Ellis County Clerk

\_\_\_\_\_  
MAYOR  
City of Ovilla

Attest:

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



# Villa City Council

## AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 10 (City Secretary use only)

Meeting Date: December 10, 2012

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

<b>Attachments:</b>
1. Resumes / Applications
<b>Agenda Item / Topic:</b>
<b>ITEM 10. DISCUSSION/ACTION</b> – Deliberate the appointment employment and/or duties of the interim City Administrator and/or permanent City Administrator.
<b>Discussion / Justification:</b>
Council will review multiple applicants' resumes and qualifications for the position.
<b>Recommendation / Staff Comments:</b>
<b>Sample Motion(s):</b>
<b>"I MAKE A MOTION THAT COUNCIL _____."</b>

# CERTIFIED EXECUTIVE SESSION AGENDA

Date: 10 DECEMBER 2012

\*\*\*\*\*

I, RICHARD A. DORMIER, Mayor PROTEM of the City of Ovilla, Texas hereby convene into Executive Session at \_\_\_\_\_ p.m. on the 10<sup>TH</sup> day of December 2012.

The following Council Members and staff attended:

Council Members

Staff Members

Others

\_\_\_ Tom Leverentz, Mayor  
\_\_\_ Richard Dormier, Mayor Pro-Tem  
\_\_\_ Place 1, Ralph Hall  
\_\_\_ Place 2, Larry Stevenson  
\_\_\_ Place 3, David Griffin  
\_\_\_ Place 4, Doug Hunt

\_\_\_ R. Whiteman, City Administrator  
\_\_\_ P. Woodall, City Secretary  
\_\_\_\_\_

\_\_\_ City Attorney, Ron MacFarlane  
\_\_\_ Other Legal Counsel

*The following is an agenda of an Executive Session of the City of Ovilla, Texas, held pursuant to the Texas Open Meetings Act, Government Code Section:*

\_\_\_ 551.071 - Consultation w/Attorney  
\_\_\_ 551.073 - Deliberations about Gift  
\_\_\_ 551.076 - Security Personnel or Devices  
\_\_\_ 551.087 - Economic Development Negotiations (SB1851)  
\_\_\_ 418.183 - Homeland Security

\_\_\_ 551.072 - Real Property  
\_\_\_ 551.074 - Personnel Matters  
\_\_\_ 551.086 - Test item (SB 595)

Said Executive Session has been conducted in order to deliberate on the following matters:

- ◆ Closed session pursuant to Texas Local Government Code section 551.074

**ITEM 10. DISCUSSION/ACTION** – Deliberate the appointment employment and/or duties of the interim City Administrator and/or permanent City Administrator.

**COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.**

- ◆ Consider action as a result of discussion.

I, RICHARD A. DORMIER, Mayor ProTem, hereby adjourn the Executive Session at \_\_\_\_\_ p.m. on the 10<sup>th</sup> day of December 2012. No Action was taken in Executive Session. Any action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this agenda is a true and accurate record of the proceedings.

\_\_\_\_\_  
Richard A. Dormier, Mayor ProTem