



**City of OVILLA City Council**  
**AMENDED AGENDA**

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

Richard Dormier, Mayor

Doug Hunt, Place Four  
Dean Oberg, Place Five  
Cyndy Powell, City Administrator

**IV. REGULAR AGENDA**

- ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2014-011 authorizing the Mayor to execute the Main Street Sewer Line Project Development Agreement.
- ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on the appointment of a City Council Scholarship Committee and setting a date, time, and location to review the applications.
- ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on projected increase to sewer rates in response to the Trinity River Authority wastewater flow data for City sewer customers.
- ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2014-012, authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for an Updated Sewer Rate Study for a cost not to exceed \$6,500.00
- ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2014-005 Amending Chapter 1, Article 1.08, Section 1.08.035 of the Ovilla Code of Ordinances, providing for the appointment of the City Secretary as the Custodian of Public Records of the City of Ovilla, 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.

**EXECUTIVE SESSION**

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

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

**V. REQUESTS FOR FUTURE AGENDA ITEMS**

**VI. ADJOURNMENT**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the March 10, 2014 Regular City Council AMENDED Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofovilla.org](http://www.cityofovilla.org), on the 7th day of March 2014 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 3-7-2014 TIME: 12:30 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.**

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

To: Mayor Richard Dormier  
 Ovilla City Council  
 Cyndy Powell

Subject: Police Department Monthly Activity Report

Calls For Service	FEB 2014	FEB 2014 YTD	FEB 2013	FEB 2013 YTD
Accident	0	1	3	4
Alarms	11	30	14	33
Arrest	3	6	4	8
Assault	0	0	0	0
Assists: Agency/Unit:6 EMS/Fire:1 Motorist:3	10	28	31	55
Building / House Security Check	861	2160	1375	2829
Burgulary	1	1	0	0
Burgulary of Motor Vehicle	0	0	0	0
Criminal Mischief	0	1	0	2
Disturbance	6	11	4	7
Neighborhood Check	808	2383	1805	3800
Other Calls for Service	72	177	129	284
Suspicious Person	3	9	7	13
Suspicious Vehicle	6	17	4	13
Theft	1	3	1	2
Traffic Assignment	8	11	44	80
<b>TOTAL CALLS FOR SERVICE</b>	<b>1790</b>	<b>4838</b>	<b>3421</b>	<b>7130</b>

Reserve Officer Hours	64	136.5	56	104.5
Average Response Time (Minutes)	4.24	4.22	3.35	3.675
Traffic Stop (Warnings)	29	58	36	81
Traffic Stop (Citations)	31	49	38	78
Total Citations & Warnings Combined	60	107	74	159
<b>PERCENT OF STOPS RECEIVING CITATIONS</b>	<b>51.7</b>	<b>45.8</b>	<b>51.4</b>	<b>49.1</b>

**OVILLA PD VEHICLE MILEAGE**

<b>May-13</b>		<b>June-13</b>		<b>July-13</b>		<b>August-13</b>		<b>September-13</b>		<b>October-13</b>		<b>November-13</b>		<b>December-13</b>		<b>January-14</b>		<b>February-14</b>	
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	68127	69954	1827	100	69954	74411	4457	100	69954	74411	4457	100	74411	75946	1535	100	74411	75946	1535
101	126330	126331	1	101	126331	126370	39	101	126331	126370	39	101	126370	126719	349	101	126370	126719	349
102	70380	71575	1195	102	71575	73156	1581	102	71575	73156	1581	102	73156	74041	885	102	71575	72655	1080
103	73463	75182	1719	103	75182	78862	3680	103	75182	78862	3680	103	78862	80643	1781	103	75182	76778	1596
104	45816	46985	1169	104	46985	48443	1458	104	46985	48443	1458	104	48443	48571	128	104	46985	48036	1051
105	13823	15558	1735	105	15558	20120	4562	105	15558	20120	4562	105	20120	22490	2370	105	15558	17617	2059
<b>September-13</b>				<b>October-13</b>				<b>November-13</b>				<b>December-13</b>				<b>January-14</b>			
100	75946	77210	1264	100	77210	77210	1264	100	77210	77210	1264	100	77210	78205.2	995.2	100	77210	78205.2	995.2
101	126719	126743	24	101	126719	126743	24	101	126719	126743	24	101	126719	126743	24	101	126719	126743	24
102	74041	74855	814	102	74041	74855	814	102	74041	74855	814	102	74855	75838	983	102	74041	75838	983
103	80643	82646	2003	103	80643	82646	2003	103	80643	82646	2003	103	82646	83965	1319	103	80643	83965	1319
104	48571	48951	380	104	48571	48951	380	104	48571	48951	380	104	48951	49418	467	104	48571	49418	467
105	22490	24607	2117	105	22490	24607	2117	105	22490	24607	2117	105	24607	26926	2319	105	22490	26926	2319
<b>November-13</b>				<b>December-13</b>				<b>January-14</b>				<b>February-14</b>				<b>March-14</b>			
100	78205.2	79754	1548.8	100	79754	79754	1548.8	100	79754	79754	1548.8	100	79754	81361	1607	100	79754	81361	1607
102	75838	76632	794	102	75838	76632	794	102	75838	76632	794	102	76632	77576	944	102	75838	77576	944
103	83965	85802.3	1837.3	103	83965	85802.3	1837.3	103	83965	85802.3	1837.3	103	85802.3	87001.9	1199.6	103	83965	87001.9	1199.6
104	49418	49815	397	104	49418	49815	397	104	49418	49815	397	104	49815	50325	510	104	49418	50325	510
105	26926	28176	1250	105	26926	28176	1250	105	26926	28176	1250	105	28176	29856	1680	105	26926	29856	1680
<b>January-14</b>				<b>February-14</b>				<b>March-14</b>				<b>April-14</b>				<b>May-14</b>			
100	81361	81775	414	100	81361	81775	414	100	81361	81775	414	100	81775	82172	397	100	81361	82172	397
102	77576	78601	1025	102	77576	78601	1025	102	77576	78601	1025	102	78601	79832	1231	102	77576	79832	1231
103	87001.9	88233	1231.1	103	87001.9	88233	1231.1	103	87001.9	88233	1231.1	103	88233	89434	1201	103	87001.9	89434	1201
104	50325	50884	559	104	50325	50884	559	104	50325	50884	559	104	50884	52173	1289	104	50325	52173	1289
105	29856	32332	2476	105	29856	32332	2476	105	29856	32332	2476	105	32332	33654	1322	105	29856	33654	1322

# CITY OF OVILLA POLICE DEPARTMENT

FOUNDED 1844

105 S. COCKRELL HILL RD. OVILLA, TEXAS 75154

OFFICE 972-617-7262 FAX 972-515-8342

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February 26, 2014

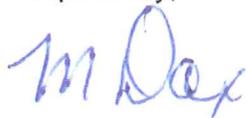
Chief M. Moon,

On June 29, 2012 Detective J. Bennett took a Sexual Assault of a Child complaint where the assault took place in 2009 in Ovilla. Detective Bennett worked closely with the Waxahachie Children's Advocacy Center, Child Protective Services and the Waxahachie Police Department. During the multiple agency investigation it was discovered that the offender, David Cornett, had assaulted the victim at least 13 times between 2009 and 2010.

Thirteen cases were filed on Cornett and he pled guilty to all counts on February 25, 2013. He received a 50 year sentence. Because of the terms of his conviction it is highly possible that Cornett will serve the rest of his life in prison.

Because of Detective Bennett's persistence and hard-work, society has one less child predator on the streets. I would like to thank Detective Bennett for his due diligence on not only this case but all the cases he is assigned to investigate.

Respectfully,



Lt. M. Dox



# Calls For Service

February  
2013

February  
2014

FY-YTD

Totals

Totals

<b>City of Ovilla total calls for service</b>			22			17	124
	Fire	7		Fire	3		
	EMS	15		EMS	14		
<b>ESD # 2 total calls of service</b>			14			11	78
	Fire	7		Fire	6		
	EMS	6		EMS	5		
<b>ESD # 4 Total calls of service</b>			6			1	22
	Fire	1		Fire	0		
	EMS	5		EMS	1		
<b>Mutual Aid Provided</b>			34			22	167
<b>Calls of Service Totals</b>							
			Total 2013			YTD 2014	
			676			90	
<b>Fire Department news</b>							
Two new part time fireifghters Matt Sapp and Steve Wakeland							
New Volunteer firefighter Kelsy Hazard							



Date: March 6, 2014

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

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for February 2014

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- Repaired ditch line on Silverwood Drive
- Sewer Lift Station Repairs: pulled pump 1 at Highland Meadows lift station and removed pump 1 from Cumberland
- Read water meters and service disconnects and reconnects
- Repaired baseball fields
- Repaired cotton scale at Heritage Park
- Updated marquee as needed
- Daily water maintenance residuals and pressure tests
- Tree and grass maintenance: Heritage Park, Silver Spur Park and baseball fields and park area
- Cleaned sewer line and manholes at Cumberland Forest
- Repaired walking track at Heritage Park
- Repaired water leak on Suburban Dr, Thorntree, and 302 Willow Creek
- Replaced ammonia feed line at pump station
- Asphalted Thorntree
- Made road repairs in Ovilla Oaks
  - ❖ Jimmy Bryan -
    - Serviced PD Units



- Serviced PD 102
- Serviced public works truck

#### Flushed Hydrants

- Collected water samples for TCEQ reporting
- Water maintenance – routine flushing mains and hydrant
- Meter box repair and replace lids as needed
- Watered plants at City Hall and park



## **City Administrator Activity Report**

Cyndy Powell

February 24, 2014 – March 07, 2014

**Weekly staff meetings** – held Tuesdays at 9:00 a.m.

**Employee Policies Handbook** – Ms. Lee plans to present the final revised document for adoption at the March 24, 2014 regular Council meeting – following the Town Hall Meeting at First Baptist Ovilla.

**Cockrell Hill Road Repairs for FY 2014** – Brad informed me that Roger Miller, Dallas County, has been in communication with Ellis County regarding the roadwork on Cockrell Hill. Dallas wants to rebuild from Bear Creek to the county line and is coordinating with Ellis County.

**Progressive Solid Waste and Recycling** – Spring Cleanup day for Saturday April 26<sup>th</sup> and May 3<sup>rd</sup> as the rain date.

**Planning and Zoning Commission** – There was no business before the P&Z in February.

**Five Year Staffing Plan** – The Committee (Oberg, Hall, Mayor) will be provided job descriptions for review in the near future.

**Strategic Guide** – Town Hall Meeting is set for Monday, March 24 beginning at 6:00 p.m. at First Baptist Ovilla for citizens to have another opportunity to give feedback on the Strategic Guide. Once the Guide is adopted, Joe will schedule a meeting to train staff on developing action plans. Feedback will be shared with committees. A post card was created and set to mail on March 12 to invite all residents to the Town Hall Meeting; phone messages and emails are scheduled as well. The Guide is on the City's web site and is available at City Hall.

**Economic Development Corporation** – The board desires to fill the two vacant seats. Next meeting is March 17, 2014.

**Municipal Development District** – pending appointments.

**Main Street Sewer Project** – The property owners have submitted an executed Development Agreement and payment, Council will consider the Agreement.

**ESD#4 Board Meeting** – The ESD met Monday, March 03, 2014. The Board decided to seek cost estimates related to holding a special election after it was confirmed the Resolution that was passed by City Council terminating services ESD#4 had not been rescinded. The Resolution provides for termination of services effective September 30, 2014 if an equitable share of costs was not provided to the City. An equitable share of the actual costs of services would require the ESD Board to achieve a tax rate increase by holding an election to raise the revenues to pay for the fire and first responder services being subsidized by the taxpayers.

**Platinum Award for transparency** – the application for the Platinum Award is being finalized for submission.

**City's newsletter** is planned for April delivery.

**Ovilla Creek Estates** - the development occurring in front of Ovilla Creek Estates is a commercial building Mr. Harrison will utilize for offices.

**Bureau Veritas** – Mike Dooly, Brad Piland, and I met with representatives from Bureau Veritas to review their inspection procedures to include storm water compliance and on-site trash receptacles. We are making changes internally to address sidewalk inspections by city staff.

**Great Exchange 2014 hosted by The Management Connection** – I will be attending training on Developing an Organizational Culture in College Station.

**Best Southwest Partnership** – 2014 first quarter luncheon, Regional Economic Development 2014 Showcase. Thursday, March 27, 2014. 11:00 a.m. Change in location: Hilton Garden Inn 800 N. Main, Duncanville. Economic Development has purchased a table of eight and has one seat remaining; contact me if you plan to attend.

**The Regional Transportation Council** of NCTCOG public meeting at the Richardson Civic Center on Tuesday, March 04, 2014, at 6:30 p.m.

**NIMS training** for neighboring cities' fire personnel held this week in the Larry Marlow training room.



Jessica Foresman  
Court Clerk

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**DATE:** March 10, 2014  
**TO:** Honorable Mayor Dormier and City Council Members  
**FROM:** Jessica Foresman, Court Clerk  
**SUBJECT:** Monthly Staff Report

Court Report February 2014

Item	Number	Amount
February 2014		
Traffic Cases Filed	34	
State Law Cases Filed	0	
Parking Cases Filed	1	
Penal Code Cases Filed	0	
City Ordinance Cases Filed	4	
Trials	0	
Total Revenue		\$4,801.55
Amount kept by City		\$2,486.02
Amount remitted to State		\$2,315.53
Warrants Issued	15	
New Warrants	8	
Previous Warrants Cleared & Reissued	7	
Active Warrants	368	\$97,645.26
Warrants Cleared	0	
Warrants Cleared from Omni/Collection	0	

# February 2014

## Code Enforcement Report

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Complaints - 42

Follow ups – 54

Door Notices - 42

Mail Notices – 17

Posted Property – 3

Court – 1 No Permit, Plead Guilty-\$175, 1 Junk vehicle, Plead Guilty \$150, 1 Plead Not Guilty- Public Nuisance – Requested Trial, 1 Public Nuisance -dismissed

Citizen contacts - 62

Permits reviewed –15 Permits issued - 13

Inspections – 26

Nuisance Abated By City -0

Nuisance- Signs – 32

Illegal Dumping –

## February 2014

### Animal Control Report

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Complaints- 34

Follow ups – 41

Door Notices –11

Impounded Animals – 8 (7 dogs, 1cat)

Animal Welfare Checks – 22

Impound Animal Results - 3 Transports, 5 Returns to owners

Impound Fees Collected - \$442.00

Court – 2 Nuisance complaints-Plead Guilty -\$198 fine and 90-day probation

Citizen contacts - 54

Animal Registration Tags Issued – 21 Total \$252.00

Pet Registration Reminders Mailed- 16

Nuisance Letters Mailed- 4

Animals Released – 5 Skunks (yes, 5 Skunks)

Deceased Removed – 12

Oak Leaf –2 (1 Dog, 1- skunk)

Traps Checked Out –3



CONSENT ITEMS A & B

Meeting Date: March 10, 2014

Department: Administration

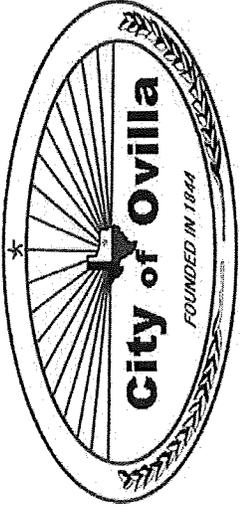
Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

Amount: N/A

<b>Attachments:</b>
A. Financial Transactions B. Minutes of the February 24, 2014 Council Meeting
<b>Agenda Item / Topic:</b>
<b>Discussion / Justification:</b>
<b>Recommendation / Staff Comments:</b>
Staff recommends approval.
<b>Sample Motion(s):</b>
<i>I move to approve the consent items as presented.</i>



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**DATE:** 03-10-14

**TO:** Honorable Mayor and Council Members

**FROM:** Sharon Jungman

**SUBJECT:** Expenditures in February 2014 over \$5,000

**City of Ovilla Expenditures in February 2014 Over \$5,000**

General Fund			Description	Amount
Date	Check#	Payee		
2/26/2014	42239	Blue Cross/Blue Shield	Health Insurance	\$8,496.15
2/7/2014	42183	City of Midlothian	Inspection Service	\$9,120.94
2/26/2014	42245	Gexa Energy	Electricity Expense	\$8,394.49
2/7/2014	42197	Progressive Waste Solutions	Garbage Pick-up for Dec. & Jan.	\$33,566.00
2/13/2014	ACH	Quick Books Payroll Service	Payroll	\$36,902.82
2/27/2014	ACH	Quick Books Payroll Service	Payroll	\$36,742.69
2/7/2014	42207	T.M.R.S.	Retirement	\$12,931.62
2/14/2014	ACH	US Treasury	Payroll Taxes	\$7,183.86
2/28/2014	ACH	US Treasury	Payroll Taxes	\$7,038.94
Total General Fund Transactions Paid in February 2014 \$5,000 and Over				<u>\$160,377.51</u>
Water & Sewer Fund			Description	Amount
Date	Check#	Payee		
2/7/2014	15392	City of Dallas	Water Purchase	\$17,101.78
2/27/2014	15410	City of Ovilla General Fund	Garbage Transfer for February	\$18,073.97
Total Water & Sewer Fund Transactions Paid in February 2014 \$5,000 and Over				<u>\$35,175.75</u>

# CITY OF OVILLA MINUTES

*Monday, February 24, 2014*  
*Regular City Council Meeting*  
*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 7:05 P.M. The following City Council Members were present:

Ralph Hall	Mayor Pro Tem, Place 1
Larry Stevenson	Council Member Place 2
Doug Hunt	Council Member Place 4
Dean Oberg	Council Member Place 5

Absent: David Griffin Council Member Place 3

Mayor Dormier noted present Council Members, thus constituting a quorum. Various department-heads and staff were also present.

PL4 Hunt gave the Invocation and PL2 Stevenson led the recitation of the Pledge of Allegiance.

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

### ▪ **Citizens Comments / Citizens Forum:**

- I. Mr. James Wade, Main Street Cleaners, 711 W. Main Street, voiced support for the Parks Department and asked for Council assistance to hold a fund raising event for city parks.

### ▪ **Department Activity Reports / Discussion**

- Finance Department Accountant S. Jungman
  - Monthly financials – reviewed
- Administration City Administrator C. Powell
  - Bi-weekly update activity reports - reviewed

## **CONSENT ITEMS**

- A. Minutes of the January 27 Special Council Workshop Meeting
- B. Minutes of the January 27, 2014 Regular Council Meeting
- C. Minutes of the February 06, 2014 Special Council Meeting and Training Workshop
- D. Minutes of the February 10, 2014 Regular Council Meeting

PL4 Hunt made the motion that Council approves the consent items as presented, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

**VOTE: The motion carried unanimously: 4-0.**

**ITEM I. DISCUSSION/ACTION – Receive** presentation from Trinity River Authority representative and take action as necessary.

The Trinity River Authority of Texas (TRA) formally notified the City on January 31, 2014 of irregularities in the wastewater flow meter data versus the amount of wastewater TRA invoiced the City. Representatives from TRA made a presentation and responded to questions from the Council regarding the differences. The City Council Finance Committee received the same presentation from TRA representatives on Thursday, February 20, 2014 and deliberated with staff and TRA representatives. The Delta metering system measures the flows. Ovilla is contracted with TRA for approximately 20,000 gallons daily. Since the newly installed tech

system "Telog", Ovilla flows are now reading approximately 118,000 gallons daily. Council and staff deliberated the city's financial obligation and their approach in paying the difference, including future budgeted amounts and payments. Staff offered to prepare payment options as well as suggestions for sewer rate increases to offset the financial burden and return with those recommendations to Council.

**NO ACTION.**

**ITEM 2. DISCUSSION/ACTION – Consider** acceptance of the Annual Financial Audit Report for the year ending September 30, 2013, prepared by Yeldell, Wilson and Company, C.P.A., P.C.

Greer Yeldell with Yeldell, Wilson & Co., P.C. presented the Annual Financial Report for the City's fiscal year ending September 30, 2013. Mr. Greer Yeldell reported to Council that there were no reportable conditions, no noticeable deficiencies, and no problems. Ovilla held a strong reserve fund balance with about 160-days of reserve. The General Fund and Water/Sewer Fund were summarized reviewing the budget vs. actual:

General Fund: Revenue was over budget and expenditures were slightly over budget, which presented a positive variance of \$204,000 for the year.

Water/Sewer Fund: Revenue was under budget with water sales down, but expenditures were under budget, depicting a \$28,000 positive variance. Mr. Yeldell told Council it was a good audit.

The unexpected TRA estimated costs previously discussed in Item 1 were accrued, adding that the key element with TRA now was to conduct a rate study analysis.

Mayor Pro Tem Hall moved that Council accept and approve the Annual Financial Audit report for the year ending September 30, 2013, prepared by Yeldell, Wilson, and Company, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

**VOTE: The motion carried unanimously: 4-0.**

**ITEM 3. DISCUSSION – Review** status of City's progress in obtaining the Leadership Award through the State Comptroller's Office.

Staff updated Council with the finishing tasks nearly completed and that the application to the State Comptroller's office would be submitted soon. The City Accountant was completing her review of the funds.

**NO ACTION.**

**ITEM 4. DISCUSSION/ACTION – Consider** scheduling a date, time and location for a Town Hall Meeting to receive feedback on the draft Citywide Five-Year Strategic Guide.

City Council requested an additional opportunity be provided to the citizens of Ovilla to offer feedback on the draft Strategic Guide that will be facilitated (2<sup>nd</sup> time) by The Management Connection.

Mayor Pro Tem Hall moved that Council set March 24, with an alternate date of April 1, at 6:00 p.m., at the First Baptist Church Ovilla, for a Town Hall Meeting to receive feedback on the draft Citywide Five-Year Strategic Guide, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

**VOTE: The motion carried unanimously: 4-0.**

**ITEM 5. DISCUSSION/ACTION – Consider** approval of Resolution No. R2014-009 Authorizing the Mayor to execute the Fourth Extension to the Letter of Understanding for Consultation Services with Jacqueline Lee, Consultant with Texas First Group for an amount not to exceed \$1,100.00.

The City contracted with Texas First Group for the consultation services of Ms. Lee to provide a thorough revision of the City's Employee Policies Handbook. The fourth extension provided authorization of up to

twenty hours (20) at \$51.00 per hour, for an amount not to exceed \$1,100.00 including expenses. This would include the finalization of a formatted handbook.

PL2 Stevenson moved that council approve Resolution R2014-009, authorizing the Mayor to execute the Fourth Extension to the Letter of Understanding for consultation services with Jacqueline Lee, Consultant with TX First Group for an amount not to exceed \$1,100, seconded by PL5 Oberg. *No oppositions, no abstentions.*

**VOTE: The motion carried unanimously: 4-0.**

**ITEM 6. DISCUSSION/ACTION – Consider** recommendation from the EDC and take action to remove of Place 3 Director Milke pursuant to EDC Bylaws, Article IV, Section 2 and direct staff to solicit for applications for board appointment(s).

During their February 18, 2014, EDC Meeting, the Board of Directors voted to recommend to Council the removal of Place 3, Director Milke for consecutive absences without prior notification. Staff made numerous attempts to contact Mr. Milke as well as did EDC President Gary Jones with no success.

Mayor Pro Tem Hall moved that Council approve the recommendation from the EDC to remove PL3 Director Milke pursuant to EDC Bylaws, Article IV, Section 2, and direct staff to solicit for applications for board appointments, seconded by PL4 Hunt. *No oppositions, no abstentions.*

**VOTE: The motion carried unanimously: 4-0.**

**REQUESTS FOR FUTURE AGENDA ITEMS**

- |                       |        |
|-----------------------|--------|
| 1. Mayor Pro Tem Hall | None   |
| 2. PL2 Stevenson      | None   |
| 3. PL3 Griffin        | Absent |
| 4. PL4 Hunt           | None   |
| 5. PL5 Oberg          | None   |
| 6. Mayor Dormier      | None   |

**ADJOURNMENT**

There being no further business, Mayor Dormier adjourned the meeting at 8:15 p.m.

ATTEST:

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

\_\_\_\_\_  
Richard Dormier, Mayor

*Approved March 10, 2014*



# Villa City Council

## AGENDA ITEM REPORT

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

Meeting Date: March 10, 2014

Department: Public Works

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

Amount: \$9,900

### Attachments:

1. Resolution R2014-011
2. Mayor's letter of February 11, 2014
3. Main Street Sewer Line Project Development Agreement executed by Developer
4. Excerpt from Minutes of December 09, 2013 Regular Meeting
5. Estimate of Probable cost to Complete Connection of City Hall to Sanitary Sewer Worksheet
6. Estimate of Staff Time Considered in Probable Cost

### Agenda Item / Topic:

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2014-011 authorizing the Mayor to execute the Main Street Sewer Line Project Development Agreement.

### Discussion / Justification:

The City held discussions with the property owners consisting of John Sims, Stephen Fiedler, Bill Crouch, and Jimmie Wade and known as the "Developer", regarding the construction and installation of a sewer line extending along Main Street.

The City's contribution to the project would not exceed \$9,900.00 based on the estimate of costs to complete the project and the City agreed to waive the connection fee for the property owner. The Development Agreement provided to the property owners was executed and payment for the Developer's portion was received by the City.

Council approved the City's contribution amount (\$9,900) during the December 09, 2013 Council Meeting. A budget amendment for this expenditure will be presented to Council during the mid-year budget review.

This item provides City Council the opportunity to consider the Development Agreement and authorize the Mayor to execute such Agreement.

### Recommendation / Staff Comments:

### Sample Motion(s):

*I move that Council APPROVE/DENY Resolution R2014-011 authorizing the Mayor to execute the Main Street Sewer Line Project Development Agreement.*

**RESOLUTION NO. R2014-011**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS APPROVING THE TERMS AND CONDITIONS OF THE MAIN STREET SEWER LINE PROJECT DEVELOPMENT AGREEMENT BY AND BETWEEN JOHN SIMS, DBA FIRST CEDAR HILL LLP, STEPHEN FIEDLER, JIMMIE J. WADE AND BILL CROUCH AND THE CITY OF OVILLA, WHICH AGREEMENT IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has presented a Main Street Sewer Line Project Development Agreement by and between John Sims, Stephen Fiedler, Jimmie J. Wade and Bill Crouch and the City of Ovilla to participate in a Main Street Sewer Line Project; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Agreement on behalf of the City of Ovilla, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS;**

**SECTION 1.**

That the Main Street Sewer Line Project Development Agreement and the City of Ovilla will participate in the construction and installation of a sewer line extending along Main Street as described and is attached hereto as Exhibit "A," and having been reviewed by the City Council of the City of Ovilla, Texas, is hereby, in all things approved; and, the Mayor is hereby authorized to execute the Agreement on behalf of the City of Ovilla, Ellis County, Texas.

**SECTION 2.**

That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, this 10<sup>th</sup> day of March, 2014.**

**APPROVED:**

\_\_\_\_\_  
**Richard Dormier, Mayor**

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Ron G. MacFarlane, Jr., City Attorney**

*Ralph Hall, Mayor Pro Tem, Place 1  
Larry Stevenson, Councilmember, Place 2  
David Griffin, Councilmember, Place 3*



*Richard Dormier, Mayor*

*Doug Hunt, Councilmember, Place 4  
Dean Oberg, Councilmember, Place 5  
Cyndy Powell, City Administrator*

February 11, 2014

Mr. John M. Sims, GP  
First Cedar Hill, LLP  
P. O. Box 1061  
Cedar Hill, TX 75106

Re: Development Agreement for Main Street Sewer Line Project

Dear Mr. Sims:

Attached is the Main Street Sewer Line Project Development Agreement for consideration by the property owners referred to as the "Developer".

If the attached Development Agreement is acceptable, we will prepare an original Development Agreement for execution by all participants. Once the agreement is signed and money is received by the City, we will proceed with the project.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Richard Dormier". The signature is written in a cursive style.

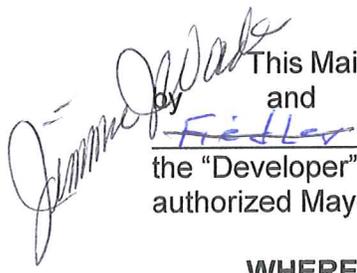
Richard Dormier, Mayor

Enclosure: Main Street Sewer Line Project Development Agreement

CC: City Council w/ enclosure  
Cyndy Powell, City Administrator w/ enclosure

MD/cp

**MAIN STREET SEWER LINE PROJECT  
DEVELOPMENT AGREEMENT**



This Main Street Sewer Line Project Development Agreement (the "Agreement") is made by Stephen Fiedler and between John M Sims DBA First Cedar Hill LP STEPHEN FIEDLER and BILL CROUCH (herein collectively referred to as the "Developer") and the City of Ovilla, Texas (the "City") acting herein by and through its duly authorized Mayor.

**WHEREAS**, the City Council of Ovilla has approved the City's participation in the Main Street Sewer Line Project (herein the "Project"); and

**WHEREAS**, the Project shall consist of the construction and installation of a sewer line extending along Main Street from Water Street to a point approximately 300 feet north; and

**WHEREAS**, the total estimated cost of the Project is \$34,430; and

**WHEREAS**, the City has agreed to contribute an amount not to exceed \$9,900.00 for the Project; and

**WHEREAS**, the Developer consists of property owners abutting Main Street; and

**WHEREAS**, the success of the Project is dependent upon Developer's contribution of an estimated \$24,530.00 towards the cost of the Project.

**NOW, THEREFORE**, in consideration of the foregoing premises and the covenants and conditions herein, and other good and valuable consideration, the Developer and City agree as follows:

1. The City agrees to manage the project and contribute an amount not to exceed \$9,900.00 towards the cost of the Project, such costs consisting of estimated labor costs provided by the City, estimated costs for the use of City equipment and fuel expenses, and an estimated contingency of ten percent (10%) of the City's total estimated contribution.
2. The City agrees to waive the connection fee for each property owner participating in the Development Agreement. The connection fee to be waived includes the Sewer Impact Fee of \$87.00, the Capital Recovery Fee of \$1,250.00 for wastewater, and the connection fee for new wastewater customers of \$25.00. Fees to be waived per property are not to exceed \$1,362.00.
3. The Developer agrees to be responsible for costs associated with the connection from the property to the City's sewer main. The connection is to be performed by a licensed contractor. Plumbing inspection fee applies.
4. The Developer agrees to contribute an estimated amount of \$24,530.00 towards the cost of the Project and to grant the City any utility easements and/or rights of entry necessary for the Project.
5. The Developer agrees to pay for cost over-runs that exceed the maximum contribution by the City.

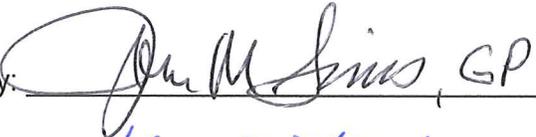


**MAIN STREET SEWER LINE PROJECT  
DEVELOPMENT AGREEMENT**

6. It is understood that the City is under no obligation to begin work on the Project until such time as it receives Developer's estimated contribution.
7. This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective permitted successors and permitted assigns.
8. This Agreement shall be governed by, and its provisions construed in accordance with, the laws of the State of Texas. Venue for any action arising from or related to this Agreement shall be the State District Courts of Ellis County, Texas.
9. This Agreement constitutes the entire agreement between the parties, and there exists no other written or oral understandings, agreements or assurances with respect to any matters except as set forth herein. Unless expressly stated, this Agreement confers no rights to or upon any person or entity that is not a party hereto.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

**DEVELOPER:**

By: 

By: 

By: 

By: 

**CITY OF OVILLA, TEXAS:**

By: \_\_\_\_\_  
Richard Dormier, Mayor

**ATTEST:**

\_\_\_\_\_  
Pam Woodall, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney

CRB 120-3

**CITY OF OVILLA**  
105 S. Cockrell Hill Road  
Ovilla, TX 75154  
972-617-7262

**CASH RECEIPT**

Date 2-24-14

004250

Received From Crouch

Address Sixty One Hundred Thirty Two 50/100 Dollars \$ 6132.50

For Main St. Sewer Line

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID	<u>6132.50</u>	CHECK	<u>X</u>
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	CREDIT CARD <input type="checkbox"/>

By IM

CRB 120-3

**CITY OF OVILLA**  
105 S. Cockrell Hill Road  
Ovilla, TX 75154  
972-617-7262

**CASH RECEIPT**

Date 2-24-14

004247

Received From Gudler, Stephen

Address Sixty One Hundred Thirty Two 50/100 Dollars \$ 6132.50

For Main St. Sewer Line Project

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID	<u>6132.50</u>	CHECK	<u>X</u>
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	CREDIT CARD <input type="checkbox"/>

By IM

CRB 120-3

**CITY OF OVILLA**  
105 S. Cockrell Hill Road  
Ovilla, TX 75154  
972-617-7262

**CASH RECEIPT**

Date 2-24-14

004249

Received From Netters LLC

Address Sixty One Hundred Thirty Two 50/100 Dollars \$ 6132.50

For Main St. Sewer Line

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID	<u>6132.50</u>	CHECK	<u>X</u>
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	CREDIT CARD <input type="checkbox"/>

By IM

CRB 120-3

**CITY OF OVILLA**  
105 S. Cockrell Hill Road  
Ovilla, TX 75154  
972-617-7262

**CASH RECEIPT**

Date 2-24-14

004248

Received From Wade

Address Sixty One Hundred Thirty Two 50/100 Dollars \$ 6132.50

For Main St. Sewer Line

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID	<u>6132.50</u>	CHECK	<u>X</u>
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	CREDIT CARD <input type="checkbox"/>

By IM

**Excerpt of December 09, 2013 Council Minutes**

**ITEM 2. DISCUSSION/ACTION** – Consideration of proposed Main Street Sewer Project and take action as necessary.

Public Works Director Brad Piland updated Council summarizing an increased city expense for the installation of the proposed Main Street Sewer Project. The cost increased from the originally quoted \$5,000 to \$8,000-\$9,900. The financial obligation to the property owners were expected to remain the same. Comments were made that this would invite businesses to the downtown area including the idea of eventually bringing sewer to the city hall.

PL2 Stevenson moved that Council continue moving forward with the Main Street Sewer Project, not to exceed \$9,900, seconded by Mayor Pro Tem Hall. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Council Members, Mayor Pro Tem Hall, PL2 Stevenson, PL3 Griffin and PL5 Oberg announced AYE in favor. Council Member PL4 Hunt voted in opposition, no abstentions.*

**VOTE: The motion carried: 4 in favor-1 in opposition.**

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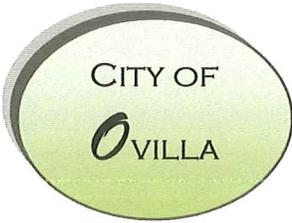
ESTIMATE OF PROBABLE COST TO COMPLETE CONNECTION OF CITY HALL TO SANITARY SEWER

PHASE	DESCRIPTION	YEAR	LENGTH OF PROJECT, FT	CITY COST, \$	DEVELOPER COST, \$
1	MAIN STREET FROM PICKARD BRIDGE TO WATER STREET	2008			
	12-INCH SEWER LINE WITH CHANGE ORDER		320	\$21,199	\$10,000
	TANK REMEDIATION		NA	\$7,500	\$0
	CONNECTION FEE			\$0	\$500
	<b>SUBTOTAL OF PHASE 1 COST</b>			<b>\$28,699</b>	<b>\$10,500</b>
2	MAIN STREET FROM WATER STREET PAST MAIN STREET CLEANERS (ESTIMATED)	2013	300		
	MATERIALS AND TRENCH SAFETY EQUIPMENT			\$0	\$10,500
	LABOR CITY CANNOT SUPPLY DUE TO SAFETY CONCERNS			\$0	\$10,800
	CITY LABOR (ESTIMATED TO BE BETWEEN \$5,500 AND \$8,300)*			\$8,300	
	CITY EQUIPMENT AND FUEL			\$700	
	CONNECTION FEE				\$0
	SURVEY-Grade markings			\$0	\$1,000
	CONTINGENCY (10%)			\$900	\$2,230
	<b>SUBTOTAL OF PHASE 2 COST</b>			<b>\$9,900</b>	<b>\$24,530</b>
3	COST TO CONNECT CITY HALL TO MAIN STREET SEWER WITH FORCEMAIN (ESTIMATED)	2014			
	CONVERT EXISTING HOLDING TANKS TO LIFT STATION			\$2,500	
	COST TO CONSTRUCT LIFT STATION AND PUMPS			\$6,200	
	CONSTRUCT 2-INCH FORCEMAIN TO MAIN STREET SEWER MANHOLE-materials and labor			\$5,500	
	COST TO PREPARE EASEMENT FROM CITY PROPERTY TO MAIN STREET			\$750	
	EASEMENT FOR FORCE MAIN TO BE INCLUDED IN DEVELOPMENT AGREEMENT FOR PHASE 2			\$0	
	CONTINGENCY (25%)			\$3,738	
	<b>SUBTOTAL OF PHASE 3 COST</b>			<b>\$18,688</b>	<b>\$0</b>
	<b>TOTAL COSTS TO BRING SEWER TO CITY HALL</b>			<b>\$57,287</b>	<b>\$35,030</b>

\* LABOR IS CALCULATED INCLUDING FULL BENEFITS

## Breakdown of City Labor Expense for Main St. Sewer Line Project

Employee Title	Pay Rate	Pay Rate +		Estimated Hours Per Employee	Total Employee Cost
		Pay Rate	Benefits		
Street Maintenance	\$10.56	\$15.37		60	\$922.20
Public Works Director	\$23.50	\$28.31		60	\$1,698.60
Water Maintenance	\$13.43	\$18.24		61	\$1,112.64
Water Superintendent	\$21.61	\$26.42		60	\$1,585.20
Water Maintenance	\$10.56	\$15.37		60	\$922.20
Sewer Maintenance	\$10.25	\$15.06		60	\$903.60
Sewer Maintenance	\$14.53	\$19.34		60	\$1,160.40
					<b>\$8,304.84</b>



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: March 10, 2014

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

Amount: \$N/A

**Attachments:**

1. None

**Agenda Item / Topic:**

ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on the appointment of a City Council Scholarship Committee and setting a date, time, and location to review the applications.

**Discussion / Justification:**

The Best Southwest Partnership (BSW) Education Committee submitted scholarship applications to independent school districts, private schools, and charter schools in the twelve cities in the Best Southwest Partnership’s region. The City Council Scholarship Committee, consisting of the Mayor and two City Councilors, is charged with application review and selection process. On or around April 25, 2014, applications received by the BSW will be sorted and provided to the city in which the scholarship applicant resides. The deadline for the Committee’s selection of the scholarship recipient from Ovilla is May 09, 2014. The BSW 2<sup>nd</sup> Annual Quarterly Luncheon will be held on May 29, 2014, at 11:30 a.m. at the Hilton Garden Inn in Duncanville where the scholarship recipients will be announced.

**Recommendation / Staff Comments:**

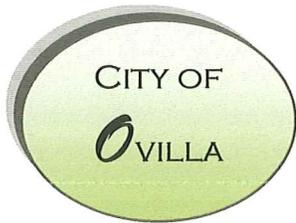
Staff recommends the creation of the City Council Scholarship Committee designating two council persons and the Mayor.

Staff recommends the Committee meet on Monday, April 28, 2014 at 6:00 p.m. prior to the City Council Regular Meeting to review the scholarship applications.

**Sample Motion(s):**

*I move that Council establish a City Council Scholarship Committee .....*

*I move that Council set \_\_\_\_\_ at \_\_\_\_\_ pm, located at \_\_\_\_\_ for the City Council Scholarship Committee to review scholarship applications for the Best Southwest Partnership Education Committee’s scholarship program.*



AGENDA ITEM REPORT

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

Meeting Date: March 10, 2014

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

Amount: \$N/A

Attachments:

- 1. Residential Sewer Rate Comparisons based on 1 inch Meters
- 2. Projected Sewer Rate Increase Impact on Revenue & Expenses

Agenda Item / Topic:

ITEM 3. *DISCUSSION/ACTION* – Consideration of and action on projected increase to sewer rates in response to the Trinity River Authority wastewater flow data for City sewer customers.

Discussion / Justification:

At the February 24, 2014 Council Meeting the Trinity River Authority of Texas (TRA) presented data confirming greater wastewater flow than the amount of wastewater TRA had been billing the City. At Council’s direction staff has prepared a cursory review of sewer rate structures of those cities participating in the Red Oak Creek wastewater system and of other cities with similar populations to Ovilla.

Staff has made some preliminary projections based on direction from Council at the February meeting and has provided estimated data for discussion. Staff considered a base rate similar to other cities and also considered a flat rate of \$8.22 per 1,000 gallons.

Recommendation / Staff Comments:

The projections are provided for discussion.

Sample Motion(s):

*I move that Council . . .*

Residential Sewer Rate Comparisons Based on 1 inch Meters as of 03/2014			
Cities on Red Oak Creek TRA System	Current Rates	Base Charge	Source
Glenn Heights	\$ 4.95 Per 1,000 gallons	\$0.00	web site
DeSoto	\$ 6.51 for first 1,000 gallons, 5.63 thereafter	\$0.00	web site
Ovilla	\$ 8.22 first 1,000 gallons @ \$5 thereafter	\$0.00	Ord.
Cedar Hill	\$ 6.89 per 1,000 gallons	\$8.00	FY13-14 budget, 3% inc FY15
Lancaster	\$ 7.25 per 1,000 gallons	\$14.10	web site
Red Oak	\$ 7.04 over 1,000 gallons	\$28.01	fee schedule on web
<b>Other Cities</b>			
Midlothian	\$ 5.76 per 1,000 gallons	\$22.10	rate inc FY14-15 \$23.21, \$6.05
Celina	\$ 5.73 per 1,000 gallons after 2,000 gallons	\$38.63	December 2011
Parker	\$ No charge per gallon just base rate	\$46.53	web site
Melissa	\$ 4.62 per 1,000 gallons	\$44.86	FY13-14
Fate	\$ 4.29 per 1,000 gallons	\$74.25	10% increase January 2014
Heath	\$ n/a	\$73.88	September 2013 newsletter

<b>Sewer Rate Comparisons Based on 1 inch Meters</b>				
<b>City</b>	<b>Current Rates</b>	<b>Base Charge</b>	<b>Cost for 3,000 gallons</b>	<b>Cost @ \$8.22 with \$20 Flat Rate</b>
Ovilla	8.22 first 1,000 gallons @ \$5 thereafter	0	18.22	44.66
Red Oak	7.04 per 1,000 gallons	28.01	49.13	
Glenn Heights	4.95 Per 1,000 gallons	66.79	81.64	
Cedar Hill	5.53 per 1,000 gallons	0	16.59	
DeSoto	6.51 for first 1,000 gallons, 5.63 thereafter	0	17.77	
Lancaster	7.25 per 1,000 gallons	14.10	35.85	
Parker	No charge per gallon just base rate	46.53	46.53	
Fate	4.29 per 1,000 gallons	74.25	87.12	
Midlothian	6.91 per 1,000 gallons	26.52	47.25	
Melissa	4.62 per 1,000 gallons	44.86	58.72	
Celina	5.73 per 1,000 gallons	38.63	55.82	

Customer #	City of Ovilla Sewer Customers			New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months	Average for 3 Months					
1-01-01000-00	14.90	3	77.72	122.48	25.00	147.48	69.76	
1-01-05042-00	9.80	3	52.22	80.56	25.00	105.56	53.34	
1-01-05054-03	9.80	3	52.22	80.56	25.00	105.56	53.34	
1-01-05055-00	4.50	3	25.72	36.99	25.00	61.99	36.27	
1-01-05056-00	6.90	3	37.72	56.72	25.00	81.72	44.00	
1-01-05058-01	2.90	3	17.72	23.84	25.00	48.84	31.12	
1-01-05059-00	3.90	3	22.72	32.06	25.00	57.06	34.34	
1-01-05060-00	5.50	3	30.72	45.21	25.00	70.21	39.49	
1-01-05062-00	5.10	3	28.72	41.92	25.00	66.92	38.20	
1-01-05064-00	6.10	3	33.72	50.14	25.00	75.14	41.42	
1-01-05067-00	3.40	3	20.22	27.95	25.00	52.95	32.73	
1-01-05068-00	3.90	3	22.72	32.06	25.00	57.06	34.34	
1-01-05071-00	2.70	3	16.72	22.19	25.00	47.19	30.47	
1-01-06006-01	1.90	3	12.72	15.62	25.00	40.62	27.90	
1-01-06012-01	18.80	3	97.22	154.54	25.00	179.54	82.32	
1-01-06014-00	8.00	3	43.22	65.76	25.00	90.76	47.54	
1-01-06016-00	17.20	3	89.22	141.38	25.00	166.38	77.16	
1-01-06017-00	13.60	3	71.22	111.79	25.00	136.79	65.57	
1-01-06018-01	9.40	3	50.22	77.27	25.00	102.27	52.05	
1-01-06020-02	7.00	3	38.22	57.54	25.00	82.54	44.32	
1-01-06021-01	4.50	3	25.72	36.99	25.00	61.99	36.27	
1-01-06025-00	13.00	3	68.22	106.86	25.00	131.86	63.64	
1-01-06030-02	30.80	3	157.22	253.18	25.00	278.18	120.96	
1-01-06031-01	5.90	3	32.72	48.50	25.00	73.50	40.78	
1-01-06033-01	7.10	3	38.72	58.36	25.00	83.36	44.64	
1-01-06034-01	11.40	3	60.22	93.71	25.00	118.71	58.49	
1-01-06035-01	11.80	3	62.22	97.00	25.00	122.00	59.78	
1-01-06036-02	6.10	3	33.72	50.14	25.00	75.14	41.42	
1-01-06040-01	12.00	3	63.22	98.64	25.00	123.64	60.42	
1-01-06042-01	7.50	3	40.72	61.65	25.00	86.65	45.93	
1-01-06045-02	7.30	3	39.72	60.01	25.00	85.01	45.29	
1-01-06050-04	6.50	3	35.72	53.43	25.00	78.43	42.71	

District 93 & 94	City of Ovilla Sewer Customers				Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Customer #	Usage	Number of Months	New Average Rate @ old Rates				
1-01-06058-02	5.90	3	32.72	48.50	25.00	73.50	40.78	
1-01-06059-01	4.40	3	25.22	36.17	25.00	61.17	35.95	
1-01-06060-00	4.60	3	26.22	37.81	25.00	62.81	36.59	
1-01-06062-01	15.00	3	78.22	123.30	25.00	148.30	70.08	
1-01-06066-03	4.70	3	26.72	38.63	25.00	63.63	36.91	
1-01-06068-02	9.40	3	50.22	77.27	25.00	102.27	52.05	
1-01-06070-01	11.20	3	59.22	92.06	25.00	117.06	57.84	
1-01-06075-00	5.00	3	28.22	41.10	25.00	66.10	37.88	
1-01-06080-04	2.60	3	16.22	21.37	25.00	46.37	30.15	
1-01-06085-01	10.80	3	57.22	88.78	25.00	113.78	56.56	
1-01-06086-00	6.70	3	36.72	55.07	25.00	80.07	43.35	
1-01-06087-01	6.10	3	33.72	50.14	25.00	75.14	41.42	
1-01-06090-04	4.50	3	25.72	36.99	25.00	61.99	36.27	
1-01-06095-01	9.70	3	51.72	79.73	25.00	104.73	53.01	
1-01-06100-02	5.60	3	31.22	46.03	25.00	71.03	39.81	
1-01-06105-02	12.30	3	64.72	101.11	25.00	126.11	61.39	
1-01-06110-01	6.50	3	35.72	53.43	25.00	78.43	42.71	
1-01-06111-01	6.00	3	33.22	49.32	25.00	74.32	41.10	
1-01-06115-04	5.00	3	28.22	41.10	25.00	66.10	37.88	
1-01-06116-01	2.80	3	17.22	23.02	25.00	48.02	30.80	
1-01-06120-00	1.70	3	11.72	13.97	25.00	38.97	27.25	
1-01-06122-02	2.50	3	15.72	20.55	25.00	45.55	29.83	
1-01-06125-01	7.50	3	40.72	61.65	25.00	86.65	45.93	
1-01-06129-01	5.50	3	30.72	45.21	25.00	70.21	39.49	
1-01-06130-00	5.10	3	28.72	41.92	25.00	66.92	38.20	
1-01-06131-01	8.30	3	44.72	68.23	25.00	93.23	48.51	
1-01-06132-03	10.60	3	56.22	87.13	25.00	112.13	55.91	
1-01-06133-01	0.40	3	8.22	3.29	25.00	28.29	20.07	
1-01-06134-01	10.50	3	55.72	86.31	25.00	111.31	55.59	
1-01-06135-02	3.00	3	18.22	24.66	25.00	49.66	31.44	
1-01-06136-00	8.60	3	46.22	70.69	25.00	95.69	49.47	
1-01-06137-01	3.70	3	21.72	30.41	25.00	55.41	33.69	

Customer #	City of Ovilla Sewer Customers		New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months					
1-01-06138-01	16.80	3	87.22	138.10	25.00	163.10	75.88
1-01-06139-04	6.80	3	37.22	55.90	25.00	80.90	43.68
1-01-06140-04	6.30	3	34.72	51.79	25.00	76.79	42.07
1-01-06141-03	4.90	3	27.72	40.28	25.00	65.28	37.56
1-01-06142-01	1.20	3	9.22	9.86	25.00	34.86	25.64
1-01-06143-01	18.60	3	96.22	152.89	25.00	177.89	81.67
1-01-06144-00	4.10	3	23.72	33.70	25.00	58.70	34.98
1-01-06145-04	5.10	3	28.72	41.92	25.00	66.92	38.20
1-01-06146-00	3.50	3	20.72	28.77	25.00	53.77	33.05
1-01-06147-02	10.90	3	57.72	89.60	25.00	114.60	56.88
1-01-06148-02	8.40	3	45.22	69.05	25.00	94.05	48.83
1-01-06149-01	6.50	3	35.72	53.43	25.00	78.43	42.71
1-01-06150-00	8.70	3	46.72	71.51	25.00	96.51	49.79
1-01-06155-01	8.70	3	46.72	71.51	25.00	96.51	49.79
1-01-06157-03	3.90	3	22.72	32.06	25.00	57.06	34.34
1-01-06159-04	13.20	3	69.22	108.50	25.00	133.50	64.28
1-01-06165-00	6.70	3	36.72	55.07	25.00	80.07	43.35
1-01-06170-01	12.60	3	66.22	103.57	25.00	128.57	62.35
1-01-06175-01	3.60	3	21.22	29.59	25.00	54.59	33.37
1-01-06176-01	12.20	3	64.22	100.28	25.00	125.28	61.06
1-01-06177-04	6.80	3	37.22	55.90	25.00	80.90	43.68
1-01-06185-02	6.50	3	35.72	53.43	25.00	78.43	42.71
1-01-06236-01	5.50	3	30.72	45.21	25.00	70.21	39.49
1-01-06237-03	6.40	3	35.22	52.61	25.00	77.61	42.39
1-01-06238-01	7.60	3	41.22	62.47	25.00	87.47	46.25
1-01-06240-01	6.20	3	34.22	50.96	25.00	75.96	41.74
1-01-06241-02	6.00	3	33.22	49.32	25.00	74.32	41.10
1-01-06242-01	15.90	3	82.72	130.70	25.00	155.70	72.98
1-01-06245-00	3.70	3	21.72	30.41	25.00	55.41	33.69
1-01-06254-01	4.70	3	26.72	38.63	25.00	63.63	36.91
1-01-06255-02	3.90	3	22.72	32.06	25.00	57.06	34.34
1-01-06256-00	2.80	3	17.22	23.02	25.00	48.02	30.80

Customer #	City of Ovilla Sewer Customers			Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months	New Average Rate @ old Rates				
1-01-06257-01	3.00	3	18.22	24.66	25.00	49.66	31.44
1-01-06258-02	3.60	3	21.22	29.59	25.00	54.59	33.37
1-01-06259-01	3.60	3	21.22	29.59	25.00	54.59	33.37
1-01-06260-00	5.40	3	30.22	44.39	25.00	69.39	39.17
1-01-06261-02	1.80	3	12.22	14.80	25.00	39.80	27.58
1-01-06262-02	4.90	3	27.72	40.28	25.00	65.28	37.56
1-01-06263-01	7.30	3	39.72	60.01	25.00	85.01	45.29
1-01-06264-00	10.20	3	54.22	83.84	25.00	108.84	54.62
1-01-06265-00	6.30	3	34.72	51.79	25.00	76.79	42.07
1-01-06266-00	3.50	3	20.72	28.77	25.00	53.77	33.05
1-01-06267-00	4.90	3	27.72	40.28	25.00	65.28	37.56
1-01-06268-03	5.80	3	32.22	47.68	25.00	72.68	40.46
1-01-06269-02	1.20	3	9.22	9.86	25.00	34.86	25.64
1-01-06270-02	3.20	3	19.22	26.30	25.00	51.30	32.08
1-01-06271-00	6.10	3	33.72	50.14	25.00	75.14	41.42
1-01-06272-03	3.40	3	20.22	27.95	25.00	52.95	32.73
1-01-06273-01	8.40	3	45.22	69.05	25.00	94.05	48.83
1-01-06274-02	3.90	3	22.72	32.06	25.00	57.06	34.34
1-01-06275-02	14.10	3	73.72	115.90	25.00	140.90	67.18
1-01-06276-01	6.60	3	36.22	54.25	25.00	79.25	43.03
1-01-06277-02	8.10	3	43.72	66.58	25.00	91.58	47.86
1-01-06278-00	4.10	3	23.72	33.70	25.00	58.70	34.98
1-01-06279-01	7.70	3	41.72	63.29	25.00	88.29	46.57
1-01-06280-00	12.20	3	64.22	100.28	25.00	125.28	61.06
1-01-06281-02	9.80	3	52.22	80.56	25.00	105.56	53.34
1-01-06282-01	15.40	3	80.22	126.59	25.00	151.59	71.37
1-01-06283-01	3.30	3	19.72	27.13	25.00	52.13	32.41
1-01-06284-02	2.30	3	14.72	18.91	25.00	43.91	29.19
1-01-06285-02	5.30	3	29.72	43.57	25.00	68.57	38.85
1-01-06286-02	8.50	3	45.72	69.87	25.00	94.87	49.15
1-01-06287-01	4.30	3	24.72	35.35	25.00	60.35	35.63
1-01-06288-01	9.30	3	49.72	76.45	25.00	101.45	51.73

District 93 & 94	City of Ovilla Sewer Customers				New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Customer #	Usage	Number of Months	Average for 3 Months					
1-01-06289-01	10.10	3	53.72	83.02	25.00	108.02	54.30		
1-01-06290-01	9.50	3	50.72	78.09	25.00	103.09	52.37		
1-01-06291-01	4.30	3	24.72	35.35	25.00	60.35	35.63		
1-01-06292-02	9.30	3	49.72	76.45	25.00	101.45	51.73		
1-01-06293-02	4.50	3	25.72	36.99	25.00	61.99	36.27		
1-01-06295-01	9.90	3	52.72	81.38	25.00	106.38	53.66		
1-01-06297-02	9.50	3	50.72	78.09	25.00	103.09	52.37		
1-01-06385-02	9.30	3	49.72	76.45	25.00	101.45	51.73		
1-01-06386-03	3.20	3	19.22	26.30	25.00	51.30	32.08		
1-01-06387-02	2.30	3	14.72	18.91	25.00	43.91	29.19		
1-01-06388-01	10.90	3	57.72	89.60	25.00	114.60	56.88		
1-01-06389-01	5.20	3	29.22	42.74	25.00	67.74	38.52		
1-01-06390-04	10.30	3	54.72	84.67	25.00	109.67	54.95		
1-01-06391-06	23.50	3	120.72	193.17	25.00	218.17	97.45		
1-01-06392-01	4.00	3	23.22	32.88	25.00	57.88	34.66		
1-01-06393-01	5.90	3	32.72	48.50	25.00	73.50	40.78		
1-01-06394-03	5.40	3	30.22	44.39	25.00	69.39	39.17		
1-01-06395-01	13.60	3	71.22	111.79	25.00	136.79	65.57		
1-01-06396-03	3.70	3	21.72	30.41	25.00	55.41	33.69		
1-01-06397-04	5.00	3	28.22	41.10	25.00	66.10	37.88		
1-01-06398-04	14.30	3	74.72	117.55	25.00	142.55	67.83		
1-01-07035-02	3.50	3	20.72	28.77	25.00	53.77	33.05		
1-01-07095-03	5.90	3	32.72	48.50	25.00	73.50	40.78		
1-01-07100-11	3.30	3	19.72	27.13	25.00	52.13	32.41		
1-01-07135-04	4.10	3	23.72	33.70	25.00	58.70	34.98		
1-01-07443-01	207.00	3	1,038.22	1,701.54	25.00	1,726.54	688.32		
1-01-09001-02	4.60	3	26.22	37.81	25.00	62.81	36.59		
1-01-09002-02	5.70	3	31.72	46.85	25.00	71.85	40.13		
1-01-09003-01	5.40	3	30.22	44.39	25.00	69.39	39.17		
1-01-09004-01	2.70	3	16.72	22.19	25.00	47.19	30.47		
1-01-09005-06	7.90	3	42.72	64.94	25.00	89.94	47.22		
1-01-09006-03	3.20	3	19.22	26.30	25.00	51.30	32.08		

Customer #	City of Ovilla Sewer Customers				Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months	New Average Rate @ old Rates	Average for 3 Months				
1-01-09007-03	24.10	3	123.72	198.10	25.00	223.10	99.38	
1-01-09008-01	11.70	3	61.72	96.17	25.00	121.17	59.45	
1-01-09009-01	8.30	3	44.72	68.23	25.00	93.23	48.51	
1-01-09010-02	4.20	3	24.22	34.52	25.00	59.52	35.30	
1-01-09011-03	16.50	3	85.72	135.63	25.00	160.63	74.91	
1-01-09012-02	1.80	3	12.22	14.80	25.00	39.80	27.58	
1-01-09013-01	3.30	3	19.72	27.13	25.00	52.13	32.41	
1-01-09014-04	6.40	3	35.22	52.61	25.00	77.61	42.39	
1-01-09015-00	2.60	3	16.22	21.37	25.00	46.37	30.15	
1-01-09016-03	4.70	3	26.72	38.63	25.00	63.63	36.91	
1-01-09017-02	7.30	3	39.72	60.01	25.00	85.01	45.29	
1-01-09018-06	3.80	3	22.22	31.24	25.00	56.24	34.02	
1-01-09019-01	1.70	3	11.72	13.97	25.00	38.97	27.25	
1-01-09020-02	8.90	3	47.72	73.16	25.00	98.16	50.44	
1-01-09021-01	3.80	3	22.22	31.24	25.00	56.24	34.02	
1-01-09022-01	8.70	3	46.72	71.51	25.00	96.51	49.79	
1-01-09023-01	1.80	3	12.22	14.80	25.00	39.80	27.58	
1-01-09024-02	4.30	3	24.72	35.35	25.00	60.35	35.63	
1-01-09025-02	2.50	3	15.72	20.55	25.00	45.55	29.83	
1-01-09026-01	15.70	3	81.72	129.05	25.00	154.05	72.33	
1-01-09027-02	10.20	3	54.22	83.84	25.00	108.84	54.62	
1-01-09028-01	1.70	3	11.72	13.97	25.00	38.97	27.25	
1-01-09029-01	4.80	3	27.22	39.46	25.00	64.46	37.24	
1-01-09030-01	5.00	3	28.22	41.10	25.00	66.10	37.88	
1-01-09031-02	9.80	3	52.22	80.56	25.00	105.56	53.34	
1-01-09032-01	8.50	3	45.72	69.87	25.00	94.87	49.15	
1-01-09033-02	6.00	3	33.22	49.32	25.00	74.32	41.10	
1-01-09034-02	10.50	3	55.72	86.31	25.00	111.31	55.59	
1-01-09035-02	3.60	3	21.22	29.59	25.00	54.59	33.37	
1-01-09036-01	3.20	3	19.22	26.30	25.00	51.30	32.08	
1-01-09037-02	5.20	3	29.22	42.74	25.00	67.74	38.52	
1-01-09038-01	3.80	3	22.22	31.24	25.00	56.24	34.02	

Customer #	City of Ovilla Sewer Customers		New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Average for 3 Months	Usage					
1-01-09039-01	2.50	3	15.72	20.55	25.00	45.55	29.83
1-01-09040-01	4.50	3	25.72	36.99	25.00	61.99	36.27
1-01-09041-01	4.80	3	27.22	39.46	25.00	64.46	37.24
1-01-09042-03	3.40	3	20.22	27.95	25.00	52.95	32.73
1-01-09043-01	7.60	3	41.22	62.47	25.00	87.47	46.25
1-01-09050-02	3.40	3	20.22	27.95	25.00	52.95	32.73
1-01-10001-01	4.20	3	24.22	34.52	25.00	59.52	35.30
1-01-10002-03	7.50	3	40.72	61.65	25.00	86.65	45.93
1-01-10003-01	5.60	3	31.22	46.03	25.00	71.03	39.81
1-01-10006-01	7.90	3	42.72	64.94	25.00	89.94	47.22
1-01-10007-03	15.90	3	82.72	130.70	25.00	155.70	72.98
1-01-10008-02	9.70	3	51.72	79.73	25.00	104.73	53.01
1-01-10010-01	7.10	3	38.72	58.36	25.00	83.36	44.64
1-01-10011-02	10.10	3	53.72	83.02	25.00	108.02	54.30
1-01-10013-01	8.10	3	43.72	66.58	25.00	91.58	47.86
1-01-10014-01	14.20	3	74.22	116.72	25.00	141.72	67.50
1-01-10015-01	12.50	3	65.72	102.75	25.00	127.75	62.03
1-01-10016-01	2.30	3	14.72	18.91	25.00	43.91	29.19
1-01-10017-01	6.50	3	35.72	53.43	25.00	78.43	42.71
1-01-10019-01	2.70	3	16.72	22.19	25.00	47.19	30.47
1-01-10020-01	6.90	3	37.72	56.72	25.00	81.72	44.00
1-01-10021-05	7.70	3	41.72	63.29	25.00	88.29	46.57
1-01-10022-01	7.90	3	42.72	64.94	25.00	89.94	47.22
1-01-10023-01	18.50	3	95.72	152.07	25.00	177.07	81.35
1-01-10024-00	4.60	3	26.22	37.81	25.00	62.81	36.59
1-01-10025-01	15.20	3	79.22	124.94	25.00	149.94	70.72
1-01-10026-01	8.40	3	45.22	69.05	25.00	94.05	48.83
1-01-10027-03	10.60	3	56.22	87.13	25.00	112.13	55.91
1-01-10028-01	6.90	3	37.72	56.72	25.00	81.72	44.00
1-01-10029-02	6.30	3	34.72	51.79	25.00	76.79	42.07
1-01-10030-03	2.00	3	13.22	16.44	25.00	41.44	28.22
1-01-10031-01	4.90	3	27.72	40.28	25.00	65.28	37.56

Customer #	City of Ovilla Sewer Customers			New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months	Average for 3 Months					
1-01-10032-02	4.50	3	25.72	36.99	25.00	61.99	36.27	
1-01-10033-05	5.80	3	32.22	47.68	25.00	72.68	40.46	
1-01-10034-01	2.10	3	13.72	17.26	25.00	42.26	28.54	
1-01-10035-01	5.40	3	30.22	44.39	25.00	69.39	39.17	
1-01-11001-01	6.40	3	35.22	52.61	25.00	77.61	42.39	
1-01-11002-01	3.30	3	19.72	27.13	25.00	52.13	32.41	
1-01-11003-03	3.80	3	22.22	31.24	25.00	56.24	34.02	
1-01-11004-01	8.30	3	44.72	68.23	25.00	93.23	48.51	
1-01-11005-01	4.70	3	26.72	38.63	25.00	63.63	36.91	
1-01-11006-01	4.80	3	27.22	39.46	25.00	64.46	37.24	
1-01-11007-02	20.30	3	104.72	166.87	25.00	191.87	87.15	
1-01-11008-01	5.30	3	29.72	43.57	25.00	68.57	38.85	
1-01-11009-04	3.80	3	22.22	31.24	25.00	56.24	34.02	
1-01-11010-05	4.10	3	23.72	33.70	25.00	58.70	34.98	
1-01-11011-01	3.10	3	18.72	25.48	25.00	50.48	31.76	
1-01-11012-00	7.20	3	39.22	59.18	25.00	84.18	44.96	
1-01-11013-03	1.00	3	8.22	8.22	25.00	33.22	25.00	
1-01-11014-07	8.80	3	47.22	72.34	25.00	97.34	50.12	
1-01-11015-02	4.80	3	27.22	39.46	25.00	64.46	37.24	
1-01-11017-03	7.20	3	39.22	59.18	25.00	84.18	44.96	
1-01-11018-03	3.50	3	20.72	28.77	25.00	53.77	33.05	
1-01-11019-03	9.20	3	49.22	75.62	25.00	100.62	51.40	
1-01-11020-01	14.60	3	76.22	120.01	25.00	145.01	68.79	
1-01-12000-02	4.10	3	23.72	33.70	25.00	58.70	34.98	
1-01-12001-00	11.50	3	60.72	94.53	25.00	119.53	58.81	
1-01-12002-01	5.70	3	31.72	46.85	25.00	71.85	40.13	
1-01-12003-02	2.80	3	17.22	23.02	25.00	48.02	30.80	
1-01-12004-01	1.00	3	8.22	8.22	25.00	33.22	25.00	
1-01-12005-02	2.50	3	15.72	20.55	25.00	45.55	29.83	
1-01-12006-02	1.80	3	12.22	14.80	25.00	39.80	27.58	
1-01-12007-01	10.10	3	53.72	83.02	25.00	108.02	54.30	
1-01-12008-01	0.50	3	8.22	4.11	25.00	29.11	20.89	

Customer #	City of Ovilla Sewer Customers			New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months	Average for 3 Months					
1-01-12009-02	9.20	3	49.22	75.62	25.00	100.62	51.40	
1-01-12010-01	5.60	3	31.22	46.03	25.00	71.03	39.81	
1-01-12011-02	8.50	3	45.72	69.87	25.00	94.87	49.15	
1-01-12012-01	7.00	3	38.22	57.54	25.00	82.54	44.32	
1-01-12013-01	4.70	3	26.72	38.63	25.00	63.63	36.91	
1-01-12014-01	3.00	3	18.22	24.66	25.00	49.66	31.44	
1-01-12015-01	6.30	3	34.72	51.79	25.00	76.79	42.07	
1-01-12016-01	16.40	3	85.22	134.81	25.00	159.81	74.59	
1-01-12017-01	10.50	3	55.72	86.31	25.00	111.31	55.59	
1-01-12018-02	2.70	3	16.72	22.19	25.00	47.19	30.47	
1-01-12019-02	16.50	3	85.72	135.63	25.00	160.63	74.91	
1-01-12020-00	5.10	3	28.72	41.92	25.00	66.92	38.20	
1-01-12021-01	1.60	3	11.22	13.15	25.00	38.15	26.93	
1-01-12022-00	1.40	3	10.22	11.51	25.00	36.51	26.29	
1-01-12023-01	4.70	3	26.72	38.63	25.00	63.63	36.91	
1-01-12024-01	1.70	3	11.72	13.97	25.00	38.97	27.25	
1-01-12025-02	6.20	3	34.22	50.96	25.00	75.96	41.74	
1-01-12026-02	11.00	3	58.22	90.42	25.00	115.42	57.20	
1-01-12027-01	6.80	3	37.22	55.90	25.00	80.90	43.68	
1-01-12028-01	9.30	3	49.72	76.45	25.00	101.45	51.73	
1-01-12029-01	5.80	3	32.22	47.68	25.00	72.68	40.46	
1-01-12030-01	12.20	3	64.22	100.28	25.00	125.28	61.06	
1-01-12031-06	3.40	3	20.22	27.95	25.00	52.95	32.73	
1-01-12032-01	1.40	3	10.22	11.51	25.00	36.51	26.29	
1-01-12033-03	1.30	2	9.72	10.69	25.00	35.69	25.97	
1-01-12034-01	3.00	3	18.22	24.66	25.00	49.66	31.44	
1-01-12035-02	5.40	3	30.22	44.39	25.00	69.39	39.17	
1-01-13001-02	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13002-01	8.90	3	47.72	73.16	25.00	98.16	50.44	
1-01-13003-01	13.60	3	71.22	111.79	25.00	136.79	65.57	
1-01-13007-03	6.40	3	35.22	52.61	25.00	77.61	42.39	
1-01-13008-03	4.20	3	24.22	34.52	25.00	59.52	35.30	

Customer #	City of Ovilla Sewer Customers		New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months					
1-01-13009-01	8.40	3	45.22	69.05	25.00	94.05	48.83
1-01-13010-01	5.00	3	28.22	41.10	25.00	66.10	37.88
1-01-13011-01	8.40	3	45.22	69.05	25.00	94.05	48.83
1-01-13012-01	3.20	3	19.22	26.30	25.00	51.30	32.08
1-01-13013-01	8.60	3	46.22	70.69	25.00	95.69	49.47
1-01-13014-01	8.90	3	47.72	73.16	25.00	98.16	50.44
1-01-13015-02	7.50	3	40.72	61.65	25.00	86.65	45.93
1-01-13016-02	7.50	3	40.72	61.65	25.00	86.65	45.93
1-01-13017-02	9.40	3	50.22	77.27	25.00	102.27	52.05
1-01-13018-03	6.10	3	33.72	50.14	25.00	75.14	41.42
1-01-13019-03	7.90	3	42.72	64.94	25.00	89.94	47.22
1-01-13020-01	23.30	3	119.72	191.53	25.00	216.53	96.81
1-01-13021-01	6.70	3	36.72	55.07	25.00	80.07	43.35
1-01-13022-01	7.30	3	39.72	60.01	25.00	85.01	45.29
1-01-13023-02	3.00	3	18.22	24.66	25.00	49.66	31.44
1-01-13024-01	3.90	3	22.72	32.06	25.00	57.06	34.34
1-01-13025-01	5.00	3	28.22	41.10	25.00	66.10	37.88
1-01-13026-01	5.70	3	31.72	46.85	25.00	71.85	40.13
1-01-13027-01	9.80	3	52.22	80.56	25.00	105.56	53.34
1-01-13028-02	6.20	3	34.22	50.96	25.00	75.96	41.74
1-01-13029-00	5.80	3	32.22	47.68	25.00	72.68	40.46
1-01-13030-01	6.90	3	37.72	56.72	25.00	81.72	44.00
1-01-13031-01	10.20	3	54.22	83.84	25.00	108.84	54.62
1-01-13032-01	6.60	3	36.22	54.25	25.00	79.25	43.03
1-01-13033-01	1.80	3	12.22	14.80	25.00	39.80	27.58
1-01-13034-01	16.40	3	85.22	134.81	25.00	159.81	74.59
1-01-13035-00	2.00	3	13.22	16.44	25.00	41.44	28.22
1-01-13036-01	5.50	3	30.72	45.21	25.00	70.21	39.49
1-01-13037-01	6.00	3	33.22	49.32	25.00	74.32	41.10
1-01-13038-01	3.50	3	20.72	28.77	25.00	53.77	33.05
1-01-13039-01	6.50	3	35.72	53.43	25.00	78.43	42.71
1-01-13040-01	13.00	3	68.22	106.86	25.00	131.86	63.64

Customer #	City of Ovilla Sewer Customers			New Average Rate @ old Rates	Average @ 8.22 Per Thousand	Base Rate \$25.00 Per Customer per Month	Total of \$8.22 Plus \$25.00 Flat Rate	Per Month Increase from Proposed Rate Compared to Current Rate
	Usage	Number of Months	Average for 3 Months					
1-01-13041-01	5.60	3	31.22	46.03	25.00	71.03	39.81	
1-01-13042-02	7.30	3	39.72	60.01	25.00	85.01	45.29	
1-01-13043-01	4.10	3	23.72	33.70	25.00	58.70	34.98	
1-01-13044-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13045-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13046-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13047-01	2.90	3	17.72	23.84	25.00	48.84	31.12	
1-01-13048-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13049-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13050-01	11.60	3	61.22	95.35	25.00	120.35	59.13	
1-01-13051-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13052-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13053-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13054-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13055-01	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13056-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13057-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13058-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13059-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13060-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13061-01	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13062-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13063-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13064-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13065-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13066-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13067-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13068-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13069-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13070-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13071-00	7.60	3	41.22	62.47	25.00	87.47	46.25	
1-01-13072-00	7.60	3	41.22	62.47	25.00	87.47	46.25	



## Projected Sewer Rate Increase Impact on Revenue & Expenses

Fiscal Year	Sewer Revenue	Sewer Portion of Admin. Exp.	Sewer Expenses less TRA	TRA Expenses	Total Sewer Expenses	Net Resources
<b>Current Approved Budget</b>						
2013-2014	\$155,338.00	\$42,639.74	\$113,853.00	\$47,000.00	\$203,492.74	(\$48,154.74)
<b>Proposed Changes to Budget - Option #1</b>						
2013-2014	\$214,945.83	\$42,639.74	\$113,853.00	\$212,000.00	\$368,492.74	(\$153,546.91)
<b>Proposed Changes to Budget - Option #2</b>						
2013-2014	\$222,147.03	\$42,639.74	\$113,853.00	\$212,000.00	\$368,492.74	(\$146,345.71)

**Option #1 Revenue Calculation**

Proposed Sewer Rev. based on \$15.00 Base Rate plus \$8.22 per 1,000 gallons

based on 4 months (June-Sept.)

Total Year	\$327,609.14
4 months	0.34
	\$111,387.11 4 months on new rate
	\$103,558.72 8 Months on old rate
	\$214,945.83

**Option #2 Revenue Calculation**

Proposed Sewer Rev. based on \$20.00 Base Rate plus \$8.22 per 1,000 gallons

based on 4 months (June-Sept.)

Total Year	\$348,789.14
4 months	0.34
	\$118,588.31 4 months on new rate
	\$103,558.72 8 Months on old rate
	\$222,147.03

**Option #1**

1. Increase sewer rates to \$8.22 per 1,000 gallons with a \$15 per resident base charge for 4 months June thru Oct. Pay out of Retained earnings the balance of \$154,000 deficit for this fiscal year 2013-2014 plus the \$144,000 owed to TRA for last fiscal year. Totaling \$298,000 to be paid out of Retained earnings.

**Option #2**

2. Increase sewer rates to \$8.22 per 1,000 gallons with a \$20 per resident base charge for 4 months June thru Oct. Pay out of Retained earnings the balance of \$146,500 deficit for this fiscal year 2013-2014 plus the \$144,000 owed to TRA for last fiscal year. Totaling \$290,500 to be paid out of Retained earnings.



AGENDA ITEM REPORT

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

Meeting Date: March 10, 2014

Department: Public Works Department

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$6,500.00

Attachments:

- 1. Resolution R2014-012
2. Engineering Services Agreement - Birkhoff, Hendricks and Carter, L.L.P.

Agenda Item / Topic:

ITEM 4. DISCUSSION/ACTION - Consideration of and action on Resolution R2014-012, authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for an Updated Sewer Rate Study for a cost not to exceed \$6,500.00

Discussion / Justification:

In May 2011, the City completed a Water & Sewer Rate Study FY2010 through FY2015. The recommendation from the 2011 Study was to increase the water and sewer rates over the next five years to avoid budget deficits in future fiscal years.

This budget year, FY2013-2014, the City did adopt a water rate increase of 3% due to the rate increase from the Dallas Water Utilities. The last sewer rate increase was September 26, 2011.

In January 2014, the Trinity River Authority of Texas (TRA), contracted by the City to process wastewater for those residents on sanitary sewer through the Red Oak Creek Regional Wastewater System (ROC), notified the City of irregularities in the wastewater flow meter data versus the amount of wastewater TRA bills the City. Representatives from TRA made a presentation and responded to questions from City Council regarding the irregularities in the wastewater flow data versus the wastewater billed to the City.

Staff recommends the 2011 Water & Sewer Rate Study be updated to evaluate the City's existing Sewer Rates only and consider the revised wastewater flow data received from Trinity River Authority and TRA's debt obligations. The Study would provide recommendations to adequately fund the sewer utility operations and capital costs and provide an equitable rate structure.

The City's engineering firm has proposed to update the study for a cost not to exceed \$6,500.00 billed on an hourly basis.

Recommendation / Staff Comments:

Staff recommends approval of Resolution R2014-012 authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for an Updated Sewer Rate Study not to exceed \$6,500.00.

Sample Motion(s):

I move that Council APPROVE/DENY Resolution R2014-012, authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, for an Updated Sewer Rate Study for a cost not to exceed \$6,500.00.

**RESOLUTION NO. R2014-012**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS APPROVING THE TERMS AND CONDITIONS OF THE ENGINEERING SERVICES AGREEMENT TO PREPARE AN UPDATED SEWER RATE STUDY BY, BETWEEN, AND AMONG BIRKHOFF, HENDRICKS AND CARTER, L.L.P. AND THE CITY OF OVILLA, WHICH AGREEMENT IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has been presented an Engineering Services Agreement by, between, and among Birkhoff, Hendricks and Carter, L.L.P. and the City of Ovilla to prepare an updated Sewer Rate Study, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Agreement on behalf of the City of Ovilla, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS;**

**SECTION 1.**

That the Engineering Services Agreement by, between, and among Birkhoff, Hendricks and Carter, L.L.P. and the City of Ovilla to prepare an updated Sewer Rate Study, which Agreement is attached hereto as Exhibit "A," having been reviewed by the City Council of the City of Ovilla, Texas, is hereby, in all things approved; and, the Mayor is hereby authorized to execute the Agreement on behalf of the City of Ovilla, Ellis County, Texas.

**SECTION 2.**

That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, this 10<sup>th</sup> day of March, 2014.**

**APPROVED:**

\_\_\_\_\_  
**Richard Dormier, Mayor**

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Ron G. MacFarlane, Jr., City Attorney**

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E.  
JOE R. CARTER, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.  
JOSEPH T. GRAJEWSKI, III, P.E.  
DEREK B. CHANEY, P.E.  
CRAIG M. KERKHOFF, P.E.

March 4, 2014

Ms. Cindy Powell  
City Administrator  
105 S. Cockrell Hill  
Ovilla, Texas 75154

Re: Sewer Rate Study Update  
Engineering Proposal

Dear Ms. Powell:

In accordance with your request we are enclosing two originals of the Engineering Services Agreement for the Sewer Rate Study Update which we have signed. If this is acceptable to the City, please have the two originals executed and return one copy back to our office. We will commence our services at your direction.

We are available to discuss any questions you may have with the proposal at your earliest convenience.

Sincerely,



Andrew Mata Jr., P.E.

Enclosures

## **ENGINEERING SERVICES AGREEMENT**

**THIS AGREEMENT** is made and entered into by and between the **City of Ovilla, Texas**, hereinafter referred to as "City", and **Birkhoff, Hendricks & Carter, L.L.P.**, hereinafter referred to as "Engineer", to be effective from and after the date as provided herein.

### **WITNESSETH:**

**WHEREAS**, the City desires to engage the services of the Engineer to update the **Wastewater Rate Study** for the City of Ovilla, Texas, hereinafter referred to as the "Project"; and

**WHEREAS**, the Engineer desires to render such engineering services for the City under the terms and conditions provided herein.

### **NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That for and in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

#### **I. Employment of the Engineer**

The City hereby agrees to retain the Engineer to perform professional engineering services in connection with the Project; Engineer agrees to perform such services in accordance with the terms and conditions of this Agreement.

#### **II. Scope of Services**

The parties agree that Engineer shall perform such services as are set forth and described in Exhibit "A", which is attached hereto and thereby made a part of this Agreement. The parties understand and agree that deviations or modifications, in the form of written changes may be authorized from time to time by the City.

#### **III. Schedule of Work**

The Engineer agrees to commence services immediately upon execution of this Agreement, and to proceed diligently with said service to completion as described in the Completion Schedule attached hereto as Exhibit "B" and thereby made a part of this Agreement.

#### **IV. Compensation and Method of Payment**

The parties agree that Engineer shall be compensated for all services provided pursuant to this Agreement in the amount and manner described and set forth in the Rate Schedule attached hereto as Exhibit "C" and thereby made a part of this Agreement. Engineer further agrees that it will prepare and present such monthly progress reports and itemized statements as are described in said Exhibit "C". City agrees to pay invoices upon receipt.

#### **V. Information to be Provided by the City**

The City agrees to furnish, if available, prior to commencement of services, all that information set forth and described in Exhibit "A".

#### **VI. Insurance**

Engineer agrees to procure and maintain for the duration of the contract Professional Liability Insurance (\$1,000,000), Worker's Compensation, General Liability and Automobile Insurance.

#### **VII. Assignment and Subletting**

The Engineer agrees that neither this Agreement nor the services to be performed hereunder will be assigned or sublet without the prior written consent of the City. The Engineer further agrees that the assignment or subletting of any portion or feature of the work or materials required in the performance of this Agreement shall not relieve the Engineer from its full obligations to the City as provided by this Agreement.

#### **VIII. Audits and Records**

The Engineer agrees that at any time during normal business hours and as often as City may deem necessary, Engineer shall make available to representatives of the City for examination all of its records with respect to all matters covered by this Agreement, and will permit such representatives of the City to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement, all for a period of one year from the date of final settlement of this Agreement or for such other or longer period, if any, as may be required by applicable statute or other lawful requirement.

### **IX. Contract Termination**

The parties agree that City or the Engineer shall have the right to terminate this Agreement without cause upon thirty (30) days written notice to the other. In the event of such termination without cause, Engineer shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports photographs or other items prepared by Engineer in connection with this Agreement. Engineer shall be entitled to compensation for any and all services completed to the satisfaction of City in accordance with the provisions of this Agreement prior to termination.

### **X. Engineer's Opinion of Cost**

The parties recognize and agree that any and all opinions of cost prepared by Engineer in connection with the Project represent the best judgment of Engineer as a design professional familiar with the construction industry, but that the Engineer does not guarantee that any bids solicited or received in connection with the Project will not vary from the opinion by the Engineer.

### **XI. Ownership of Documents**

Original reports are the property of the Engineer; however, the Project is the property of the City. City shall be furnished with such reproductions of report. Additional prints shall be furnished at cost, as an additional service, at any other time requested by City.

### **XII. Complete Contract**

This Agreement, including the exhibits hereto numbered "A" through "C" constitutes the entire agreement by and between the parties regarding the subject matter hereof.

### **XIII. Mailing of Notices**

Unless instructed otherwise in writing, Engineer agrees that all notices or communications to City permitted or required under this Agreement shall be addressed to City at the following address:

Ms. Cindy Powell  
City Administrator  
City of Ovilla  
105 S. Cockrell Hill Rd.  
Ovilla, Texas 75154

City agrees that all notices or communications to Engineer permitted or required under this Agreement shall be addressed to Engineer at the following address:

Andrew Mata Jr., P.E.  
Birkhoff, Hendricks & Carter, L.L.P.  
11910 Greenville Ave., Suite 600  
Dallas, Texas 75243  
Phone: (214) 361-7900  
Fax: (214) 461-8390  
amata@bhcllp.com

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date such notice or communication is posted by the sending party.

**XIV. Contract Amendments**

This Agreement may be amended only by the mutual agreement of the parties expressed in writing.

**XV. Effective Date**

This Agreement shall be effective from and after execution by both parties hereto.

**WITNESS OUR HANDS AND SEALS** on the date indicated below.

**CITY OF OVILLA, TEXAS**

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
PROFESSIONAL ENGINEERS**

By: \_\_\_\_\_  
Richard Dormier, Mayor

By: \_\_\_\_\_  
Andrew Mata Jr., P.E., Partner

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

Date: 3/4/2014

**ATTEST**

By: \_\_\_\_\_

# EXHIBIT "A"

## SCOPE OF SERVICES

### I. ENGINEERING SERVICES

- A. Obtain and utilize financial, wastewater data provided by the City.
- B. Enter data into Rate Study Excel spreadsheets to balance income / expenses.
- C. Obtain future budget parameters from City staff and develop future growth factors as they relate to income / expense.
- D. Meet with City staff to present recommendations and assumptions, and obtain input for future rate change options.
- E. Prepare rate change options and accompanying spreadsheets to present potential income / expense ramifications.
- F. Meet with City Administrator, financial staff and utilities staff to present the results of the study and options for Sewer rate changes.

### II. INFORMATION REQUIRED FROM THE CITY

#### A. Population

- 1) Basis of population growth over the past 10 years and the next 10 years, e.g. NCTCOG and/or city planning.
- 2) Basis for account growth within these same periods (i.e. is City expecting meter accounts to grow at the same rate as population, or is there another philosophy).

B. Inflation

The position of the city on expected inflation over the next 10 years as many income and expense issues are affected by inflation.

C. Wastewater Revenue

- 1) Account Groups (i.e. Residential and Commercial).
- 2) Rate Structure for each group, if applicable
- 3) Comprehensive group related volume, meter and invoice information for the past 3 years.
- 4) Sewer rates
- 5) Service Fees.
- 6) Connection Fees.
- 7) Discounts if applicable for Seniors or Disabled.
- 8) Penalty Fees.
- 9) Interest on escrow.
- 10) How revenue is collected and whether some of these fees are collected for sewer. If so, is there a position on the division of these fees between water and sewer (i.e. what percent for each, does City have detailed to determine revenue sharing based on investment of effort in managing and maintaining the water vs. sewer systems).

D. Wastewater Related Expenses

- 1) Administration Fees
  - a) Personnel salary and expense costs for previous 5 years and budget.
  - b) Expected personnel growth (added personnel with projected salary) and expected salary increase percentage per year for the next 5 years.
  - c) Office Supply and space allocation costs for administration of the Sewer Departments.

- d) Expected percent growth in these office related costs for the next 5 years.
- e) Method to split shared expenses between water and sewer side of expense sheet.

2) Contractual Services

- a) General services include computer upgrades, maintenance contracts on computer equipment, printing and binding, telephone, rentals, memberships, training, etc., as determined by Ovilla.
- b) Cost to be on regional sewer system, including:
  - Present Tarrant Regional Authority (TRA) charges
  - TRA Capital Improvement Projections and Estimates
  - Present Metering information
  - Copies of paid invoices for the past three years
- c) Rate Study budget information
- d) Electronic Equipment Replacement Costs transfer to City
- e) Administrative Fees transfer to City
- f) In lieu of Property Taxes transfer to City
- g) Franchise Fee transfer to City

3) Capital Programs

- a) Current City Capital projects listing by year with projected costs for sewer system improvements.
- b) Funding program expectations.
- c) Future major bond program expectations.

4) Debt Service.

The schedule for Debt Service for all bond programs, which are currently in the system.

5) Other information specific to the City of Ovilla as it relates to Sewer revenue and expenses.

# EXHIBIT "B"

## COMPLETION SCHEDULE

Notice to Proceed .....	March 11, 2014
Obtain Information from City .....	April 11, 2014
Update Spreadsheets .....	May 9, 2014
Input Rate Change Options .....	May 16, 2014
Complete Preliminary Sewer Rate Study Update .....	May 30, 2014
Meet with City to Discuss Sewer Rate Study .....	June 5, 2014
Complete Report .....	June 20, 2014
Present Results to Council .....	July, 2014

# EXHIBIT "C"

## RATE SCHEDULE

Payment for engineering services shall be based on an hourly basis with the following fee schedule. Mileage at 0.50¢ per mile. The maximum overall fee shall be not to exceed \$6,500.00. The City shall be invoiced monthly based on percent complete, with payment due upon receipt.

### 2014 FEE SCHEDULE

Classification/Task	Straight Time (Rate)
Partner-in-Charge .....	\$245.00
Project Manager .....	\$200.00
Design Engineer .....	\$155.00
Engineer in Training .....	\$122.00
AutoCAD III .....	\$143.00
AutoCAD II .....	\$120.00
AutoCAD I .....	\$100.00
Word Processor .....	\$115.00
Clerical .....	\$180.00
Survey Crew .....	\$165.00
Plotting Services .....	\$5.00 /plot
Mileage .....	0.50 ¢/mile
Delivery Service .....	\$50.00
Reproduction (Invoice times 1.15)	



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: March 10, 2014

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

Amount: \$N/A

<b>Attachments:</b>
1. Ordinance 2014-005 2. Excerpt from LGC §201.003(2)
<b>Agenda Item / Topic:</b>
ITEM 5. <b>DISCUSSION/ACTION</b> - Consideration of and action on Ordinance 2014-005 Amending Chapter 1, Article 1.08, Section 1.08.035 of the Ovilla Code of Ordinances, providing for the appointment of the City Secretary as the Custodian of Public Records of the City of Ovilla, 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.
<b>Discussion / Justification:</b>
The TX Local Government Code stipulates that a city shall have a custodian of records. The position shall be an appointed or elected public officer that is in charge of the office that creates or receives the entity's records. The city secretary/city clerk's office is oftentimes assigned to maintain and carry out the preservation of the municipality's public records in cooperation with records management. These duties are currently assigned to the Ovilla City Secretary. It is recommended to update the Code to reflect that responsibility.
<b>Recommendation / Staff Comments:</b>
Staff recommends approval.
<b>Sample Motion(s):</b>
<i>I move that Council APPROVE/DENY Ordinance 2014-005 providing for the appointment of the City Secretary as the Custodian of Public Records of the City of Ovilla as presented.</i>

**ORDINANCE NO. 2014-005**

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 1, , ARTILCE 1.08, SECTION 1.08.035 OF THE OVILLA CODE OF ORDINANCES, PROVIDING FOR THE APPOINTMENT OF THE CITY SECRETARY AS THE CUSTODIAN OF PUBLIC RECORDS OF THE CITY OF OVILLA 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**, Section 201.032(2) of the Texas Local Government Code provides that a city's custodian of records shall be an appointed or elected public officer who by the state constitution, state law, ordinance or administrative policy is in charge of an office that creates or receives local government records; and

**WHEREAS**, the City Council of the City of Ovilla, Texas, finds and determines that it is in the best interest of the citizens of the City of Ovilla, Texas, to amend the Chapter 1, Article 1.08, Section 1.08.035 to provide for the appointment of City Secretary of the City of Ovilla as the custodian of records of the City of Ovilla.

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

**SECTION 1. AMENDMENT OF CHAPTER 1, ARTICLE 1.05, SECTION 1.08.035 OF THE OVLLA CODE OF ORDINANCES**

Chapter 1, Artilce 1.08, Section 1.08.035 of the Ovilla Code of Ordinances is hereby amended to read as follows:

**Sec. 1.08.035 Designation of records management officer and custodian of records**

The city secretary, and the successive holders of said office, shall serve as the records management officer and as the custodian of records for the city. As provided by state law, each successive holder of the office shall file his or her name with the director and librarian of the state library within thirty days of the initial designation or of taking up the office, as applicable.

**SECTION 2. 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 3. 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.

**ORDINANCE NO. 2014-005**

**SECTION 4. 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 to conform to the uniform numbering system of the Code.

**SECTION 5. 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 6. 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, ADOPTED AND APPROVED** by the City Council of Ovilla, Texas on this the 24 day of February, 2014.

\_\_\_\_\_  
Richard Dormier, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney

Sec. 201.003. DEFINITIONS. In this subtitle:

(1) "Commission" means the Texas State Library and Archives Commission.

(2) "Custodian" means the appointed or elected public officer who by the state constitution, state law, ordinance, or administrative policy is in charge of an office that creates or receives local government records.

(3) "Designee" means an employee of the commission designated by the director and librarian as provided by Section 441.167, Government Code.

(4) "Director and librarian" means the executive and administrative officer of the Texas State Library and Archives Commission.

(5) "Essential record" means any local government record necessary to the resumption or continuation of government operations in an emergency or disaster, to the re-creation of the legal and financial status of the government, or to the protection and fulfillment of obligations to the people of the state.

(6) "Governing body" means the court, council, board, commission, or other body established or authorized by law to govern the operations of a local government. In those instances in which authority over an office or department of a local government is shared by two or more governing bodies or by a governing body and the state, the governing body, for the purposes of this subtitle only, is the governing body that provides most of the operational funding for the office or department.

(7) "Local government" means a county, including all district and precinct offices of a county, municipality, public school district, appraisal district, or any other special-purpose district or authority.

(8) "Local government record" means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or

characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business. The term does not include:

(A) extra identical copies of documents created only for convenience of reference or research by officers or employees of the local government;

(B) notes, journals, diaries, and similar documents created by an officer or employee of the local government for the officer's or employee's personal convenience;

(C) blank forms;

(D) stocks of publications;

(E) library and museum materials acquired solely for the purposes of reference or display;

(F) copies of documents in any media furnished to members of the public to which they are entitled under Chapter 552, Government Code, or other state law; or

(G) any records, correspondence, notes, memoranda, or documents, other than a final written agreement described by Section 2009.054(c), Government Code, associated with a matter conducted under an alternative dispute resolution procedure in which personnel of a state department or institution, local government, special district, or other political subdivision of the state participated as a party, facilitated as an impartial third party, or facilitated as the administrator of a dispute resolution system or organization.

(9) "Office" means any office, department, division, program, commission, bureau, board, committee, or similar entity of a local government.

(10) "Permanent record" or "record of permanent value" means any local government record for which the retention period on a records retention schedule issued by the commission is given as permanent.

(11) "Record" means a local government record.

(12) "Records control schedule" means a document prepared by or under the authority of a records management officer listing the records maintained by a local government or an elective county office, their retention periods, and other records disposition information that the records management program in each local government or elective county office may require.

(13) "Records management" means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other records storage systems.

(14) "Records management officer" means the person identified under Section 203.001 or designated under Section 203.025 as the records management officer.

(15) "Records retention schedule" means a document issued by the Texas State Library and Archives Commission under authority of Subchapter J, Chapter 441, Government Code, establishing mandatory retention periods for local government records.

(16) "Retention period" means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 1, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(90), eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 31, Sec. 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1352, Sec. 3, eff. Sept. 1, 1999.

Sec. 201.004. RECORD BOOKS. If a state law relating to the keeping of records by a local government officer or employee requires the records to be kept in a "book," "record book," or "well-bound book," or contains any similar requirement that a record be maintained in bound paper form, the record whose creation is called for in the provision may be maintained on microfilm or stored electronically in accordance with the requirements of Chapters 204 and 205 and rules adopted under those chapters unless the law specifically prohibits those methods.

Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 1, eff. Sept. 1, 1989.