

Bill Vansyckle, Mayor  
Tom Leverenz, Mayor Pro-Tem  
Michael Dickey, Place Two

## CITY OF OVILLA

## AGENDA

James Wade, Place Three  
Doug Hunt, Place Four  
Richard Dormier, Place Five  
Randy Whiteman, City Administrator

### Ovilla City Council 105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, October 24, 2011

7:00 P.M.

Council Chamber Room

Pursuant to the provisions of Chapter 551 VTCA Government Code, NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, October 24, 2011 at 7:00 P.M. in the City Hall Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

#### CALL TO ORDER

- ◆ Invocation
- ◆ Pledge of Allegiance

#### COMMENTS, PRESENTATIONS, ANNOUNCEMENTS & REPORTS

Presentation of Life Saving Award to Ernest Nathaniel "Nate" Walker

##### ◆ **Citizen Comments**

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

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

◆ Police Department	Chief M. Moon
• Monthly Report	
◆ Fire Department	Fire Chief D. Pickard
• Monthly Report	
◆ Public Works	Director B. Piland
• Monthly Report / Crack sealing / Equipment & material cost	
◆ Finance Department	Accountant S. Jungman
• Monthly Financials	
• Monthly Municipal Court Report	
◆ Administration	City Administrator R. Whiteman
• Monthly Report – Code Enforcement/Animal Control	

#### CONSENT AGENDA

- ◆ Monthly Financial Transactions
- ◆ Minutes of the August 22, 2011 Regular Council Meeting.
- ◆ Minutes of the September 12, 2011 Regular Council Meeting.
- ◆ Minutes of the September 26, 2011 Regular Council Meeting.
- ◆ Minutes of the October 03, 2011 Special Council Meeting.

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

Bill Vansyckle, Mayor  
Tom Leverenz, Mayor Pro-Tem  
Michael Dickey, Place Two

## CITY OF OVILLA

## AGENDA

James Wade, Place Three  
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Richard Dormier, Place Five  
Randy Whiteman, City Administrator

### PUBLIC HEARING AND CONSIDERATION

**ITEM 1.** **Public Hearing & Discussion** – Discuss and consider an amendment to Section 30.5 of the Ovilla Code of Ordinances concerning Residential Accessory Building Materials to include UV Protected Double-Walled, High Density, Polyethylene Plastic with Steel Reinforced Construction and Steel Trusses.

**ITEM 2.** **Discussion/Action** – Receive written recommendation from the Planning & Zoning Commission and consider proposed Ordinance 2011-026 amending the Ovilla Code of Ordinances, Section 30.5 Construction Materials for Residential Accessory Buildings.

### REGULAR AGENDA INDIVIDUAL CONSIDERATION

**ITEM 3.** **Discussion/Action** – Consider approval of a proposed Inter-Local Cooperation Billing Agreement with Sardis-Lone Elm Water Supply.

**ITEM 4.** **Discussion/Action** – Consider the continued membership application and agreement by and between the Electric Reliability Council of TX (ERCOT) and the City of Ovilla and approve the annual membership fee of \$100.

**ITEM 5.** **Discussion/Action** – Consider proposed Ordinance 2011-027 to comply with Chapter 1, Section 1.02.002 of the Ovilla Code of Ordinances declaring an official city newspaper and declaring an effective date.

**ITEM 6.** **Discussion/Action** – Consider the promotion and publication Ovilla's ISO rating. Council may take whatever action deemed necessary.

### 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).*

**ITEM 1.** The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda.

- Ramsey threatened litigation
- Procedures for handling and Mayor complaint

**ITEM 2.** The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

- Procedures for handling and Mayor complaint

Bill Vansyckle, Mayor  
Tom Leverenz, Mayor Pro-Tem  
Michael Dickey, Place Two

## CITY OF OVILLA

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Richard Dormier, Place Five  
Randy Whiteman, City Administrator

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

### Conflict of Interest

*If a Council Member elects to refrain from an item(s) on this agenda, please see the City Secretary for an affidavit prior to the convening of the meeting.*

### Council's Request for Consideration of Future Agenda Items

*No action or in-depth discussion may occur during this item. It is intended to provide an opportunity for the Council to inform each other and the public about events and situations that are of general interest.*

### Adjournment

This is to certify that a copy of the Notice of the Regular City Council Meeting for October 24, 2011, was posted on the bulletin board at City Hall, 105 S. Cockrell Hill Road, Ovilla, on this 21 day of October prior to 6:00 p.m.



Pam Woodall Higgins  
City Secretary

**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.**

### **CERTIFICATION:**

I hereby certify that the Ovilla City Council Agenda was removed from the City Hall Bulletin Board, located at 105 S. Cockrell Hill Road, Ovilla, TX 75154, (a place accessible to the public at all times) on the \_\_\_\_\_ day of \_\_\_\_\_ 2011, at \_\_\_\_\_ am/pm, after having been posted for at least 72 continuous hours preceding the scheduled time of the posted meeting.

Pam Woodall Higgins, City Secretary

# CERTIFIED EXECUTIVE SESSION AGENDA

Date: 24 October 2011

\*\*\*\*\*  
**I, Bill Vansyckle, Mayor of the City of Ovilla, Texas hereby convene into Executive Session at \_\_\_\_\_ p.m. on the 24th day of October 2011.**

The following Council Members were in attendance:

<u>Council Members</u>	<u>Staff Members</u>	<u>Others</u>
<input type="checkbox"/> Bill Vansyckle, Mayor	<input type="checkbox"/> R. Whiteman, City Administrator	<input type="checkbox"/> City Attorney
<input type="checkbox"/> Tom Leverentz, Mayor Pro-Tem	<input type="checkbox"/> P. Woodall Higgins, City Secretary	<input type="checkbox"/> Other Legal Counsel
<input checked="" type="checkbox"/> Place 2, Michael Dickey (Absent)		
<input type="checkbox"/> Place 3, James Wade		
<input type="checkbox"/> Place 4, Doug Hunt		
<input type="checkbox"/> Place 5, Richard Dormier		

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

<input type="checkbox"/> 551.071 - Consultation w/Attorney	<input type="checkbox"/> 551.072 - Real Property
<input type="checkbox"/> 551.073 - Deliberations about Gift	<input type="checkbox"/> 551.074 - Personnel Matters
<input type="checkbox"/> 551.076 - Security Personnel or Devices	<input type="checkbox"/> 551.086 - Test item (SB 595)
<input type="checkbox"/> 551.087 - Economic Development Negotiations (SB1851)	
<input type="checkbox"/> 418.183 - Homeland Security	

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

**ITEM 1.** The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda.

- Ramsey threatened litigation
- Procedures for handling and Mayor complaint

**ITEM 2.** The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

- Procedures for handling and Mayor complaint

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

The following further action was taken in open session:

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**I, Bill Vansyckle, Mayor hereby adjourn the Executive Session at \_\_\_\_\_p.m. on the  
24th day of October 2011. No Action was taken. Any action, as a result of this  
Executive Session, will be taken and recorded in open session.**

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

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Bill Vansyckle, Mayor

**\*Note:** this certified agenda must be kept a minimum of two years after the date of the Executive Session, and is confidential. A person who knowingly and without lawful authority makes this record public commits a Class B misdemeanor and may be held liable for actual damages, court costs, reasonable attorneys fees, and exemplary damages. Texas Government Code § 551.145.

# City of Ovilla

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## *Life Saving Award*

This Commendation is presented to  
***Ernest "Nate" Nathaniel Walker***  
This 24<sup>th</sup> Day of October 2011.

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**On October 9, 2011 at 03:52:25, Ovilla Rescue 703 and Midlothian Medic 2 were dispatched to 1941 S. Duncanville Road for a male subject bleeding profusely from a dialysis port. While Nate's father was trying to do his home dialysis, something went wrong. Nate was home alone with his father, made the 911 call to our dispatch, and then assisted his father with direct pressure to help control the bleeding. Upon our arrival, Mr. Walker was in critical condition due to blood loss. If not for Nate's call to 911 and his subsequent support, this could have been a bad outcome for his father.**

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**Fire Chief Donnie Pickard**

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**Mayor Bill Vansyckle**

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**City Administrator Randy Whiteman**



# OVILLA POLICE DEPARTMENT

105 S. Cockrell Hill Rd.  
Ovilla, TX 75154  
(972) 617-7262

Mayor Bill Vansyckle, Mr. Randy Whiteman,  
and the Ovilla City Council

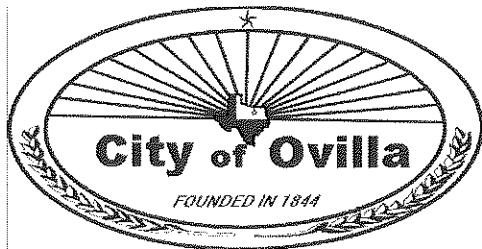
Subject: Police Department Monthly Activity Report:

**Sep-11** **YTD**

Calls For Service	Total	Total
ACCIDENT	4	15
ALARMS: False: 7 Alarms: 8	15	125
ARREST	3	19
ASSAULT	2	7
ASSISTS: Agency/Unit: 39 EMS/Fire: 6 Motorist: 3	48	282
BLDG / HOUSE SECURITY CHECK	1097	8352
BURGLARY	1	7
BURGLARY OF MOTOR VEHICLE	0	1
CRIMINAL MISCHIEF	0	12
DISTURBANCE	5	44
NEIGHBORHOOD CHECK	1289	10207
OTHER CALLS FOR SERVICE	121	1150
SUSPICIOUS PERSON	1	51
SUSPICIOUS VEHICLE	10	75
THEFT	3	14
TRAFFIC ASSIGNMENT	67	333
<b>TOTAL CALLS FOR SERVICE</b>	<b>2666</b>	<b>20694</b>
RESERVE OFFICER HOURS	0	55.5
AVERAGE RESPONSE TIME (MINUTES)	4.3	4.528888889
TRAFFIC STOP (WARNINGS)	32	436
CITATION	24	335
<b>TOTAL</b>	<b>56</b>	<b>771</b>

PERCENT OF STOPS RECEIVING CITATIONS	42.9	43.5
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OVILLA PD VEHICLE MILEAGE							
December-10				January-11			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	31192	32111	919	100	32111	33020	909
101	93743	95870	2127	101	95870	98901	3031
102	33658	36015	2357	102	36015	38576	2561
103	20975	23744	2769	103	23744	24837	1093
February-11				March-11			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	33020	33799	779	100	33799	34892	1093
101	98901	100750	1849	101	100750	103304	2554
102	38576	40584	2008	102	40584	43028	2444
103	24837	26631	1794	103	26631	28390	1759
				104	0	733	733
April-11				May-11			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	34892	36133	1241	100	36133	37578	1445
101	103304	104381	1077	101	104381	105737	1356
102	43028	45153	2125	102	45153	46619	1466
103	28390	30742	2352	103	30742	32899	2157
104	733	2112	1379	104	2112	3219	1107
June-11				July-11			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	37578	38854	1276	100	38854	40108	1254
101	105737	106890	1153	101	106890	107716	826
102	46619	47408	789	102	47408	48714	1306
103	32899	34524	1625	103	34524	36560	2036
104	3219	4950	1731	104	4950	7021	2071
August-11				September-11			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	40108	40662	554	100	40662	41943	1281
101	107716	109619	1903	101	109619	110758	1139
102	48714	49373	659	102	49373	50237	864
103	36560	38600	2040	103	38600	40304	1704
104	7021	9465	2444	104	9465	12171	2706



Donnie Pickard  
Fire Chief

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**DATE: September 2011**

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

**FROM: Chief Donnie Pickard**

**TOPIC: Monthly Department Report**

- **Average over all response time in the City of Ovilla 5:22**
- **Average fire response time in the city 07:30-17:30 5:06**
- **Average fire response time in the city 17:30-23:59 7:01**
- **Average fire response time in the city 00:00- 07:30 5:51**
- **Average over all EMS response time in the City of Ovilla 5:24**
- **Average EMS response time in the city 07:30-17:30 4:55**
- **Average EMS response time in the city 17:30-23:59 5:58**
- **Average EMS response time in the city 00:00-07:30 6:42**
- **9/7/ 11 outdoor warning siren test all ok**
- **9/8/11 ESD#2 Public hearing**
- **9/12/11 EDUCIT meeting in Waxahachie**
- **9/12/11 ESD#2 Public hearing**
- **9/19/11 ESD #4 Meeting**
- **9/19/11 ESD #2 Meeting**
- **9/19/11 Justin Rudd injured finger on a fire call**
- **9/20/11 COG REPAC meeting in Arlington**
- **9/29/11 OCS fire prevention program**
- **9/30/11 At the current time we are 65 runs ahead of last year at the same time.**

# OVILLA FIRE DEPARTMENT

## September 2011 MONTHLY REPORT

### TOTAL RESPONSES TO: 78

Automatic Fire/Med Alarms	2	Disregarded & Misc.	9
Brush/Grass Fires	12	Public Service Assist	1
Carbon Monoxide Alarm	0	Air/Rehab	3
Emergency Medical Service	24	Structure Fire	8
Hazardous Condition	12	Trash Fire	0
Investigation of Smoke/Odor	5	Fill In/Move Up	1
Lockout	1	Vehicle/Trailer Fire	0
Vehicle/Airplane Crash	7	Controlled Burning	2

### STRUCTURE FIRES/REHAB LOCATIONS -

See Attached List	

### EMS RESPONSES 31

Vehicle/Airplane Crash	7
Medical Emergencies	24
Basic Life Support Given (BLS)	24
Advanced Life Support Given (ALS)	3
Public Service Assist	1

### MONTHLY STATISTICS:

Total Fire & EMS Responses	78	Total Gasoline Consumption	87.8
Total Fire/EMS Training Hours	228	Total Diesel Consumption	227.0
Total Personnel Attending Fire/EMS Schools	0	Approximate City Water Consumption in Gallons	6,000
Total Apparatus Training Hours	31	Fire Calls Made By Daytime FF	25
Extra Station Duty Hours	801	EMS Calls Made By Daytime FF	12
Total Donations Received	0	Total Calls Made By Daytime FF	37
		Overlapping Incidents	13

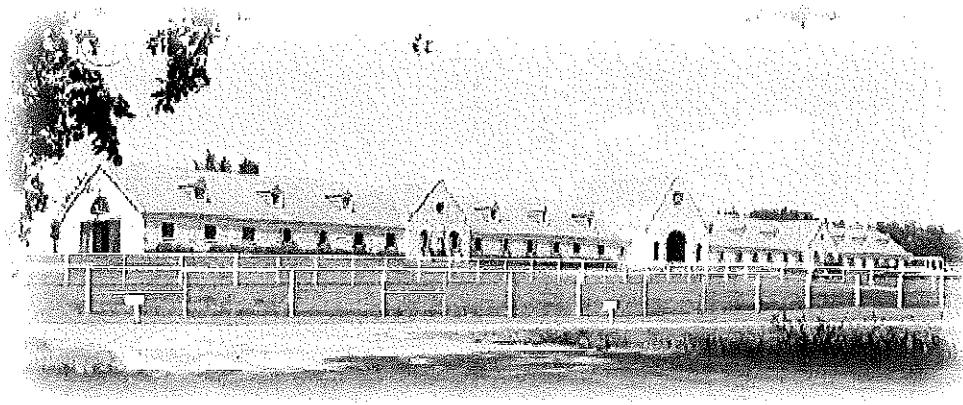
### HOURS DONATED BY FIREFIGHTERS

Training Hours / Extra Station Duty	259/801
Responding To Fire/EMS Calls	583
Total Hours	1643
Total Hours Savings @ \$21.47 per hour	\$ 35,275.21
Year To Date Savings	\$275,760.68

## **Ovilla Fire Department Structure Fires/Rehab Calls**

**For: September 2011**

Pecan Acres Drive	Midlothian
West Fall Drive	Midlothian
Clear Creek Drive West	Lancaster
Ashford Lane	Midlothian
Beckley Road	Glenn Heights
Ike Road	Waxahachie
Vista Ridge Drive West	Midlothian
Timberland Drive	Red Oak
Hillcrest Drive	Midlothian
Clearbrook Street	Lancaster ...
Bells Chapel Road	Red Oak



THE BARN AT CEDAR HILL  
1601 S. Joe Wilson Rd.  
Cedar Hill, TX 75104

September 7, 2011

Ovilla Volunteer Fire Department  
105 Cockrell Hill, Suite 3  
Ovilla, TX 75154

Attn: Chief Donnie Pickard  
C Shift

THIS IS A BIG THANK YOU!!!! To C Shift - from The Barn at Cedar Hill for the outstanding job you all did on Sunday, September 4<sup>th</sup>. Your response and professionalism in dealing with this fire not only saved our farm but the lives of many horses.

Our sincere thanks,

*Marcy Butler*

Marcy Butler  
Farm Manager



Texas Department of Insurance  
**State Fire Marshal's Office**, Mail Code 112-FM  
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221  
512-305-7900 • 512-305-7910 fax • [www.tdi.state.tx.us](http://www.tdi.state.tx.us)

September 12, 2011

Mr. Donnie Pickard  
Fire Chief of Ovilla  
105 South Cockrell Hill Road #1  
Ovilla, Texas 75154

**Place Code: Dallas: 11372 Ellis: 13968**

Dear Mr. Pickard:

Insurance Services Office (ISO) has submitted a recommendation concerning your community's Public Protection Classification (PPC). Currently, the Community's Public Protection Classification rating is a Class 5.

**Insurance Services Office is recommending the classification be changed to a Class 2, with an effective date of 02/01/2012.** The recommendation is based on a review of your community performed on 01/31/2011 and does include application of the Texas Addendum.

With a single class rating of 2, all class-rated properties will use Class 2.

Public Protection Classifications range from 1 (best) to 10 (worst).

We have reviewed the information provided and believe it is sufficient to grant approval. Enclosed is a PPC Submittal sheet indicating the point totals for the major areas associated with the review. The Insurance Services Office will be notified of our approval of their recommendation and the 02/01/2012 effective date.

If you have any questions regarding this change, I may be reached at the address indicated above or by telephone at (512) 305-7941.

***Please make sure all community officials and residents within your district are notified of the new Public Protection Classification rating for your community, and the effective date.***

Sincerely,

Jesse James Williams  
Deputy State Fire Marshal

Texas Department of Insurance  
Approved by

SEP 12 2011

**State Fire Marshal**



## Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM  
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221  
512-305-7900 • 512-305-7910 fax • [www.tdi.state.tx.us](http://www.tdi.state.tx.us)

### PPC SUBMITTAL

Municipality:	Ovilla	County:	Dallas/Ellis	Population:	3775
Surveyed:	01/31/2011	Total Credit:	80.94	Class:	2
Submitted:	09/01/2011	Effective Date:		02/01/2012	
Place Code:	11372/13968	Addendum Applied:		05/25/2011	

### SUMMARY OF ASSIGNED CREDIT

Feature	Assigned Credit	Addendum Credit	Maximum Credit
Receiving and Handling Fire Alarms	7.10		10.00
Water Supply	37.01		40.00
Fire Department	32.23		50.00
Texas State Training (CTT)		3.08	3.26
Texas Addendum Credit (CTX)		5.90	6.50
* Divergence:	< 4.38 >		
Total Points:	71.96	8.98	106.50

The Public Protection Class is based on the total percentage credit as follows:

Texas Department of Insurance  
Approved by

SEP 12 2011

State Fire Marshal

Class	Percentage %
1	90.00 or more
2	80.00 to 89.99
3	70.00 to 79.99
4	60.00 to 69.99
5	50.00 to 59.99
6	40.00 to 49.99
7	30.00 to 39.99
8	20.00 to 29.99
9	10.00 to 19.99
10	0 to 9.99

Divergence is a reduction in credit to reflect a difference in the relative credits for the Fire Department and Water Supply.

The difference in protection provided by the fire department and the water supply prevents the better feature from being utilized to its fullest extent. Therefore, an adjustment (divergence) is made to reflect any difference between these two features. Because of the difference in the total weights assigned to the two features, the total for the Fire Department is adjusted to make the comparison reflect the relative adequacies of the two features.

Divergence = 50% (100% water supply credit – 80% of fire department credit)



**DATE: October 14, 2011**

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

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for September 2011

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- Repaired fence at Highland Medows lift station
- Removed and replaced 20 x 30 section of concrete in Hummingbird alley
- Drainage and entrance to public works building
- Repaired concrete in fire dept bay 1 and bay 2
- Sewer Lift Station Repairs- pulled pump 1 time at Heritage Park and 1 time at Cumberland
- Pump Station mow and weed eat
- Patched potholes on Cockrellhill rd and Main st
- Maintained Right of Ways-mowing and weed eating
- Read Water meters Service Disconnects and Reconnects
- Cleared Right of way Tree and Brush on Westmoreland
- Replaced roof vents on city hall
- Update marquee as needed
- Daily Water Maintenance residual and pressure test
- Heritage Park and Silver Spur Park and Baseball fields and park- tree and grass maintenance
- Removed trees from roadways
- Pulled pump #2 at Highland Medows lift station and sent for repair

Road work on Johnson Ln, Duncanville Rd and Cockrell hill

- Street sign maintenance –6 Replaced
- Prepared for Heritage Day

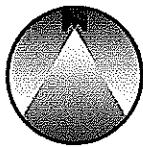
- Jimmy Bryan -

- repair JD Backhoe
- 2008 chevy inspection
- Repair golf carts
- Repair JCB backhoe
- Repaired clutch dump truck

Flushed Hydrants

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

Water plants at City Hall and park



# Professional Coating

TECHNOLOGIES INC.

**Product Name:** PHPM-50® Liquid Geo-Tech membrane for potholes

**CODE:** PHPM-50

## INTRODUCTION

**PHPM-50** is an alternative to tack. It is an economical, earth friendly, non-tracking membrane for tacking the bottom, sides and finished surface of a pothole.

The liquid Geo-Tech membrane bonds to the old pavement which forces the patch mix to adhere to the old pavement. The finished membrane will stop surface water infiltration. PHPM-50 increases the life cycle of the patch. The easy spray or broom-on application seals moisture out when repairing semi-permanent, throw and roll patches with cold mix, hot mix and high performance materials.

## BENEFITS

- Works with all patch mixes
- Liquid membrane that sets up solid
- Controls water infiltration into the patch
- Provides a longer lasting patch area
- Provides a bonding platform for patch mix
- Seals cracks in the side of the patch
- Seal base from water infusion from the sub-base
- Flows easy in all weather
- Provides black top membrane sealer
- Easy application with a wand or with a broom
- Stops citizen complaints concerning patch areas that fail
- Sprays on like a fog seal; dries like epoxy
- Increases road life around a patch area
- Low cost application rate
- Pays for it self with fewer redo patches



## APPLICATION

1. Remove loose material from patch area.
2. Apply PHPM-50 to bottom and sides of the hole, over lapping to the top edge minimum 2 inches.
3. Apply asphalt patch mix and compact
4. Apply top membrane over the completed patch area; over lapping the out edge minimum 4 inches.

**TOUGH DURABLE POT HOLE PATCHING MEMBRANE**

**Call today!**



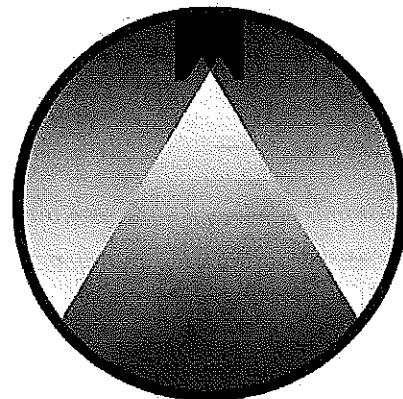
1001 Mt. Lebanon Road, Cedar Hill, Texas 75104 (972) 291-7474

**General Description:**

PHPM-50 is an environmentally friendly alternative for pothole tack. It features a non-tracking membrane that is applied to the bottom, sides and finished surface of potholes. Our PHPM-50 is composed of a liquid Geo-Tech membrane that not only extends the life of the patch, but also promotes adhesion for the patch mix and the existing surface. PHPM-50 is easily applied by spray on or broom on methods and is compatible with both cold and hot mix patching methods.

**Directions:**

1. Thoroughly clean and remove any debris and or water from the pothole.
2. Cut the sides of the pothole with a pavement saw to square the hole.
3. Clean the pothole once again.
4. Apply the PHPM-50 to the bottom and sides of the pothole. Overlap the top edges at least 2 inches.
5. Fill the pothole with the patching mix and compact with desired compaction method.
6. Once the patch is compacted, apply the final coat of PHPM-50 to the finished surface. Extend material at least 4 inches beyond patch edge.
7. Allow 5 minutes for drying time. Do not use in the rain!



## PHPM-50



Manufactured By:

Professional Coating Technologies Inc  
1001 Mt Lebanon Rd  
Cedar Hill TX.75014  
972.291.7474  
[www.pctworldwide.com](http://www.pctworldwide.com)

*PCT Inc, an environmentally friendly company*

*Earth Friendly Products*



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**DATE: 10-24-2011**

**TO: Honorable Mayor and Council Members**

**FROM: Sharon Jungman**

**SUBJECT: Financial Statements  
As of September 30, 2011**

**City of Ovilla General Fund**  
**Profit & Loss Budget vs. Actual**  
October 2010 through September 2011

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000100 · Taxes				
4000105 · Ad Valorem, Current	1,123,649.91	1,120,000.00	3,649.91	100.33%
4000110 · Ad Valorem, Delinquent	13,026.85	14,000.00	(973.15)	93.05%
4000113 · Interest/Penalties - Prop Tax	10,509.99	8,000.00	2,509.99	131.38%
4000120 · Sales Tax	127,920.17	135,000.00	(7,079.83)	94.76%
4000125 · Sales Tax - Street Improvement	31,980.03	34,000.00	(2,019.97)	94.06%
4000130 · Franchise Tax	146,537.59	142,000.00	4,537.59	103.2%
4000190 · Miscellaneous Taxes	11.00	0.00	11.00	100.0%
<b>Total 4000100 · Taxes</b>	<b>1,453,635.54</b>	<b>1,453,000.00</b>	<b>635.54</b>	<b>100.04%</b>
4000200 · Licenses and Permits				
4000208 · Building Permits				
4000210 · Residential Building Permits	3,479.34	1,500.00	1,979.34	231.96%
4000214 · Misc Building Permits	9,516.79	10,000.00	(483.21)	95.17%
<b>Total 4000208 · Building Permits</b>	<b>12,996.13</b>	<b>11,500.00</b>	<b>1,496.13</b>	<b>113.01%</b>
4000230 · Plan Review Fee	5,429.27	4,000.00	1,429.27	135.73%
4000260 · Alarm Permits	2,185.00	1,500.00	685.00	145.67%
4000270 · Animal Tag Fees	4,744.00	3,000.00	1,744.00	158.13%
4000272 · Impound Fees	1,550.00	2,000.00	(450.00)	77.5%
4000290 · Misc Licenses and Permits	2,318.85	2,000.00	318.85	115.94%
<b>Total 4000200 · Licenses and Permits</b>	<b>28,223.25</b>	<b>24,000.00</b>	<b>5,223.25</b>	<b>121.76%</b>
4000400 · Charges for Services				
4000325 · ESD #2	110,000.00	110,000.00	0.00	100.0%
4000330 · ESD #4	40,234.37	40,000.00	234.37	100.59%
4000411 · Copies and Maps	108.75	75.00	33.75	145.0%
4000415 · Police Reports	108.00	100.00	8.00	108.0%
4000420 · Park Lights	700.00	500.00	200.00	140.0%
4000440 · Oak Leaf Animal Control	2,296.00	1,500.00	796.00	153.07%
4000450 · Subdivision Fees	3,400.00	0.00	3,400.00	100.0%
4000480 · Solid Waste (Garbage)	193,914.45	194,000.00	(85.55)	99.96%
4000490 · Misc Charges for Services	1,568.02	2,000.00	(431.98)	78.4%
<b>Total 4000400 · Charges for Services</b>	<b>352,329.59</b>	<b>348,175.00</b>	<b>4,154.59</b>	<b>101.19%</b>
4000500 · Fines and Forfeitures				
4000510 · Fines - Police	86,697.40	82,000.00	4,697.40	105.73%
4000520 · Fines - Animal Control	2,734.00	3,500.00	(766.00)	78.11%
4000525 · Fines - Code Enforcement	3,769.99	2,500.00	1,269.99	150.8%
4000590 · Misc Fines and Forfeitures	324.10	100.00	224.10	324.1%
<b>Total 4000500 · Fines and Forfeitures</b>	<b>93,525.49</b>	<b>88,100.00</b>	<b>5,425.49</b>	<b>106.16%</b>
4000800 · Other Revenue				
4000810 · Heritage Day	8,735.00	2,500.00	6,235.00	349.4%
4000817 · Donations - Newsletter	150.00	200.00	(50.00)	75.0%
4000818 · Lease Proceeds	1,174.27	1,175.00	(0.73)	99.94%
4000820 · Water Tower Lease	84,417.87	78,762.00	5,655.87	107.18%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
4000840 · Interest Earned	(79.49)	750.00	(829.49)	(10.6%)
4000860 · Grant Proceeds	328.48	600.00	(271.52)	54.75%
4000861 · ESD #2 Cert Grant	2,018.56	2,018.00	0.56	100.03%
4000863 · Firefighter Grant Award	46,740.00	46,740.00	0.00	100.0%
4000865 · HB 2604 TX Forest Service Grant	0.00	173,000.00	(173,000.00)	0.0%
4000867 · HB3667 TX.Forest Service Grant	3,330.00	3,330.00	0.00	100.0%
4000868 · SECO Grant DE-EE000893	0.00	23,030.00	(23,030.00)	0.0%
4000869 · Oncor Grant	18,253.00	18,253.00	0.00	100.0%
4000870 · Insurance Proceeds	23,494.36	25,500.00	(2,005.64)	92.14%
4000885 · Proceeds from Sale of Assets	18,668.80	0.00	18,668.80	100.0%
4000887 · HOA Revenue	2,030.00	2,030.00	0.00	100.0%
4000890 · Misc Other Revenue	8,032.58	5,000.00	3,032.58	160.65%
<b>Total 4000800 · Other Revenue</b>	<b>217,293.43</b>	<b>382,888.00</b>	<b>(165,594.57)</b>	<b>56.75%</b>
 4000900 · Transfers In				
4000925 · Transfer In - 4B-EDC	5,000.00	5,000.00	0.00	100.0%
4000930 · Transfer In From W&S Fund	70,686.00	70,686.00	0.00	100.0%
<b>Total 4000900 · Transfers In</b>	<b>75,686.00</b>	<b>75,686.00</b>	<b>0.00</b>	<b>100.0%</b>
 Total Income	<b>2,221,693.30</b>	<b>2,371,849.00</b>	<b>(150,155.70)</b>	<b>93.67%</b>
 Gross Profit	<b>2,221,693.30</b>	<b>2,371,849.00</b>	<b>(150,155.70)</b>	<b>93.67%</b>
 Expense				
10 · Administration				
5101100 · Salaries & Wages				
5101110 · City Administrator	62,822.81	59,900.00	2,922.81	104.88%
5101115 · City Secretary	23,500.09	31,000.00	(7,499.91)	75.81%
5101117 · City Accountant	31,234.35	33,750.00	(2,515.65)	92.55%
5101120 · Part Time- Admin. Support	5,345.02	7,000.00	(1,654.98)	76.36%
<b>Total 5101100 · Salaries &amp; Wages</b>	<b>122,902.27</b>	<b>131,650.00</b>	<b>(8,747.73)</b>	<b>93.36%</b>
5102100 · Employee Benefits				
5102110 · Group Insurance	16,823.78	18,396.00	(1,572.22)	91.45%
5102135 · TMRS	9,679.86	9,000.00	679.86	107.55%
5102160 · Worker's Compensation	546.91	575.00	(28.09)	95.12%
5102170 · Payroll Taxes	3,150.19	3,175.00	(24.81)	99.22%
5102180 · Unemployment Taxes	0.00	1,000.00	(1,000.00)	0.0%
5102196 · Indiv. Membership Dues	872.00	975.00	(103.00)	89.44%
<b>Total 5102100 · Employee Benefits</b>	<b>31,072.74</b>	<b>33,121.00</b>	<b>(2,048.26)</b>	<b>93.82%</b>
5102200 · Special Services				
5102210 · Tax Assessing & Collecting Fees	1,587.00	1,600.00	(13.00)	99.19%
5102220 · Tax Appraisal Fee	15,940.32	17,000.00	(1,059.68)	93.77%
5102230 · Legal Fees	36,827.45	30,000.00	6,827.45	122.76%
5102240 · Audit	7,500.00	7,500.00	0.00	100.0%
5102250 · Accounting	587.80	1,000.00	(412.20)	58.78%
5102260 · Engineering Fees	434.75	1,000.00	(565.25)	43.48%
<b>Total 5102200 · Special Services</b>	<b>62,877.32</b>	<b>58,100.00</b>	<b>4,777.32</b>	<b>108.22%</b>
 5102300 · Contractual Services				

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>5102310 · Consultant Fees</b>	2,811.68	2,000.00	811.68	140.58%
<b>Total 5102300 · Contractual Services</b>	2,811.68	2,000.00	811.68	140.58%
 <b>5102500 · Operating Services</b>				
<b>5102530 · Custodial Service Contract</b>	3,480.00	3,500.00	(20.00)	99.43%
<b>Total 5102500 · Operating Services</b>	3,480.00	3,500.00	(20.00)	99.43%
 <b>5102600 · Special Expenses</b>				
<b>5102610 · Election - Payroll</b>	545.00	525.00	20.00	103.81%
<b>5102620 · Election - Supplies</b>	2,022.38	2,200.00	(177.62)	91.93%
<b>5102630 · Election Meeting Expense</b>	0.00	100.00	(100.00)	0.0%
<b>5102650 · Codification Book Update</b>	2,510.00	2,000.00	510.00	125.5%
<b>Total 5102600 · Special Expenses</b>	5,077.38	4,825.00	252.38	105.23%
 <b>5103100 · General Supplies</b>				
<b>5103110 · Office Supplies</b>	5,991.22	6,800.00	(808.78)	88.11%
<b>Total 5103100 · General Supplies</b>	5,991.22	6,800.00	(808.78)	88.11%
 <b>5103400 · Maintenance Supplies / Parts</b>				
<b>5103410 · Supplies - Custodial</b>	1,179.89	1,000.00	179.89	117.99%
<b>5103460 · Miscellaneous</b>	53.39	200.00	(146.61)	26.7%
<b>Total 5103400 · Maintenance Supplies / Parts</b>	1,233.28	1,200.00	33.28	102.77%
 <b>5104200 · Travel Expenses</b>				
<b>5104210 · Travel - Local</b>	6.00	500.00	(494.00)	1.2%
<b>5104220 · Professional Development</b>	1,068.04	1,500.00	(431.96)	71.2%
<b>5104222 · Professional Develop - Council</b>	1,092.54	700.00	392.54	156.08%
<b>5104230 · Professional Develop - In-House</b>	36.42	100.00	(63.58)	36.42%
<b>Total 5104200 · Travel Expenses</b>	2,203.00	2,800.00	(597.00)	78.68%
 <b>5105200 · Data Processing Expenses</b>				
<b>5105230 · Data Proc-Maintenance &amp; Repair</b>	3,862.41	3,500.00	362.41	110.36%
<b>5105240 · Data Processing - Software</b>	6,794.71	4,000.00	2,794.71	169.87%
<b>Total 5105200 · Data Processing Expenses</b>	10,657.12	7,500.00	3,157.12	142.1%
 <b>5105300 · Printing Expense</b>				
<b>5105310 · Copier Expense</b>	10,000.00	10,190.00	(190.00)	98.14%
<b>5105320 · Printing - Newsletters</b>	1,153.68	3,100.00	(1,946.32)	37.22%
<b>5105330 · Printing - Forms</b>	1,023.14	1,800.00	(776.86)	56.84%
<b>5105350 · Printing - Other</b>	0.00	500.00	(500.00)	0.0%
<b>Total 5105300 · Printing Expense</b>	12,176.82	15,590.00	(3,413.18)	78.11%
 <b>5105400 · Utilities</b>				
<b>5105410 · Telephone</b>	1,154.01	1,150.00	4.01	100.35%
<b>5105415 · Cellular Phone</b>	1,106.49	1,000.00	106.49	110.65%
<b>5105417 · Internet</b>	710.17	730.00	(19.83)	97.28%
<b>5105430 · Natural Gas</b>	1,419.76	1,700.00	(280.24)	83.52%
<b>5105450 · Electricity</b>	60,771.56	76,000.00	(15,228.44)	79.96%
<b>Total 5105400 · Utilities</b>	65,161.99	80,580.00	(15,418.01)	80.87%
 <b>5105500 · Repairs &amp; Bldg Improvements</b>				

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
5105520 · Repairs - Buildings	3,066.98	3,500.00	(433.02)	87.63%
5105540 · Repairs - Machinery & Equipment	0.00	1,000.00	(1,000.00)	0.0%
5105590 · Repairs - Other	135.00	500.00	(365.00)	27.0%
<b>Total 5105500 · Repairs &amp; Bldg Improvements</b>	<b>3,201.98</b>	<b>5,000.00</b>	<b>(1,798.02)</b>	<b>64.04%</b>
 5105600 · Insurance				
5105610 · Insurance - Property	2,703.80	2,670.00	33.80	101.27%
5105620 · Insurance - Liability	8,312.00	8,081.00	231.00	102.86%
5105630 · Insurance - Fidelity Bond	550.00	250.00	300.00	220.0%
5105635 · Public Officials Surety Bonds	600.00	0.00	600.00	100.0%
<b>Total 5105600 · Insurance</b>	<b>12,165.80</b>	<b>11,001.00</b>	<b>1,164.80</b>	<b>110.59%</b>
 5105700 · Other Expenses				
5105705 · Postage	3,283.49	6,500.00	(3,216.51)	50.52%
5105710 · Cash - Over/Short	90.00	10.00	80.00	900.0%
5105725 · Records Management Expense	0.00	250.00	(250.00)	0.0%
5105730 · City - Memberships	200.00	200.00	0.00	100.0%
5105740 · Advertising	1,867.79	3,200.00	(1,332.21)	58.37%
5105760 · Bank Service Charge	10.00	25.00	(15.00)	40.0%
5105762 · SECO Grant Exp. DE-EE000893	23,030.00	23,030.00	0.00	100.0%
5105763 · Oncor Grant Expense	13,475.00	13,553.00	(78.00)	99.42%
5105765 · Miscellaneous	1,603.06	2,500.00	(896.94)	64.12%
<b>Total 5105700 · Other Expenses</b>	<b>43,559.34</b>	<b>49,268.00</b>	<b>(5,708.66)</b>	<b>88.41%</b>
 5106400 · Minor Capital Outlay				
5106440 · Machinery & Equipment	0.00	500.00	(500.00)	0.0%
5106465 · Furniture	400.00	500.00	(100.00)	80.0%
<b>Total 5106400 · Minor Capital Outlay</b>	<b>400.00</b>	<b>1,000.00</b>	<b>(600.00)</b>	<b>40.0%</b>
 5107400 · Capitalized Assets				
5107440 · Machinery & Equipment	0.00	2,000.00	(2,000.00)	0.0%
<b>Total 5107400 · Capitalized Assets</b>	<b>0.00</b>	<b>2,000.00</b>	<b>(2,000.00)</b>	<b>0.0%</b>
 5109000 · Reserves				
5109001 · Reserve for Contingency	(631.35)	60,240.00	(60,871.35)	(1.05%)
<b>Total 5109000 · Reserves</b>	<b>(631.35)</b>	<b>60,240.00</b>	<b>(60,871.35)</b>	<b>(1.05%)</b>
 Total 10 · Administration	384,340.59	476,175.00	(91,834.41)	80.71%
 20 · Police				
5201100 · Salaries & Wages				
5201120 · Police Chief	57,297.13	57,970.00	(672.87)	98.84%
5201143 · Command Staff	44,863.60	45,350.00	(486.40)	98.93%
5201150 · Certification Pay	1,716.78	1,700.00	16.78	100.99%
<b>Total 5201100 · Salaries &amp; Wages</b>	<b>103,877.51</b>	<b>105,020.00</b>	<b>(1,142.49)</b>	<b>98.91%</b>
 5201400 · Support Salaries				
5201405 · Support Staff	20,295.75	20,615.00	(319.25)	98.45%
5201410 · Patrol	228,808.06	230,485.00	(1,676.94)	99.27%
5201415 · Certification Pay	3,196.32	3,600.00	(403.68)	88.79%
5201490 · Overtime	3,893.89	9,600.00	(5,706.11)	40.56%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Total 5201400 · Support Salaries</b>	256,194.02	264,300.00	(8,105.98)	96.93%
<b>5202100 · Employee Benefits</b>				
5202110 · Group Insurance	67,765.71	66,520.00	1,245.71	101.87%
5202135 · TMRS	21,525.14	19,935.00	1,590.14	107.98%
5202160 · Worker's Compensation	10,473.45	11,700.00	(1,226.55)	89.52%
5202170 · Payroll Taxes	5,669.21	5,600.00	69.21	101.24%
5202196 · Membership Dues	81.00	200.00	(119.00)	40.5%
<b>Total 5202100 · Employee Benefits</b>	105,514.51	103,955.00	1,559.51	101.5%
<b>5202300 · Contractual Services</b>				
5202355 · Contract Labor - Individual	303.75	500.00	(196.25)	60.75%
5202380 · Dispatch	13,520.00	13,550.00	(30.00)	99.78%
<b>Total 5202300 · Contractual Services</b>	13,823.75	14,050.00	(226.25)	98.39%
<b>5202500 · Operating Services</b>				
5202540 · Computer Maintenance	331.25	300.00	31.25	110.42%
5202560 · Internet Subscriptions	295.00	350.00	(55.00)	84.29%
<b>Total 5202500 · Operating Services</b>	626.25	650.00	(23.75)	96.35%
<b>5203100 · General Supplies</b>				
5203110 · Office Supplies	1,414.14	1,500.00	(85.86)	94.28%
5203140 · Uniforms	1,523.60	1,400.00	123.60	108.83%
5203170 · Evidence Gathering	65.54	200.00	(134.46)	32.77%
<b>Total 5203100 · General Supplies</b>	3,003.28	3,100.00	(96.72)	96.88%
<b>5203400 · Maintenance Supplies &amp; Parts</b>				
5203410 · Supplies - Custodial	423.41	500.00	(76.59)	84.68%
<b>Total 5203400 · Maintenance Supplies &amp; Parts</b>	423.41	500.00	(76.59)	84.68%
<b>5204200 · Travel Expenses</b>				
5204210 · Travel - Local	0.00	300.00	(300.00)	0.0%
5204220 · Professional Development	1,424.80	1,000.00	424.80	142.48%
5204225 · Professional Dev - LEOSE	984.70	1,311.00	(326.30)	75.11%
5204270 · Vehicle Expenses	25,976.97	22,000.00	3,976.97	118.08%
<b>Total 5204200 · Travel Expenses</b>	28,386.47	24,611.00	3,775.47	115.34%
<b>5205200 · Data Processing Expenses</b>				
5205220 · Data Proc - Equipment Rental	0.00	400.00	(400.00)	0.0%
5205240 · Data Processing - Software	949.67	1,000.00	(50.33)	94.97%
<b>Total 5205200 · Data Processing Expenses</b>	949.67	1,400.00	(450.33)	67.83%
<b>5205300 · Printing Expenses</b>				
5205310 · Copier Expense	1,179.02	1,285.00	(105.98)	91.75%
5205330 · Printing - Forms	311.00	600.00	(289.00)	51.83%
5205350 · Printing - Other	774.75	300.00	474.75	258.25%
<b>Total 5205300 · Printing Expenses</b>	2,264.77	2,185.00	79.77	103.65%
<b>5205400 · Utilities</b>				
5205410 · Telephone	1,242.77	1,400.00	(157.23)	88.77%
5205415 · Cellular Phone	1,700.11	2,000.00	(299.89)	85.01%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
5205417 · Internet - PD	887.63	900.00	(12.37)	98.63%
5205420 · Wireless Cards	2,280.93	2,300.00	(19.07)	99.17%
<b>Total 5205400 · Utilities</b>	<b>6,111.44</b>	<b>6,600.00</b>	<b>(488.56)</b>	<b>92.6%</b>
 <b>5205500 · Repairs &amp; Building Improvements</b>				
5205520 · Repairs - Building	259.65	250.00	9.65	103.86%
5205540 · Repairs- Machinery & Equipment	373.30	700.00	(326.70)	53.33%
5205560 · Repairs - Vehicles	5,028.62	7,500.00	(2,471.38)	67.05%
<b>Total 5205500 · Repairs &amp; Building Improvements</b>	<b>5,661.57</b>	<b>8,450.00</b>	<b>(2,788.43)</b>	<b>67.0%</b>
 <b>5205600 · Insurance</b>				
5205610 · Insurance - Property	1,090.28	1,100.00	(9.72)	99.12%
5205620 · Insurance - Liability	6,657.00	6,643.00	14.00	100.21%
5205640 · Insurance - Vehicle	2,199.68	2,620.00	(420.32)	83.96%
<b>Total 5205600 · Insurance</b>	<b>9,946.96</b>	<b>10,363.00</b>	<b>(416.04)</b>	<b>95.99%</b>
 <b>5205700 · Other Expenses</b>				
5205765 · Miscellaneous	3,033.96	3,200.00	(166.04)	94.81%
<b>Total 5205700 · Other Expenses</b>	<b>3,033.96</b>	<b>3,200.00</b>	<b>(166.04)</b>	<b>94.81%</b>
 <b>5206400 · Minor Capital Outlay</b>				
5206440 · Machinery & Equipment	244.02	650.00	(405.98)	37.54%
5206445 · Personal Protective Equipment	1,970.85	2,000.00	(29.15)	98.54%
<b>Total 5206400 · Minor Capital Outlay</b>	<b>2,214.87</b>	<b>2,650.00</b>	<b>(435.13)</b>	<b>83.58%</b>
 <b>5207400 · Capitalized Assets</b>				
5207440 · Machinery & Equipment	0.00	500.00	(500.00)	0.0%
5207450 · Vehicles	42,506.52	42,507.00	(0.48)	100.0%
<b>Total 5207400 · Capitalized Assets</b>	<b>42,506.52</b>	<b>43,007.00</b>	<b>(500.48)</b>	<b>98.84%</b>
 <b>Total 20 · Police</b>	<b>584,538.96</b>	<b>594,041.00</b>	<b>(9,502.04)</b>	<b>98.4%</b>
 <b>25 · Municipal Court</b>				
<b>5251100 · Salaries &amp; Wages</b>				
5251140 · Municipal Judge	4,400.00	5,280.00	(880.00)	83.33%
<b>Total 5251100 · Salaries &amp; Wages</b>	<b>4,400.00</b>	<b>5,280.00</b>	<b>(880.00)</b>	<b>83.33%</b>
 <b>5251400 · Support Staff</b>				
5251405 · Support Staff	24,624.00	24,612.00	12.00	100.05%
5251420 · Jury Fees	36.00	250.00	(214.00)	14.4%
5251425 · City Prosecutor	4,212.50	7,000.00	(2,787.50)	60.18%
5251490 · Overtime	796.85	1,000.00	(203.15)	79.69%
<b>Total 5251400 · Support Staff</b>	<b>29,669.35</b>	<b>32,862.00</b>	<b>(3,192.65)</b>	<b>90.29%</b>
 <b>5252100 · Employee Benefits</b>				
5252110 · Group Insurance	6,672.99	6,652.00	20.99	100.32%
5252135 · TMRS	1,402.83	1,350.00	52.83	103.91%
5252160 · Worker's Compensation	75.57	80.00	(4.43)	94.46%
5252170 · Payroll Taxes	361.51	375.00	(13.49)	96.4%
5252198 · Membership Dues	85.00	85.00	0.00	100.0%
<b>Total 5252100 · Employee Benefits</b>	<b>8,597.80</b>	<b>8,542.00</b>	<b>55.90</b>	<b>100.65%</b>

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>5252300 · Contractual Services</b>				
5252375 · Traffic Fines	32,688.23	32,000.00	688.23	102.15%
<b>Total 5252300 · Contractual Services</b>	<b>32,688.23</b>	<b>32,000.00</b>	<b>688.23</b>	<b>102.15%</b>
<b>5252500 · Operating Services</b>				
5252540 · Computer Maintenance	0.00	125.00	(125.00)	0.0%
<b>Total 5252500 · Operating Services</b>	<b>0.00</b>	<b>125.00</b>	<b>(125.00)</b>	<b>0.0%</b>
<b>5253100 · General Supplies</b>				
5253110 · Office Supplies	25.90	75.00	(49.10)	34.53%
<b>Total 5253100 · General Supplies</b>	<b>25.90</b>	<b>75.00</b>	<b>(49.10)</b>	<b>34.53%</b>
<b>5255200 · Data Processing Expenses</b>				
5255240 · Data Processing - SW Maint.	1,529.85	1,530.00	(0.15)	99.99%
<b>Total 5255200 · Data Processing Expenses</b>	<b>1,529.85</b>	<b>1,530.00</b>	<b>(0.15)</b>	<b>99.99%</b>
<b>5255300 · Printing Expense</b>				
5255350 · Printing - Other	537.00	400.00	137.00	134.25%
<b>Total 5255300 · Printing Expense</b>	<b>537.00</b>	<b>400.00</b>	<b>137.00</b>	<b>134.25%</b>
<b>5255700 · Other Expenses</b>				
5255765 · Miscellaneous	17.34	100.00	(82.66)	17.34%
<b>Total 5255700 · Other Expenses</b>	<b>17.34</b>	<b>100.00</b>	<b>(82.66)</b>	<b>17.34%</b>
<b>Total 25 · Municipal Court</b>	<b>77,465.57</b>	<b>80,914.00</b>	<b>(3,448.43)</b>	<b>95.74%</b>
<b>30 · Fire</b>				
<b>5301100 · Salaries &amp; Wages</b>				
5301125 · Fire Chief	53,799.94	53,500.00	299.94	100.56%
5301130 · Asst. Fire Chief	27,345.71	30,500.00	(3,154.29)	89.66%
<b>Total 5301100 · Salaries &amp; Wages</b>	<b>81,145.65</b>	<b>84,000.00</b>	<b>(2,854.35)</b>	<b>96.6%</b>
<b>5301400 · Support Salaries</b>				
5301440 · Firefighters	100,713.29	102,000.00	(1,286.71)	98.74%
5301485 · Volunteer Incentive Program	11,940.00	13,500.00	(1,560.00)	88.44%
<b>Total 5301400 · Support Salaries</b>	<b>112,653.29</b>	<b>115,500.00</b>	<b>(2,846.71)</b>	<b>97.54%</b>
<b>5302100 · Employee Benefits</b>				
5302110 · Group Insurance	4,200.00	4,632.00	(432.00)	90.67%
5302135 · TMRS	4,859.10	5,000.00	(140.90)	97.18%
5302137 · Volunteer Retirement	2,880.00	4,500.00	(1,620.00)	64.0%
5302160 · Worker's Compensation	7,522.45	7,600.00	(77.55)	98.98%
5302170 · Payroll Taxes	9,568.51	9,400.00	168.51	101.79%
5302196 · Membership Dues	2,406.50	1,920.00	486.50	125.34%
<b>Total 5302100 · Employee Benefits</b>	<b>31,436.56</b>	<b>33,052.00</b>	<b>(1,615.44)</b>	<b>95.11%</b>
<b>5302300 · Contractual Services</b>				
5302310 · Consultant Fees	1,000.00	1,500.00	(500.00)	66.67%
5302380 · Dispatch	11,520.00	11,525.00	(5.00)	99.96%
5302385 · Emergency Transport Service	61,272.00	61,272.00	0.00	100.0%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Total 5302300 · Contractual Services</b>	73,792.00	74,297.00	(505.00)	99.32%
<b>5302500 · Operating Services</b>				
<b>5302510 · Maintenance Agreements</b>	3,844.95	4,500.00	(655.05)	85.44%
<b>5302540 · Computer Maintenance</b>	130.00	1,500.00	(1,370.00)	8.67%
<b>5302570 · Warning System Maintenance</b>	730.00	1,000.00	(270.00)	73.0%
<b>5302580 · Generator Maintenance</b>	1,379.00	1,400.00	(21.00)	98.5%
<b>Total 5302500 · Operating Services</b>	6,083.95	8,400.00	(2,316.05)	72.43%
<b>5302600 · Special Expenses</b>				
<b>5302675 · National Night Out</b>	0.00	600.00	(600.00)	0.0%
<b>5302680 · Heritage Day</b>	0.00	500.00	(500.00)	0.0%
<b>Total 5302600 · Special Expenses</b>	0.00	1,100.00	(1,100.00)	0.0%
<b>5303100 · General Supplies</b>				
<b>5303110 · Office Supplies</b>	1,423.52	2,000.00	(576.48)	71.18%
<b>5303140 · Uniforms</b>	1,334.18	4,000.00	(2,665.82)	33.36%
<b>5303160 · Medical Supplies</b>	8,566.07	7,000.00	1,566.07	122.37%
<b>5303165 · Medical Support</b>	1,468.76	1,000.00	468.76	146.88%
<b>5303170 · Evidence Gathering</b>	217.95	250.00	(32.05)	87.18%
<b>5303175 · Education Aids</b>	0.00	250.00	(250.00)	0.0%
<b>Total 5303100 · General Supplies</b>	13,010.48	14,500.00	(1,489.52)	89.73%
<b>5303400 · Maintenance Supplies &amp; Parts</b>				
<b>5303410 · Supplies - Custodial</b>	1,271.98	1,400.00	(128.02)	90.86%
<b>5303420 · Building Alarm Maintenance</b>	420.00	420.00	0.00	100.0%
<b>Total 5303400 · Maintenance Supplies &amp; Parts</b>	1,691.98	1,820.00	(128.02)	92.97%
<b>5304200 · Travel Expenses</b>				
<b>5304220 · Professional Development</b>	1,896.84	3,000.00	(1,103.16)	63.23%
<b>5304240 · Medical Training</b>	487.68	1,000.00	(512.32)	48.77%
<b>5304270 · Vehicle Expenses</b>	10,948.84	14,000.00	(3,051.16)	78.21%
<b>Total 5304200 · Travel Expenses</b>	13,333.36	18,000.00	(4,666.64)	74.07%
<b>5305200 · Data Processing Expenses</b>				
<b>5305230 · Data Proc-Maintenance &amp; Repair</b>	372.52	1,250.00	(877.48)	29.8%
<b>5305240 · Data Processing - Software</b>	2,843.93	4,200.00	(1,356.07)	67.71%
<b>Total 5305200 · Data Processing Expenses</b>	3,216.45	5,450.00	(2,233.55)	59.02%
<b>5305300 · Printing Expense</b>				
<b>5305310 · Copier Expense</b>	2,974.91	3,300.00	(325.09)	90.15%
<b>5305330 · Printing - Forms</b>	375.90	200.00	175.90	187.95%
<b>Total 5305300 · Printing Expense</b>	3,350.81	3,500.00	(149.19)	95.74%
<b>5305400 · Utilities</b>				
<b>5305410 · Telephone</b>	2,099.10	2,100.00	(0.90)	99.96%
<b>5305415 · Cellular Phone</b>	3,823.63	4,000.00	(176.37)	95.59%
<b>5305417 · Internet - Fire Dept.</b>	1,645.64	1,750.00	(104.36)	94.04%
<b>Total 5305400 · Utilities</b>	7,568.37	7,850.00	(281.63)	96.41%
<b>5305500 · Repairs &amp; Bldg Improvements</b>				

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
5305520 · Repairs - Building	3,840.38	2,950.00	890.38	130.18%
5305540 · Repairs - Machinery & Equipment	18,680.32	19,500.00	(819.68)	95.8%
5305545 · Repairs - Apparatus	8,856.01	12,000.00	(3,143.99)	73.8%
5305550 · Repairs - Vehicles	16,426.22	4,000.00	12,426.22	410.66%
<b>Total 5305500 · Repairs &amp; Bldg Improvements</b>	<b>47,802.93</b>	<b>38,450.00</b>	<b>9,352.93</b>	<b>124.33%</b>
 5305600 · Insurance				
5305610 · Insurance - Property	109.76	110.00	(0.24)	99.78%
5305620 · Insurance - Liability	7,810.00	7,810.00	0.00	100.0%
5305640 · Insurance - Vehicle	10,869.52	10,817.00	52.52	100.49%
<b>Total 5305600 · Insurance</b>	<b>18,789.28</b>	<b>18,737.00</b>	<b>52.28</b>	<b>100.28%</b>
 5305700 · Other Expenses				
5305705 · Postage	159.22	200.00	(40.78)	79.61%
5305765 · Flags & Miscellaneous	250.40	400.00	(149.60)	62.6%
5305770 · Matching Fire Grant Expense	190,300.00	190,300.00	0.00	100.0%
5305772 · FEMA Grant EMW-2010-FO-06107 Ex	49,317.14	49,200.00	117.14	100.24%
5305774 · ESD #2 Cert Grant Expense	980.48	2,018.00	(1,037.52)	48.59%
<b>Total 5305700 · Other Expenses</b>	<b>241,007.24</b>	<b>242,118.00</b>	<b>(1,110.76)</b>	<b>99.54%</b>
 5306400 · Minor Capital Outlay				
5306440 · Machinery & Equipment	8,288.45	9,100.00	(811.55)	91.08%
5306445 · Personal Protective Equipment	10,770.95	10,500.00	270.95	102.58%
<b>Total 5306400 · Minor Capital Outlay</b>	<b>19,059.40</b>	<b>19,600.00</b>	<b>(540.60)</b>	<b>97.24%</b>
 Total 30 · Fire	673,941.75	686,374.00	(12,432.25)	98.19%
 40 · Community Services				
5401100 · Salaries & Wages				
5401135 · ACO/Code Enforcement Officer	32,403.23	32,420.00	(16.77)	99.95%
5401190 · Overtime	93.83	150.00	(56.17)	62.55%
<b>Total 5401100 · Salaries &amp; Wages</b>	<b>32,497.06</b>	<b>32,570.00</b>	<b>(72.94)</b>	<b>99.78%</b>
5402100 · Employee Benefits				
5402110 · Group Insurance	4,200.00	4,632.00	(432.00)	90.67%
5402135 · TMRS	1,921.65	1,930.00	(8.35)	99.57%
5402160 · Worker's Compensation	257.54	270.00	(12.46)	95.39%
5402170 · Payroll Taxes	556.04	555.00	1.04	100.19%
5402190 · License	217.00	175.00	42.00	124.0%
<b>Total 5402100 · Employee Benefits</b>	<b>7,152.23</b>	<b>7,562.00</b>	<b>(409.77)</b>	<b>94.58%</b>
5402300 · Contractual Services				
5402315 · Contract Building Inspections	9,331.93	6,500.00	2,831.93	143.57%
5402370 · Impound Fees	1,904.00	2,000.00	(96.00)	95.2%
<b>Total 5402300 · Contractual Services</b>	<b>11,235.93</b>	<b>8,500.00</b>	<b>2,735.93</b>	<b>132.19%</b>
5402500 · Operating Services				
5402540 · Computer Maintenance	0.00	150.00	(150.00)	0.0%
<b>Total 5402500 · Operating Services</b>	<b>0.00</b>	<b>150.00</b>	<b>(150.00)</b>	<b>0.0%</b>
 5402600 · Special Expenses				

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
5402685 · Clean up Day	26.50	100.00	(73.50)	26.5%
<b>Total 5402600 · Special Expenses</b>	<b>26.50</b>	<b>100.00</b>	<b>(73.50)</b>	<b>26.5%</b>
5403100 · General Supplies				
5403110 · Office Supplies	186.83	250.00	(63.17)	74.73%
5403120 · Animal Care	53.97	150.00	(96.03)	35.98%
5403122 · Pet Supplies	53.92	125.00	(71.08)	43.14%
5403140 · Uniforms	311.95	350.00	(38.05)	89.13%
<b>Total 5403100 · General Supplies</b>	<b>606.67</b>	<b>875.00</b>	<b>(268.33)</b>	<b>69.33%</b>
5403400 · Maintenance Supplies & Parts				
5403460 · Miscellaneous	49.46	50.00	(0.54)	98.92%
<b>Total 5403400 · Maintenance Supplies &amp; Parts</b>	<b>49.46</b>	<b>50.00</b>	<b>(0.54)</b>	<b>98.92%</b>
5404200 · Travel Expenses				
5404210 · Travel - Local	0.00	50.00	(50.00)	0.0%
5404220 · Professional Development	0.00	325.00	(325.00)	0.0%
5404222 · Professional Development B&C	0.00	50.00	(50.00)	0.0%
5404270 · Vehicle Expenses	1,676.97	1,300.00	376.97	129.0%
<b>Total 5404200 · Travel Expenses</b>	<b>1,676.97</b>	<b>1,725.00</b>	<b>(48.03)</b>	<b>97.22%</b>
5405300 · Printing Expense				
5405330 · Printing - Forms	91.50	150.00	(58.50)	61.0%
<b>Total 5405300 · Printing Expense</b>	<b>91.50</b>	<b>150.00</b>	<b>(58.50)</b>	<b>61.0%</b>
5405400 · Utilities				
5405415 · Cellular Phone	684.10	650.00	34.10	105.25%
<b>Total 5405400 · Utilities</b>	<b>684.10</b>	<b>650.00</b>	<b>34.10</b>	<b>105.25%</b>
5405600 · Insurance				
5405640 · Insurance - Vehicle	302.00	302.00	0.00	100.0%
<b>Total 5405600 · Insurance</b>	<b>302.00</b>	<b>302.00</b>	<b>0.00</b>	<b>100.0%</b>
5406400 · Minor Capital Outlay				
5406440 · Machinery & Equipment	663.33	1,070.00	(406.67)	61.99%
<b>Total 5406400 · Minor Capital Outlay</b>	<b>663.33</b>	<b>1,070.00</b>	<b>(406.67)</b>	<b>61.99%</b>
<b>Total 40 · Community Services</b>	<b>54,985.75</b>	<b>53,704.00</b>	<b>1,281.75</b>	<b>102.39%</b>
45 · Solid Waste				
5455400 · Utilities				
5455465 · Solidwaste Pickup (Garbage)	176,086.50	193,000.00	(16,913.50)	91.24%
<b>Total 5455400 · Utilities</b>	<b>176,086.50</b>	<b>193,000.00</b>	<b>(16,913.50)</b>	<b>91.24%</b>
<b>Total 45 · Solid Waste</b>	<b>176,086.50</b>	<b>193,000.00</b>	<b>(16,913.50)</b>	<b>91.24%</b>
50 · Streets				
5501400 · Support Staff				
5501415 · Maintenance Crew	19,240.85	19,320.00	(79.15)	99.59%
5501490 · Overtime	1,381.70	2,000.00	(618.30)	69.09%
5501500 · Streets - On Call	800.00	650.00	150.00	123.08%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Total 5501400 · Support Staff</b>	21,422.55	21,970.00	(547.45)	97.51%
<b>5502100 · Employee Benefits</b>				
5502110 · Group Insurance	5,167.99	5,182.00	(14.01)	99.73%
5502135 · TMRS	1,406.74	1,425.00	(18.26)	98.72%
5502160 · Worker's Compensation	3,620.44	3,700.00	(79.56)	97.85%
5502170 · Payroll Taxes	377.62	400.00	(22.38)	94.41%
5502190 · License	61.00	65.00	(4.00)	93.85%
<b>Total 5502100 · Employee Benefits</b>	10,633.79	10,772.00	(138.21)	98.72%
<b>5502200 · Special Services</b>				
5502260 · Engineering Fees	0.00	500.00	(500.00)	0.0%
5502280 · NCTCOG- SWMP Fees	2,319.00	2,320.00	(1.00)	99.96%
<b>Total 5502200 · Special Services</b>	2,319.00	2,820.00	(501.00)	82.23%
<b>5503100 · General Supplies</b>				
5503140 · Uniforms	242.40	405.00	(162.60)	59.85%
<b>Total 5503100 · General Supplies</b>	242.40	405.00	(162.60)	59.85%
<b>5503400 · Maintenance Supplies &amp; Parts</b>				
5503420 · Supplies - Street Signs	868.27	1,425.00	(556.73)	60.93%
5503460 · Miscellaneous	186.11	250.00	(63.89)	74.44%
<b>Total 5503400 · Maintenance Supplies &amp; Parts</b>	1,054.38	1,675.00	(620.62)	62.95%
<b>5504200 · Travel Expenses</b>				
5504220 · Professional Development	36.81	1,150.00	(1,113.19)	3.2%
5504270 · Vehicle Expenses	4,388.51	4,300.00	88.51	102.06%
<b>Total 5504200 · Travel Expenses</b>	4,425.32	5,450.00	(1,024.68)	81.2%
<b>5505500 · Repairs &amp; Bldg Improvements</b>				
5505540 · Repairs - Machinery & Equipment	2,059.99	2,500.00	(440.01)	82.4%
5505550 · Repairs - Vehicles	2,797.49	1,895.00	902.49	147.63%
5505560 · Repairs -Street Maint.& Repairs	20,258.96	45,000.00	(24,741.04)	45.02%
5505565 · Repairs - Infrastruct Drainage	200.00	6,000.00	(5,800.00)	3.33%
5505590 · Repairs - Other	29.61	1,500.00	(1,470.39)	1.97%
<b>Total 5505500 · Repairs &amp; Bldg Improvements</b>	25,346.05	56,895.00	(31,548.95)	44.55%
<b>5505600 · Insurance</b>				
5505640 · Insurance - Vehicle	2,613.16	2,616.00	(2.84)	99.89%
<b>Total 5505600 · Insurance</b>	2,613.16	2,616.00	(2.84)	99.89%
<b>5506400 · Minor Capital Outlay</b>				
5506440 · Machinery & Equipment	2,948.43	3,850.00	(901.57)	76.58%
5506445 · Personal Protective Equipment	148.31	315.00	(166.69)	47.08%
5506490 · Other	162.56	540.00	(377.44)	30.1%
<b>Total 5506400 · Minor Capital Outlay</b>	3,259.30	4,705.00	(1,445.70)	69.27%
<b>5507400 · Capitalized Assets</b>				
5507420 · Buildings	30,196.45	30,035.00	161.45	100.54%
5507440 · Machinery & Equipment	14,805.00	14,805.00	0.00	100.0%
5507460 · Infrastructure	330,532.59	189,032.59	141,500.00	174.86%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Total 5507400 · Capitalized Assets</b>	<b>375,534.04</b>	<b>233,872.59</b>	<b>141,661.45</b>	<b>160.57%</b>
<b>Total 50 · Streets</b>	<b>446,849.99</b>	<b>341,180.59</b>	<b>105,669.40</b>	<b>130.97%</b>
<b>60 · Parks</b>				
<b>5602400 · Rentals</b>				
<b>5602490 · Rental - Other</b>	<b>2,557.30</b>	<b>2,500.00</b>	<b>57.30</b>	<b>102.29%</b>
<b>Total 5602400 · Rentals</b>	<b>2,557.30</b>	<b>2,500.00</b>	<b>57.30</b>	<b>102.29%</b>
<b>5602600 · Special Expenses</b>				
<b>5602680 · Heritage Day</b>	<b>7,644.05</b>	<b>3,800.00</b>	<b>3,844.05</b>	<b>201.16%</b>
<b>Total 5602600 · Special Expenses</b>	<b>7,644.05</b>	<b>3,800.00</b>	<b>3,844.05</b>	<b>201.16%</b>
<b>5605400 · Utilities</b>				
<b>5605450 · Electricity</b>	<b>2,634.01</b>	<b>3,700.00</b>	<b>(1,065.99)</b>	<b>71.19%</b>
<b>Total 5605400 · Utilities</b>	<b>2,634.01</b>	<b>3,700.00</b>	<b>(1,065.99)</b>	<b>71.19%</b>
<b>5605500 · Repairs &amp; Bldg Improvements</b>				
<b>5605530 · REPAIRS-IMP OTHER THAN BLDGS</b>	<b>1,706.39</b>	<b>1,500.00</b>	<b>206.39</b>	<b>113.76%</b>
<b>Total 5605500 · Repairs &amp; Bldg Improvements</b>	<b>1,706.39</b>	<b>1,500.00</b>	<b>206.39</b>	<b>113.76%</b>
<b>5605700 · Other Expenses</b>				
<b>5605755 · Miscellaneous</b>	<b>120.61</b>	<b>200.00</b>	<b>(79.39)</b>	<b>60.31%</b>
<b>Total 5605700 · Other Expenses</b>	<b>120.61</b>	<b>200.00</b>	<b>(79.39)</b>	<b>60.31%</b>
<b>5606400 · Minor Capital Outlay</b>				
<b>5606410 · Land Improvements</b>	<b>259.01</b>	<b>300.00</b>	<b>(40.99)</b>	<b>86.34%</b>
<b>5606440 · Machinery &amp; Equipment</b>	<b>4,265.00</b>	<b>0.00</b>	<b>4,255.00</b>	<b>100.0%</b>
<b>Total 5606400 · Minor Capital Outlay</b>	<b>4,514.01</b>	<b>300.00</b>	<b>4,214.01</b>	<b>1,504.67%</b>
<b>Total 60 · Parks</b>	<b>19,176.37</b>	<b>12,000.00</b>	<b>7,176.37</b>	<b>159.8%</b>
<b>6560 · Payroll Expenses</b>	<b>(1,623.30)</b>	<b>0.00</b>	<b>(1,623.30)</b>	<b>100.0%</b>
<b>Total Expense</b>	<b>2,415,762.18</b>	<b>2,437,388.59</b>	<b>(21,626.41)</b>	<b>99.11%</b>
<b>Net Income</b>	<b>(194,068.88)</b>	<b>(65,539.59)</b>	<b>(128,529.29)</b>	<b>296.11%</b>

**Ovilla W&S Utility Fund**  
**Profit & Loss Budget vs. Actual**  
October 2010 through September 2011

3:32 PM  
10/19/2011  
Accrual Basis

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000400 · Charges for Services				
4000460 · Water Sales	1,052,764.20	864,568.00	188,196.20	121.77%
4000461 · Sewer Service	144,377.92	133,500.00	10,877.92	108.15%
4000465 · Water & Sewer Penalties	18,720.89	17,000.00	1,720.89	110.12%
4000471 · Reconnect Fees	4,720.46	4,500.00	220.46	104.9%
4000473 · Connect Fees	2,025.00	1,500.00	525.00	135.0%
4000474 · Sewer Fees	1,122.50	1,000.00	122.50	112.25%
4000478 · Infrastructure Improvement Fee	55,315.01	54,500.00	815.01	101.5%
<b>Total 4000400 · Charges for Services</b>	<b>1,279,045.98</b>	<b>1,076,568.00</b>	<b>202,477.98</b>	<b>118.81%</b>
4000800 · Other Revenue				
4000840 · Interest Earned	1,942.72	1,700.00	242.72	114.28%
4000890 · Misc Other Revenue	5,290.00	500.00	4,790.00	1,058.0%
<b>Total 4000800 · Other Revenue</b>	<b>7,232.72</b>	<b>2,200.00</b>	<b>5,032.72</b>	<b>328.76%</b>
<b>Total Income</b>	<b>1,286,278.70</b>	<b>1,078,768.00</b>	<b>207,510.70</b>	<b>119.24%</b>
<b>Gross Profit</b>	<b>1,286,278.70</b>	<b>1,078,768.00</b>	<b>207,510.70</b>	<b>119.24%</b>
<b>Expense</b>				
70 · Administration				
5701100 · Salaries & Wages				
5701120 · Part Time Admin. Support	1,529.98	1,600.00	-70.02	95.62%
5701110 · City Administrator	20,796.43	20,000.00	796.43	103.98%
5701115 · City Secretary	10,305.73	10,275.00	30.73	100.3%
5701117 · Finance Accountant	11,886.79	11,100.00	786.79	107.09%
5701130 · Public Works Director	22,418.72	23,000.00	-581.28	97.47%
<b>Total 5701100 · Salaries &amp; Wages</b>	<b>66,937.65</b>	<b>65,975.00</b>	<b>962.65</b>	<b>101.46%</b>
5702100 · Employee Benefits				
5702110 · Group Insurance	3,095.99	3,132.00	-36.01	98.85%
5702135 · TMRS	1,412.16	1,400.00	12.16	100.87%
5702160 · Worker's Compensation	1,906.32	1,700.00	206.32	112.14%
5702170 · Payroll Taxes	328.33	350.00	-21.67	93.81%
<b>Total 5702100 · Employee Benefits</b>	<b>6,742.80</b>	<b>6,582.00</b>	<b>160.80</b>	<b>102.44%</b>
5702200 · Special Services				
5702230 · Legal Fees	0.00	500.00	-500.00	0.0%
5702240 · Audit	6,500.00	6,500.00	0.00	100.0%
<b>Total 5702200 · Special Services</b>	<b>6,500.00</b>	<b>7,000.00</b>	<b>-500.00</b>	<b>92.86%</b>
5702300 · Contractual Services /Personnel				
5702310 · Consultant Fees	0.00	1,000.00	-1,000.00	0.0%
<b>Total 5702300 · Contractual Services /Personnel</b>	<b>0.00</b>	<b>1,000.00</b>	<b>-1,000.00</b>	<b>0.0%</b>

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>5703100 · General Supplies</b>				
5703110 · Office Supplies	668.14	700.00	-31.86	95.45%
<b>Total 5703100 · General Supplies</b>	<b>668.14</b>	<b>700.00</b>	<b>-31.86</b>	<b>95.45%</b>
<b>5703400 · Maintenance Supplies / Parts</b>				
5703410 · Supplies - Custodial	58.90	150.00	-91.10	39.27%
<b>Total 5703400 · Maintenance Supplies / Parts</b>	<b>58.90</b>	<b>150.00</b>	<b>-91.10</b>	<b>39.27%</b>
<b>5704200 · Travel Expenses</b>				
5704210 · Travel - Local	0.00	200.00	-200.00	0.0%
5704220 · Professional Development	0.00	750.00	-750.00	0.0%
<b>Total 5704200 · Travel Expenses</b>	<b>0.00</b>	<b>950.00</b>	<b>-950.00</b>	<b>0.0%</b>
<b>5705200 · Data Processing Expenses</b>				
5705240 · Data Processing - Software	400.00	1,000.00	-600.00	40.0%
<b>Total 5705200 · Data Processing Expenses</b>	<b>400.00</b>	<b>1,000.00</b>	<b>-600.00</b>	<b>40.0%</b>
<b>5705300 · Printing Expense</b>				
5705350 · Printing - Other	309.27	500.00	-190.73	61.85%
<b>Total 5705300 · Printing Expense</b>	<b>309.27</b>	<b>500.00</b>	<b>-190.73</b>	<b>61.85%</b>
<b>5705400 · Utilities</b>				
5705410 · Telephone	1,154.01	1,200.00	-45.99	96.17%
5705415 · Cellular Phone	450.35	500.00	-49.65	90.07%
5705417 · Internet	710.16	850.00	-139.84	83.55%
5705450 · Electricity	31,774.71	32,000.00	-225.29	99.3%
<b>Total 5705400 · Utilities</b>	<b>34,089.23</b>	<b>34,550.00</b>	<b>-460.77</b>	<b>98.67%</b>
<b>5705600 · Insurance</b>				
5705640 · Insurance - Vehicle	1,551.80	1,570.00	-18.20	98.84%
<b>Total 5705600 · Insurance</b>	<b>1,551.80</b>	<b>1,570.00</b>	<b>-18.20</b>	<b>98.84%</b>
<b>5705700 · Other Expenses</b>				
5705705 · Postage	5,832.15	5,500.00	332.15	106.04%
5705740 · Advertising	0.00	200.00	-200.00	0.0%
5705760 · Bank Service Charge	155.00	250.00	-95.00	62.0%
5705765 · Miscellaneous	0.00	100.00	-100.00	0.0%
<b>Total 5705700 · Other Expenses</b>	<b>5,987.15</b>	<b>6,050.00</b>	<b>-62.85</b>	<b>98.96%</b>
<b>5706400 · Minor Capital Outlay</b>				
5706440 · Machinery & Equipment	0.00	500.00	-500.00	0.0%
<b>Total 5706400 · Minor Capital Outlay</b>	<b>0.00</b>	<b>500.00</b>	<b>-500.00</b>	<b>0.0%</b>
<b>5707400 · Capitalized Assets</b>				
5707420 · Buildings	24,497.26	37,491.00	-12,993.74	65.34%
<b>Total 5707400 · Capitalized Assets</b>	<b>24,497.26</b>	<b>37,491.00</b>	<b>-12,993.74</b>	<b>65.34%</b>

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>5709000 · Reserve</b>				
5708215 · Transfer Out - General Fund	70,686.00	70,686.00	0.00	100.0%
<b>Total 5709000 · Reserve</b>	<b>70,686.00</b>	<b>70,686.00</b>	<b>0.00</b>	<b>100.0%</b>
 <b>Total 70 · Administration</b>	 218,428.20	 234,704.00	 -16,275.80	 93.07%
 <b>75 · Water</b>				
5751100 · Salaries & Wages				
5751133 · Superintendent	39,786.50	40,150.00	-363.50	99.1%
<b>Total 5751100 · Salaries &amp; Wages</b>	<b>39,786.50</b>	<b>40,150.00</b>	<b>-363.50</b>	<b>99.1%</b>
5751400 · Support Salaries				
5751430 · Seasonal Crew	5,836.25	3,000.00	2,836.25	194.54%
5751500 · Water - On Call	1,000.00	1,050.00	-50.00	95.24%
5751405 · Support Staff	23,343.93	23,150.00	193.93	100.84%
5751415 · Maintenance Crew	48,531.44	49,000.00	-468.56	99.04%
5751490 · Overtime	4,699.18	5,350.00	-650.82	87.84%
<b>Total 5751400 · Support Salaries</b>	<b>83,410.80</b>	<b>81,550.00</b>	<b>1,860.80</b>	<b>102.28%</b>
5752100 · Employee Benefits				
5752110 · Group Insurance	17,768.62	22,995.00	-5,226.38	77.27%
5752135 · TMRS	6,810.34	7,000.00	-189.66	97.29%
5752160 · Worker's Compensation	3,439.36	3,500.00	-60.64	98.27%
5752170 · Payroll Taxes	2,978.29	2,300.00	678.29	129.49%
5752190 · Licenses	283.00	295.00	-12.00	95.93%
<b>Total 5752100 · Employee Benefits</b>	<b>31,279.61</b>	<b>36,090.00</b>	<b>-4,810.39</b>	<b>86.67%</b>
5752300 · Contractual Services/Personnel				
5752380 · Dispatch	8,460.00	8,451.00	9.00	100.11%
<b>Total 5752300 · Contractual Services/Personnel</b>	<b>8,460.00</b>	<b>8,451.00</b>	<b>9.00</b>	<b>100.11%</b>
5752400 · Rentals				
5752420 · Rental - Machinery & Equipment	0.00	150.00	-150.00	0.0%
5752490 · Rental - Other	0.00	600.00	-600.00	0.0%
<b>Total 5752400 · Rentals</b>	<b>0.00</b>	<b>750.00</b>	<b>-750.00</b>	<b>0.0%</b>
5752500 · Operating Services				
5752580 · Water Testing	960.25	1,100.00	-139.75	87.3%
5752590 · TCEQ Fees	2,689.65	3,300.00	-610.35	81.51%
<b>Total 5752500 · Operating Services</b>	<b>3,649.90</b>	<b>4,400.00</b>	<b>-750.10</b>	<b>82.95%</b>
5753100 · General Supplies				
5753140 · Uniforms	1,146.23	1,410.00	-263.77	81.29%
<b>Total 5753100 · General Supplies</b>	<b>1,146.23</b>	<b>1,410.00</b>	<b>-263.77</b>	<b>81.29%</b>
5753400 · Maintenance Supplies & Parts				
5753460 · Miscellaneous	202.02	150.00	52.02	134.68%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Total 5753400 · Maintenance Supplies &amp; Parts</b>	202.02	150.00	52.02	134.68%
5754200 · Travel Expenses				
5754220 · Professional Development	1,415.39	1,000.00	415.39	141.54%
5754270 · Vehicle Expenses	10,192.34	11,000.00	-807.66	92.66%
<b>Total 5754200 · Travel Expenses</b>	11,607.73	12,000.00	-392.27	96.73%
5755200 · Data Processing Expenses				
5755230 · Data Proc-Maintenance & Repairs	3,469.50	4,500.00	-1,030.50	77.1%
5755240 · Data Processing - Software	0.00	500.00	-500.00	0.0%
5755250 · Data Proc - Computer Repair	130.00	500.00	-370.00	26.0%
<b>Total 5755200 · Data Processing Expenses</b>	3,599.50	5,500.00	-1,900.50	65.45%
5755300 · Printing Expenses				
5755310 · Copier Expense	3,044.92	5,000.00	-1,955.08	60.9%
5755350 · Printing - Other	1,469.22	1,600.00	-130.78	91.83%
<b>Total 5755300 · Printing Expenses</b>	4,514.14	6,600.00	-2,085.86	68.4%
5755400 · Utilities				
5755415 · Cellular Phone	1,390.15	1,400.00	-9.85	99.3%
5755460 · Water, wholesale	253,358.17	273,265.00	-19,906.83	92.72%
<b>Total 5755400 · Utilities</b>	254,748.32	274,665.00	-19,916.68	92.75%
5755500 · Repairs & Building Improvements				
5755540 · Repairs- Machinery & Equipment	3,182.81	3,000.00	182.81	106.09%
5755550 · Repairs - Vehicles	2,137.33	3,000.00	-862.67	71.24%
5755570 · Inventory Expense	18,794.06	20,000.00	-1,205.94	93.97%
5755590 · Repairs - Other	4,383.23	6,050.00	-1,666.77	72.45%
<b>Total 5755500 · Repairs &amp; Building Improvements</b>	28,497.43	32,050.00	-3,552.57	88.92%
5755600 · Insurance				
5755610 · Insurance - Property	7,398.04	7,958.00	-559.96	92.96%
<b>Total 5755600 · Insurance</b>	7,398.04	7,958.00	-559.96	92.96%
5756400 · Minor Capital Outlay				
5756440 · Machinery & Equipment	1,025.35	2,000.00	-974.65	51.27%
5756490 · Other	306.58	300.00	6.58	102.19%
<b>Total 5756400 · Minor Capital Outlay</b>	1,331.93	2,300.00	-968.07	57.91%
5757400 · Capitalized Assets				
5757440 · Machinery & Equipment	301.62	3,000.00	-2,698.38	10.05%
5757450 · Vehicles	23,338.66	23,400.00	-61.34	99.74%
5757470 · Infrastructure - Water	3,302.57	6,450.00	-3,147.43	51.2%
<b>Total 5757400 · Capitalized Assets</b>	26,942.85	32,850.00	-5,907.15	82.02%
5757900 · Long-Term Debt				
5708225 · Transfer to I & S 02 Bond	26,500.00	25,500.00	0.00	100.0%
5708227 · Interest - 2002	31,147.00	31,147.00	0.00	100.0%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
5757910 · Principal - 2005	51,000.00	51,000.00	0.00	100.0%
5757925 · Interest - 2005	3,825.03	5,141.00	-1,315.97	74.4%
5757926 · Principal - Infrastructure Fee	25,000.00	25,000.00	0.00	100.0%
5757927 · Interest - Infrastructure Fee	29,132.17	29,133.00	-0.83	100.0%
<b>Total 5757900 · Long-Term Debt</b>	<b>165,604.20</b>	<b>166,921.00</b>	<b>-1,316.80</b>	<b>99.21%</b>
 Total 75 · Water				
	672,179.20	713,795.00	-41,615.80	94.17%
 80 · Sewer				
5801400 · Support Salaries				
5801500 · Sewer - On Call	750.00	1,100.00	-350.00	68.18%
5801405 · Support Staff	9,909.34	8,900.00	1,009.34	111.34%
5801415 · Maintenance Crew	38,498.66	47,000.00	-8,501.34	81.91%
5801490 · Overtime	-283.59	1,000.00	-1,283.59	-28.36%
<b>Total 5801400 · Support Salaries</b>	<b>48,874.41</b>	<b>58,000.00</b>	<b>-9,125.59</b>	<b>84.27%</b>
 5802100 · Employee Benefits				
5802110 · Group Insurance	9,209.51	11,797.00	-2,587.49	78.07%
5802135 · TMRS	2,366.87	2,875.00	-508.13	82.33%
5802160 · Worker's Compensation-Sewer	1,869.96	1,900.00	-30.04	98.42%
5802170 · Payroll Taxes	677.47	850.00	-172.53	79.7%
5802190 · Licenses	111.00	115.00	-4.00	96.52%
<b>Total 5802100 · Employee Benefits</b>	<b>14,234.81</b>	<b>17,537.00</b>	<b>-3,302.19</b>	<b>81.17%</b>
 5802300 · Contractual Services/Personnel				
5802350 · Contract Labor - Company	20.00	750.00	-730.00	2.67%
<b>Total 5802300 · Contractual Services/Personnel</b>	<b>20.00</b>	<b>750.00</b>	<b>-730.00</b>	<b>2.67%</b>
 5802500 · Operating Services				
5802590 · TCEQ Fees - Sewer	0.00	50.00	-50.00	0.0%
<b>Total 5802500 · Operating Services</b>	<b>0.00</b>	<b>50.00</b>	<b>-50.00</b>	<b>0.0%</b>
 5803100 · General Supplies				
5803140 · Uniforms	606.87	810.00	-203.13	74.92%
<b>Total 5803100 · General Supplies</b>	<b>606.87</b>	<b>810.00</b>	<b>-203.13</b>	<b>74.92%</b>
 5804200 · Travel Expenses				
5804220 · Professional Development	502.87	600.00	-97.13	83.81%
5804270 · Vehicle Expense	213.48	500.00	-286.52	42.7%
<b>Total 5804200 · Travel Expenses</b>	<b>716.35</b>	<b>1,100.00</b>	<b>-383.65</b>	<b>65.12%</b>
 5805400 · Utilities				
5805450 · Electricity	1,281.71	3,000.00	-1,718.29	42.72%
5805463 · TRA Wastewater Treatment	36,180.00	40,000.00	-3,820.00	90.45%
<b>Total 5805400 · Utilities</b>	<b>37,461.71</b>	<b>43,000.00</b>	<b>-5,538.29</b>	<b>87.12%</b>
 5805500 · Repairs & Bldg Improvements				
5805510 · Repairs - Land Improvements	16.45	500.00	-483.55	3.29%

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
5805570 · Inventory Expense	472.98	750.00	-277.02	63.06%
5805590 · Repairs - Other	6,076.40	7,500.00	-1,423.60	81.02%
<b>Total 5805500 · Repairs &amp; Bldg Improvements</b>	<b>6,565.83</b>	<b>8,750.00</b>	<b>-2,184.17</b>	<b>75.04%</b>
5805600 · Insurance				
5805610 · Insurance - Property	221.12	225.00	-3.88	98.28%
5805620 · Insurance - Liability	41.84	47.00	-5.16	89.02%
<b>Total 5805600 · Insurance</b>	<b>262.96</b>	<b>272.00</b>	<b>-9.04</b>	<b>96.68%</b>
Total 80 · Sewer	108,742.94	130,269.00	-21,526.06	83.48%
<b>Total Expense</b>	<b>999,350.34</b>	<b>1,078,768.00</b>	<b>-79,417.66</b>	<b>92.64%</b>
<b>Net Income</b>	<b>286,928.36</b>	<b>0.00</b>	<b>286,928.36</b>	<b>100.0%</b>

**Ovilla Debt Service  
Profit & Loss Budget vs. Actual  
October 2010 through September 2011**

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000100 · Taxes				
4000107 · Ad Valorem, Current I & S	587,829.50	575,000.00	12,829.50	102.23%
4000111 · Ad Valorem, Delinquent I & S	5,357.15	4,000.00	1,357.15	133.93%
4000114 · Interest/Penalties - I & S	5,120.42	3,000.00	2,120.42	170.68%
Total 4000100 · Taxes	598,307.07	582,000.00	16,307.07	102.8%
4000800 · Other Revenue				
4000840 · Interest Earned	1,373.05	1,050.00	323.05	130.77%
4000900 · Reduction of Fund Balance	29,209.95	0.00	29,209.95	100.0%
4000930 · Transfer In - Water & Sewer	71,704.00	0.00	71,704.00	100.0%
Total 4000800 · Other Revenue	102,287.00	1,050.00	101,237.00	9,741.62%
<b>Total Income</b>	<b>700,594.07</b>	<b>583,050.00</b>	<b>117,544.07</b>	<b>120.16%</b>
<b>Expense</b>				
5157900 · Long-Term Debt				
5157910 · Bond Principal	255,000.00	229,500.00	25,500.00	111.11%
5157925 · Bond Interest Expense	160,833.13	285,781.00	(124,947.87)	56.28%
5157930 · Paying Agent Fees	300.00	500.00	(200.00)	60.0%
5157935 · 2011 Bond Issue Principle	85,000.00	0.00	85,000.00	100.0%
5157940 · 2011 Bond Issue Interest	39,187.48	0.00	39,187.48	100.0%
Total 5157900 · Long-Term Debt	540,320.61	515,781.00	24,539.61	104.76%
5159000 · Reserves				
5159015 · Debt Reserves	0.00	67,269.00	(67,269.00)	0.0%
Total 5159000 · Reserves	0.00	67,269.00	(67,269.00)	0.0%
<b>Total Expense</b>	<b>540,320.61</b>	<b>583,050.00</b>	<b>(42,729.39)</b>	<b>92.67%</b>
<b>Net Income</b>	<b>160,273.46</b>	<b>0.00</b>	<b>160,273.46</b>	<b>100.0%</b>

**City of Ovilla Capital Projects Fund  
Profit & Loss Budget vs. Actual  
October 2010 through September 2011**

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000800 · Other Revenue				
4000840 · Interest Earned - Texpool	0.00	1.00	-1.00	0.0%
4000845 · Interest Earned - Texstar	1.81	1.00	0.81	181.0%
4000850 · Interest Earned - Prosperity	1,128.68	1,300.00	-171.32	86.82%
<b>Total 4000800 · Other Revenue</b>	<b>1,130.49</b>	<b>1,302.00</b>	<b>-171.51</b>	<b>86.83%</b>
<b>Total Income</b>	<b>1,130.49</b>	<b>1,302.00</b>	<b>-171.51</b>	<b>86.83%</b>
<b>Expense</b>				
5879000 · Reserves				
5879010 · Admin Reserves	0.00	1,302.00	-1,302.00	0.0%
<b>Total 5879000 · Reserves</b>	<b>0.00</b>	<b>1,302.00</b>	<b>-1,302.00</b>	<b>0.0%</b>
<b>Total Expense</b>	<b>0.00</b>	<b>1,302.00</b>	<b>-1,302.00</b>	<b>0.0%</b>
<b>Net Income</b>	<b>1,130.49</b>	<b>0.00</b>	<b>1,130.49</b>	<b>100.0%</b>

**City of Ovilla - Park Impact Fund**  
**Profit & Loss Budget vs. Actual**  
October 2010 through September 2011

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000400 · Charges for Services				
4000460 · Park Impact	1,338.08	800.00	538.08	167.26%
Total 4000400 · Charges for Services	1,338.08	800.00	538.08	167.26%
4000800 · Other Revenue				
4000840 · Interest Earned	5.86	(180.00)	185.86	(3.26%)
Total 4000800 · Other Revenue	5.86	(180.00)	185.86	(3.26%)
<b>Total Income</b>	<b>1,343.94</b>	<b>620.00</b>	<b>723.94</b>	<b>216.77%</b>
<b>Expense</b>				
5606400 · Minor Capital Outlay				
5606410 · Land Improvements	0.00	500.00	(500.00)	0.0%
5606440 · Machinery and Equipment	0.00	50.00	(50.00)	0.0%
5606490 · Other	0.00	70.00	(70.00)	0.0%
Total 5606400 · Minor Capital Outlay	0.00	620.00	(620.00)	0.0%
<b>Total Expense</b>	<b>0.00</b>	<b>620.00</b>	<b>(620.00)</b>	<b>0.0%</b>
<b>Net Income</b>	<b>1,343.94</b>	<b>0.00</b>	<b>1,343.94</b>	<b>100.0%</b>

**Ovilla W&S Impact Fee Fund  
Profit & Loss Budget vs. Actual  
October 2010 through September 2011**

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000800 · Other Revenue				
4000840 · Interest Earned	41.54	(275.00)	316.54	(15.11%)
Total 4000800 · Other Revenue	41.54	(275.00)	316.54	(15.11%)
 Total Income	41.54	(275.00)	316.54	(15.11%)
<b>Expense</b>				
5102300 · Contractual Services				
5102310 · Consultant Fees	10,700.00	22,100.00	(11,400.00)	48.42%
Total 5102300 · Contractual Services	10,700.00	22,100.00	(11,400.00)	48.42%
 5755500 · Repairs				
5755560 · Repairs- Water Lines	1,775.46	1,775.00	0.46	100.03%
Total 5755500 · Repairs	1,775.46	1,775.00	0.46	100.03%
 5859000 · Reserves				
5859020 · Water Impact Fees Reserve	170.62	(14,200.00)	14,370.62	(1.2%)
5859030 · Sewer Impact Fees Reserve	0.00	(9,950.00)	9,950.00	0.0%
Total 5859000 · Reserves	170.62	(24,150.00)	24,320.62	(0.71%)
 Total Expense	12,646.08	(275.00)	12,921.08	(4,598.58%)
 Net Income	(12,604.54)	0.00	(12,604.54)	100.0%

9:30 AM  
10/12/11  
Accrual Basis

**Ovilla 4B Economic Development Corporation**  
**Profit & Loss Budget vs. Actual**  
October 2010 through September 2011

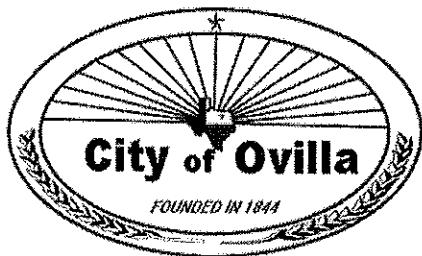
	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000100 · Taxes				
4000120 · Sales tax	63,960.21	60,000.00	3,960.21	106.6%
Total 4000100 · Taxes	63,960.21	60,000.00	3,960.21	106.6%
4000800 · Other Revenue				
4000840 · Interest Income	470.61	400.00	70.61	117.65%
Total 4000800 · Other Revenue	470.61	400.00	70.61	117.65%
<b>Total Income</b>	<b>64,430.82</b>	<b>60,400.00</b>	<b>4,030.82</b>	<b>106.67%</b>
<b>Expense</b>				
8102200 · Special Services				
8102230 · Legal Fees	0.00	500.00	(500.00)	0.0%
8102240 · Audit	1,000.00	1,000.00	0.00	100.0%
Total 8102200 · Special Services	1,000.00	1,500.00	(500.00)	66.67%
8102300 · Consultant Services				
8102310 · Consultant Fees	17,000.00	19,000.00	(2,000.00)	89.47%
Total 8102300 · Consultant Services	17,000.00	19,000.00	(2,000.00)	89.47%
8103100 · General Supplies				
8103110 · Office Supplies	35.90	100.00	(64.10)	35.9%
Total 8103100 · General Supplies	35.90	100.00	(64.10)	35.9%
8104200 · Travel Expense				
8104220 · Professional Development	1,596.64	2,374.00	(777.36)	67.26%
Total 8104200 · Travel Expense	1,596.64	2,374.00	(777.36)	67.26%
8105600 · Insurance				
8105620 · Insurance - Liability	0.00	175.00	(175.00)	0.0%
Total 8105600 · Insurance	0.00	175.00	(175.00)	0.0%
8105700 · Other Expenses				
8105705 · Postage	0.00	200.00	(200.00)	0.0%
8105730 · Memberships	1,600.00	1,500.00	100.00	106.67%
Total 8105700 · Other Expenses	1,600.00	1,700.00	(100.00)	94.12%
8109000 · Reserves				
8109015 · Administrative Reserves	0.00	30,551.00	(30,551.00)	0.0%
8109215 · Transfer Out - General Fund	5,000.00	5,000.00	0.00	100.0%
Total 8109000 · Reserves	5,000.00	35,551.00	(30,551.00)	14.06%
<b>Total Expense</b>	<b>26,232.54</b>	<b>60,400.00</b>	<b>(34,167.46)</b>	<b>43.43%</b>
<b>Net Income</b>	<b>38,198.28</b>	<b>0.00</b>	<b>38,198.28</b>	<b>100.0%</b>

**Ovilla Municipal Development District  
Profit & Loss Budget vs. Actual  
October 2010 through September 2011**

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000100 · Taxes				
4000120 · Sales tax	16,355.38	14,500.00	1,855.38	112.8%
Total 4000100 · Taxes	16,355.38	14,500.00	1,855.38	112.8%
4000800 · Other Revenue				
4000840 · Interest Income	8.33	5.00	3.33	166.6%
Total 4000800 · Other Revenue	8.33	5.00	3.33	166.6%
<b>Total Income</b>	<b>16,363.71</b>	<b>14,505.00</b>	<b>1,858.71</b>	<b>112.81%</b>
<b>Expense</b>				
9102200 · Special Services				
9102230 · Legal Fees	0.00	250.00	-250.00	0.0%
9102240 · Audit	1,000.00	1,000.00	0.00	100.0%
9102250 · Accounting	0.00	0.00	0.00	0.0%
Total 9102200 · Special Services	1,000.00	1,250.00	-250.00	80.0%
9102300 · Consultant Services				
9102310 · Consultant Fees	0.00	500.00	-500.00	0.0%
Total 9102300 · Consultant Services	0.00	500.00	-500.00	0.0%
9103100 · General Supplies				
9103110 · Office Supplies	103.10	100.00	3.10	103.1%
Total 9103100 · General Supplies	103.10	100.00	3.10	103.1%
9104200 · Travel Expense				
9104220 · Professional Development	0.00	250.00	-250.00	0.0%
Total 9104200 · Travel Expense	0.00	250.00	-250.00	0.0%
9105600 · Insurance				
9105620 · Insurance - Liability	0.00	0.00	0.00	0.0%
Total 9105600 · Insurance	0.00	0.00	0.00	0.0%
9105700 · Other Expenses				
9105705 · Postage	0.00	25.00	-25.00	0.0%
Total 9105700 · Other Expenses	0.00	25.00	-25.00	0.0%
9109000 · Reserves				
9109015 · Administrative Reserves	0.00	12,380.00	-12,380.00	0.0%
Total 9109000 · Reserves	0.00	12,380.00	-12,380.00	0.0%
<b>Total Expense</b>	<b>1,103.10</b>	<b>14,505.00</b>	<b>-13,401.90</b>	<b>7.61%</b>
<b>Net Income</b>	<b>15,260.61</b>	<b>0.00</b>	<b>15,260.61</b>	<b>100.0%</b>

**Ovilla Police Department Special Fund**  
**Profit & Loss Budget vs. Actual**  
October 2010 through September 2011

	Oct '10 - Sep 11	Budget	\$ Over Budget	% of Budget thru Sept. 100%
<b>Income</b>				
4000800 · Other Revenue				
4000815 · Gifts	8,065.00	8,065.00	0.00	100.0%
<b>Total 4000800 · Other Revenue</b>	<b>8,065.00</b>	<b>8,065.00</b>	<b>0.00</b>	<b>100.0%</b>
<b>Total Income</b>	<b>8,065.00</b>	<b>8,065.00</b>	<b>0.00</b>	<b>100.0%</b>
<b>Expense</b>				
5232600 · Special Expenses				
5232675 · National Night Out	0.00	400.00	(400.00)	0.0%
5232690 · Special Expenses - Other	3,093.00	3,100.00	(7.00)	99.77%
<b>Total 5232600 · Special Expenses</b>	<b>3,093.00</b>	<b>3,500.00</b>	<b>(407.00)</b>	<b>88.37%</b>
5235500 · Repairs and Bldg Improvements				
5235540 · Repairs - Machinery & Equipment	0.00	300.00	(300.00)	0.0%
<b>Total 5235500 · Repairs and Bldg Improvements</b>	<b>0.00</b>	<b>300.00</b>	<b>(300.00)</b>	<b>0.0%</b>
5235700 · Other Expense				
5235735 · Official Functions	269.73	300.00	(30.27)	89.91%
5235765 · Miscellaneous	204.26	200.00	4.26	102.13%
<b>Total 5235700 · Other Expense</b>	<b>473.99</b>	<b>500.00</b>	<b>(26.01)</b>	<b>94.8%</b>
5236400 · Minor Capital Outlay				
5236440 · Machinery and Equipment	1,451.99	1,200.00	251.99	121.0%
<b>Total 5236400 · Minor Capital Outlay</b>	<b>1,451.99</b>	<b>1,200.00</b>	<b>251.99</b>	<b>121.0%</b>
5239000 · Reserves				
5239010 · Administrative Reserves	0.00	2,565.00	(2,565.00)	0.0%
<b>Total 5239000 · Reserves</b>	<b>0.00</b>	<b>2,565.00</b>	<b>(2,565.00)</b>	<b>0.0%</b>
<b>Total Expense</b>	<b>5,018.98</b>	<b>8,065.00</b>	<b>(3,046.02)</b>	<b>62.23%</b>
<b>Net Income</b>	<b>3,046.02</b>	<b>0.00</b>	<b>3,046.02</b>	<b>100.0%</b>



Jessica Foresman  
Court Clerk

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**DATE:** October 24, 2011  
**TO:** Honorable Mayor and City Council Members  
**CC:** City Administrator, Randy Whiteman  
**FROM:** Jessica Foresman, Court Clerk  
**SUBJECT:** Monthly Staff Report

33 non-parking, 1 penal and 3 ordinance related cases were filed  
for the month of September. 11 warrants were issued

Court Collection for the month of September was \$9,568.40  
\$5,985.92 is kept by the City  
\$3,582.48 is remitted to State

## **CODE ENFORCEMENT- SEPTEMBER 2009**

- COMPLAINTS/VIOLATIONS – 61
- FOLLOW-UPS – 63
- EDUCATION - 72
- LETTERS SENT – 4
- LETTERS POSTED ON PROPERTY -- 1
- DOOR HANGERS – 20
- PICKED UP SIGNS – 17 (6 GARAGE SALE, 11 BUSINESS,)
- PICTURES TAKEN – 72
- GARAGE SALE PERMITS – 17 FOR A TTL \$85
- COURT – 1 - GUILTY \$ 150
- STREET LIGHT REPORTED
  - COMPLAINTS – 2 FOLLOW-UPS – 2
- PERMITS
  - REVIEWS – 3 INSPECTIONS -5
- ILLEGAL DUMPING TRASH/DEBRIS - 3

## **ANIMAL CONTROL – SEPTEMBER 2011**

- COMPLAINTS/VIOLATIONS – 42
- FOLLOW-UPS – 53
- ANIMALS PICKED UP – 8 DOGS
- ANIMALS RELOCATED – 16 (5 RACCOONS, 6 POSSUMS 3 SKUNKS, 1 ARMADILLO 1 SNAKE)
- TAG RENEWAL NOTICES SENT – 41
- DOOR HANGERS – 12
- PICTURES TAKEN – 67
- EDUCATION – 44
- STORM DAMAGED FENCES RELEASED 11 HORSES, 2 COWS 1 BULL
- 5 COYOTE SIGHTINGS REPORTED
- RECEIVED \$100.00 IN IMPOUNDMENT FEES
- CITY TAGS – 19 ISSUED \$228.00
- OAK LEAF CALLS – 5 CALLS , 3 DOG ,1 CAT,1 SNAKE



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**DATE:** 10-24-11

**TO:** Honorable Mayor and Council Members

**FROM:** Sharon Jungman

**SUBJECT:** Account Payable Transactions Paid  
in September 2011 over \$5,000

## Accounts Payable Paid Transactions in September 2011 Over \$5,000

<b>General Fund</b>			
Date	Check#	Payee	Description
9/22/2011	39422	Blue Cross Blue Shield	October Health Insurance
9/28/2011	39440	Ellis County Precinct #4	Balance due on Roads to Ellis County
9/1/2011	ACH	Quick Books Payroll Service	Payroll
9/15/2011	ACH	Quick Books Payroll Service	Payroll
9/29/2011	ACH	Quick Books Payroll Service	Payroll
9/14/2011	39388	T.M.R.S.	Retirement
9/2/2011	ACH	US Treasury	Payroll Taxes
9/16/2011	ACH	US Treasury	Payroll Taxes
9/30/2011	ACH	US Treasury	Payroll Taxes
<b>Total General Fund Transactions Paid in September 2011</b>			<b>\$5,000 and Over</b>
<b>Water &amp; Sewer Fund</b>			
Date	Check#	Payee	Description
9/16/2011	14566	City of Dallas	Purchase Water
9/30/2011	14590	City of Ovilla General Fund	Garbage Transfer for Sept. 2011
9/30/2011	14590	City of Ovilla General Fund	Quarterly Payroll Transfer for Admin. Support
<b>Total Water &amp; Sewer Fund Transactions Paid in September 2011</b>			<b>\$5,000 and Over</b>

<b>General Fund</b>			
Date	Check#	Payee	Amount
9/22/2011			\$8,467.77
9/28/2011			\$141,500.00
9/1/2011			\$29,863.91
9/15/2011			\$30,140.77
9/29/2011			\$30,744.62
9/14/2011			\$8,317.80
9/2/2011			\$6,055.21
9/16/2011			\$5,832.61
9/30/2011			\$6,034.85
<b>Total General Fund Transactions Paid in September 2011</b>			<b>\$266,957.54</b>

<b>Water &amp; Sewer Fund</b>			
Date	Check#	Payee	Amount
9/16/2011	14566	City of Dallas	\$28,388.47
9/30/2011	14590	City of Ovilla General Fund	\$16,034.07
9/30/2011	14590	City of Ovilla General Fund	\$13,064.18
<b>Total Water &amp; Sewer Fund Transactions Paid in September 2011</b>			<b>\$57,486.72</b>

**CITY OF OVILLA MINUTES**  
**Monday, 22 August 2011**  
**Regular City Council Meeting**  
**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Vansyckle called the Regular Council Meeting of the Ovilla City Council to order at 7:08 P.M. The following City Council Members were present:

Tom Leverenz	Mayor Pro-Tem, Place 1
Michael Dickey	Council Member, Place 2
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	Council Member, Place 5

All members were present, thus constituting a quorum.

City Administrator Randy Whiteman and various department-head staff members were also present.

Place 5 Dormier gave the Invocation.

Place 2 Dickey led the Pledge of Allegiance.

**Comments, Presentations and Reports and Appointments**

Mayor Vansyckle read aloud a Proclamation declaring September 17-23, 2011 as Constitution Week. Ms Ruthelle Wilson & Ms Pat Thibedou, representatives from the Daughters of the Republic were present and presented Mayor and Council with an appreciation plaque and Constitution Handbooks.

Mayor shared his recent pricing updates received from vendors regarding audio and visual equipment for the Council Chamber room.

***Mayor Vansyckle pulled items from the regular order of the agenda, bypassing the Citizens Comments and Departmental Reports and began with the Consent Items:***  
**CONSENT ITEMS:**

- ◆ Minutes of the July 25, 2011 Regular Council Meeting.

Place 5 Dormier made a motion that Council approves the consent items as presented.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.*

*All Council announced AYE. No oppositions, no abstentions.*

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

***Mayor Vansyckle returned to the regular order of the agenda:***

**CITIZENS COMMENTS / CITIZENS FORUM:**

- There was one citizen to comment (Mr. Phil Lynch) but he held his comments for the tabled agenda item.

**DEPARTMENTAL REPORTS:**

- ◆ Finance Department
  - Monthly Financials
- Accountant S. Jungman

City Accountant Sharon Jungman briefly reviewed the financials with Council.

**Mayor Vansyckle again pulled items from the regular order of the agenda to address the Tabled Item:**

**TABLED ITEM(S) from August 08, 2011 Council Meeting**

Place 5 Dormier made a motion to remove the tabled item from the table for discussion.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.*

*All Council announced AYE. No oppositions, no abstentions.*

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

***Mayor Vansyckle renumbered the item removed from the table for discussion/action as Item 6.***

**ITEM 6. Discussion/Action** – Consider a proposed ordinance authorizing updated service credits on an annual basis for City of Ovilla qualifying members of the TX Municipal Retirement System and allowing increased municipal contributions.

Mr. David Rodriguez, representative from the TX Municipal Retirement System gave a visual and verbal presentation to Council advising the benefits to city employees and the affordability to the city for an update.

***Mayor Vansyckle allowed those to voice their opinion(s) that had signed up to speak:***

1. Mr. Phil Lynch advised that Place 4 Hunt approached him for his professional advice. Mr. Lynch strongly voiced his favor of the updated service credits under TMRS.

Place 4 Hunt made a motion that Council approves the proposed Ordinance 2011-017 authorizing the updated service credits under TMRS and allowing increased municipal contributions.

Place 2 Dickey seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.*

*All Council announced AYE. No oppositions, no abstentions.*

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

***Mayor Vansyckle returned to the regular order of the agenda.***

**INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion/Action** – Consider authorizing the Mayor to enter into a Master Professional Services Agreement with Bureau VERITAS for Fire Inspections.

City Administrator explained that the legislature passed a law requiring certified fire inspectors. Ovilla's fire marshal does not possess that certification and the training will take years. The current inspection service, Bureau VERITAS, contracted with Ovilla will assume those responsibilities for an additional fee to the contract.

Mayor Pro-Tem Leverenz made a motion that council approves the Mayor to enter into a Master Professional Services Agreement/Contract with Bureau VERITAS for fire inspections.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.*

*All Council announced AYE. No oppositions, no abstentions.*

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

**ITEM 2. Discussion/Action** – Consider the adoption of impact fees for water and wastewater facilities. The amount of the proposed maximum allowable impact fee per living unit equivalent for water is \$3,923 and the maximum allowable impact fee for wastewater is \$848 and direct staff to prepare an ordinance for Council consideration and presentation at the next regularly scheduled meeting.

No action was taken on this item during the previous meeting to allow Place 5 Dormier to study the analysis. Place 5 Dormier stated there were two ways to address the fees: 1) Developer Initiated or, 2) City initiated. Council continued discussion and recommended to adopt the presented study as City initiated, (Option 2) and limit the amount listed on Option 1, at the time of permitting, not platting. The city administrator explained that Council could adopt the presented study that included the higher rates yet, Ovilla was not required to charge those higher rates.

Mayor Pro-Tem Leverentz made a motion that Council adopt the Five-Year Water and Wastewater Impact Fee study, the City initiated (Option 2) and maintain the water/wastewater rates of \$1156, breaking down to \$1105 for water and \$51 for wastewater.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by the raising of hand - Aye or Nay.*

*All Council Members announced AYE.*

*No oppositions, No abstentions.*

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

**ITEM 3. Discussion Only** – Review and discuss upcoming Heritage Day progress.

Place 4 Hunt distributed up-to-date information of the progress and plans.

**VOTE: Discussion Only, No Action.**

**ITEM 4. WORKSHOP** – Continuation of FY 2011-2012 Budget workshop.

City Accountant, Sharon Jungman shared miscellaneous budget adjustments and requested revisions from previous meetings. City Administrator, Randy Whiteman shared the latest information available regarding the potential Midlothian ISD new school project that may possibly develop in Ovilla. Randy also discussed the latest ESD (Emergency Services District) meeting with Mr. Ray Reed, President of the ESD and Ovilla's limited options in considering the ESD's demands for additional staffing as the FY budget has already been adopted. If there were no anticipated changes to the fire department's budget regarding the ESD, additional budget workshops would not be necessary.

**VOTE: Discussion Only, No Action.**

**ITEM 5. Discussion/Action** – Consider acceptance of recommended CIP Projects for the Fiscal Year 2011-2012.

The Capital Improvements Projects Committee (CIP) met at 6:00 P.M., prior to this meeting. Mayor Pro-Tem Leverentz shared the CIP's recommendations for the upcoming Fiscal Year 2011-2012. The 10-year CIP list was distributed, highlighting year 2012 with the following road projects:

1. Malloy Lane – planned to complete and make payment before year end 2011 (09/30)
2. Georgetown, Buckboard, Silver Spur – same location
3. Red Oak Creek Road (east)
4. Westmoreland South
5. Thorntree – will evaluate
6. Cockrell Hill Phase 1 – will evaluate
7. Cockrell Hill Phase 2 – will evaluate

Mayor Pro-Tem Leverentz additionally shared the CIP list through 2016 and water/wastewater lines infrastructure on Water Street to Heritage Park involving a 14" water line, which was part of the Impact Fee Study approved under Item 2.

Place 5 Dormier made a motion that Council accepts the presented CIP Projects for the Fiscal Year 2011-2012 as presented.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.*

*All Council announced AYE. No oppositions, no abstentions.*

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

\*\*\*\*\*

#### **Council's Request for Consideration of Future Agenda Items**

<b>Place 5, Dormier:</b>	He expected to view a sample ordinance suggested by Place 3 Wade. Mayor noted Place 3 Wade had to provide a cost analysis first.
<b>Place 4, Hunt:</b>	None
<b>Place 3, Wade:</b>	None
<b>Mayor:</b>	None
<b>Place 2, Dickey:</b>	None
<b>Mayor Pro-Tem Leverentz:</b>	None

#### **Adjournment**

Place 3 Wade made a motion to adjourn the meeting of August 22, 2011 at 9:52 P.M.

Place 4 Hunt seconded the motion.

***VOTE: The motion carried unanimously.***

\_\_\_\_\_  
Bill Vansyckle, Mayor

ATTEST:

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

\_\_\_\_\_  
*Approved: October 24, 2011*

**CITY OF OVILLA MINUTES**  
***Monday, 12 September 2011***  
***Regular City Council Meeting***  
***105 S. Cockrell Hill Road, Ovilla, TX 75154***

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

Tom Leverenz Mayor Pro-Tem, Place 1  
James Wade Council Member, Place 3  
Doug Hunt Council Member, Place 4  
Richard Dormier Council Member, Place 5

Absent: Michael Dickey Council Member, Place 2

Noted members were present, thus constituting a quorum. City Administrator Randy Whiteman and various department-head staff members were also present.

#### Place 4 Hunt gave the Invocation

Mayor Pro-Tem Leverenz led the Pledge of Allegiance.

### Comments, Presentations and Reports and Appointments

Mayor Vansyckle read aloud a Resolution in remembrance of 911.

Mayor Vansvickle announced the removal of Item 14 from the agenda.

## CITIZENS COMMENTS / CITIZENS FORUM:

1. Mr. Phil Lynch gave a report on the serious physical condition of Place 2 Mike Dickey resulting from his motorcycle accident.
2. Mr. Dale Helm gave disparaging comments regarding the use of city funds for the Council Chamber room renovation, noting Mayor Vansyckle assured residents that all renovations would be paid from donations only.
3. Mr. Morris Gresham – Acknowledged himself as the Mayor's most outspoken critic. Mr. Gresham offered his strong support of City Administrator, Randy Whiteman and added that the Mayor and Council should set ordinance and policy, not interfere into the day-to-day business of the city hall.

## DEPARTMENTAL REPORTS:

- Police Department  
• Monthly Report
- Police Chief M. Moon
- Fire Department  
• Monthly Report – Burn ban has been extended an additional 90-days.  
• ESD (Emergency Services District) Update-still working on options agreeable to Ovilla and the ESD.
- Fire Chief D. Pickard
- Public Works  
◆ Monthly Report-gave an update on the PW building.
- Director B. Piland
- ◆ Finance Department  
• Municipal Court Report, Y-T-D increase was over \$7,000
- Accountant S. Jungman
- ◆ Administration  
• City Administrator R. Whiteman

- Reported on the new climate controlled/holding room for animal control. Ovilla is not a licensed shelter but needs a holding area before transferring strays or lost pets to Waxahachie.

#### **CONSENT ITEMS:**

- ◆ Monthly Financial Transactions
- ◆ Declare Brush Truck 751 as surplus – moved to Regular Agenda as Item 10.

Mayor Pro-Tem Leverentz made a motion that Council approves the consent item as presented. Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.*

*All Council announced AYE. No oppositions, no abstentions.*

*Place 2 Dickey was noted absent.*

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

#### **PUBLIC HEARING & CONSIDERATION:**

**ITEM 1. Public Hearing and Discussion** of an ordinance to adopt and approve the Proposed Budget for the Fiscal Year 2011-2012.

**Mayor Vansyckle opened the Public Hearing at 8:02 P.M.**

There were no questions or comments from the public.

**Mayor Vansyckle closed the Public Hearing at 8:04 P.M.**

#### **INDIVIDUAL CONSIDERATION:**

**ITEM 2. Discussion/Action** – Consider Adoption of Ordinance 2011-019 Adopting and Approving the Proposed Budget for the Fiscal year 2011-2012.

City Accountant, Sharon Jungman gave a complete budget presentation with graphs, explaining each graph and identifying all funds. Ms Jungman shared Ovilla's tax rate history. The proposed budget for the Fiscal Year October 01, 2011 – September 30, 2012, was based on the proposed tax rate of 0.6638 per \$100 of valuation – as proposed and directed by Council. There were no proposed revenue increases.

Mayor Pro-Tem Leverentz made a motion that Council adopts Ordinance 2011-019, setting the budget and making appropriations for the support of the City Government of the City of Ovilla for the Fiscal Year 2011-2012 as presented.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by individual announcement of Aye or Nay.*

**Mayor Pro-Tem Leverentz AYE**

**Place 4 Hunt AYE**

**Place 5 Dormier AYE**

**Place 3 Wade NAY**

**Place 2 Dickey Absent.**

*Three Council members announced AYE. One opposition, one absent, no abstentions.*

***VOTE: The motion carried unanimously: 3-1.***

**ITEM 3. Discussion/Action – Consider Adoption of Ordinance 2011-020 Approving the Tax Rate for the Fiscal year 2011-2012.**

The Law requires that the governing body adopt the tax rate as an official action and set it out in a written ordinance or resolution. At the August 01, 2011 Special Council Meeting and Budget workshop, Council took a record vote for the proposed rollback rate for Fiscal Year 2011-2012. City Administrator clearly explained that this year's proposed tax rate is the rollback rate, which was less than the effective rate.

The ordinance presented adopted the tax rate for FY 2011-2012:

M&O	0.4934 cents per \$100.00 of valuation
Debt Service	0.1704 cents per \$100.00 of valuation
<b>Total</b>	<b>0.6638 cents per \$100.00 of valuation</b>

Place 4 Hunt made a motion that Council approves the property taxes for the FY2011-2012 by the adoption of a tax rate of 0.4934 cents per \$100 of valuation for maintenance and operations, and 0.1704 cents per \$100 of valuation for debt service, for a total tax rate of 0.6638 cents per valuation by the approval and adoption of Ordinance 2011.020.

Mayor Pro-Tem Leverentz seconded the motion.

*Mayor Vansyckle asked for a record vote by individual announcement of Aye or Nay.*

<b>Mayor Pro-Tem Leverentz</b>	<b>AYE</b>
<b>Place 3 Wade</b>	<b>AYE</b>
<b>Place 4 Hunt</b>	<b>AYE</b>
<b>Place 5 Dormier</b>	<b>AYE</b>
<b>Place 2 Dickey</b>	<b>Absent</b>

*All Council announced AYE. No oppositions, one absent, no abstentions.*

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

**ITEM 4. Discussion/Action – Consider Resolution of candidate nominations for the Ellis Appraisal District Board of Directors for the Years 2012-2013.**

Mayor Pro-Tem Leverentz made a motion that Council nominate by Resolution 2011-019 that Mr. Phillip Lynch receive all Ovilla votes for the Ellis Appraisal District Board of Directors for the Years 2012-2013.

Place 5 Dormier seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 5. Discussion/Action – Consider and approve FY2011-2012 City Calendar and approve scheduled meetings of the Ovilla City Council.**

City Administrator, Randy White stated that an approved visual and documented city calendar and holiday schedule offers positive and accountable planning.

Mayor Pro-Tem Leverentz made a motion that Council approves the FY2011-2012 City Calendar and scheduled meeting dates and alternate Council meeting dates as proposed.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 6. Discussion/Action** – Consider and approve the purchase of technical equipment for the Council Chamber Room.

Mayor Vansyckle stated the need for better audio-visual equipment as well as computer equipment would aid in better and faster communications. Mayor met with Best Buy representatives for a complete system including installation. Council previously approved a \$5,000 cap for this equipment. This proposal was \$5,500 – including installation. An equipment policy regarding liability and/or responsibility of the Council and staff would be prepared prior to the distribution of any equipment.

Place 4 Hunt made a motion that Council approves and proceeds with the acquisition and of the listed technical equipment and the plan of implementation for use in the Council Chamber room and of the Council Members. (City Secretary confirmed that this purchase would be in the FY2011-2012)

Mayor Pro-Tem Leverentz seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 7. Discussion/Action** – Consider awarding a Meritorious Exception as allowed under Chapter 3, Section 3.06.012 of the Ovilla Code of Ordinances to allow Ms Diana Phillips to place a new cover on an old portable sign in front of her business located at 3322 Ovilla Road.

Applicant, Ms Diana Phillips was present and made correction that the address was 3323 Ovilla Road – not 3322. (Correction was noted.) Ms Phillips continued with her appeal to the Council, explaining the cost associated with city code requirements was not affordable as her tutoring school was unpaid except for one teacher. This exception would allow her to cover the old sign and present a very nice sign.

Mayor Pro-Tem Leverentz made a motion that Council approves a Meritorious Exception as presented to Ms Diana Phillips at her business of One-On-One Tutoring located at 3323 Ovilla Road.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 8. Discussion/Action** – Consider approval to Ellis County Precinct #4 for a two-course chip & seal on Malloy Lane as listed on the CIP.

Mayor Pro-Tem Leverentz explained that as previously discussed during the August 22 Council Meeting, Malloy was on the CIP list to hopefully be renovated before Fiscal Year end (09/30/2011). Ellis County was available and ready to do this now. The engineering costs were inclusive through Ellis County. The work was guaranteed for 3-years.

Mayor Pro-Tem Leverentz made a motion that Council approves the chip/seal labor and materials for the renovation of Malloy Lane as proposed and quoted at \$41,500 from Ellis County.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 9. Discussion/Action** – Consider an Ordinance of the City of Ovilla, amending the Fiscal Year 2010-2011 General Fund Budget and Annual Program of Services to allow for an Adjustment of \$41,500 to Account for the Use of Undesignated Reserve Funds to Increase the Street Line Item Infrastructure for the Renovation of Malloy Lane.

Mayor Pro-Tem Leverentz added a comment that in addition to this \$41,500 budget amendment, he would like staff to prepare payment to Ellis County for the \$100,000 currently owed and be paid from undesignated reserve funds. He would ask that this request be placed on the next Council agenda for consideration and action.

Place 4 Hunt made a motion that Council approves the proposed Ordinance amending the FY 2010-2011 General Fund Budget and annual program of services to allow for an adjustment of \$41,500 to account for the use of undesignated reserve funds to increase the street line-item infrastructure for the renovation of Malloy Lane.

Place 5 Dormier seconded the motion.

*Mayor Vansyckle asked for a record vote by the individual raising of hands for Aye or Nay.*

*Mayor Pro-Tem Leverentz AYE*

*Place 3 Wade AYE*

*Place 4 Hunt AYE*

*Place 5 Dormier AYE*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 10. Discussion/Action** – Consider the declaration of Brush Truck 751 as surplus property and authorize city staff to proceed with the legal requirements for the sale of such.

*Bill Vansyckle, Mayor*

*Tom Leverentz, Mayor Pro-Tem*

*Michael Dickey, Place Two*

Fire Chief Donnie Pickard explained that Ovilla received a grant for a new truck, looking at completion sometime in late September. Upon sale of the truck, Chief Pickard requested using those funds to offset the 10% matching funds portion that the grant requires.

Place 5 Dormier made a motion that Council declares Brush Truck 751 as surplus property and authorizes the city staff to sale in accordance with state law.

Mayor Pro-Tem Leverentz seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

**ITEM 11. Discussion Only** – Review and discuss a proposed ordinance presented by Place 3 Wade regarding Open Government & Transparency.

Place 3 Wade made submission to Mayor Vansyckle an ordinance in hopes to improve the current practices and establish regulations for the publications and dissemination of all ordinances, rules, agenda items, discussions, finances and any supporting documents in a timelier manner. Place 3 Wade asked for a 7-day advance notice to Council and the public of every agenda with an earlier cut-off for submissions. Current policies would require amendment to accommodate these changes. Last minute add-ons to the agenda were constant undertakings. Seven-day advanced preparation for publication was unrealistic. Once the new technical equipment was in place this proposed time frame could be revisited. Mayor Pro-Tem Leverentz stated that striving for agenda posting on Wednesday, before the Monday-week Council meeting would be sufficient. City Attorney, Tim Sralla was available for discussion.

**THERE WAS NO ACTION ON THIS ITEM. DISCUSSION ONLY.**

***Mayor Vansyckle moved the order of Individual Consideration to address Item 13.***

**ITEM 13. Discussion/Action** – Consider the authority of the City Administrator to terminate the employment of Rodney Ramsey as City Prosecutor, pursuant to Section 9.03.034 of the City Code, and approving and ratifying such action.

Mayor Pro-Tem Leverentz made a motion that Council approves the authority of the City Administrator's termination of Rodney Ramsey pursuant to Section 9.03.034 of the City Code, and approving and ratifying such action.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.*

*All attending Council Members announced AYE.*

*Place 2 Dickey was noted absent.*

*No oppositions, No abstentions.*

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

***Mayor Vansyckle returned to the regular order of the agenda.***

**ITEM 12. Discussion Only** – Review and discuss upcoming Heritage Day and Council progress reports regarding their assignments to aid in the success of Heritage Day.

As coordinator, Place 4 Hunt shared all updates and progress regarding Heritage Day festivities:

1. A list of sponsors
2. Purchased booths
3. New flyers and mail outs were shown.
4. New vehicles will participate in the car show along with antiques this year.
5. Parade begins at 9:00 A.M.
6. Petting zoo, clowns
7. Lots of food and fun

\*\*\*\*\*

**Council's Request for Consideration of Future Agenda Items**

<b>Place 5, Dormier:</b>	Staff to prepare ordinance to adopt Impact Fees
<b>Place 4, Hunt:</b>	None
<b>Place 3, Wade:</b>	None
<b>Mayor:</b>	Blood drive coming to Ovilla September 22, from 3:00 P.M. – 7:00 P.M., to help Mike Dickey and Morgan Crow. National Night Out is October 04 behind City Hall, 6:30 P.M.
<b>Place 2, Dickey:</b>	None
<b>Mayor Pro-Tem Leverentz:</b>	Staff to prepare necessary documents for \$100,000 debt payment to Ellis County for past road renovations.

**Adjournment**

Place 3 Wade made a motion to adjourn the meeting of September 12, 2011 at 9:33 P.M.  
Place 5 Dormier seconded the motion.

***VOTE: The motion carried unanimously.***

\_\_\_\_\_  
Bill Vansyckle, Mayor

ATTEST:

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

\_\_\_\_\_  
Approved: October 24, 2011

**CITY OF OVILLA MINUTES**  
**Monday, 26 September 2011**  
**Regular City Council Meeting**  
**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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

	Tom Leverentz	Mayor Pro-Tem, Place 1
	Doug Hunt	Council Member, Place 4
	Richard Dormier	Council Member, Place 5
Absent:	Michael Dickey	Council Member, Place 2
	James Wade	Council Member, Place 3

Noted members were present, thus constituting a quorum.

City Administrator Randy Whiteman and various department-head staff members were also present.

Place 5 Dormier gave the Invocation.

Mayor Pro-Tem Leverentz led the Pledge of Allegiance.

**Comments, Presentations and Reports and Appointments**

The introduction of Julie Pandya, recently hired City Prosecutor would be addressed later during the meeting as Ms Pandya was held up in court at another entity.

**CITIZENS COMMENTS / CITIZENS FORUM:**

1. Fire Chief Donnie Pickard asked to speak as a resident of Ovilla regarding concerns of power outages.

**DEPARTMENTAL REPORTS:**

- ◆ Finance Department
- Monthly Financials

City Accountant Ms Jungman briefed Council on the monthly financials.

**CONSENT ITEMS:**

- ◆ Ordinance 2011-022 to collect updated Impact Fees
- ◆ Minutes of the July 27, 2011 Special City Council Meeting & Budget Workshop
- ◆ Minutes of the August 01, 2011 Special City Council Meeting & Budget Workshop
- ◆ Minutes of the August 08, 2011 Regular City Council Meeting

Place 4 Hunt made a motion that Council approves the consent items as presented.

Place 5 Dormier seconded the motion.

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

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

Place 2 Dickey and Place 3 Wade were noted absent.

**VOTE: The motion carried unanimously: 3-0.**

**INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion/Action** – Consider Adoption of Ordinance 2011-023 Ratifying the Budget for the 2011-2012 Tax Year that will raise more revenue than in the previous year.

Place 5 Dormier made a motion that Council approves Ordinance 2011-023, ratifying the budget for the Fiscal Year 2011-2012.

Mayor Pro-Tem Leverentz seconded the motion.

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

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

*Place 2 Dickey and Place 3 Wade were noted absent.*

***VOTE: The motion carried unanimously: 3-0.***

**ITEM 2. Discussion/Action** – Consider Council approval to sell Brush Truck 751, declared by Council as surplus, to the City of Milford for \$17,500.

Council had already given approval to sell Brush Truck 751 in accordance with state law under Chapter 2175 of the Government Code. However, Ovilla's Codification Ordinance allows Council to authorize an alternate method of sale. Chief Pickard presented his desire to sell Brush Truck 751 to a neighboring community, the City of Milford. Council's approval would expedite the sale of the truck. Place 5 Dormier was hesitant because he was unsure of the truck's value and if Ovilla was getting a reasonable price.

Place 4 Hunt made a motion that pursuant to Chapter One, Section 1.06.004 of the Ovilla code, Council authorizes the sale of Brush Truck 751, Ford F800, to the City of Milford for \$17,500.

Mayor Pro-Tem Leverentz seconded the motion.

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

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

*Place 2 Dickey and Place 3 Wade were noted absent.*

***VOTE: The motion carried unanimously: 3-0.***

**ITEM 3. Discussion/Action** – Consider a proposed Ordinance 2011-024 amending the Fiscal Year 2010-2011 General Fund Budget and annual program of services to increase \$100k for street infrastructure to fund payments to Ellis County.

During the September 12 Regular Council Meeting staff was directed to prepare an ordinance providing for the funding to pay \$100k debt owed to Ellis County for road infrastructure work performed. Excess funds were identified in the 2009-2010 audit, enabling payment to Ellis Co.

Place 5 Dormier made a motion that Council approves Ordinance 2011-024 amending the Fiscal Year 2010-2011 Budget and annual program of services to increase \$100K for street infrastructure to fund a payment to Ellis County.

Place 4 Hunt seconded the motion.

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

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

*Place 2 Dickey and Place 3 Wade were noted absent.*

***VOTE: The motion carried unanimously: 3-0.***

**ITEM 4. Discussion/Action** – Consider a proposed Ordinance 2011-025 amending Appendix A of the Codification Ordinance.

In conjunction with the approved Fiscal Year Budget 2011-2012, the City adopted certain fees assessed by the City for services. Staff updated utility fees, fire permit inspection/plan review fees, animal control fees and additional deposit fees in ordinance for codification.

Place 5 Dormier made a motion that Council approves Ordinance 2011-025 amending Appendix A of the codification ordinance as presented.

Place 4 Hunt seconded the motion.

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

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

*Place 2 Dickey and Place 3 Wade were noted absent.*

***VOTE: The motion carried unanimously: 3-0.***

**ITEM 5. Discussion/Action** – Consider a proposed Resolution 2011-021, updating the policy for the maintenance of the General Fund Reserve.

During the audit for the Fiscal Year end of September 2010, auditors Yeldell, Wilson & Co. recommended an update to the City's resolution pertaining to the maintenance of the General Fund Reserve. Staff prepared a resolution updating the General Fund Reserve by amending certain language to state that it *shall be created and maintained in a financial institute*.

Place 4 Hunt made a motion that Council approves Resolution 2011-021, updating the policy for the maintenance of the General Fund Reserve as presented.

Place 5 Dormier seconded the motion.

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

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

*Place 2 Dickey and Place 3 Wade were noted absent.*

***VOTE: The motion carried unanimously: 3-0.***

***Mayor Vansyckle delayed Item 6 to introduce Julie Pandya, recently hired City Prosecutor that arrived to meet Council and offer her background. Following Ms Pandya's introduction, Mayor Vansyckle returned to the order of the agenda.***

**ITEM 6. Discussion Only** – Share the success of Heritage Day.

Place 4 Hunt, Coordinator for Heritage Day expressed sincere appreciation for the many city employees and volunteers that made Heritage Day a great success. Some of those mentioned were: Kim Gutierrez, Sharon Jungman, Mike Dooly, Brad Piland and the Public Works crews, Mayor Pro-Tem Leverentz, Places 3 & 5 (Wade & Dormier respectively) and Ms. Graham. Place 4 Hunt commented on the great entertainment and a good turnout. Mayor Vansyckle complimented Place 4 Hunt for his commitment and work resulting in a successful Heritage Day event.

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#### **Council's Request for Consideration of Future Agenda Items**

**Place 5, Dormier:** None.

**Place 4, Hunt:** Consider an ordinance moratorium on impact fees for up to 12 months.

**Place 3, Wade:** Absent

**Mayor:** Shared an update on Mike Dickey's condition since his accident.

Place 2, Dickey: Absent  
Mayor Pro-Tem Leverentz: None

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**Adjournment**

Mayor Pro-Tem Leverentz made a motion to adjourn the meeting of September 26, 2011 at 7:53 P.M.

Place 5 Dormier seconded the motion.

***VOTE: The motion carried unanimously.***

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Bill Vansyckle, Mayor

ATTEST:

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Pam Woodall Higgins, City Secretary

*Approved October 24, 2011*

**CITY OF OVILLA MINUTES**  
**Monday, 03 October 2011**  
**Special City Council Meeting**  
**105 S. Cockrell Hill Road, Ovilla, TX 75154**

---

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

Tom Leverentz	Mayor Pro-Tem, Place 1
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	Council Member, Place 5
Absent: Michael Dickey	Council Member, Place 2

Noted members were present, thus constituting a quorum.

City Administrator Randy Whiteman and various department-head staff members were also present.

Place 4 Hunt gave the Invocation.

Place 3 Wade led the Pledge of Allegiance.

**Comments, Presentations and Reports and Appointments**

Mayor reminded all present of National Night Out, Tuesday, October 04, beginning at 6:30 P.M. behind the City Hall

**CITIZENS COMMENTS / CITIZENS FORUM:**

1. Mr. Phil Lynch commended Place 4 Hunt on his efforts and great work for an outstanding Heritage Day. Additionally, Mr. Lynch asked Council and the City Administrator to pay close attention to the fact that the Mayor and the former city prosecutor, Rodney Ramsey both failed to file conflict of interest statements, pursuant to Section 176 of the Government Code. Mr. & Mrs. Lynch charged Council to direct Mr. Whiteman to investigate the hiring of Mr. Ramsey under the noted statute. Mr. & Mrs. Lynch also stated that they joined Mr. Whiteman in his 3-week old, formal request to the Council into the investigation of the contractor/relationship between Mayor Vansyckle and Rodney Ramsey and the Mayor's interference in the termination of Rodney Ramsey.

**DEPARTMENTAL REPORTS:**

- ◆ None

**CONSENT ITEMS:**

- ◆ None.

**INDIVIDUAL CONSIDERATION:**

**ITEM 1.** Discussion/Action – Consider approval of an Inter-Local Cooperation Agreement for Fire Protection and First Responder Services with the Ellis County Emergency Services District #2.

Two individuals had signed up to speak under Item 1:

1. Mr. Ray Reed, ESD #2 President urged Council to approve the contract. Mr. Reed stated he and Mayor Vansyckle had discussions on this date and hoped that the ties with Ovilla would remain.
2. Mr. Danny Long – encouraged Council to move forward with the Inter-Local Cooperation Agreement with the ESD #2. Mr. Long voiced disappointment in the actions and comments made by certain members of Council regarding the differences of opinion on this contract.

**Mayor Vansyckle announced he was calling an Executive Session. Mayor and Council convened into Executive Session at 7:30 P.M.**

**Mayor Vansyckle and the City Council reconvened into Open Session at 8:29 P.M.**

- Consider Action as a Result of Discussion.

Place 5 Dormier made a motion that in regards to the ESD #2 submitted proposed cooperation agreement, Council recommended acceptance with the following revisions:

1. Sections 1 through 4 were acceptable as written.
2. Section 5 – Removed the next to the last sentence: *The City will offer the volunteer firefighter station duty each night at a rate of \$5 per hour.*
3. Section 6 – Removal of certain parts of sentences: *provided that the station staffing provisions of Section 5 have been met 90% of the days from November 01, 2011 to March 31, 2012 & provided that the station staffing provisions of Section 5 have been met 90% of the days from April 01, 2012 to June 30, 2012. In each of these two periods, payment to the City will be reduced \$300 for each day that the staffing provisions of Section 7 are not met 90% of the time.*
4. Section 7 – Removed the word “payroll” from the section. All remaining sections were acceptable as printed.

Mayor Pro-Tem Leverentz seconded the motion.

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

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

Place 2 Dickey was noted absent.

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

Following the motion, Mr. Ray Reed, President of the ESD #2 stated he would present the proposed amended contract to the ESD Board at their next meeting (October 17) and hoped they would accept. Mr. Reed stated he would advise Council of the outcome.

**ITEM 2.** Discussion/Action – Council will receive City Administrator's Annual Reviews of Department Heads' and Consider Approval of Recommendations.

Place 4 Hunt inquired how Randy recommended the same raise percentage on all when some individual department heads received higher reviews. Randy commented that each department head was not graded in comparison to one another and although some received higher reviews, all department heads graded at high enough levels to warrant their salary increases. Randy added that he actually performed the City Secretary's review as a courtesy to Council because he spent more time working with her. (The City Secretary is a Council appointed position.)

Mayor Pro-Tem Leverentz a motion that Council approves the performance reviews and pay authorities submitted by the City Administrator as presented.

Place 5 Dormier seconded the motion.

*Bill Vansyckle, Mayor  
Tom Leverentz, Mayor Pro-Tem  
Michael Dickey, Place Two*

*Doug Hunt, Place Four  
James Wade, Place Three  
Richard Dormier, Place Five*

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions. Place 2 Dickey was noted absent.

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

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**Council's Request for Consideration of Future Agenda Items**

**Place 5, Dormier:** Request agenda item referencing paragraph 3 of Mr. Whiteman's request (letter) to Council to open an investigation into the relationship between the Mayor and Mr. Ramsey and the handling of the complaint against Randy.

**Place 4, Hunt:** Shared a good time at a recent bowling tournament attended by Place 4, Place 5, Mayor Pro-Tem and Chief Moon.

**Place 3, Wade:** Absent

**Mayor:** Will accept Place 5 Dormier's request for the agenda item noted.

**Place 2, Dickey:** Absent

**Mayor Pro-Tem Leverentz:** Praised Mr. Hunt for his dedication and time spent for a successful Heritage Day event.

City Administrator, Randy Whiteman reminded Council that the Planning & Zoning Commission were researching with staff and considering an amendment to the codification ordinance, Section 30.5 Accessory Building materials and would have a recommendation to the Council soon.

\*\*\*\*\*

**Adjournment**

Place 3 Wade made a motion to adjourn the meeting of October 03, 2011 at 8:45 P.M. Mayor Pro-Tem Leverentz seconded the motion.

**VOTE: The motion carried unanimously.**

\_\_\_\_\_  
Bill Vansyckle, Mayor

ATTEST:

\_\_\_\_\_  
Pam Woodall Higgins

Approved October 24, 2011



## CERTIFIED EXECUTIVE SESSION AGENDA

Date: 03 October 2011

\*\*\*\*\*  
**I, Bill Vansyckle, Mayor of the City of Ovilla, Texas hereby convene into Executive Session at 7:30 p.m. on the 03 day of October 2011.**

The following Council Members were in attendance:

Council Members

Bill Vansyckle, Mayor  
 Tom Leverenz, Mayor Pro-Tem  
 Place 2, Michael Dickey (Absent)  
 Place 3, James Wade  
 Place 4, Doug Hunt  
 Place 5, Richard Dormier

Staff Members

R. Whiteman, City Administrator  
 P. Woodall Higgins, City Secretary

Others

City Attorney  
 Other Legal Counsel

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

<input type="checkbox"/> 551.071 - Consultation w/Attorney	<input type="checkbox"/> 551.072 - Real Property
<input type="checkbox"/> 551.073 - Deliberations about Gift	<input type="checkbox"/> 551.074 - Personnel Matters
<input type="checkbox"/> 551.076 - Security Personnel or Devices	<input type="checkbox"/> 551.086 - Test item (SB 595)
<input type="checkbox"/> 551.087 - Economic Development Negotiations (SB1851)	
<input type="checkbox"/> 418.183 - Homeland Security	

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

**ITEM 1. Discussion/Action** – Consider approval of an Inter-Local Cooperation Agreement for Fire Protection and First Responder Services with the Ellis County Emergency Services District #2.

Consider action as a result of discussion.

The following further action was taken in open session: Approved with revisions.

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**Bill Vansyckle, Mayor hereby adjourned the Executive Session at 8:29 p.m. on the 03 day of October 2011. No Action was taken. Any action, as a result of this Executive Session, will be taken and recorded in open session.**

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

---

Bill Vansyckle, Mayor

**\*Note:** this certified agenda must be kept a minimum of two years after the date of the Executive Session, and is confidential. A person who knowingly and without lawful authority makes this record public commits a Class B misdemeanor and may be held liable for actual damages, court costs, reasonable attorneys fees, and exemplary damages. Texas Government Code § 551.145.



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: October 24, 2011

Department: Administrative

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff & Recommended by the P&Z Commission

### Attachments:

Proposed Ordinance 2011-026

P & Z Recommendation (to be presented at the meeting)

### Agenda Item / Topic:

**ITEM 1.**

**Public Hearing & Discussion** – Discuss and consider an optional revision to Section 30.5 of the Ovilla Code of Ordinances concerning Residential Accessory Building Materials to include UV Protected Double Walled High Density Polyethylene Plastic with Steel Reinforced Construction and Steel trusses.

### Discussion / Justification:

See information from Item 2.

### Recommendation / Staff Comments:

### Sample Motion(s):



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: October 24, 2011

Department: Administrative

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff & Recommended by the P&Z Commission

### Attachments:

Proposed Ordinance 2011-026

P & Z Recommendation (to be presented at the meeting)

### Agenda Item / Topic:

**ITEM 2.** **Discussion/Action** – Receive written recommendation from the Planning & Zoning Commission and consider proposed Ordinance 2011-026 amending the Ovilla Code of Ordinances, Section 30.5 Construction Materials for Residential Accessory Buildings.

### Discussion / Justification:

Council was addressed by a resident during the Citizens Forum at a recent meeting with a request to revise the section of our codification relating to accessory building materials. Council directed staff to have the Planning & Zoning Commission review the requested revisions and have staff prepare an ordinance. P & Z met a few times and conducted a public hearing prior to the Council meeting. The ordinance depicts the revisions.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

***"I MAKE A MOTION THAT COUNCIL APPROVES/DENIES THE PASSAGE AND ADOPTION OF ORDINANCE 2011-026 AMENDING THE OVILLA CODE OF ORDINANCES, SECTION 30.5, CONSTRUCTION MATERIALS FOR RESIDENTIAL ACCESSORY BUILDINGS AS PRESENTED."***

**City of Ovilla  
ORDINANCE 2011-026**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS, BY AMENDING CHAPTER 14, ZONING ORDINANCE, ARTICLE 4, SECTION 30.5 CONSTRUCTION MATERIAL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Ovilla, Texas is a Type A general-law municipality located in Ellis and Dallas Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City of Ovilla, Texas, previously adopted its comprehensive zoning ordinance; and

**WHEREAS**, the City Council deems it necessary to amend the regulations for nonconforming uses of buildings; and

**WHEREAS**, a public hearing was held by the Planning and Zoning Commission of the City on the 24<sup>TH</sup> day of OCTOBER, 2011, and a public hearing was held by the City Council on the 24<sup>TH</sup> day of OCTOBER, 2011, with respect to the proposed changes in the zoning regulations; and

**WHEREAS**, all state law requirements for publication and procedure have been complied with by the City, in accordance with Chapter 211 of the Local Government Code.

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

**SECTION 1**

**ACCESSORY AND RESIDENTIAL ACCESSORY BUILDINGS**

CHAPTER 14 ZONING ORDINANCE, Section 30, "Accessory and Residential Accessory Buildings," of the City of Ovilla Zoning Ordinance is hereby amended by adding a material to Section 30.5 Construction Material which shall read as follows:

**30.5 Construction Material**

- A.** Residential Accessory. Except as provided by Subsection B, a residential accessory building must be constructed out of brick, stone, face brick veneer, hardiplank, wood, or UV Protected Double Walled High Density Polyethylene Plastic with Steel Reinforced Construction and Steel trusses."

**City of Ovilla  
ORDINANCE 2011-026**

**SECTION 2.**

This ordinance shall be cumulative of all provisions of the zoning ordinance and of the Code of Ordinances of the City of Ovilla, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 3.**

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.**

All rights and remedies of the City of Ovilla are expressly saved as to any and all violations of the provisions of the zoning ordinance of the City of Ovilla, Texas, as amended, which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**

The city secretary of the City of Ovilla is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

**City of Ovilla  
ORDINANCE 2011-026**

**SECTION 7.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2011.**

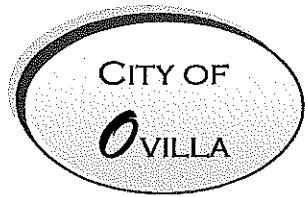
**MAYOR**

ATTEST:

**CITY SECRETARY**

APPROVED AS TO FORM:

**CITY ATTORNEY**



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: October 24, 2011

Department: Utility Billing

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

### Attachments:

Proposed Billing Agreement

### Agenda Item / Topic:

**ITEM 3.** **Discussion/Action** – Consider approval of a proposed Inter-Local Cooperation Billing Agreement with Sardis-Lone Elm Water Supply.

### Discussion / Justification:

Council approved during the budget to allow us to contract with Sardis to bill the Ovilla Parc Subdivision accounts. This is the contract to make it legal.

### Recommendation / Staff Comments:

### Sample Motion(s):

***"I MAKE A MOTION THAT COUNCIL APPROVES/DENIES THE INTERLOCAL COOPERATION BILLING AGREEMENT WITH SARDIS-LONE ELM WATER SUPPLY AS PRESENTED."***

# **SARDIS-LONE ELM WATER SUPPLY CORPORATION AND THE CITY OF OVILLA, TEXAS BILLING AGREEMENT**

## **AGREEMENT**

Sardis-Lone Elm Water Supply Corporation ("Sardis") and the City of Ovilla, Texas ("Ovilla"), for the consideration and purposes herein expressed enter into the following agreement regarding sewer collection, solid waste collection and collection of an infrastructure improvement fee assessed by Ovilla ("Agreement"):

WHEREAS, Ovilla is a Type A General Law city located in both Dallas and Ellis County, Texas;

WHEREAS, Sardis is a nonprofit water supply corporation organized pursuant to Tex. Rev. Civ. Stat. Art. 1434a;

WHEREAS, Sardis provides retail water utility service in Ellis County, pursuant to Texas Commission on Environmental Quality Certificate of Convenience and Necessity No. 10058;

WHEREAS, Ovilla provides sanitary sewer service and solid waste service for its residents, some of whom are provided water utility service by Sardis;

WHEREAS, Ovilla assesses a monthly infrastructure improvement fee to all sanitary sewer customers, some of whom are provided water utility service by Sardis;

WHEREAS, Ovilla desires to enter into an agreement with Sardis to facilitate the billing and collection of charges due from Ovilla residents for sanitary sewer and solid waste services, as well as, the collection of Ovilla's monthly infrastructure improvement fee;

NOW, THEREFORE, Ovilla and Sardis agree as follows:

**1. Agency of Sardis-Lone Elm Water Supply Corporation.** This agreement applies to all existing and future Sardis customers who receive sewer service from Ovilla in the Ovilla Parc subdivision. Subject to terms of this Agreement, Sardis agrees to serve as the agent for Ovilla for the purposes of billing and collecting sanitary sewer, solid waste, and infrastructure improvement fees assessed by the City of Ovilla from customers of Sardis who are recipients of sanitary sewer and solid waste services from Ovilla. During the term of this Agreement, Ovilla will be solely responsible for providing to Sardis, and at all times maintaining, a current list of its customers to be billed by Sardis pursuant to the terms of the Agreement, which list shall contain the following information for each customer: (a) the customer's name and address; (b) the type of service to be billed by Sardis on Ovilla's behalf; and (c) the rate for which each customer is to be billed. Ovilla will notify their customers who will be billed by Sardis prior to the first bill being received. This notification will include the starting month of the billing service and the consequences for nonpayment.

**2. Payment Based on Sewer Rate Ordinance for Sewer Collection.** Sardis agrees to include the fees due to Ovilla in the monthly bills to its customers, in the amounts indicated by Ovilla. Each fee for sanitary sewer service, solid waste service and infrastructure improvement fees will be stated separately on such bills. Ovilla agrees to coordinate with Sardis so that the payment for the services billed by Sardis on Ovilla's behalf shall be due the same time and under the same terms as the payment by Sardis for water utility services. Upon receipt of payment due Ovilla for services, Sardis will deposit such sums in an account in Sardis' depository bank, commingled with payments made for Sardis water utility services. The funds, less unpaid fees charged by Sardis for services as set forth in this Agreement, shall be forwarded to Ovilla no less frequently than once a month. The funds shall be sent to the city in the amounts due as reflected on the monthly bills to the customers, less Sardis' unpaid fees as set forth in this Agreement. At the time such funds are forwarded to Ovilla, Sardis will also forward an accounting of the customers from whom payment is received, the period and type of services for which payment is made, and the fees retained by Sardis from payments made pursuant to this Agreement.

**3. Priority of Payment.** When payment by a customer is made Sardis shall apply the funds paid first to any indebtedness of the customer to Sardis, and then to the payment of any indebtedness to Ovilla.

**4. Delinquency/Disconnection.** Sardis agrees to use its best efforts, in the exercise of the discretion granted under this Agreement, to collect amounts due to Ovilla from customers for sanitary sewer service, solid waste and infrastructure improvement fees. If at any time any customer fails to pay any amounts collectible by Sardis pursuant to the terms of this Agreement, Sardis shall, within a period of fourteen (14) to thirty (30) days following a delinquent bill's due date, disconnect water utility services to the delinquent customer and maintain disconnection until all past due balances of the account is fully paid. Sardis shall notify Ovilla of all customer accounts that are delinquent and have been disconnected.

**5. Reconnection.** In the event water service is disconnected for nonpayment of sanitary sewer service, solid waste service or infrastructure improvement fee charges, except as otherwise required by law or as agreed to by Ovilla, Sardis agrees not to provide water services to that customer until Sardis' receipt of payment of all delinquent collection charges, plus any applicable charges which are then collectable in accordance with Ovilla's ordinances or other applicable law.

**6. Affect on Provision of Water.** This Agreement shall not affect or in any way impair Sardis' Rights and obligations with respect to its customers or the provision of water utility services except as specifically and expressly set forth in this Agreement and as allowed by law.

**7. Fees.** For each account collected by Sardis, Ovilla agrees to pay Sardis the sum of \$5.00 as an initial set-up fee for establishing Sardis billing and collection procedures. This set-up fee is to be paid when Ovilla notifies Sardis that a new account is to be collected by Sardis. In addition, Ovilla agrees to pay Sardis monthly, according to the provisions in paragraph 2 above, a service charge of 4% of the entire monthly amount collected by Sardis. The monthly fee will be paid until the end of the month in which Ovilla removes the account from the customer list provided to Sardis pursuant paragraph 1 of this Agreement. If Ovilla subsequently requests Sardis to reinstate an account which has been removed from the customer list, a reinstatement fee of \$5.00 per account will be paid to Sardis by Ovilla.

**8. Purpose of Agreement/Indemnity.** This Agreement is made for the purpose of facilitating the billing and collection of fees for sanitary sewer services, solid waste, and infrastructure improvement fees provided by Ovilla. No partnership or joint venture is intended to be created hereby. Sardis' sole responsibility is that of Ovilla's agent for billing and collection purposes and Sardis shall have no responsibility for, and Ovilla shall indemnify, defend and hold Sardis harmless for any damage, claims, demands, or causes of action by third parties arising from: (1) the construction, operation, maintenance, repair or existence of the sewer collection system; (2) the provision of sewer collection service; (3) any act or omission relating to such services, or (4) any act or omission of Sardis or Ovilla, their agents, employees, or representatives in the performance or nonperformance of their obligations under this Agreement, which does not amount to gross negligence or willful misconduct. This indemnity shall also extend to, but shall not be limited to, and cost, expense or fee, including attorney's fees, costs or court or expert fees, incurred by Sardis relating to or arising from any such damages, claims, demands or cause of action.

**9. Right to Terminate.** This Agreement may be terminated by any party at any time by giving a written notice to the other party sixty (60) days advance notice of its intent to terminate this Agreement.

**10. Automatic Termination.** If any provision of this Agreement is determined by any regulatory or judicial body to be invalid, in violation of any law, or to be contrary to the rules, regulations, or orders of such body, or if any party to this Agreement is ordered or required by such body not to comply with any provision of this Agreement, the Agreement automatically and without notice terminates without penalty at the time such order becomes final and no longer appealable.

**11. Termination Upon Default.** Any party may terminate this Agreement following a default by the other party in the performance of this Agreement and the failure to correct said default within (30) days after written notice of default has been provided by the nondefaulting party.

**12. Attorney's Fees.** The prevailing party in any legal proceeding against any other party to this Agreement brought under or which relates to the Agreement or a breach thereof shall, in addition to recover its costs and reasonable attorney's fees.

**13. Notices.** Any notice or communication required or permitted to be given hereunder shall be sufficiently given when received by any other party and must be: (1) delivered by hand delivery; or (2) mailed by certified mail, postage prepaid, return receipt requested, to the address indicated on the signature page of this Agreement or at such other addresses as may hereafter be furnished in writing by any party to all other parties, and such notice shall be deemed to have been given as of the date so delivered or mailed.

**14. No Third Party Beneficiaries.** This Agreement is not executed for the benefit of any third party and its terms shall not be enforceable by or in favor of any person or entity other than the express parties to this Agreement.

**15. Miscellaneous Provisions.** This Agreement contains all of the understandings and agreements between the parties with respect to the subject matter hereof, and the terms and conditions of this Agreement may be changed only by written amendments agreed by both parties. This Agreement replaces and supersedes all prior agreements of the parties with respect to the subject matter hereof. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their successors and assigns, provided that, except as otherwise provided in this Agreement, no party may assign its interest in this Agreement without prior written consent of all the other parties. A waiver by any party of a breach of this Agreement shall not be construed as a waiver of any subsequent breach of this Agreement. The section and subsection headings in this Agreement are for convenience. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

**16. Binding Arbitration.** It is agreed that all questions as to rights and obligations arising under the terms of this Agreement are subject to binding arbitration, as governed by the provisions of the Texas General Arbitration Act, TEX. REV. CIV. STAT. ANN. ART. 224 et seq. as amended. This paragraph is to be broadly construed.

**17. Interest Rate.** Any amount due and unpaid more than thirty (30) days shall accrue an interest at an interest rate equal to the U.S. Bank Prime Loan Rate plus five (5) percent points.

EXECUTED on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

THE CITY OF OVILLA

SARDIS-LONE ELM WATER SUPPLY  
CORPORATION

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

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

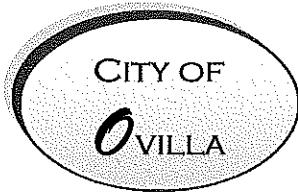
Name: \_\_\_\_\_

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

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

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

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



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: October 24, 2011

Department: Administrative

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

### Attachments:

Membership application

Memorandum and list of membership cities

### Agenda Item / Topic:

**ITEM 4.**

**Discussion/Action** – Consider the continued membership application and agreement by and between the Electric Reliability Council of TX (ERCOT) and the City of Ovilla and approve the annual membership fee of \$100.

### Discussion / Justification:

This is the annual membership to ERCOT.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

***"I MAKE A MOTION THAT COUNCIL APPROVES/DENIES CONTINUED MEMBERSHIP WITH ERCOT AND THE ANNUAL MEMBERSHIP FEE OF \$100."***



**ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.  
MEMBERSHIP APPLICATION AND AGREEMENT FOR MEMBERSHIP YEAR 2012**

This Membership Application and Agreement (Agreement) is by and between the Electric Reliability Council of Texas, Inc. (ERCOT) and Ovilla (Member), whose address is 105 S. Cockrell Hill Road, Ovilla, TX 75154. In consideration of the mutual covenants contained herein, the parties hereby agree that the Member shall become an ERCOT Member and receive the ERCOT Member Services and benefits described herein, subject to the terms and conditions of this Agreement. This Agreement shall be effective as of the date signed by the Member provided that the Member meets all of the qualifications for ERCOT Membership.

Capitalized terms that are not defined in this Agreement shall have the meaning as defined in the ERCOT Bylaws or the ERCOT Protocols.

**A. Membership Application Information**

1. Name of Entity applying for Membership: City of Ovilla
2. Type of Membership: Check **ONE** type of Membership. *Affiliated Entities as defined in the ERCOT Bylaws may hold only one Corporate Membership.* Entities applying for additional Memberships, such as an Associate Membership, should use a separate Agreement for each Membership. The applicable fees as listed below and entitle Members to services ERCOT provides such as hosting ERCOT meetings, providing Members with necessary information and such other Member Services as may from time to time be offered. Please note that any Member may request that the Member's Annual Member Service Fees be waived for good cause shown.

**Corporate.** Voting. \$2,000/year (except Residential and Commercial Consumer Members fees are \$100/year, and there is no charge for an association that qualifies pursuant to the ERCOT Bylaws for Commercial Consumer Membership). Corporate Membership includes the right to vote on matters submitted to the general membership such as election of Board Directors, election of TAC Representatives and TAC subcommittees thereof and amendments to the Articles of Incorporation and the ERCOT Bylaws. Residential Consumer Members do not elect Board Directors.

**Associate.** Non-voting. \$500/year (except Residential and Commercial Consumer Members fees are \$50/year). Associate Membership includes no voting rights. However, an Associate Member may be elected by Corporate Members to serve as a voting member of the Board, TAC or a TAC subcommittee thereof.

**Adjunct.** Non-voting. \$500/year. Entities not meeting the Segment requirements for Membership may join as Adjunct Members upon Board approval. Adjunct Membership does not include voting rights or the right to be elected to the Board, TAC or a TAC subcommittee thereof.
3. The Applicable Annual Member Services Fee must accompany this Agreement and be delivered to ERCOT by the Record Date in order for the Member to participate in the elections for the Membership Year. Please make checks payable to ERCOT and mail to ERCOT, Attention: Legal Department, 7620 Metro Center Drive, Austin, Texas 78744. Please send an email to [mpappl@ercot.com](mailto:mpappl@ercot.com) for wire instructions.

4. Segment Participation: (Check ONE Segment designation.)

**Consumer.** Any organization or agency representing the interests of end-users of electricity in the ERCOT Region.

Check **ONE** Subsegment designation:

**Residential Consumer**

**Small Commercial Consumer** (Peak demand of 1000 KW or less)

**Large Commercial Consumer** (Peak demand greater than 1000 KW)

**Industrial Consumer** (Average monthly demand greater than 1 megawatt and engaged in an industrial process)

**Cooperative.** An Entity operating in the ERCOT Region that is: (i) a corporation organized under Chapter 161 of the Texas Utilities Code or a predecessor statute to Chapter 161 and operating under that chapter; (ii) a corporation organized as an electric cooperative in a state other than Texas that has obtained a certificate of authority to conduct affairs in the State of Texas; (iii) a cooperative association organized under Tex.Rev.Civ.Stat. 1396-50.01 or a predecessor to that statute and operating under that statute; or (iv) a River Authority as defined in Tex. Water Code §30.003.

**Independent Generator.** Any Entity that is not a Transmission and Distribution Entity (T&D Entity) or an Affiliate of a T&D Entity and (i) owns or controls generation of at least 10 MW in the ERCOT Region; or (ii) is preparing to operate and control generation of at least 10 MW in the ERCOT Region, and has approval of the appropriate governmental authority, has any necessary real property rights, has given the connecting transmission provider written authorization to proceed with construction and has provided security to the connecting transmission provider.

**Independent Power Marketer.** Any Entity that is not a T&D Entity or an Affiliate of a T&D Entity and is registered at the Public Utility Commission of Texas (PUCT) as a Power Marketer to serve in the ERCOT Region.

**Independent REP.** Any Entity that is certified by the PUCT to serve in the ERCOT Region as a Retail Electric Provider (REP) under PURA §39.352 and that is not an Affiliate of a T&D Entity operating in the ERCOT Region.

**Aggregators** may register to participate in this Segment if unable to qualify in any other Segment.

**Investor Owned Utility.** (i) An investor-held, for-profit “electric utility” as defined in PURA §31.002(6) that (a) operates within the ERCOT Region, (b) owns 345 KV interconnected transmission facilities in the ERCOT Region, (c) owns more than 500 pole miles of transmission facilities in the ERCOT Region, or (d) is an Affiliate of an Entity described in (a), (b) or (c); or (ii) a public utility holding company of any such electric utility.

**Municipal.** An Entity operating in the ERCOT Region that owns or controls transmission or distribution facilities, owns or controls dispatchable generating facilities, or provides retail electric service and is either: (i) a municipally owned utility as defined in PURA §11.003 or (ii) a River Authority as defined in Tex. Water Code §30.003.

5. Identify your designated representative for required notices to ERCOT Members and for participation in meetings of the Corporate Members:

Name: Randy Whiteman  
Title: City Administrator  
Address: 105 S. Cockrell Hill Road  
City, State, Zip: Ovilla, TX 75154  
Phone: 972-617-7262  
Fax: 972-515-3221  
Email: rwhiteman@cityofovilla.org

6. List any other ERCOT Memberships held by the Member or any Affiliates (attach extra pages if necessary):

(a) Entity name: \_\_\_\_\_  
Segment: \_\_\_\_\_

(b) Entity name: \_\_\_\_\_  
Segment: \_\_\_\_\_

(c) Entity name: \_\_\_\_\_  
Segment: \_\_\_\_\_

## B. Membership Agreement

1. **Membership.** Membership in ERCOT is open to any Entity that meets any of the Segment definitions set forth in the Bylaws. Members must be an organization that either operates in the ERCOT Region or represents consumers within the ERCOT Region. Members may join as a Corporate, Associate or Adjunct Member subject to the criteria set forth in the ERCOT Bylaws. Members must apply for Membership through an authorized officer or agent.

2. **Fees.** Annual Member Services Fees are described in the ERCOT Bylaws and may be changed through the procedure set forth therein. Any change in fees shall automatically become effective as to all ERCOT Members without the necessity of amending this Agreement. All Memberships are year to year and must be renewed annually. Annual Member Services Fee renewals will be billed to the Member and shall be due by the record date for the annual membership meeting. Membership fees may not be prorated. This Agreement shall renew in yearly increments upon ERCOT's receipt of the following (1) Member's Renewal Application and (2) Member's applicable Annual Member Services Fee. Any Member may request that the Member's Annual Member Service Fees be waived for good cause shown.

3. **Application for Membership.** Members will submit the following items in order to apply for Membership: (i) payment of the Annual Member Services Fee and (ii) a signed copy of this Agreement. Upon approval, ERCOT will promptly notify Member Applicant of the same.

4. **Change of Designated Representative.** An ERCOT Member may change its representative at any time by written request (signed by a duly authorized representative of the ERCOT Member) submitted to the ERCOT Legal Department.

5. **Suspension and Expulsion.** All ERCOT Members shall abide by the ERCOT Bylaws, as they may be amended from time to time, and any other rule or regulation duly adopted by the Board of Directors. Any ERCOT Member, who willfully violates any provision of this Agreement, the ERCOT Bylaws, or any other rule or regulation duly adopted by the Board of Directors, may be reprimanded, suspended, and/or expelled in accordance with procedures adopted by the Board of Directors or set forth in the ERCOT Bylaws. Such action will affect all persons deriving Membership privileges through such ERCOT Member.

6. **Amendment.** This Agreement may be amended, modified, superseded, canceled, renewed, or extended and the terms and conditions hereof may be waived only by a written instrument executed by both parties hereto or, in the case of a waiver, by the party waiving compliance.

7. **Governing Law.** This Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of Texas that apply to contracts executed in and performed entirely within the State of Texas, without reference to any rules of conflict of laws. Parties consent to the exclusive jurisdiction of Texas.

IN WITNESS WHEREOF, the Member certifies that (i) the Member meets the requirements for ERCOT Membership in the Segment designated herein; (ii) all information provided herein is true and correct to the best of the Member's knowledge; and (iii) through its authorized representative the Member agrees to be bound by the terms of this Agreement, the ERCOT Bylaws and any other requirements duly adopted by the Board of Directors.

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

Printed Name: Randy Whiteman

Title: City Administrator

Mr. Brewster's Direct Line: (512) 322-5831

Email: [cbrewster@lglawfirm.com](mailto:cbrewster@lglawfirm.com)

Fax: (512) 472-0532

## MEMORANDUM

TO: Current City and Other Political Subdivision Members of ERCOT

FROM: Chris Brewster

DATE: September 29, 2011

RE: ERCOT Membership Renewal for 2012

Attached to this memorandum is the Electric Reliability Council of Texas's ("ERCOT's") membership renewal form for the 2012 membership year. As we have done in prior years, **we recommend that your city renew its current ERCOT membership.** Renewal of your ERCOT membership is a straightforward and cost-effective way for your city to influence electric policy in Texas. The membership fee is \$100 per year.

As you know, ERCOT is the entity in Texas that maintains the set of complicated rules that frame the way that electricity is bought and sold in the deregulated wholesale market. The ERCOT stakeholder process is constantly reviewing and revising these rules, known as the ERCOT protocols. Most of the issues addressed at ERCOT are addressed nowhere else — the Public Utility Commission ("PUC") has largely delegated these issues to the ERCOT stakeholder process.

Consumers, such as cities and other political subdivisions, have a voice in ERCOT's decision-making process. Each segment of the ERCOT market has a vote on issues before ERCOT, through its representatives on the Technical Advisory Committee ("TAC") and the Board of Directors.

TAC and the Board are the bodies responsible for making the most important decisions about the detailed workings of the ERCOT market. These decisions can have bottom-line impacts on electricity prices. In 2011, cities again successfully elected two city representatives to TAC and one director to ERCOT's Board of Directors. If ERCOT member cities renew their membership for 2012, we are likely to continue that strong presence in the coming year. As you know, ERCOT faced many challenges in 2011 including rolling black-outs, record high temperatures, energy usage, and prices. New federal environmental regulations have already prompted generation companies to forecast the retirement of significant levels of generation capacity in 2012. This will no doubt lead to another challenging year in 2012. We expect the PUC and the ERCOT stakeholder process to re-examine many aspects of our market design in 2012, making cities' presence in the ERCOT process of continued importance.

Thanks to your commitment and responsiveness, cities have had notable success in expanding their ERCOT presence in the past five years. A total of 121 cities and other political subdivisions joined ERCOT in 2011, including the following:

ERCOT Member Cities  
 September 29, 2011  
 Page 2

Small Commercial	Large Commercial
Aransas County Municipal Utility District No. 1	Aquilla Water Supply District
City of Bedford	City of Abilene
City of Belton	City of Alamo
City of Benbrook	City of Allen
City of Caddo Mills	City of Arlington
City of Canton	City of Big Spring
City of Carrizo Springs	City of Brownwood
City of Cedar Hill	City of Carrollton
City of Charlotte	City of Cleburne
City of Clyde	City of Corpus Christi
City of Comanche	City of Dallas
City of Coppell	City of Decatur
City of Copperas Cove	City of Duncanville
City of Corinth	City of Euless
City of Crockett	City of Farmers Branch
City of DeSoto	City of Fort Worth
City of Dilley	City of Grapevine
City of Dublin	City of Haltom City
City of Early	City of Harker Heights
City of Eastland	City of Harlingen
City of Forest Hill	City of Irving
City of Frisco	City of Killeen
City of George West	City of Kingsville
City of Hamilton	City of La Feria
City of Howe	City of Lewisville
City of Hutto	City of Mansfield
City of Ingleside	City of McAllen
City of Keller	City of McKinney
City of Kerens	City of Mercedes
City of Lake Worth	City of Mesquite
City of Lorena	City of Midland
City of Los Fresnos	City of Mission
City of Murphy	City of Missouri City
City of Ovilla	City of North Richland Hills
City of Paris	City of Odessa
City of Point Comfort	City of Pearland
City of Pottsboro	City of Plano
City of Ranger	City of Port Lavaca
City of River Oaks	City of Portland
City of Rotan	City of Richland Hills
City of Rowlett	City of Rio Grande City
City of Seadrift	City of Rockport
City of Snyder	City of San Angelo
City of Springtown	City of Seagoville
City of Sulphur Springs	City of Sherman
City of Texas City	City of Stephenville
City of University Park	City of Sugar Land
City of Venus	City of Sweetwater
City of Webster	City of Temple
City of Wharton	City of The Colony
City of White Settlement	City of Tyler
City of Whitney	City of Victoria
City of Woodway	City of Waco
Town of Argyle	City of Watauga
Town of Highland Park	City of Waxahachie
Town of Laguna Vista	City of Wichita Falls
Town of Little Elm	Johnson County Special Utility District
Town of Pantego	South Texas Water Authority
Town of South Padre Island	Town of Addison
Town of Woodsboro	Town of Flower Mound
	West Central Texas Municipal Water District

**In order to vote for candidates for the 2012 Technical Advisory Committee and the Board of Directors, ERCOT must receive your renewal application and \$100 fee by Friday, November 11, 2011.**

**In completing the attached form, please note the following:**

- Only corporate members may vote in ERCOT matters. In response to **Question No. A.2** on the form, we recommend that cities renew as **Corporate**, rather than associate, members.
- For corporate members in the Small or Large Commercial Consumer Segment, the renewal fee is **\$100**. The form designates how the payment is to be made in paragraph A.3.
- **Question No. A.4** asks that you designate the segment in which you are renewing. Cities qualify for membership in the **Consumer** segment, and within that segment must choose either the **Small or Large Commercial Consumer** sub-segments.

**In the listing of cities on the previous page, we have noted which cities joined in each of these categories for 2011. We recommend that you choose the same segment when renewing your membership for 2012. Please call me (Chris Brewster) at 512-322-5831 (or email: [cbrewster@lglawfirm.com](mailto:cbrewster@lglawfirm.com)) if you have any questions about this.**

- In response to **Question No. A.5, please designate as your authorized representative** an employee of your city that can receive notices from ERCOT. ERCOT contacts its members very rarely; this person will not be inundated with emails. During the coming year, please feel free to forward anything you receive from ERCOT to me at the email address above.
- There is no need to answer Question No. A.6, as it is not relevant to cities' memberships in ERCOT.
- Item A.3 on the form states the address at which to mail the form to ERCOT, but this can also be done by email ([mpappl@ercot.com](mailto:mpappl@ercot.com)) or fax (512-225-7079). Please note that if you submit your application via email or fax, you must still send the \$100 renewal fee to ERCOT by mail or wire. **After you have sent your application to ERCOT, please forward a copy of your application to us at my email address or fax number shown above.** This will help us track pending applications, and will allow us to follow up with ERCOT if issues arise.

Please feel free to call or email us if you have any questions in completing the form or about ERCOT in general.



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: October 24, 2011

Department: Administrative

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

### Attachments:

Proposed Ordinance 2011-027

### Agenda Item / Topic:

**ITEM 5.** **Discussion/Action** - Consider proposed Ordinance 2011-027 to comply with Chapter 1, Section 1.02.002 of the Ovilla Code of Ordinances declaring an official city newspaper and declaring an effective date.

### Discussion / Justification:

Chapter 52.04 of the Local Government Code states that as soon as practicable after the beginning of each municipal year, the governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper to be the municipality's official newspaper.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

***"I MAKE A MOTION THAT COUNCIL APPROVES/DENIES ORDINANCE 2011-027, DECLARING THE WAXAHACHIE DAILY LIGHT AS THE CITY OF OVILLA'S OFFICIAL NEWSPAPER FOR FY2011-2012, COMPLYING WITH CHAPTER 1, SECTION 1.02.002 OF THE OVILLA CODIFICATION."***

**City of Ovilla  
ORDINANCE 2011-027**

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS AMENDING  
CHAPTER 1, SECTION 1.02.002 OF THE CODE OF  
ORDINANCES DECLARING AN OFFICIAL CITY NEWSPAPER  
AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Ovilla is a type A general law municipality located in Ellis and Dallas Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, section 52.004 Texas Local Government Code requires the governing body of a municipality to determine, by ordinance or resolution, which public newspaper shall be the municipality's official newspaper.

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

**SECTION ONE**

That Chapter 1, Section 1.02.002 of the Code of Ordinances, City of Ovilla, Texas is hereby amended to read as follows:

The **WAXAHACHIE DAILY LIGHT**, a daily newspaper, is hereby declared the official newspaper of the City of Ovilla, for required publications by the City.

**SECTION TWO**

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

***PASSED AND APPROVED on the 24<sup>th</sup> day of October 2011.***

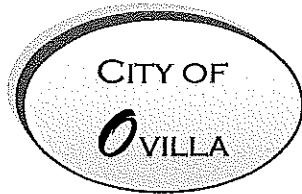
---

Bill Vansyckle, Mayor

Attest

---

Pam Woodall Higgins, City Secretary



# Ovilla City Council

## AGENDA ITEM REPORT

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

Meeting Date: October 24, 2011

Department: Other

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Mayor Pro-Tem Leverentz

### Attachments:

ISO letter

### Agenda Item / Topic:

**ITEM 6. Discussion/Action** – Consider the promotion and publication Ovilla's ISO rating.

### Discussion / Justification:

Mayor Pro-Tem Leverentz asked to address Council to share his ideas.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

**"I MAKE A MOTION THAT COUNCIL \_\_\_\_\_."**



Texas Department of Insurance  
**State Fire Marshal's Office**, Mail Code 112-FM  
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221  
512-305-7900 • 512-305-7910 fax • [www.tdi.state.tx.us](http://www.tdi.state.tx.us)

September 12, 2011

Mr. Donnie Pickard  
Fire Chief of Ovilla  
105 South Cockrell Hill Road #1  
Ovilla, Texas 75154

**Place Code: Dallas: 11372 Ellis: 13968**

Dear Mr. Pickard:

Insurance Services Office (ISO) has submitted a recommendation concerning your community's Public Protection Classification (PPC). Currently, the Community's Public Protection Classification rating is a Class 5.

**Insurance Services Office is recommending the classification be changed to a Class 2, with an effective date of 02/01/2012.** The recommendation is based on a review of your community performed on 01/31/2011 and does include application of the Texas Addendum.

With a single class rating of 2, all class-rated properties will use Class 2.

Public Protection Classifications range from 1 (best) to 10 (worst).

We have reviewed the information provided and believe it is sufficient to grant approval. Enclosed is a PPC Submittal sheet indicating the point totals for the major areas associated with the review. The Insurance Services Office will be notified of our approval of their recommendation and the 02/01/2012 effective date.

If you have any questions regarding this change, I may be reached at the address indicated above or by telephone at (512) 305-7941.

***Please make sure all community officials and residents within your district are notified of the new Public Protection Classification rating for your community, and the effective date.***

Sincerely,

Jesse James Williams  
Deputy State Fire Marshal

Texas Department of Insurance  
Approved by

SEP 12 2011

**State Fire Marshal**



## Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM  
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221  
512-305-7900 • 512-305-7910 fax • [www.tdi.state.tx.us](http://www.tdi.state.tx.us)

### PPC SUBMITTAL

Municipality:	Ovilla	County:	Dallas/Ellis	Population:	3775
Surveyed:	01/31/2011	Total Credit:	80.94	Class:	2
Submitted:	09/01/2011	Effective Date:		02/01/2012	
Place Code:	11372/13968	Addendum Applied:		05/25/2011	

### SUMMARY OF ASSIGNED CREDIT

Feature	Assigned Credit	Addendum Credit	Maximum Credit
Receiving and Handling Fire Alarms	7.10		10.00
Water Supply	37.01		40.00
Fire Department	32.23		50.00
Texas State Training (CTT)		3.08	3.26
Texas Addendum Credit (CTX)		5.90	6.50
* Divergence:	< 4.38 >		
Total Points:	71.96	8.98	106.50

The Public Protection Class is based on the total percentage credit as follows:

Texas Department of Insurance  
Approved by

SEP 12 2011

State Fire Marshal

Class	Percentage %
1	90.00 or more
2	80.00 to 89.99
3	70.00 to 79.99
4	60.00 to 69.99
5	50.00 to 59.99
6	40.00 to 49.99
7	30.00 to 39.99
8	20.00 to 29.99
9	10.00 to 19.99
10	0 to 9.99

Divergence is a reduction in credit to reflect a difference in the relative credits for the Fire Department and Water Supply.

The difference in protection provided by the fire department and the water supply prevents the better feature from being utilized to its fullest extent. Therefore, an adjustment (divergence) is made to reflect any difference between these two features. Because of the difference in the total weights assigned to the two features, the total for the Fire Department is adjusted to make the comparison reflect the relative adequacies of the two features.

Divergence = 50% (100% water supply credit – 80% of fire department credit)

# CERTIFIED EXECUTIVE SESSION AGENDA

Date: 24 October 2011

\*\*\*\*\*  
**I, Bill Vansyckle, Mayor of the City of Ovilla, Texas hereby convene into Executive Session at \_\_\_\_\_ p.m. on the 24th day of October 2011.**

The following Council Members were in attendance:

<u>Council Members</u>	<u>Staff Members</u>	<u>Others</u>
<input type="checkbox"/> Bill Vansyckle, Mayor	<input type="checkbox"/> R. Whiteman, City Administrator	<input type="checkbox"/> City Attorney
<input type="checkbox"/> Tom Leverenz, Mayor Pro-Tem	<input type="checkbox"/> P. Woodall Higgins, City Secretary	<input type="checkbox"/> Other Legal Counsel
<input type="checkbox"/> A Place 2, Michael Dickey (Absent)		
<input type="checkbox"/> Place 3, James Wade		
<input type="checkbox"/> Place 4, Doug Hunt		
<input type="checkbox"/> Place 5, Richard Dormier		

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

<input type="checkbox"/> 551.071 - Consultation w/Attorney	<input type="checkbox"/> 551.072 - Real Property
<input type="checkbox"/> 551.073 - Deliberations about Gift	<input type="checkbox"/> 551.074 - Personnel Matters
<input type="checkbox"/> 551.076 - Security Personnel or Devices	<input type="checkbox"/> 551.086 - Test item (SB 595)
<input type="checkbox"/> 551.087 - Economic Development Negotiations (SB1851)	
<input type="checkbox"/> 418.183 - Homeland Security	

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

**ITEM 1.** The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda.

- Ramsey threatened litigation
- Procedures for handling and Mayor complaint

**ITEM 2.** The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

- Procedures for handling and Mayor complaint

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

The following further action was taken in open session:

**I, Bill Vansyckle, Mayor hereby adjourn the Executive Session at \_\_\_\_\_ p.m. on the 24th day of October 2011. No Action was taken. Any action, as a result of this Executive Session, will be taken and recorded in open session.**

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

---

Bill Vansyckle, Mayor

**\*Note:** this certified agenda must be kept a minimum of two years after the date of the Executive Session, and is confidential. A person who knowingly and without lawful authority makes this record public commits a Class B misdemeanor and may be held liable for actual damages, court costs, reasonable attorneys fees, and exemplary damages. Texas Government Code § 551.145.