

City of OVILLA City Council Agenda

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

Richard Dormier, Mayor

Doug Hunt, Place Four
Vacant/Place Five
Cynthia Powell, City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, June 24, 2013

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, June 24, 2013 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

- Introduction of new City Administrator Cynthia Powell.
- Presentation by Mr. Brian Clark of Atkins Global and Bruce Nolley of TX Department of Transportation regarding the proposed alignment of the Loop 9 corridor.

▪ **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 decisions 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**

- Finance
 - Monthly Financials

City Accountant S. Jungman

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.

- Minutes of the May 30, 2013 Special Council Meeting

IV. REGULAR AGENDA

- ITEM 1. DISCUSSION/ACTION** – Consider the information presented by Atkins Global and TXDOT regarding the proposed alignment of the Loop 9 Corridor and any necessary action on same.
- ITEM 2. DISCUSSION/ACTION** – Consider proposed Ordinance 2013-020 Establishing a Program Response and Recovery Phases of Comprehensive Emergency Management.
- ITEM 3. DISCUSSION/ACTION** – Consider the draft RFP for the development of an Employee Compensation and Classification Study for the City of Ovilla.
- ITEM 4. DISCUSSION/ACTION** – Consider proposed Interlocal Cooperative Contract for the FTA Program (Omni) with TXDPS.

City of OVILLA City Council Agenda

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

Richard Dormier, Mayor

Doug Hunt, Place Four
Vacant/Place Five
Cynthia Powell, City Administrator

- ITEM 5. **DISCUSSION/ACTION** – Consider proposed Ordinance 2013-021, Repealing Chapter 3, Article 3.05, Section 3.05.006, “Types of Fence and Construction,” of the Ovilla Code of Ordinances and adopting new provisions in place thereof.

V. EXECUTIVE SESSION

Closed Meeting called pursuant to Texas Government Code § 551.074 - Personnel Matters.

- ITEM 6. **DISCUSSION/ACTION** – Deliberate the appointment employment, and/or duties of the City Administrator and the continued duties of the former Interim City Administrator.

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

VI. ADJOURNMENT

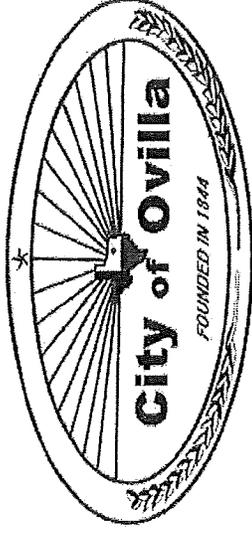
THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the June 24, 2013, Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City’s website, www.cityofovilla.org, on the 21st day of June 2013 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 6-21-13 TIME: 10:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

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.



DATE: 06-24-13

TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

**SUBJECT: Profit & Loss Budget Vs. Actual
Thru May 2013**

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000100 · Taxes					
4000105 · Ad Valorem, Current	9,470	1,217,812	1,235,000	-17,188	99%
4000110 · Ad Valorem, Delinquent	3,288	7,790	20,000	-12,210	39%
4000113 · Interest/Penalties - Prop Tax	2,089	6,162	10,000	-3,838	62%
4000120 · Sales Tax	20,159	117,274	155,000	-37,726	76%
4000125 · Sales Tax - Street Improvement	5,040	29,317	32,500	-3,183	90%
4000130 · Franchise Tax	9,654	43,487	150,000	-106,513	29%
Total 4000100 · Taxes	49,700	1,421,842	1,602,500	-180,658	89%
4000200 · Licenses and Permits					
4000208 · Building Permits					
4000210 · Residential Building Permits	4,010	9,711	6,500	3,211	149%
4000213 · Fire Inspection Permits	300	900	1,000	-100	90%
4000214 · Misc Building Permits	1,347	7,350	10,000	-2,650	74%
Total 4000208 · Building Permits	5,657	17,961	17,500	461	103%
4000230 · Plan Review Fee	944	3,472	3,000	472	116%
4000260 · Alarm Permits	250	1,909	2,000	-91	95%
4000270 · Animal Tag Fees	231	1,971	3,000	-1,029	66%
4000272 · Impound Fees	280	1,140	1,550	-410	74%
4000290 · Misc Licenses and Permits	100	735	1,000	-265	74%
Total 4000200 · Licenses and Permits	7,462	27,188	28,050	-862	97%
4000400 · Charges for Services					
4000325 · ESD #2	0	70,000	145,000	-75,000	48%
4000330 · ESD #4	0	13,000	39,000	-26,000	33%
4000411 · Copies and Maps	13	41	75	-34	55%
4000415 · Police Reports	36	144	100	44	144%
4000440 · Oak Leaf Animal Control	0	836	2,000	-1,164	42%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
4000450 · Subdivision Fees	0	60,651	1,000	59,651	6,065%
4000480 · Solid Waste (Garbage)	16,261	135,916	196,000	-60,084	69%
4000490 · Misc Charges for Services	564	1,580	2,500	-920	63%
Total 4000400 · Charges for Services	16,874	282,168	385,675	-103,507	73%
4000500 · Fines and Forfeitures					
4000510 · Fines - Police	6,637	50,951	85,000	-34,049	60%
4000520 · Fines - Animal Control	0	1,128	1,000	128	113%
4000525 · Fines - Code Enforcement	5,901	6,309	2,000	4,309	315%
4000590 · Misc Fines and Forfeitures	35	60	150	-90	40%
Total 4000500 · Fines and Forfeitures	12,573	58,448	88,150	-29,702	66%
4000800 · Other Revenue					
4000810 · Heritage Day	0	2,218	5,500	-3,282	40%
4000820 · Water Tower Lease	3,125	65,517	82,000	-16,483	80%
4000840 · Interest Earned	397	4,733	4,000	733	118%
4000861 · ESD #2 Cert Grant	0	28	0	28	100%
4000867 · HB3667 TX.Forest Service Grant	0	0	3,840	-3,840	0%
4000870 · Insurance Proceeds	0	4,813	0	4,813	100%
4000885 · Proceeds from Sale of Assets	0	14,400	0	14,400	100%
4000887 · HOA Revenue	0	0	1,015	-1,015	0%
4000890 · Misc Other Revenue	159	7,027	4,500	2,527	156%
Total 4000800 · Other Revenue	3,681	98,736	100,855	-2,119	98%
4000900 · Transfers In					
4000925 · Transfer In - 4B-EDC	0	0	2,500	-2,500	0%
4000930 · Transfer In From W&S Fund	0	58,150	116,301	-58,151	50%
4000940 · Transfer in MDD Fund	0	0	500	-500	0%
Total 4000900 · Transfers In	0	58,150	119,301	-61,151	49%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total Income	90,290	1,946,532	2,324,531	-377,999	84%
Gross Profit	90,290	1,946,532	2,324,531	-377,999	84%
Expense					
10 · Administration					
5101100 · Salaries & Wages					
5101110 · City Administrator	6,584	30,562	63,225	-32,663	48%
5101115 · City Secretary	3,692	25,219	36,375	-11,156	69%
5101117 · City Accountant	3,846	26,004	37,500	-11,496	69%
5101120 · Admin. Support	903	5,232	7,700	-2,468	68%
Total 5101100 · Salaries & Wages	15,025	87,017	144,800	-57,783	60%
5102100 · Employee Benefits					
5102110 · Group Insurance	1,153	7,678	16,350	-8,672	47%
5102115 · Corrected Tax on Benefits	8,853	8,853	0	8,853	100%
5102135 · TMRS	443	4,606	7,550	-2,944	61%
5102160 · Worker's Compensation	0	325	440	-115	74%
5102170 · Payroll Taxes	186	1,731	3,250	-1,519	53%
5102180 · Unemployment Taxes	0	0	1,000	-1,000	0%
5102196 · Indiv. Membership Dues	0	230	700	-470	33%
Total 5102100 · Employee Benefits	10,635	23,423	29,290	-5,867	80%
5102200 · Special Services					
5102210 · Tax Assessing & Collecting Fees	0	1,553	1,800	-247	86%
5102220 · Tax Appraisal Fee	3,404	10,218	14,000	-3,782	73%
5102230 · Legal Fees	495	5,574	40,000	-34,426	14%
5102240 · Audit	0	7,155	7,155	0	100%
5102250 · Accounting	0	1,451	2,000	-549	73%

**City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013**

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5102260 · Engineering Fees	0	11	1,000	-989	1%
Total 5102200 · Special Services	3,899	25,962	65,955	-39,993	39%
5102300 · Contractual Services					
5102310 · Consultant Fees	2,941	11,355	30,000	-18,645	38%
Total 5102300 · Contractual Services	2,941	11,355	30,000	-18,645	38%
5102500 · Operating Services					
5102530 · Custodial Service Contract	265	2,120	3,600	-1,480	59%
Total 5102500 · Operating Services	265	2,120	3,600	-1,480	59%
5102600 · Special Expenses					
5102610 · Election - Payroll	455	455	850	-395	54%
5102620 · Election - Supplies	6	1,880	2,725	-845	69%
5102630 · Election Meeting Expense	57	57	100	-43	57%
5102650 · Codification Book Update	0	375	2,000	-1,625	19%
Total 5102600 · Special Expenses	518	2,767	5,675	-2,908	49%
5103100 · General Supplies					
5103110 · Office Supplies	276	3,896	6,000	-2,104	65%
5103140 · Uniforms	0	88	300	-212	29%
Total 5103100 · General Supplies	276	3,984	6,300	-2,316	63%
5103400 · Maintenance Supplies / Parts					
5103410 · Supplies - Custodial	203	557	1,916	-1,359	29%
5103440 · Maintenance Agreement Expense	300	535	900	-365	59%
5103460 · Miscellaneous	25	72	200	-128	36%
Total 5103400 · Maintenance Supplies / Parts	528	1,164	3,016	-1,852	39%
5104200 · Travel Expenses					

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5104210 · Travel - Local	0	160	500	-340	32%
5104220 · Professional Development	400	1,995	5,000	-3,005	40%
5104222 · Professional Develop - Council	0	260	1,500	-1,240	17%
5104225 · City Council Meal Expense	261	1,137	800	337	142%
5104230 · Professional Develop - In-House	0	0	100	-100	0%
Total 5104200 · Travel Expenses	661	3,552	7,900	-4,348	45%
5105200 · Data Processing Expenses					
5105230 · Data Proc-Maintenance & Repair	247	2,993	4,500	-1,507	67%
5105240 · Data Processing - Software	0	5,818	10,000	-4,182	58%
Total 5105200 · Data Processing Expenses	247	8,811	14,500	-5,689	61%
5105300 · Printing Expense					
5105310 · Copier Expense	255	2,040	4,800	-2,760	43%
5105320 · Printing - Newsletters	0	1,072	4,800	-3,728	22%
5105330 · Printing - Forms	190	740	2,000	-1,260	37%
5105350 · Printing - Other	0	237	500	-263	47%
Total 5105300 · Printing Expense	445	4,089	12,100	-8,011	34%
5105400 · Utilities					
5105410 · Telephone	111	867	1,200	-333	72%
5105415 · Cellular Phone	82	657	1,100	-443	60%
5105417 · Internet	68	532	775	-243	69%
5105450 · Electricity	311	2,083	6,500	-4,417	32%
Total 5105400 · Utilities	572	4,139	9,575	-5,436	43%
5105500 · Repairs & Bldg Improvements					
5105520 · Repairs - Buildings	496	2,487	7,000	-4,513	36%
5105540 · Repairs - Machinery & Equipment	0	208	1,000	-792	21%
5105590 · Repairs - Other	0	0	500	-500	0%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 5105500 · Repairs & Bldg Improvements	496	2,695	8,500	-5,805	32%
5105600 · Insurance					
5105610 · Insurance - Property	0	843	1,250	-407	67%
5105620 · Insurance - Liability	0	1,038	1,385	-347	75%
5105630 · Insurance - Fidelity Bond	0	250	500	-250	50%
5105635 · Public Officials Surety Bonds	0	0	900	-900	0%
Total 5105600 · Insurance	0	2,131	4,035	-1,904	53%
5105700 · Other Expenses					
5105705 · Postage	337	1,215	6,000	-4,785	20%
5105710 · Cash - Over/Short	0	0	10	-10	0%
5105725 · Records Management Expense	0	100	1,000	-900	10%
5105730 · City - Memberships	0	1,340	2,100	-760	64%
5105740 · Legal Notices/Advertisement	186	1,394	6,000	-4,606	23%
5105752 · Employment Screening	202	279	300	-21	93%
5105760 · Bank Service Charge	6	18	25	-7	72%
5105764 · Filing Fees	0	275	250	25	110%
5105765 · Miscellaneous	8	329	2,000	-1,671	16%
Total 5105700 · Other Expenses	739	4,950	17,685	-12,735	28%
5106400 · Minor Capital Outlay					
5106440 · Machinery & Equipment	0	1,615	2,500	-885	65%
5106465 · Furniture	535	1,195	1,375	-180	87%
5106470 · Audio & Visual Equipment	0	0	2,000	-2,000	0%
Total 5106400 · Minor Capital Outlay	535	2,810	5,875	-3,065	48%
5107400 · Capitalized Assets					
5107420 · Buildings	0	15,687	0	15,687	100%
5107425 · Land	51,150	52,150	0	52,150	100%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 5107400 · Capitalized Assets	51,150	67,837	0	67,837	100%
5109000 · Reserves					
5109001 · Reserve for Contingency	0	0	44,644	-44,644	0%
Total 5109000 · Reserves	0	0	44,644	-44,644	0%
Total 10 · Administration	88,932	258,806	413,450	-154,644	63%
20 · Police					
5201100 · Salaries & Wages					
5201120 · Police Chief	4,753	40,332	59,995	-19,663	67%
5201143 · Command Staff	3,719	31,557	46,950	-15,393	67%
5201150 · Certification Pay	185	1,572	2,400	-828	66%
5201180 · Merit Raises - Staff	0	0	3,208	-3,208	0%
Total 5201100 · Salaries & Wages	8,657	73,461	112,553	-39,092	65%
5201400 · Support Salaries					
5201405 · Support Staff	1,666	14,136	21,029	-6,893	67%
5201410 · Patrol	18,693	155,321	236,392	-81,071	66%
5201415 · Certification Pay	162	1,376	5,100	-3,724	27%
5201480 · Merit Raises	0	0	7,092	-7,092	0%
5201490 · Overtime	230	4,495	6,600	-2,105	68%
Total 5201400 · Support Salaries	20,751	175,328	276,213	-100,885	63%
5202100 · Employee Benefits					
5202110 · Group Insurance	5,268	33,538	54,360	-20,822	62%
5202135 · TMRS	1,729	14,023	21,405	-7,382	66%
5202160 · Worker's Compensation	0	6,139	8,550	-2,411	72%
5202170 · Payroll Taxes	427	3,693	5,445	-1,752	68%
5202196 · Membership Dues	0	275	315	-40	87%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 5202100 · Employee Benefits	7,424	57,668	90,075	-32,407	64%
5202300 · Contractual Services					
5202355 · Contract Labor - Individual	0	0	500	-500	0%
5202356 · Gingerbread House	0	1,000	1,000	0	100%
5202380 · Dispatch	0	12,396	13,135	-739	94%
5202385 · Jail Expense	0	2,000	2,000	0	100%
Total 5202300 · Contractual Services	0	15,396	16,635	-1,239	93%
5202500 · Operating Services					
5202540 · Computer Maintenance	0	375	500	-125	75%
5202560 · Internet Subscriptions	0	0	620	-620	0%
Total 5202500 · Operating Services	0	375	1,120	-745	33%
5202600 · Special Expenses					
5202675 · National Night Out	0	306	500	-194	61%
Total 5202600 · Special Expenses	0	306	500	-194	61%
5203100 · General Supplies					
5203110 · Office Supplies	9	588	1,500	-912	39%
5203140 · Uniforms	271	826	1,400	-574	59%
5203170 · Evidence Gathering	0	124	300	-176	41%
Total 5203100 · General Supplies	280	1,538	3,200	-1,662	48%
5203400 · Maintenance Supplies & Parts					
5203410 · Supplies - Custodial	13	202	600	-398	34%
Total 5203400 · Maintenance Supplies & Parts	13	202	600	-398	34%
5204200 · Travel Expenses					
5204210 · Travel - Local	0	0	300	-300	0%

**City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013**

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5204220 · Professional Development	0	389	2,000	-1,611	19%
5204270 · Vehicle Expenses	2,689	17,567	24,000	-6,433	73%
Total 5204200 · Travel Expenses	2,689	17,956	26,300	-8,344	68%
5205200 · Data Processing Expenses					
5205220 · Data Proc - Equipment Rental	0	0	400	-400	0%
5205240 · Data Processing - Software	0	18,326	18,330	-4	100%
Total 5205200 · Data Processing Expenses	0	18,326	18,730	-404	98%
5205300 · Printing Expenses					
5205310 · Copier Expense	113	883	1,500	-617	59%
5205330 · Printing - Forms	0	0	600	-600	0%
5205350 · Printing - Other	0	87	600	-513	15%
Total 5205300 · Printing Expenses	113	970	2,700	-1,730	36%
5205400 · Utilities					
5205410 · Telephone	119	934	1,300	-366	72%
5205415 · Cellular Phone	106	848	1,550	-702	55%
5205417 · Internet - PD	123	969	950	19	102%
5205420 · Wireless Cards	190	1,520	2,350	-830	65%
5205450 · Electricity	282	2,147	4,000	-1,853	54%
Total 5205400 · Utilities	820	6,418	10,150	-3,732	63%
5205500 · Repairs & Building Improvements					
5205520 · Repairs - Building	0	0	300	-300	0%
5205540 · Repairs- Machinery & Equipment	0	960	700	260	137%
5205550 · Repairs - Vehicles	920	3,661	7,500	-3,839	49%
Total 5205500 · Repairs & Building Improvements	920	4,621	8,500	-3,879	54%
5205600 · Insurance					

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5205610 · Insurance - Property	0	1,200	1,600	-400	75%
5205620 · Insurance - Liability	0	3,858	5,200	-1,342	74%
5205640 · Insurance - Vehicle	0	1,665	2,600	-935	64%
Total 5205600 · Insurance	0	6,723	9,400	-2,677	72%
5205700 · Other Expenses					
5205752 · Employment Screening	0	65	600	-535	11%
5205742 · Public Relations	0	0	100	-100	0%
5205765 · Miscellaneous	0	419	1,800	-1,381	23%
Total 5205700 · Other Expenses	0	484	2,500	-2,016	19%
5206400 · Minor Capital Outlay					
5206440 · Machinery & Equipment	0	1,098	1,150	-52	95%
5206445 · Personal Protective Equipment	0	623	2,000	-1,377	31%
Total 5206400 · Minor Capital Outlay	0	1,721	3,150	-1,429	55%
Total 20 · Police	41,667	381,493	582,326	-200,833	66%
25 · Municipal Court					
5251100 · Salaries & Wages					
5251140 · Municipal Judge	440	3,520	6,000	-2,480	59%
Total 5251100 · Salaries & Wages	440	3,520	6,000	-2,480	59%
5251400 · Support Staff					
5251405 · Support Staff	2,214	18,788	27,975	-9,187	67%
5251420 · Jury Fees	0	36	200	-164	18%
5251425 · City Prosecutor	386	4,184	8,500	-4,316	49%
5251480 · Merit Raises	0	0	850	-850	0%
5251490 · Overtime	0	545	1,000	-455	55%
Total 5251400 · Support Staff	2,600	23,553	38,525	-14,972	61%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5252100 · Employee Benefits					
5252110 · Group Insurance	453	3,624	5,440	-1,816	67%
5252135 · TWRS	130	1,068	1,600	-532	67%
5252160 · Worker's Compensation	0	81	110	-29	74%
5252170 · Payroll Taxes	32	274	425	-151	64%
5252196 · Membership Dues	0	0	80	-80	0%
Total 5252100 · Employee Benefits	615	5,047	7,655	-2,608	66%
5252300 · Contractual Services					
5252375 · Traffic Fines	0	24,708	38,000	-13,292	65%
Total 5252300 · Contractual Services	0	24,708	38,000	-13,292	65%
5252500 · Operating Services					
5252540 · Computer Maintenance	0	0	150	-150	0%
Total 5252500 · Operating Services	0	0	150	-150	0%
5253100 · General Supplies					
5253110 · Office Supplies	0	75	75	0	100%
5253140 · Uniforms	0	28	75	-47	37%
Total 5253100 · General Supplies	0	103	150	-47	69%
5254200 · Travel Expenses					
5254210 · Travel - Local	0	0	25	-25	0%
5254220 · Professional Development	0	24	100	-76	24%
Total 5254200 · Travel Expenses	0	24	125	-101	19%
5255200 · Data Processing Expenses					
5255240 · Data Processing - SW Maint.	0	1,687	1,735	-48	97%
Total 5255200 · Data Processing Expenses	0	1,687	1,735	-48	97%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5255300 · Printing Expense					
5255350 · Printing - Other	0	0	150	-150	0%
Total 5255300 · Printing Expense	0	0	150	-150	0%
5255600 · Insurance					
5255620 · Insurance - Liability	0	129	250	-121	52%
5255630 · Insurance - Fidelity Bond	0	0	50	-50	0%
Total 5255600 · Insurance	0	129	300	-171	43%
5255700 · Other Expenses					
5255752 · Employment Screening	0	0	35	-35	0%
5255765 · Miscellaneous	0	0	75	-75	0%
Total 5255700 · Other Expenses	0	0	110	-110	0%
Total 25 · Municipal Court	3,655	58,771	92,900	-34,129	63%
30 · Fire					
5301100 · Salaries & Wages					
5301130 · Asst. Fire Chief	3,090	25,635	39,000	-13,365	66%
5301140 · Fire Captains	6,855	52,386	93,600	-41,214	56%
5301180 · Merit Raises - Staff	0	0	2,000	-2,000	0%
Total 5301100 · Salaries & Wages	9,945	78,021	134,600	-56,579	58%
5301400 · Support Salaries					
5301440 · Firefighters	14,848	131,791	196,200	-64,409	67%
5301480 · Merit Raises	0	0	5,800	-5,800	0%
5301485 · Volunteer Incentive Program	1,358	9,584	13,000	-3,416	74%
Total 5301400 · Support Salaries	16,206	141,375	215,000	-73,625	66%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5302100 · Employee Benefits					
5302135 · TMRS	182	1,443	2,300	-857	63%
5302137 · Volunteer Retirement	0	1,260	2,500	-1,240	50%
5302160 · Worker's Compensation	0	12,229	12,500	-271	98%
5302170 · Payroll Taxes	1,704	14,458	23,500	-9,042	62%
5302196 · Membership Dues	85	1,440	2,000	-560	72%
Total 5302100 · Employee Benefits	1,971	30,830	42,800	-11,970	72%
5302300 · Contractual Services					
5302310 · Consultant Fees	0	1,500	1,600	-100	94%
5302380 · Dispatch	0	12,396	12,500	-104	99%
5302385 · Emergency Transport Service	0	46,029	61,400	-15,371	75%
Total 5302300 · Contractual Services	0	59,925	75,500	-15,575	79%
5302500 · Operating Services					
5302510 · Maintenance Agreements	1,552	10,894	10,505	389	104%
5302540 · Computer Maintenance	94	470	2,000	-1,530	24%
5302570 · Warning System Maintenance	0	780	780	0	100%
5302580 · Generator Maintenance	1,379	1,379	1,380	-1	100%
Total 5302500 · Operating Services	3,025	13,523	14,665	-1,142	92%
5302600 · Special Expenses					
5302675 · National Night Out	0	0	500	-500	0%
Total 5302600 · Special Expenses	0	0	500	-500	0%
5303100 · General Supplies					
5303110 · Office Supplies	215	818	1,400	-582	58%
5303140 · Uniforms	144	2,197	4,000	-1,803	55%
5303160 · Medical Supplies	373	3,298	5,000	-1,702	66%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5303165 · Medical Support	0	383	500	-117	77%
5303170 · Evidence Gathering	0	0	50	-50	0%
5303175 · Education Aids	0	44	50	-6	88%
Total 5303100 · General Supplies	732	6,740	11,000	-4,260	61%
5303400 · Maintenance Supplies & Parts					
5303410 · Supplies - Custodial	283	1,058	2,400	-1,342	44%
5303420 · Building Alarm Maintenance	0	420	420	0	100%
Total 5303400 · Maintenance Supplies & Parts	283	1,478	2,820	-1,342	52%
5304200 · Travel Expenses					
5304220 · Professional Development	13	821	1,000	-179	82%
5304270 · Vehicle Expenses	1,521	6,387	10,000	-3,613	64%
Total 5304200 · Travel Expenses	1,534	7,208	11,000	-3,792	66%
5305200 · Data Processing Expenses					
5305230 · Data Proc-Maintenance & Repair	0	507	500	7	101%
5305240 · Data Processing - Software	0	2,850	2,850	0	100%
Total 5305200 · Data Processing Expenses	0	3,357	3,350	7	100%
5305300 · Printing Expense					
5305310 · Copier Expense	233	1,969	3,100	-1,131	64%
5305330 · Printing - Forms	0	0	100	-100	0%
Total 5305300 · Printing Expense	233	1,969	3,200	-1,231	62%
5305400 · Utilities					
5305410 · Telephone	216	1,448	2,100	-652	69%
5305415 · Cellular Phone	22	397	1,200	-803	33%
5305417 · Internet - Fire Dept.	154	2,341	3,600	-1,259	65%
5305430 · Natural Gas	73	1,444	1,200	244	120%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5305450 · Electricity	407	2,729	8,000	-5,271	34%
Total 5305400 · Utilities	872	8,359	16,100	-7,741	52%
5305500 · Repairs & Bldg Improvements					
5305520 · Repairs - Building	53	1,168	4,500	-3,332	26%
5305540 · Repairs - Machinery & Equipment	173	13,725	19,000	-5,275	72%
5305545 · Repairs - Apparatus	62	5,616	12,000	-6,384	47%
5305550 · Repairs - Vehicles	61	287	3,500	-3,213	8%
Total 5305500 · Repairs & Bldg Improvements	349	20,796	39,000	-18,204	53%
5305600 · Insurance					
5305610 · Insurance - Property	0	0	60	-60	0%
5305620 · Insurance - Liability	0	5,609	6,500	-891	86%
5305640 · Insurance - Vehicle	0	7,326	10,000	-2,674	73%
Total 5305600 · Insurance	0	12,935	16,560	-3,625	78%
5305700 · Other Expenses					
5305705 · Postage	0	0	200	-200	0%
5305752 · Employment Screening	0	156	700	-544	22%
5305765 · Flags & Miscellaneous	0	0	0	0	0%
5305770 · Matching Fire Grant Expense	0	0	50	-50	0%
Total 5305700 · Other Expenses	0	156	950	-794	16%
5306400 · Minor Capital Outlay					
5306440 · Machinery & Equipment	26	363	10,800	-10,437	3%
5306445 · Personal Protective Equipment	0	10,449	20,500	-10,051	51%
Total 5306400 · Minor Capital Outlay	26	10,812	31,300	-20,488	35%
Total 30 · Fire	35,176	397,484	618,345	-220,861	64%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
40 - Community Services					
5401100 - Salaries & Wages					
5401135 - ACO/Code Enforcement Officer	2,699	22,901	34,200	-11,299	67%
5401180 - Merit Raises - Staff	0	0	1,025	-1,025	0%
5401190 - Overtime	0	0	150	-150	0%
Total 5401100 - Salaries & Wages	2,699	22,901	35,375	-12,474	65%
5402100 - Employee Benefits					
5402110 - Group Insurance	700	3,150	5,440	-2,290	58%
5402135 - TMRS	161	1,309	2,000	-691	65%
5402160 - Worker's Compensation	0	91	275	-184	33%
5402170 - Payroll Taxes	50	384	550	-166	70%
5402190 - License	0	0	200	-200	0%
Total 5402100 - Employee Benefits	911	4,934	8,465	-3,531	58%
5402300 - Contractual Services					
5402315 - Contract Building Inspections	190	9,423	10,000	-577	94%
5402325 - Fire Inspections	0	0	600	-600	0%
5402370 - Impound Fees	180	585	2,000	-1,415	29%
Total 5402300 - Contractual Services	370	10,008	12,600	-2,592	79%
5402500 - Operating Services					
5402540 - Computer Maintenance	75	75	100	-25	75%
Total 5402500 - Operating Services	75	75	100	-25	75%
5402600 - Special Expenses					
5402680 - Environmental Testing	0	0	0	0	0%
5402685 - Clean up Day	0	0	100	-100	0%
Total 5402600 - Special Expenses	0	0	100	-100	0%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5403100 · General Supplies					
5403110 · Office Supplies	0	26	35	-9	74%
5403120 · Animal Care	0	185	240	-55	77%
5403122 · Pet Supplies	64	320	200	120	160%
5403140 · Uniforms	0	226	350	-124	65%
Total 5403100 · General Supplies	64	757	825	-68	92%
5403400 · Maintenance Supplies & Parts					
5403460 · Miscellaneous	0	0	100	-100	0%
Total 5403400 · Maintenance Supplies & Parts	0	0	100	-100	0%
5404200 · Travel Expenses					
5404210 · Travel - Local	0	0	25	-25	0%
5404220 · Professional Development	0	153	200	-47	77%
5404270 · Vehicle Expenses	155	1,151	1,800	-649	64%
Total 5404200 · Travel Expenses	155	1,304	2,025	-721	64%
5405200 · Data Processing Expenses					
5405230 · Data Proc-Maintenance & Repairs	0	0	100	-100	0%
Total 5405200 · Data Processing Expenses	0	0	100	-100	0%
5405300 · Printing Expense					
5405330 · Printing - Forms	0	0	150	-150	0%
Total 5405300 · Printing Expense	0	0	150	-150	0%
5405400 · Utilities					
5405415 · Cellular Phone	41	330	700	-370	47%
Total 5405400 · Utilities	41	330	700	-370	47%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5405600 · Insurance					
5405610 · Insurance - Property	0	6	8	-2	75%
5405620 · Insurance - Liability	0	153	205	-52	75%
5405640 · Insurance - Vehicle	0	393	525	-132	75%
Total 5405600 · Insurance	0	552	738	-186	75%
5405700 · Other Expenses					
5405765 · Miscellaneous	0	65	100	-35	65%
Total 5405700 · Other Expenses	0	65	100	-35	65%
5406400 · Minor Capital Outlay					
5406440 · Machinery & Equipment	22	22	826	-804	3%
Total 5406400 · Minor Capital Outlay	22	22	826	-804	3%
Total 40 · Community Services	4,337	40,948	62,204	-21,256	66%
45 · Solid Waste					
5455400 · Utilities					
5455465 · Solidwaste Pickup (Garbage)	0	116,610	198,000	-81,390	59%
5455400 · Utilities - Other	0	0	0	0	0%
Total 5455400 · Utilities	0	116,610	198,000	-81,390	59%
Total 45 · Solid Waste	0	116,610	198,000	-81,390	59%
50 · Streets					
5501400 · Support Staff					
5501415 · Maintenance Crew	997	11,765	22,500	-10,735	52%
5501480 · Merit Raises	0	0	700	-700	0%
5501490 · Overtime	0	508	1,500	-992	34%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5501500 · Streets - On Call	0	150	750	-600	20%
Total 5501400 · Support Staff	997	12,423	25,450	-13,027	49%
5502100 · Employee Benefits					
5502110 · Group Insurance	453	3,171	5,440	-2,269	58%
5502135 · TMRS	59	701	1,350	-649	52%
5502160 · Worker's Compensation	0	1,634	1,745	-111	94%
5502170 · Payroll Taxes	14	181	375	-194	48%
5502190 · License	0	0	122	-122	0%
Total 5502100 · Employee Benefits	526	5,687	9,032	-3,345	63%
5502200 · Special Services					
5502280 · NCTCOG- SWMP Fees	0	2,425	6,250	-3,825	39%
Total 5502200 · Special Services	0	2,425	6,250	-3,825	39%
5502600 · Special Expenses					
5502620 · Emergency Clean Up	835	835	2,500	-1,665	33%
Total 5502600 · Special Expenses	835	835	2,500	-1,665	33%
5503100 · General Supplies					
5503110 · Office Supplies	0	0	100	-100	0%
5503140 · Uniforms	0	224	400	-176	56%
Total 5503100 · General Supplies	0	224	500	-276	45%
5503400 · Maintenance Supplies & Parts					
5503405 · Drainage Maintenance	0	0	500	-500	0%
5503420 · Supplies - Street Signs	0	854	2,000	-1,146	43%
5503460 · Miscellaneous	47	197	214	-17	92%
Total 5503400 · Maintenance Supplies & Parts	47	1,051	2,714	-1,663	39%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5504200 · Travel Expenses					
5504220 · Professional Development	0	500	500	0	100%
5504270 · Vehicle Expenses	842	3,181	6,000	-2,819	53%
Total 5504200 · Travel Expenses	842	3,681	6,500	-2,819	57%
5505300 · Printing Expense					
5505350 · Printing - Other	0	0	300	-300	0%
Total 5505300 · Printing Expense	0	0	300	-300	0%
5505400 · Utilities					
5505450 · Electricity	3,487	24,674	45,500	-20,826	54%
Total 5505400 · Utilities	3,487	24,674	45,500	-20,826	54%
5505500 · Repairs & Bldg Improvements					
5405520 · Repairs - Building	0	0	1,000	-1,000	0%
5505540 · Repairs - Machinery & Equipment	299	2,237	3,000	-763	75%
5505550 · Repairs - Vehicles	0	1,107	2,500	-1,393	44%
5505560 · Repairs -Street Maint.& Repairs	5,377	22,905	50,000	-27,095	46%
5505565 · Repairs - Infrastruct Drainage	0	1,851	5,000	-3,149	37%
5505590 · Repairs - Other	45	385	1,500	-1,115	26%
Total 5505500 · Repairs & Bldg Improvements	5,721	28,485	63,000	-34,515	45%
5505600 · Insurance					
5505610 · Insurance - Property	0	80	100	-20	80%
5505620 · Insurance - Liability	0	735	1,000	-265	74%
5505640 · Insurance - Vehicle	0	2,385	3,400	-1,015	70%
Total 5505600 · Insurance	0	3,200	4,500	-1,300	71%
5505700 · Other Expenses					

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5505752 · Employment Screening	0	100	100	0	100%
Total 5505700 · Other Expenses	0	100	100	0	100%
5506400 · Minor Capital Outlay					
5506440 · Machinery & Equipment	-175	814	8,100	-7,286	10%
5506445 · Personal Protective Equipment	0	235	300	-65	78%
5506490 · Other	0	332	500	-168	66%
Total 5506400 · Minor Capital Outlay	-175	1,381	8,900	-7,519	16%
5507400 · Capitalized Assets					
5507440 · Machinery & Equipment	0	2,250	8,000	-5,750	28%
5507460 · Infrastructure	0	0	148,000	-148,000	0%
Total 5507400 · Capitalized Assets	0	2,250	156,000	-153,750	1%
Total 50 · Streets	12,280	86,416	331,246	-244,830	26%
60 · Parks					
5602400 · Rentals					
5602490 · Rental - Other	210	1,679	2,900	-1,221	58%
Total 5602400 · Rentals	210	1,679	2,900	-1,221	58%
5602600 · Special Expenses					
5602680 · Heritage Day	0	0	8,000	-8,000	0%
Total 5602600 · Special Expenses	0	0	8,000	-8,000	0%
5603400 · Maintenance Supplies & Parts					
5603460 · Miscellaneous	150	150	250	-100	60%
Total 5603400 · Maintenance Supplies & Parts	150	150	250	-100	60%
5605400 · Utilities					

**City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013**

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5605450 · Electricity	588	4,392	9,000	-4,608	49%
Total 5605400 · Utilities	588	4,392	9,000	-4,608	49%
5605500 · Repairs & Bldg Improvements					
5605520 · Repairs - Building	0	322	500	-178	64%
5605530 · REPAIRS-IMP OTHER THAN BLDGS	0	514	1,000	-486	51%
Total 5605500 · Repairs & Bldg Improvements	0	836	1,500	-664	56%
5605600 · Insurance					
5605610 · Insurance - Property	0	40	160	-120	25%
5605620 · Insurance - Liability	0	36	50	-14	72%
Total 5605600 · Insurance	0	76	210	-134	36%
5605700 · Other Expenses					
5605765 · Miscellaneous	0	206	200	6	103%
Total 5605700 · Other Expenses	0	206	200	6	103%
5606400 · Minor Capital Outlay					
5606410 · Land Improvements	209	461	500	-39	92%
5606440 · Machinery & Equipment	0	241	500	-259	48%
Total 5606400 · Minor Capital Outlay	209	702	1,000	-298	70%
5607400 · Capitalized Assets					
5607440 · Machinery & Equipment	0	500	3,000	-2,500	17%
Total 5607400 · Capitalized Assets	0	500	3,000	-2,500	17%
Total 60 · Parks	1,157	8,541	26,060	-17,519	33%
6560 · Payroll Expenses	0	0			
Total Expense	187,204	1,349,069	2,324,531	-975,462	58%

City of Ovilla General Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Net Income	-96,914	597,463	0	597,463	100%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000400 - Charges for Services					
4000460 - Water Sales	55,402	545,795	1,100,000	-554,205	50%
4000461 - Sewer Service	11,279	95,526	150,000	-54,474	64%
4000465 - Water & Sewer Penalties	1,398	11,835	19,000	-7,165	62%
4000471 - Reconnect Fees	469	4,127	5,000	-873	83%
4000472 - Meters	0	575	0	575	100%
4000473 - Connect Fees	75	1,100	2,000	-900	55%
4000478 - Infrastructure Improvement Fee	4,588	37,767	55,000	-17,233	69%
4000480 - Solid Waste Fees (Garbage)	11	0			
Total 4000400 - Charges for Services	73,222	696,725	1,331,000	-634,275	52%
4000800 - Other Revenue					
4000840 - Interest Earned	220	1,800	2,500	-700	72%
4000890 - Misc Other Revenue	4,836	7,336	5,000	2,336	147%
Total 4000800 - Other Revenue	5,056	9,136	7,500	1,636	122%
Total Income	78,278	705,861	1,338,500	-632,639	53%
Gross Profit	78,278	705,861	1,338,500	-632,639	53%
Expense					
70 - Administration					
5701100 - Salaries & Wages					
5701110 - City Administrator	0	4,889	21,220	-16,331	23%
5701115 - City Secretary	0	5,945	12,225	-6,280	49%
5701117 - Finance Accountant	0	6,687	12,500	-5,813	53%
5701120 - Part Time Admin. Support	0	1,112	2,550	-1,438	44%
5701130 - Public Works Director	3,649	30,964	46,150	-15,186	67%
5701180 - Merit Raises, Staff	0	0	2,100	-2,100	0%
Total 5701100 - Salaries & Wages	3,649	49,597	96,745	-47,148	51%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5702100 · Employee Benefits					
5702110 · Group Insurance	453	3,624	5,440	-1,816	67%
5702135 · TMRS	217	1,763	2,700	-937	65%
5702170 · Payroll Taxes	53	453	800	-347	57%
Total 5702100 · Employee Benefits	723	5,840	8,940	-3,100	65%
5702200 · Special Services					
5702230 · Legal Fees	0	0	1,382	-1,382	0%
5702240 · Audit	0	5,565	5,600	-35	99%
5702250 · Accounting	0	1,000	1,500	-500	67%
Total 5702200 · Special Services	0	6,565	8,482	-1,917	77%
5702300 · Contractual Services /Personnel					
5702310 · Consultant Fees	0	0	5,000	-5,000	0%
Total 5702300 · Contractual Services /Personnel	0	0	5,000	-5,000	0%
5703100 · General Supplies					
5703110 · Office Supplies	323	480	800	-320	60%
Total 5703100 · General Supplies	323	480	800	-320	60%
5703400 · Maintenance Supplies / Parts					
5703410 · Supplies - Custodial	26	26	200	-174	13%
Total 5703400 · Maintenance Supplies / Parts	26	26	200	-174	13%
5704200 · Travel Expenses					
5704210 · Travel - Local	0	0	200	-200	0%
5704220 · Professional Development	0	0	750	-750	0%
Total 5704200 · Travel Expenses	0	0	950	-950	0%
5705200 · Data Processing Expenses					

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5705240 · Data Processing - Software	0	0	1,000	-1,000	0%
Total 5705200 · Data Processing Expenses	0	0	1,000	-1,000	0%
5705300 · Printing Expense	0	0	250	-250	0%
5705350 · Printing - Other	0	0	250	-250	0%
Total 5705300 · Printing Expense	0	0	250	-250	0%
5705400 · Utilities					
5705410 · Telephone	111	867	1,300	-433	67%
5705415 · Cellular Phone	37	296	1,100	-804	27%
5705417 · Internet	68	532	800	-268	67%
Total 5705400 · Utilities	216	1,695	3,200	-1,505	53%
5705700 · Other Expenses					
5705705 · Postage	0	4,653	6,000	-1,347	78%
5705740 · Advertising	0	0	500	-500	0%
5705760 · Bank Service Charge	6	84	250	-166	34%
5705765 · Miscellaneous	0	0	100	-100	0%
5705775 · Credit Card Transaction Fee	155	1,760	3,400	-1,640	52%
Total 5705700 · Other Expenses	161	6,497	10,250	-3,753	63%
5706400 · Minor Capital Outlay					
5706440 · Machinery & Equipment	0	0	500	-500	0%
Total 5706400 · Minor Capital Outlay	0	0	500	-500	0%
5709000 · Reserve					
5708215 · Transfer Out - General Fund	0	58,150	116,301	-58,151	50%
5709002 · Capital Improv. Water Reserve	0	0	84,000	-84,000	0%
5709003 · Capital Improv. Sewer Reserve	0	0	18,659	-18,659	0%
5709010 · Administrative Reserves	0	0	750	-750	0%
Total 5709000 · Reserve	0	58,150	219,710	-161,560	26%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 70 · Administration	5,098	128,850	356,027	-227,177	36%
75 · Water					
5751100 · Salaries & Wages					
5751133 · Superintendent	3,356	28,479	44,000	-15,521	65%
5751180 · Merit Raises - Staff	0	0	1,350	-1,350	0%
Total 5751100 · Salaries & Wages	3,356	28,479	45,350	-16,871	63%
5751400 · Support Salaries					
5751405 · Support Staff	2,802	18,749	27,000	-8,251	69%
5751415 · Maintenance Crew	5,182	34,092	49,000	-14,908	70%
5751430 · Seasonal Crew	0	0	2,000	-2,000	0%
5751450 · Certification Pay	69	553	1,200	-647	46%
5751480 · Merit Raises	0	0	2,250	-2,250	0%
5751490 · Overtime	337	1,377	4,000	-2,623	34%
5751500 · Water - On Call	50	400	1,000	-600	40%
Total 5751400 · Support Salaries	8,440	55,171	86,450	-31,279	64%
5752100 · Employee Benefits					
5752110 · Group Insurance	2,100	12,621	22,000	-9,379	57%
5752135 · TMRS	692	5,009	7,000	-1,991	72%
5752160 · Worker's Compensation	0	1,588	2,800	-1,212	57%
5752170 · Payroll Taxes	199	1,416	2,000	-584	71%
5752190 · Licenses	0	0	222	-222	0%
Total 5752100 · Employee Benefits	2,991	20,634	34,022	-13,388	61%
5752300 · Contractual Services/Personnel					
5752350 · Contract Labor - Company	105	705	1,500	-795	47%
5752380 · Dispatch	0	8,710	9,230	-520	94%
Total 5752300 · Contractual Services/Personnel	105	9,415	10,730	-1,315	88%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5752400 · Rentals					
5752420 · Rental - Machinery & Equipment	0	99	500	-401	20%
5752490 · Rental - Other	0	0	200	-200	0%
Total 5752400 · Rentals	0	99	700	-601	14%
5752500 · Operating Services					
5752580 · Water Testing	263	2,264	4,000	-1,736	57%
5752590 · TCEQ Fees	0	2,690	3,000	-310	90%
Total 5752500 · Operating Services	263	4,954	7,000	-2,046	71%
5753100 · General Supplies					
5753140 · Uniforms	0	1,440	1,500	-60	96%
Total 5753100 · General Supplies	0	1,440	1,500	-60	96%
5753400 · Maintenance Supplies & Parts					
5753460 · Miscellaneous	0	276	250	26	110%
Total 5753400 · Maintenance Supplies & Parts	0	276	250	26	110%
5754200 · Travel Expenses					
5754220 · Professional Development	235	970	1,000	-30	97%
5754270 · Vehicle Expenses	690	4,718	9,000	-4,282	52%
Total 5754200 · Travel Expenses	925	5,688	10,000	-4,312	57%
5755200 · Data Processing Expenses					
5755230 · Data Proc-Maintenance & Repairs	0	4,043	4,500	-457	90%
5755240 · Data Processing - Software	0	0	500	-500	0%
5755250 · Data Proc - Computer Repair	0	0	500	-500	0%
Total 5755200 · Data Processing Expenses	0	4,043	5,500	-1,457	74%
5755300 · Printing Expenses					

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5755310 · Copier Expense	657	1,971	2,700	-729	73%
5755350 · Printing - Other	0	0	1,500	-1,500	0%
Total 5755300 · Printing Expenses	657	1,971	4,200	-2,229	47%
5755400 · Utilities					
5755415 · Cellular Phone	113	915	900	15	102%
5755450 · Electricity	1,650	12,484	28,370	-15,886	44%
5755460 · Water, wholesale	18,553	142,531	375,000	-232,469	38%
Total 5755400 · Utilities	20,316	155,930	404,270	-248,340	39%
5755500 · Repairs & Building Improvements					
5755540 · Repairs- Machinery & Equipment	0	716	8,000	-7,284	9%
5755550 · Repairs - Vehicles	0	1,147	2,000	-853	57%
5755570 · Inventory Expense	999	12,342	18,705	-6,363	66%
5755590 · Repairs - Other	120	1,256	4,601	-3,345	27%
Total 5755500 · Repairs & Building Improvements	1,119	15,461	33,306	-17,845	46%
5755600 · Insurance					
5755610 · Insurance - Property	0	1,944	2,600	-656	75%
5755620 · Insurance - Liability	0	1,296	1,750	-454	74%
5755640 · Insurance - Vehicle	0	1,377	2,000	-623	69%
Total 5755600 · Insurance	0	4,617	6,350	-1,733	73%
5755700 · Other Expenses					
5755752 · Employment Screening	0	0	300	-300	0%
Total 5755700 · Other Expenses	0	0	300	-300	0%
5756400 · Minor Capital Outlay					
5756440 · Machinery & Equipment	0	270	1,000	-730	27%
5756490 · Other	0	691	500	191	138%
Total 5756400 · Minor Capital Outlay	0	961	1,500	-539	64%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5757400 · Capitalized Assets					
5757470 · Infrastructure - Water	0	0	6,000	-6,000	0%
Total 5757400 · Capitalized Assets	0	0	6,000	-6,000	0%
5757900 · Long-Term Debt					
5758225 · Transfer out to Debt Fund	0	81,306	162,610	-81,304	50%
Total 5757900 · Long-Term Debt	0	81,306	162,610	-81,304	50%
Total 75 · Water	38,172	390,445	820,038	-429,593	48%
80 · Sewer					
5801400 · Support Salaries					
5801405 · Support Staff	0	5,079	8,800	-3,721	58%
5801415 · Maintenance Crew	4,072	34,414	52,000	-17,586	66%
5801450 · Certification Pay	0	92	1,200	-1,108	8%
5801480 · Merit Raises	0	0	2,000	-2,000	0%
5801490 · Overtime	428	2,020	1,800	220	112%
5801500 · Sewer - On Call	50	700	850	-150	82%
Total 5801400 · Support Salaries	4,550	42,305	66,650	-24,345	63%
5802100 · Employee Benefits					
5802110 · Group Insurance	905	7,240	10,900	-3,660	66%
5802135 · TMRS	263	2,063	3,500	-1,437	59%
5802160 · Worker's Compensation-Sewer	0	1,698	2,700	-1,002	63%
5802170 · Payroll Taxes	63	528	875	-347	60%
5802190 · Licenses	0	0	222	-222	0%
Total 5802100 · Employee Benefits	1,231	11,529	18,197	-6,668	63%
5802300 · Contractual Services/Personnel					
5802350 · Contract Labor - Company	0	6,729	7,400	-671	91%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 5802300 · Contractual Services/Personnel	0	6,729	7,400	-671	91%
5802500 · Operating Services					
5802515 · Sardis Collection Expense	0	1,118	2,400	-1,282	47%
5802590 · TCEQ Fees - Sewer	0	0	60	-60	0%
Total 5802500 · Operating Services	0	1,118	2,460	-1,342	45%
5803100 · General Supplies					
5803140 · Uniforms	0	835	1,000	-165	84%
Total 5803100 · General Supplies	0	835	1,000	-165	84%
5803400 · Maintenance Supplies & Parts					
5803460 · Miscellaneous	0	0	343	-343	0%
Total 5803400 · Maintenance Supplies & Parts	0	0	343	-343	0%
5804200 · Travel Expenses					
5804220 · Professional Development	0	355	500	-145	71%
5804270 · Vehicle Expense	158	990	1,600	-610	62%
Total 5804200 · Travel Expenses	158	1,345	2,100	-755	64%
5805400 · Utilities					
5805450 · Electricity	160	1,418	3,300	-1,882	43%
5805463 · TRA Wastewater Treatment	2,620	25,126	41,000	-15,874	61%
Total 5805400 · Utilities	2,780	26,544	44,300	-17,756	60%
5805500 · Repairs & Bldg Improvements					
5805510 · Repairs - Land Improvements	0	0	300	-300	0%
5805540 · Repairs - Machinery & Equipment	0	6,264	6,000	264	104%
5805550 · Repairs - Vehicles	0	0	0	0	0%
5805570 · Inventory Expense	0	2,660	750	1,910	355%
5805590 · Repairs - Other	145	466	5,000	-4,534	9%

Ovilla W&S Utility Fund
Profit & Loss Budget vs. Actual
 October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 5805500 - Repairs & Bldg Improvements	145	9,390	12,050	-2,660	78%
5805600 - Insurance					
5805610 - Insurance - Property	0	42	100	-58	42%
5805620 - Insurance - Liability	0	252	335	-83	75%
5805640 - Insurance - Vehicle	0	30	50	-20	60%
Total 5805600 - Insurance	0	324	485	-161	67%
5805700 - Other Expenses					
5805752 - Employment Screening	0	0	200	-200	0%
Total 5805700 - Other Expenses	0	0	200	-200	0%
5807400 - Capitalized Assets					
5807440 - Machinery & Equipment	0	8,801	7,250	1,551	121%
Total 5807400 - Capitalized Assets	0	8,801	7,250	1,551	121%
Total 80 - Sewer	8,864	108,920	162,435	-53,515	67%
Total Expense	52,134	628,215	1,338,500	-710,285	47%
Net Income	26,144	77,646	0	77,646	100%

Ovilla Debt Service
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000100 · Taxes					
4000107 · Ad Valorem, Current I & S	3,236	416,140	425,942	-9,802	98%
4000111 · Ad Valorem, Delinquent I & S	1,397	3,141	7,000	-3,859	45%
4000114 · Interest/Penalties - I & S	829	2,304	4,000	-1,696	58%
Total 4000100 · Taxes	5,462	421,585	436,942	-15,357	96%
4000800 · Other Revenue					
4000840 · Interest Earned	90	500	1,000	-500	50%
4000900 · Reduction of Reserve Fund Bal.	0	0	36,873	-36,873	0%
4000930 · Transfer In - Water & Sewer	0	81,306	162,610	-81,304	50%
Total 4000800 · Other Revenue	90	81,806	200,483	-118,677	41%
Total Income	5,552	503,391	637,425	-134,034	79%
Expense					
5157900 · Long-Term Debt					
5157930 · Paying Agent Fees	0	0	500	-500	0%
5157935 · 2011 Bond Issue Principle	0	0	400,000	-400,000	0%
5157940 · 2011 Bond Issue Interest	0	112,713	225,425	-112,712	50%
Total 5157900 · Long-Term Debt	0	112,713	625,925	-513,212	18%
5159000 · Reserves					
5159015 · Debt Reserves	0	0	11,500	-11,500	0%
Total 5159000 · Reserves	0	0	11,500	-11,500	0%
Total Expense	0	112,713	637,425	-524,712	18%
Net Income	5,552	390,678	0	390,678	100%

City of Ovilla Capital Projects Fund
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000800 · Other Revenue	0	0	2	-2	0%
4000845 · Interest Earned - Texstar	22	172	250	-78	69%
4000850 · Interest Earned - Prosperity	22	172	252	-80	68%
Total 4000800 · Other Revenue					
	22	172	252	-80	68%
Total Income					
	22	172	252	-80	68%
Expense					
5879000 · Reserves	0	0	252	-252	0%
5879010 · Admin Reserves	0	0	252	-252	0%
Total 5879000 · Reserves					
	0	0	252	-252	0%
Total Expense					
	0	0	252	-252	0%
Net Income					
	22	172	0	172	100%

City of Ovilla - Park Impact Fund Profit & Loss Budget vs. Actual October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000400 · Charges for Services	669	2,343	1,300	1,043	180%
4000460 · Park Impact	669	2,343	1,300	1,043	180%
Total 4000400 · Charges for Services					
4000800 · Other Revenue	4	22	15	7	147%
4000840 · Interest Earned	0	0	2,185	-2,185	0%
4000900 · Reduction of Fund Balance	4	22	2,200	-2,178	1%
Total 4000800 · Other Revenue					
Total Income	673	2,365	3,500	-1,135	68%
Expense					
5606400 · Minor Capital Outlay	0	0	500	-500	0%
5606410 · Land Improvements	0	0	0	0	0%
5606440 · Machinery and Equipment	0	0	0	0	0%
Total 5606400 · Minor Capital Outlay	0	0	500	-500	0%
5607400 · Capitalized Assets	0	3,000	3,000	0	100%
5607440 · Capital Machinery & Equipment	0	3,000	3,000	0	100%
Total 5607400 · Capitalized Assets					
Total Expense	0	3,000	3,500	-500	86%
Net Income	673	-635	0	-635	100%

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

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000400 · Charges for Services	0	1,879	1,105	774	170%
4000476 · Water Impact Fee	337	424	0	424	100%
4000477 · Sewer Impact Fee	337	2,303	1,105	1,198	208%
Total 4000400 · Charges for Services					
4000800 · Other Revenue	14	129	150	(21)	86%
4000840 · Interest Earned	0	0	15,700	(15,700)	0%
4000990 · Reduction in Fund Balance	14	129	15,850	(15,721)	1%
Total 4000800 · Other Revenue					
Total Income	351	2,432	16,955	(14,523)	14%
Expense					
5102300 · Contractual Services	2,002	14,741	15,700	(959)	94%
5102310 · Consultant Fees	2,002	14,741	15,700	(959)	94%
Total 5102300 · Contractual Services					
5859000 · Reserves	0	0	1,205	(1,205)	0%
5859020 · Water Impact Fees Reserve	0	0	50	(50)	0%
5859030 · Sewer Impact Fees Reserve	0	0	1,255	(1,255)	0%
Total 5859000 · Reserves					
Total Expense	2,002	14,741	16,955	(2,214)	87%
Net Income	(1,651)	(12,309)	0	(12,309)	100%

Ovilla 4B Economic Development Corporation
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000100 · Taxes					
4000120 · Sales tax	10,079	58,638	75,000	-16,362	78%
Total 4000100 · Taxes	10,079	58,638	75,000	-16,362	78%
4000800 · Other Revenue					
4000840 · Interest Income	78	557	650	-93	86%
Total 4000800 · Other Revenue	78	557	650	-93	86%
Total Income	10,157	59,195	75,650	-16,455	78%
Expense					
8102200 · Special Services					
8102220 · Website Support & Maintenance	0	0	1,000	-1,000	0%
8102230 · Legal Fees	0	0	500	-500	0%
8102240 · Audit	0	1,590	1,590	0	100%
Total 8102200 · Special Services	0	1,590	3,090	-1,500	51%
8102300 · Consultant Services					
8102310 · Consultant Fees	0	0	2,500	-2,500	0%
8102350 · Contract Labor	0	0	45,000	-45,000	0%
Total 8102300 · Consultant Services	0	0	47,500	-47,500	0%
8103100 · General Supplies					
8103110 · Office Supplies	0	0	100	-100	0%
Total 8103100 · General Supplies	0	0	100	-100	0%
8104200 · Travel Expense					
8104210 · Travel Expense	0	10	1,500	-1,490	1%
8104220 · Professional Development	0	270	1,500	-1,230	18%

Ovilla 4B Economic Development Corporation
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Total 8104200 · Travel Expense	0	280	3,000	-2,720	9%
8105600 · Insurance					
8105620 · Insurance - Liability	0	216	285	-69	76%
Total 8105600 · Insurance	0	216	285	-69	76%
8105700 · Other Expenses					
8105705 · Postage	0	0	90	-90	0%
8105730 · Memberships	0	1,100	2,000	-900	55%
8105765 · Miscellaneous	0	0	1,000	-1,000	0%
Total 8105700 · Other Expenses	0	1,100	3,090	-1,990	36%
8109000 · Reserves					
8109015 · Administrative Reserves	0	0	16,085	-16,085	0%
8109215 · Transfer Out - General Fund	0	0	2,500	-2,500	0%
Total 8109000 · Reserves	0	0	18,585	-18,585	0%
Total Expense	0	3,186	75,650	-72,464	4%
Net Income	10,157	56,009	0	56,009	100%

**Ovilla Municipal Development District
Profit & Loss Budget vs. Actual
October 2012 through May 2013**

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000100 · Taxes					
4000120 · Sales tax	2,965	17,087	20,000	-2,913	85%
Total 4000100 · Taxes	2,965	17,087	20,000	-2,913	85%
4000800 · Other Revenue					
4000840 · Interest Income	15	77	20	57	385%
Total 4000800 · Other Revenue	15	77	20	57	385%
Total Income	2,980	17,164	20,020	-2,856	86%
Expense					
9102200 · Special Services					
9102230 · Legal Fees	0	0	250	-250	0%
9102240 · Audit	0	1,590	1,600	-10	99%
9102250 · Accounting	0	0	250	-250	0%
Total 9102200 · Special Services	0	1,590	2,100	-510	76%
9102300 · Consultant Services					
9102310 · Consultant Fees	0	0	500	-500	0%
Total 9102300 · Consultant Services	0	0	500	-500	0%
9103100 · General Supplies					
9103110 · Office Supplies	0	0	100	-100	0%
Total 9103100 · General Supplies	0	0	100	-100	0%
9104200 · Travel Expense					
9104220 · Professional Development	0	0	250	-250	0%
Total 9104200 · Travel Expense	0	0	250	-250	0%

Ovilla Municipal Development District
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
9105600 · Insurance					
9105620 · Insurance - Liability	0	216	200	16	108%
Total 9105600 · Insurance	0	216	200	16	108%
9105700 · Other Expenses					
9105705 · Postage	0	0	25	-25	0%
Total 9105700 · Other Expenses	0	0	25	-25	0%
9109000 · Reserves					
9109015 · Administrative Reserves	0	0	16,345	-16,345	0%
9109215 · Transfer Out - General Fund	0	0	500	-500	0%
Total 9109000 · Reserves	0	0	16,845	-16,845	0%
Total Expense	0	1,806	20,020	-18,214	9%
Net Income	2,980	15,358	0	15,358	100%

Ovilla Police Department Special Fund
Profit & Loss Budget vs. Actual
 October 2012 through May 2013

1:28 PM
 06/18/13
 Accrual Basis

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000800 · Other Revenue	0	14,001	8,000	6,001	175%
4000815 · Gifts	0	14,001	8,000	6,001	175%
Total 4000800 · Other Revenue	0	14,001	8,000	6,001	175%
Total Income	0	14,001	8,000	6,001	175%
Expense					
5232600 · Special Expenses	0	568	2,265	-1,697	25%
5232690 · Special Expenses - Other	0	568	2,265	-1,697	25%
Total 5232600 · Special Expenses	0	568	2,265	-1,697	25%
5235500 · Repairs and Bldg Improvements	0	0	100	-100	0%
5235540 · Repairs - Machinery & Equipment	0	0	100	-100	0%
Total 5235500 · Repairs and Bldg Improvements	0	0	100	-100	0%
5235700 · Other Expense	0	0	500	-500	0%
5235735 · Official Functions	0	0	500	-500	0%
Total 5235700 · Other Expense	0	0	500	-500	0%
5236400 · Minor Capital Outlay	0	2,376	1,800	576	132%
5236440 · Machinery and Equipment	0	2,376	1,800	576	132%
Total 5236400 · Minor Capital Outlay	0	2,376	1,800	576	132%
5239000 · Reserves	0	0	3,335	-3,335	0%
5239010 · Administrative Reserves	0	0	3,335	-3,335	0%
Total 5239000 · Reserves	0	0	3,335	-3,335	0%
Total Expense	0	2,944	8,000	-5,056	37%
Net Income	0	11,057	0	11,057	100%

Ovilla Fire Department Auxiliary
Profit & Loss Budget vs. Actual
October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
Income					
4000800 · Other Revenue	0	1,240	1,500	-260	83%
4000815 · Gifts	0	57	1,000	-943	6%
4000830 · Vending Machines	0	0	5,750	-5,750	0%
4000880 · Reduction in Fund Balance	0	1,297	8,250	-6,953	16%
Total 4000800 · Other Revenue					
Total Income	0	1,297	8,250	-6,953	16%
Expense					
5332100 · Employee Benefits	0	0	100	-100	0%
5332196 · Membership Dues	0	0	100	-100	0%
Total 5332100 · Employee Benefits					
5333400 · Maintenance Supplies and Parts	0	488	3,000	-2,512	16%
5333460 · Supplies - Miscellaneous	0	488	3,000	-2,512	16%
Total 5333400 · Maintenance Supplies and Parts					
5334200 · Travel Expenses	0	0	150	-150	0%
5334220 · Professional Development	0	0	150	-150	0%
Total 5334200 · Travel Expenses					
5335700 · Other Expense	0	416	3,000	-2,584	14%
5335735 · Official Functions	0	714	2,000	-1,286	36%
5335765 · Miscellaneous	0	1,130	5,000	-3,870	23%
Total 5335700 · Other Expense					
5336400 · Minor Capital Outlay	0	0	0	0	0%
5336440 · Machinery & Equipment	0	0	0	0	0%
Total 5336400 · Minor Capital Outlay					

Ovilla Fire Department Auxiliary
Profit & Loss Budget vs. Actual
 October 2012 through May 2013

	May 13	Oct '12 - May 13	Original Budget	\$ Over Budget	% of Budget Thru May 67%
5339000 - Reserve					
5339010 - Admin Reserves	0	0	0	0	0%
Total 5339000 - Reserve	0	0	0	0	0%
Total Expense	0	1,618	8,250	-6,632	20%
Net Income	0	-321	0	-321	100%

CITY OF OVILLA MINUTES
Thursday, May 30, 2013
Special City Council Meeting
Larry Marlow Fire Department Training Room
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 5:02 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
Vacant Seat	Council Member Place 5

Mayor Dormier noted present members, thus constituting a quorum. The City Secretary attended and Ms Cynthia Powell was present for a second interview with Council.

PL4 Hunt gave the Invocation

Mayor Dormier led the recitation of the Pledge of Allegiance

I. EXECUTIVE SESSION

Closed Meeting called pursuant to Texas Government Code § 551.074 - Personnel Matters.

ITEM 1. DISCUSSION/ACTION – Deliberate the appointment employment, and/or duties of the Interim City Administrator and/or permanent City Administrator.

Mayor Dormier advised that Council would convene into Executive Session at 5:05 p.m., to interview and deliberate with city administrator applicant, Ms Cynthia Powell.

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

Mayor Dormier and Council reconvened into regular session at 6:12 p.m. The City Secretary was instructed to compose a Letter of Agreement between the City and Ms Powell subject to the motion.

PL1 Hall made the motion that Council approves the employment of Ms Powell based on the following:

1. Ms Cynthia Powell is employed as the City Administrator effective June 24, 2013.
2. The annual salary will begin at \$80,000.
3. A \$2,000 moving allowance will be provided with the submittal of paid receipts for such expenses. If Ms Powell terminates her employment with the City before two (2) years, the \$2,000 moving expense will be prorated and reimbursed to the City.
4. Upon employment, Ms Powell will be permitted a two-week vacation available in October 2013.
5. Professional memberships and annual conferences paid by the City:
 - a. TCMA and ICMA

Ms Powell will respond to the City Secretary by Monday, June 03, 2013, of her decision whether or not to accept Council's offer.

The motion was seconded by PL4 Hunt. *Mayor Dormier conducted a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 4-0.

ADJOURNMENT

PL2 Stevenson made a motion to adjourn the meeting; seconded by PL4 Hunt.
There being no further business, Mayor Dormier adjourned the meeting at 6:15 p.m.

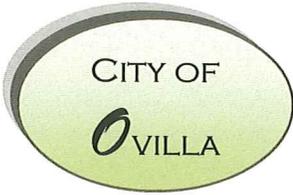
ATTEST:

Pamela Woodall, City Secretary

Richard Dormier, Mayor

Approved June 24, 2013

Certified Executive Agenda sealed and filed separately.



AGENDA ITEM REPORT

REGULAR AGENDA

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

Meeting Date: June 24, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: \$N/A

Attachments:

I. Presentation distributed by Mr. Brian Clark, P.E.

Agenda Item / Topic:

ITEM I. DISCUSSION/ACTION – Consider the information presented by Atkins Global and TXDOT regarding the proposed alignment of the Loop 9 Corridor and any necessary action on same.

Discussion / Justification:

Staff received notice from Mr. Brian Clark, P.E., Project Manager, Transportation Design with Atkins Engineering along with Mr. Bruce Nolley, TXDOT that the TX Department of Transportation Loop 9 Team representatives wished to present a Feasibility Study on the Loop 9 Corridor. The shift alternatives will affect the Loop 9 Corridor coming through Ovilla. The Loop 9 Team is soliciting input from the Ovilla governing body.

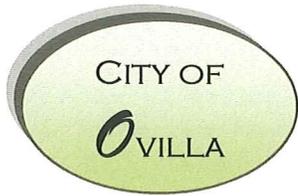
Recommendation / Staff Comments:

N/A

Sample Motion(s):

“I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES _____.”

MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____



AGENDA ITEM REPORT

REGULAR AGENDA

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

Meeting Date: June 24, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Chief M. Moon

Amount: \$N/A

Attachments:

- 1. Copy of Proposed Ordinance 2013-020
- 2. Section 418.1015 of the "Act"

Agenda Item / Topic:

ITEM 2. DISCUSSION/ACTION – Consider proposed Ordinance 2013-020 Establishing a Program Response and Recovery Phases of Comprehensive Emergency Management.

Discussion / Justification:

The Texas Government Code Chapter 418 (The TX Disaster Act of 1795) requires all cities and counties to have an updated emergency operations plan. Passing this ordinance is the first of many steps to move the city towards NIMS compliance, which will make the city eligible for FEMA funds if ever necessary. NIMS stands for National Incident Management System. NIMS has required training for individuals involved in the emergency management system. It has regulations that are required to be met before an agency can be declared "NIMS compliant" and FEMA funds can be granted. Having the required NIMS training in a government agency also helps when applying for grants. We currently have enough of a plan to operate the EOC in case of an emergency, but a much broader plan is being established that will put the City in NIMS compliance. This broader plan will take more time due to the many details and departments it will involve.

Recommendation / Staff Comments:

Recommends approval

Sample Motion(s):

"I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES PROPOSED ORDINANCE 2013-020, ESTABLISHING A PROGRAM RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT."

MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____

ORDINANCE NO. 2013-020

AN ORDINANCE ESTABLISHING A PROGRAM RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF OVILLA, TEXAS; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES; PROVIDING FOR PENALTIES; PROVIDING A SEVERACE CLAUSE; PROVIDING A LIMITATIONS CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the City Council hereby declares that the preparation of a Comprehensive Emergency Management plan, and the means for its implementation, for the protection of lives and property in the City of Ovilla from natural or man-caused disasters or threats thereof is immediately essential; and

WHEREAS, the City Council further finds that in times of disasters which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation preconceived emergency management plans and preparations with a minimum of delay; and

WHEREAS, the City Council finds, therefore, that the preparation and implementation of such plans are now imperative.

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

SECTION 1: ORGANIZATION

There exists the office of Emergency Management Director of the City of Ovilla, which shall be held by the Mayor in accordance with State law.

- (a) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director;
- (b) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in

ORDINANCE NO. 2013-020

this ordinance. He/she may delegate authority for execution shall remain with the Director.

- (c) The operational Emergency Management organization of the City of Ovilla shall consist of the officers and employees of the City so designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the Emergency Management plan.

SECTION 2: EMERGENCY MANAGEMENT DIRECTOR – POWERS AND DUTIES

The duties and responsibilities of the Emergency Management Director shall include the following:

- (a) Surveying actual or potential hazards which threaten life and property within the City and identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.
- (b) Supervision of the development and approval of an emergency management plan for the City of Ovilla, and recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan.
- (c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- (d) Issuance of necessary proclamations, regulations, or directives which are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary.
- (e) Direction and control of the operations of the City of Ovilla Emergency Management organization as well as the training of Emergency Management personnel.
- (f) Determination of all questions of authority and responsibility that may arise within the Emergency management organization of the City.
- (g) Maintenance of liaison with other municipal, County, District, State, regional or federal Emergency Management organizations.
- (h) Marshaling of all necessary personnel, equipment, or supplies from any department of the City to aid in the carrying out of the provisions of the emergency management plan.

ORDINANCE NO. 2013-020

- (i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the State and of other local political subdivisions of the State, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the County, for county-wide coordination of Emergency Management efforts.
- (j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving Emergency Management within the City.
- (k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.
- (l) Surveying the availability of existing personnel, equipment, supplies, and services which could be used during a disaster, as provided for herein.
- (m) Other requirements as specified in the Texas Disaster Act (Chapter 418 of the Government Code).

SECTION 3: EMERGENCY MANAGEMENT PLAN

A comprehensive Emergency Management Plan shall be developed, maintained and kept state. The plan shall set forth the form of the organization; establish and designate divisions and functions; assign responsibilities, tasks, duties, and powers; and designate officers and employees to carry out the provisions of this ordinance. As provided by State law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendations of the State Division of Emergency Management. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The emergency management plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

SECTION 4: INTERJURISDICTIONAL PROGRAM

The Mayor is hereby authorized to join with the County Judge of the County of Ellis and the mayors of the other cities in said county in the formation of an interjurisdictional emergency management program for the County of Ellis, and shall have the authority to cooperate in the preparation of an interjurisdictional emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a county-wide program of emergency management insofar as said program may affect the City of Ovilla.

SECTION 5: OVERRIDE

At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

ORDINANCE NO. 2013-020

SECTION 6: LIABILITY

This ordinance is an exercise by the City of its governmental functions for the protection of the public peace, health, and safety and neither the City of Ovilla, the agents and representatives of said City, nor any individual, receiver, firm, partnership, corporation, association, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule, or regulation promulgated pursuant to the provisions of this ordinance shall be liable for any damage sustained to persons as the result of said activity. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City of Ovilla a license of privilege, or otherwise permits the City to inspect, designate, and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, or practice enemy attack or natural or man-made disaster shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

SECTION 7: COMMITMENT OF FUNDS

No person shall have the right to expend any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement, or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life, or property.

SECTION 8: OFFENSES; PENALTIES

- (a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this ordinance.
- (b) It shall likewise be unlawful for any person to wear, carry, or display any emblem, insignia, or any other means of identification as a member of the Emergency Management organization of the City of Ovilla, unless authority to do so has been granted to such person by the proper officials.
- (c) Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to excess \$500.00 for each offense. Each day that a violation is permitted or caused to exist shall be a separate, punishable offense.

SECTION 9: SEVERABILITY

If any portion of this ordinance shall, for any reason, be declared invalid such, invalidity shall not affect the remaining provisions thereof.

ORDINANCE NO. 2013-020

SECTION 10: LIMITATIONS

This ordinance shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

SECTION 11: SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 12. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 13. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

THE CITY OF OVILLA, TEXAS:

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

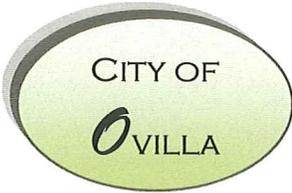
Ron G. MacFarlane, Jr., City Attorney

Sec. 418.1015. EMERGENCY MANAGEMENT DIRECTORS. (a) The presiding officer of the governing body of an incorporated city or a county or the chief administrative officer of a joint board is designated as the emergency management director for the officer's political subdivision.

(b) An emergency management director serves as the governor's designated agent in the administration and supervision of duties under this chapter. An emergency management director may exercise the powers granted to the governor under this chapter on an appropriate local scale.

(c) An emergency management director may designate a person to serve as emergency management coordinator. The emergency management coordinator shall serve as an assistant to the emergency management director for emergency management purposes.

(d) A person, other than an emergency management director exercising under Subsection (b) a power granted to the governor, may not seize state or federal resources without prior authorization from the division or the state or federal agency having responsibility for those resources.



AGENDA ITEM REPORT

REGULAR AGENDA

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

Meeting Date: June 24, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Ms J. Lee

Amount: \$N/A

Attachments:

- I. Draft Employee Compensation Study RFP

Agenda Item / Topic:

ITEM 3. DISCUSSION/ACTION – Consider the draft RFP for the development of an Employee Compensation and Classification Study for the City of Ovilla.

Discussion / Justification:

A Compensation Study is a personnel systems process, which provides insight and recommendations as to whether the organization’s current employee classification and compensation structure, policies and practices are appropriate or in need of adjustment. The Study would provide the framework relating to how employees are paid in a fair and equitable manner. Upon the Interim City Administrator’s (ICA), one of the tasks assigned was to conduct a personnel assessment. During this process, the ICA determined that the City does not have a validated Compensation and Classification System and one is essential to support current employee job duties and related pay.

The Study would evaluate current labor market, current job classifications and descriptions, and compliance with statutory requirements.

Recommendation / Staff Comments:

Approval of Compensation and Classification Study.

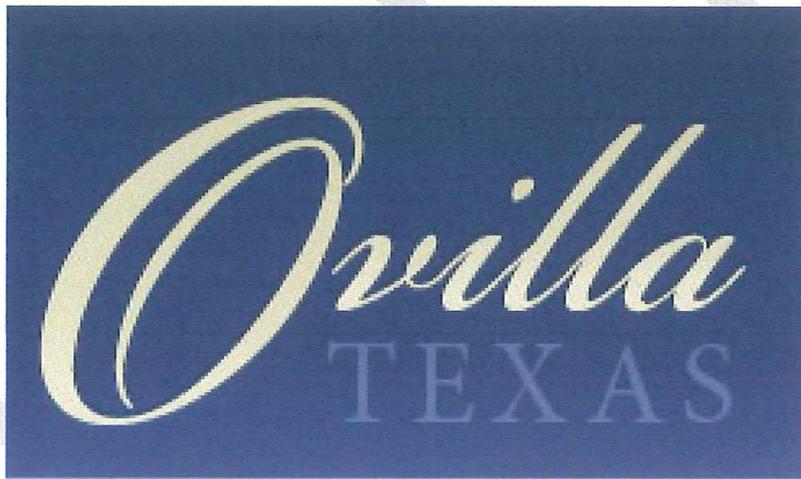
Sample Motion(s):

“I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES THE DEVELOPMENT OF A FORMAL REQUEST FOR PROPOSAL FOR A CONSULTANT/FIRM TO CONDUCT A COMPENSATION AND CLASSIFICATION STUDY.

MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____

City of Ovilla
Employee Compensation Study
Request for Proposals
Issued July xx, 2013

(DRAFT – FOR DISCUSSION PURPOSED ONLY)



Proposals Due July ?, 2013 at 5:00 pm

**CITY OF OVILLA
REQUEST FOR PROPOSALS
EMPLOYEE COMPENSATION STUDY**

I. INTRODUCTION

Solicitation

The City of Ovilla requests proposals from qualified consultants/firms experienced in the design of position classification and compensation systems. The selected firm will consider the objective of the City and recommend changes necessary to establish and maintain an equitable and easy to administer classification and compensation system for approximately 55 City of Ovilla employees in both FLSA exempt and non-exempt positions. The City currently does not have a formal classification and compensation system.

City Background Information

The City of Ovilla was incorporated in 1963 and is located primarily in Ellis County, with a small portion of the City in Dallas County, approximately 23 miles south of downtown Dallas and 11 miles east of Joe Pool Lake. The City covers approximately 5.7 square miles and has a population of 3,492 as of the 2010 census, which is virtually unchanged from the 2000 census count of 3,405. The City's tax base is primarily comprised of upscale single-family residential housing. Recently the City has begun to experience considerable residential growth with the expansion of one of its existing neighborhood subdivisions and a new subdivision. Anticipating continued favorable growth the City wants to insure that its Personnel systems are structured to attract and retain employees.

II. SCOPE OF SERVICES

The City desires to enter into a contract with a highly qualified and experienced consulting firm for the purpose of conducting an Employee Classification and Compensation Study. The Study will assist in the development and implementation of a salary administration program that will enable the City to competitively recruit new employees, retain our current workforce, and motivate employee job performance. The chosen consulting firm will work directly with the City Administrator and selected other City staff and elected officials in the development of the classification and compensation system.

Staffing information

The seven (7) City Departments are Administration, City Secretary, Accounting, Public Works, Community Services/Code Compliance, Police and Fire.

Approximately 55 positions (23 full time and 32 part time) are part of this project including the following:

- 6 FLSA, exempt positions
- 51 FLSA, non-exempt positions
- Uniformed Fire and Police are also included in this study
- A fluctuating number of seasonal and temporary positions will not be included in the study.

City employees are not represented by a labor union and are not subject to a collective bargaining agreement. A merit pay system has been utilized to encourage good performance.

III. PROJECT DELIVERABLES

To achieve the desired results, the consulting firm selected to conduct the classification and compensation study will be expected to deliver the following services:

- An update of all position descriptions to accurately reflect the actual duties and responsibilities performed by current incumbents, identification of essential job functions, and recommendations for classifying each position as exempt or non-exempt.
- A compensation and classification analysis that includes a survey of wages and benefits for comparable cities and private sector employers.
- A compensation and classification analysis that addresses the issue of internal equity.
- A compensation plan that is easily integrated.
- A pay structure that includes a recommendation for recognizing and rewarding increased competencies, skills, and/or performance.
- A classification system, which can be maintained on a long-term basis.
- Presentations to City Administrator, Department Heads, Employees and Elected Officials.
- The Consultant may propose additional tasks as deemed necessary to complete the assignment.

IV. REQUIRED PROPOSAL CONTENTS

Please respond to each section fully and completely in order to assure that your firm receives full credit when your proposal is reviewed and rated by the City of Ovilla.

Proposal/Consulting Firm

1. Legal name of consulting firm
2. Mailing and street address
3. Telephone number
4. E-mail/Website
4. Name, title and signature of authorized representative

Consulting Firm Qualifications

- Experience in conducting similar studies.
- Experience in classification and compensation management consulting.
- Experience in evaluating compensation systems for internal equity.
- Accomplishments in developing classification and compensation plans for public Sector employers.

Project Manager Qualifications

(Please address the following points, unless the qualifications of the firm and the project manager are one-and-the-same)

- Experience in conducting similar studies
- Experience in classification and compensation management consulting.
- Experience in evaluating compensation systems for internal equity.
- Accomplishments in developing classification and compensation plans for public employers.

Evaluation of System Validity and Content

Describe how the consultant proposes to do the study. Include descriptions and documentation Of proposed methodology. Describe and outline the tasks that the consultant believes are necessary to complete the study.

Study Schedule

Include proposed timeline, dates, and milestones. Indicate which tasks the project manager will perform and which may be performed by the other consultant staff. Explain in detail what, if any, work the City Staff will be required to perform.

Employee Relations

Provide proposed employee information plan for educating City employees during the study and provide proposed methods for informing and educating City employees regarding the results and validity of the study after it has been completed.

Availability of Consultant Firm

In light of your firms other business obligations, indicate the extent of the firm's and project manager's availability to perform the study.

Sample of Job Incumbent Questionnaire

Provide the proposed questionnaire to be used by the consultant to document job content.

Project Cost

Provide a detailed project budget.

V. EVALUATION AND SELECTION PROCESS

Selection Criteria

A review committee will evaluate all responses to this RFP that meet the submittal requirements. Consultants will be selected based on professional qualifications and demonstrated competence, according to the responses to information required, as follows:

- Relevant background of consulting team and experience with similar projects 30
- Creativity of approach to project and methodology completion 25
- Completeness of proposal and adherence to requirements 20
- Proposed organizational structure and key staff 15
- References 10

Based on these evaluations a recommendation shall be made to City Council for a final decision.

Submittal Schedule

The solicitation, submittal intake, evaluation, and final decision selection will substantially conform to the following schedule.

- Distribution/Advertisement ?
- Deadline for Submittal ?
- Submittal Evaluation ?
- Interviews ?
- City Council Approval ?
- Notice to Proceed ?

Submittal Deadline

Please submit one (1) and five (5) hard copies of the proposal no later than **5:00 P.M.**
on xxx to: xxx

Proposal Conditions

Successful Bidder will be expected to commence the project on or about xxx, 2013 with final written recommendations to the City not later than xx, 2013.

The City reserves the right to accept or reject any and all proposals or waive technical errors and informalities in the best interest of the City, and reserves the right to interview one or more firms prior to making its selection.

DRAFT



AGENDA ITEM REPORT

REGULAR AGENDA

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

Meeting Date: June 24, 2013

Department: Municipal Court

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: \$N/A

Attachments:

- 1. Proposed Interlocal Cooperation Contract for the FTA Program

Agenda Item / Topic:

ITEM 4. DISCUSSION/ACTION – Consider proposed Interlocal Cooperative Contract for the FTA Program (Omni) with TXDPS.

Discussion / Justification:

Staff shared an interest with Council to participate in a Failure to Appear Program set up through the Texas Department of Public Safety to assist cities in the collection of fines by restricting the renewal of a violator’s TX Driver license. Omni Base Services is the company contracted with DPS to administer the services.

DPS provided the contract, which confirms information previously provided for Council’s review. \$30 Administrative Fee – added to each warrant.

- 1. Political subdivision shall remit \$20 of each fee collected pursuant to the TX Transportation Code to the Comptroller on or before the last day of each calendar quarter.
2. Political subdivision shall retain \$10 of each fee and allocated as follows: \$6 payment to vendor and \$4 credited to the general fund of the municipality.

If Council approves, Staff proposes to initiate the program on July 1. The goal is to process and enter into the program any issued active warrants effective July 25 and continue forward from that date.

Recommendation / Staff Comments:

Staff recommends Council’s approval.

Sample Motion(s):

“I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATION CONTRACT WITH TX DPS FOR THE FAILURE TO APPEAR PROGRAM.”

MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____

“Failure to Appear Report” or “FTA Reports” means a notice sent by the political subdivision requesting person(s) be denied renewal in accordance with this Contract.

“Failure to Appear System” or “FTA System” means the goods and services, including all hardware, software, consulting services, telephone and related support services, supplied by the Vendor.

“FTA Software” means the computer software developed or maintained now or in the future by the Vendor to support the FTA System.

“Originating Court” means the court in which an applicable violation has been filed for which a person has failed to appear or failed to pay or satisfy a judgment and which has submitted an appropriate FTA Report.

“State” means the State of Texas.

“Political subdivision” means a municipality or county of the State of Texas.

Unless otherwise defined, terms used herein shall have the meaning assigned by Texas Transportation Code, Chapter 706, or other relevant statute. Terms not defined in this Contract or by other relevant statutes shall be given their ordinary meanings.

IV. Application and Scope of Contract

This Contract applies to each FTA Report submitted to and accepted by TXDPS or the Vendor by the Political Subdivision pursuant to the authority of Texas Transportation Code, Chapter 706.

V. Required Warning on Citation for Traffic Law Violations

A peace officer authorized to issue citations within the jurisdiction of the Political Subdivision shall issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning shall be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the court, the person may be denied renewal of the person’s driver license. The written warning may be printed on the citation or on a separate instrument.

VI. FTA Report

If a person fails to appear or fails to pay or satisfy a judgment as required by law, the Political Subdivision may submit an FTA Report to the Vendor containing the following information:

- (1) the jurisdiction in which the alleged offense occurred;
- (2) the name of the Political Subdivision submitting the report;
- (3) the name, date of birth and Texas driver license number of the person who failed to

- appear or failed to pay or satisfy a judgment;
- (4) the date of the alleged violation;
- (5) a brief description of the alleged violation;
- (6) a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
- (7) the date that the person failed to appear or failed to pay or satisfy a judgment; and
- (8) any other information required by TXDPS.

There is no requirement that a criminal warrant be issued in response to the person's failure to appear. The Political Subdivision must make reasonable efforts to ensure that all FTA Reports are accurate, complete and non-duplicative.

VII. Clearance Reports

The Political Subdivision that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor or TXDPS. The clearance report shall identify the person, state whether or not a fee was required, advise TXDPS to lift the denial of renewal and state the grounds for the action. All clearance reports shall be submitted immediately, but no later than two (2) business days, from the time and date that the Political Subdivision receives appropriate payment or other information that satisfies the person's obligation to that Political Subdivision.

To the extent that a Political Subdivision utilizes the FTA Program by submitting an FTA Report, the Political Subdivision shall collect the statutorily required \$30.00 administrative fee. If the person is acquitted of the underlying offense for which the original FTA Report was filed, the Political Subdivision shall not require payment of the administrative fee.

A clearance report shall be submitted for the following circumstances:

- (1) the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
- (2) the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
- (3) the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
- (4) the payment or discharge of the fine and cost owed on an outstanding judgment of the court; or
- (5) other suitable arrangement to pay the fine and cost within the court's discretion.

TXDPS will not continue to deny renewal of the person's driver license after receiving notice from the Political Subdivision that the FTA Report was submitted in error or has been destroyed in accordance with the Political Subdivision's record retention policy.

VIII. Quarterly Reports and Audits

The Political Subdivision shall submit to TXDPS quarterly reports in a format established by

TXDPS.

The Political Subdivision is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the State Auditor, TXDPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. The Political Subdivision shall provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

If any of the transactions performed by the Political Subdivision do not conform to this Contract or to TXDPS standards, TXDPS may require the Political Subdivision to perform the transactions again at its own cost until acceptable to TXDPS.

The Political Subdivision shall keep all records and documents regarding this Contract for the term of this Contract and for four (4) years after the termination of this Contract.

IX. Accounting Procedures

The Political Subdivision collecting fees pursuant to Texas Transportation Code §706.006 shall keep separate records of the funds and shall deposit the funds in the appropriate municipal or county treasury. The Political Subdivision may deposit such fees in an interest-bearing account and retain the interest earned thereon for the Political Subdivision. The Political Subdivision shall keep accurate and complete records of funds received and disbursed in accordance with this Contract and the governing statutes.

The Political Subdivision shall remit \$20.00 of each fee collected pursuant to Texas Transportation Code §706.006 to the Comptroller on or before the last day of each calendar quarter and retain \$10.00 of each fee to be allocated as follows: \$6.00 is for payment to the Vendor; and \$4.00 is credited to the general fund of the municipal or county treasury.

X. Payments to Vendor

TXDPS has contracted with a Vendor to assist with the implementation of the FTA Program.

The Political Subdivision shall pay the Vendor a fee of \$6.00 per person for each violation which has been reported to the Vendor and for which the Political Subdivision has subsequently collected the statutorily required \$30.00 administrative fee. In the event that the person has been acquitted of the underlying charge, no payment shall be made to the Vendor or required of the Political Subdivision.

The Political Subdivision agrees that payment shall be made by the Political Subdivision to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Political Subdivision.

TXDPS shall have no responsibility to pay the Vendor for any fees collected by the Political Subdivision.

XI. Non-Waiver of Fee

The Political Subdivision shall not waive the \$30.00 administrative fee for any person that has been submitted on an FTA Report, even if the person is deemed to be indigent, unless (i) the person is acquitted of the charges for which the person failed to appear or (ii) the FTA Report was submitted in error.

Failure to comply with this section shall result in (i) termination of this Contract for cause and (ii) the removal of all outstanding entries of the Political Subdivision in the FTA Report, resulting in the lifting of any denied driver license renewal status from TXDPS.

XII. General Terms and Conditions

A. Compliance with Law

The Political Subdivision understands and agrees that it shall comply with all local, state and federal laws in the performance of this Contract, including administrative rules adopted by TXDPS.

B. Governing Law

This Contract is entered into pursuant to Texas Government Code, Chapter 791, and is subject to the laws and jurisdiction of the State of Texas and shall be construed and interpreted accordingly.

C. Venue

Except as otherwise provided by Chapter 2260 of the Texas Government Code, venue for any litigation between the Parties shall be Travis County, Texas.

D. Chapter 2260, Texas Government Code

The Political Subdivision shall use the dispute resolution process provided for in Chapter 2260 of the Texas Government Code and the applicable TXDPS administrative rules to attempt to resolve all disputes or contract claims arising under this Contract.

E. Litigation and Liability

In the event that the Political Subdivision is aware of litigation in which this Contract or Texas Transportation Code, Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision, the Political Subdivision shall make a good faith effort to notify TXDPS immediately.

Each Party to this Contract agrees that it shall have no liability whatsoever for the actions and/or omissions of the other Party's employees and officers, regardless of where the individual's actions and/or omissions occurred. Each Party is solely responsible for the actions and/or omissions of its employees and officers; however, such responsibility is only to the extent

required by Texas law. Where injury or property damage result from the joint or concurring acts and/or omissions of the Parties, any liability shall be shared by each Party in accordance with the applicable Texas law, subject to all defenses, including governmental immunity. These provisions are solely for the benefit of the Parties hereto and not for the benefit of any person or entity not a Party hereto; nor shall any provision hereof be deemed a waiver of any defenses available by law.

F. No Joint Enterprise

TXDPS is associated with the Political Subdivision only for the purposes and to the extent set forth herein, and with respect to the performance hereunder, the Political Subdivision is and shall be an independent contractor and shall have the sole right to supervise, manage, operate, control, and direct the performance of the details incident to its duties hereunder. Nothing contained herein shall be deemed or construed to create a partnership or joint venture, to create the relationships of an employer-employee or principal-agent, or to otherwise create any liability for TXDPS whatsoever with respect to the indebtedness, liabilities, and obligations of the Political Subdivision or any other party.

G. No Apparent Agency

Neither Party has authority for or on behalf of the other except as provided in this Contract. No other authority, power, partnership, or rights are granted or implied.

H. Contract Modification

No modifications, amendments or supplements to, or waivers of, any provision of this Contract shall be valid unless made in writing and signed by both Parties to this Contract.

I. Severability

If any provision of this Contract is held to be illegal, invalid or unenforceable under present or future laws effective during the term hereof, such provision shall be fully severable. This Contract shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part hereof, and the remaining provisions shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance therefrom.

J. Non-Waiver of Defaults

Any failure of TXDPS, at any time, to enforce or require the strict keeping and performance of any provision of this Contract, shall not constitute a waiver of such provision, and shall not affect or impair same or the right of TXDPS at any time to avail itself of same. Any acceptance, payment, or use by TXDPS shall not constitute a waiver or otherwise impair or prejudice any right, power, privilege, or remedy available to TXDPS to enforce its rights, as such rights, powers, privileges, and remedies are specifically preserved.

K. Non-Incorporation

This Contract constitutes the entire agreement between the Parties with regard to the matters made the subject of this Contract. There are no verbal representations, inducements, agreements, understandings, representations, warranties, or restrictions between the Parties other than those specifically set forth herein.

L. Non-Assignment

Neither party shall assign its rights nor delegate its duties under this Contract without prior written consent of the other Party.

M. Headings

The headings, captions, and arrangements used in this Contract are, unless specified otherwise, for convenience only and shall not be deemed to limit, amplify, or modify the terms of this Contract, nor to affect the meaning thereof.

N. Interpretation Against the Drafter

Regardless of which Party drafted this Contract or the language at issue, any ambiguities in this Contract or the language at issue will not be interpreted against the drafting party.

O. Multiple Counterparts

This Contract may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. In making proof of this Contract, it shall not be necessary to produce or account for more than one such counterpart.

P. Effective Date of Contract

This Contract shall be in effect from and after the date that the final signature is set forth below. This Contract shall automatically renew on a yearly basis.

Q. Termination

1. Termination for Cause. Either Party may terminate this Contract if the other Party neglects or fails to perform or observe any of its material obligations herein, and such default continues for thirty (30) days following receipt of written notice of such default.
2. Termination for Convenience. Either Party, upon thirty (30) days written notice, may terminate this Contract in whole or in part.
3. Mutual Termination. This Contract may be terminated by mutual agreement and consent, in writing, of both Parties.

After termination, the local political subdivision has a continuing obligation to report dispositions and collect fees for all violators in the FTA System at the time of termination.

Failure to comply with this continuing obligation to report shall result in the removal of all outstanding entries of the Political Subdivision in the FTA Report, resulting in the lifting of any denied driver license renewal status from TXDPS.

R. Notice

Any notice required or permitted under this Contract shall be directed to the respective Parties at the addresses shown below and shall be deemed given: (1) when delivered in hand and a receipt granted; (2) when received if sent by certified mail, return receipt requested; (3) upon three business days after deposit in the U.S. mail; or (4) when received if sent by confirmed facsimile or confirmed email.

Political Subdivision

Texas Department of Public Safety

Attn: _____

Attn: Enforcement & Compliance Service

Address: _____

5805 North Lamar Boulevard

Address: _____

Austin, Texas 78773-0001

Fax: _____

(512) 424-5311 [fax]

Email: _____

Driver.Improvement@dps.texas.gov

Phone: _____

Either of the Parties may change its address or designated individual(s) to receive notices by giving the other Party written notice as provided herein, specifying the new address and/or individual and the date upon which it shall become effective.

XIII. Signature Authority

The signatory for the Political Subdivision hereby represents and warrants that he/she has full and complete authority to enter into this Contract on behalf of the Political Subdivision.

XIV. Certifications

The Parties certify that each Party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

The Parties certify that this Contract is authorized by the governing body of the Parties.

The Parties certify that each has the authority to enter into this Contract by authority granted in Texas Transportation Code, Chapter 706.

**TEXAS DEPARTMENT OF
PUBLIC SAFETY**

POLITICAL SUBDIVISION*

Rebecca Davio, Assistant Director
Or Designee

Authorized Signature

Title

Date

Date

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Political Subdivision. Each signature block must contain the person's title and date.



AGENDA ITEM REPORT

REGULAR AGENDA

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

Meeting Date: June 24, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: \$N/A

Attachments:

- I. Proposed Ordinance 2013-021

Agenda Item / Topic:

ITEM 5. DISCUSSION/ACTION – Consider proposed Ordinance 2013-021, Repealing Chapter 3, Article 3.05, Section 3.05.006, “Types of Fence and Construction,” of the Ovilla Code of Ordinances and adopting new provisions in place thereof.

Discussion / Justification:

During the June 10, 2013 Council Meeting, the governing body approved Ordinance 2013-018 repealing and revising certain sections of Chapter 3 of the Ovilla Code of Ordinances, pertaining to the maintenance of fences and inspections of existing fences, including approved fence materials. It was determined then that new provisions to Chapter 3, Article 3.05, Section 3.05.006 “Types of Fence and Construction” needed revision so as not to be in conflict with the new fence maintenance ordinance.

The proposed ordinance permits new construction of various types of fence materials and is consistent with the remaining Chapter regarding “replacement fence materials” as outlined in Ordinance 2013-018.

The highlighted section is the new provision.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

“I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES THE PROPOSED ORDINANCE 2013-021 REPEALING CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006, TYPES OF FENCE AND CONSTRUCTION OF THE OVILLA CODE OF ORDINANCES AS PRESENTED.”

MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____

ORDINANCE NO. 2013-021
New Fences

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006, "TYPES OF FENCE AND CONSTRUCTION," OF THE OVILLA CODE OF ORDINANCES, AND ADOPTING NEW PROVISIONS IN PLACE THEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla, Texas, does find and determine that it is in the best interest of the health, safety and welfare of citizens of the City of Ovilla, Texas, to revise certain provisions of the Ovilla Code of Ordinances pertaining to the materials allowed for the construction of new fences.

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

SECTION 1. REPEAL OF CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006 OF THE OVILLA CODE OF ORDINANCES

Chapter 3, Article 3.05, Section 3.05.006 of the Ovilla Code of Ordinances is hereby repealed.

SECTION 2. ADOPTION OF NEW CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006 OF THE OVILLA CODE OF ORDINANCES

The following provisions are hereby adopted as Chapter 3, Article 3.05, Section 3.05.006 of the Ovilla Code of Ordinances:

Sec. 3.05.006 Types of fence and construction

(a) It shall be unlawful for any fence that is electrically charged in any form or manner to be erected in an area zoned for residential use. This does not apply to usage for restraining livestock in which case [electrical charge] warning signs must be posted every seventy-five feet (75'). Electrical charging units must be UL approved and of the DC variety only.

(b) Fences will be constructed in such a manner to ensure structural stability. Posts will be set in concrete of sufficient thickness to provide stability. Wooden fences: The posts and rails of a new or extended fence must not be exposed to an adjacent street, or a neighbor's yard, in other words, the smooth side of a fence must face an adjacent public street or a neighbor's property. Also, both new and replacement wooden fences must have metal posts set in concrete.

(c) Fences shall be constructed of City Code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. The density and design is subject to the Building Code of the City of Ovilla. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail

ORDINANCE NO. 2013-021
New Fences

fences. Wood by-products and wood particleboards or sheets of wood by-products of any type are prohibited.

(d) All fences listed under Section 2, Chapter 3.05.006 (c) as listed above must have appropriate support, as approved by the building inspector.

(e) In order to allow for the entrance and exit of fire department and police department personnel, there must be at least one (1) gate no less than three feet (3') wide on each fence that is adjacent or parallel to a public alley or utility easement. This does not pertain to those easements which the city has allowed to be completely fenced in.

(f) In all residential developments with rear or side entry access to a garage or carport, the fence height must provide visibility of the street or alley from the driveway for a distance of at least ten feet (10') on both sides of the driveway.

(g) A fence higher than three and one-half feet (3-1/2') above the established street grades cannot be constructed within twenty feet (20') of any street intersection (refer to Ordinance 160 Revised, part II, section 10-2).

(h) Materials that are not usual fence materials, i.e., chicken wire, hardware cloth, etc., shall not be used as fencing unless for agricultural usage.

(i) Barbed wire shall be used only for agricultural use, to restrain livestock.

SECTION 3. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 4. SEVERANCE CLAUSE

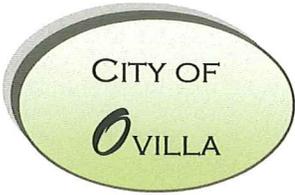
If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

SECTION 6. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.



AGENDA ITEM REPORT

Executive Session

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

Meeting Date: June 24, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Mayor & Council Request

Amount: \$N/A

Attachments:
I. N/A
Agenda Item / Topic:
Closed Meeting called pursuant to Texas Government Code § 551.074 - Personnel Matters.
ITEM 6. DISCUSSION/ACTION – Deliberate the appointment employment, and/or duties of the City Administrator and the continued duties of the former Interim City Administrator.
COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.
Discussion / Justification:
Recommendation / Staff Comments:
N/A
Sample Motion(s):
“I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES / DIRECTS_____.”
MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____