



**AGENDA
CITY OF WINDCREST, TEXAS**

SPECIAL CITY COUNCIL MEETING

February 4, 2013

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A SPECIAL WINDCREST CITY COUNCIL MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 04th DAY OF FEBRUARY 2013 STARTING AT 6:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE COUNCIL MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF FEBRUARY 04, 2013 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, FEBRUARY 05, 2013 AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

IT IS ANTICIPATED THAT MEMBERS OF OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES MAY ATTEND THE MEETING IN NUMBERS THAT MAY CONSTITUTE A QUORUM OF SUCH OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES, SO THAT NOTICE IS HEREBY GIVEN THAT THE MEETING IS ALSO A MEETING OF THE OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE. THE MEMBERS OF THE OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES MAY PARTICIPATE IN DISCUSSIONS WHICH OCCUR AT THE MEETING, BUT NO ACTION WILL BE TAKEN BY THE OTHER BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE.

Ordinance No. 618 (09/20/10), Repealing Ordinance No. 593

At all City Council, City Commission or City Board meetings, the agenda shall include a "citizens to be heard" item. It is suggested that Citizens wishing to speak during this item sign in on the sign up roster prior to the meeting. During "citizens to be heard" comments, each individual may speak on an agenda item or any other matter affecting the city. In addition to the "citizens to be heard" portion of meetings, a person may make comments on agenda items prior to the vote on the agenda item. A member of the public will have a total of six (6) minutes to be heard during a City Council, City Commission or City Board Meeting. This does not include any responses from the body. The six (6) minutes time limit authorized herein may not be transferred to another speaker in whole or in part. The presiding Officer or his/her designee will assign a Time Keeper to each meeting. The Time Keeper will maintain strict compliance of the six (6) minute rule, stopping speakers who exceed the allotted time. As authorized by Section 551.042 of the Texas Government Code, the Presiding Officer may direct a City Official to make: a statement of specific factual information in response to an inquiry made by a member of the public or of the City Council, or; a recitation of existing

policy in response to an inquiry made by a member of the public or the City Council. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting. Any question posed by a Citizen, Council Member, Board Member or Commission Member for which an answer is not available at a meeting shall be answered by a member of the staff or Presiding Officer at the next regular meeting of the Body, if an answer is reasonably available and prudent. If the information is sensitive, staff will seek advice from the City Attorney.

REQUEST ALL PAGERS AND CELL PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL. CITIZENS ARE ASKED TO REFRAIN FROM TALKING DURING COUNCIL PROCEEDINGS.

Meeting Chair: please remind each participant in your meeting that they must speak into a microphone; the recording is the Official Minutes of your meeting and all who speak must be recorded. All guest speakers and citizens to be heard must speak from podium. Please interrupt speakers during meeting if you recognize that they are not speaking into microphone and have them do so.

I. Call to Order, Pledge of Allegiance, Invocation and Announcements

II. Citizens to be Heard on Subsequent and Non-Subsequent Agenda Items

1. A member of the public will have three (3) minutes to discuss non-subsequent agenda items.
2. A member of the public will have six (6) minutes to discuss subsequent agenda items.
3. City Council may discuss and respond to current and past agendas on subsequent and non-subsequent agenda items by citizens to be heard.

III. Unaudited Financials

City Council may take action if deemed necessary

1. Sarah Mangham, Municipal Finance Officer, will present City Council the unaudited Balance Sheet year to date comparisons for month ending December 31, 2012 (FY 2012-2013). (Att. 1)
2. Sarah Mangham, Municipal Finance Officer, will present City Council with the first Quarterly Investment Report for October 1, 2012 – December 31, 2012 Public Funds Investment Act for FY 2012/2013. (Att. 2)
3. City Council will receive, discuss and provide direction to staff regarding a presentation from Sarah Mangham, Municipal Finance Officer regarding the 1st Quarter FY 2012/2013 Expenditures and Year End Projections.

IV. **Presentations**

1. Pam Kelly, Executive Director, with Reaching Maximum Independence, Inc. will present City Council with information regarding the 2nd Annual Fiesta Especial 2013.
(Ref: 01.23.12 RCCM
http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=791
01:46:45)

V. **Ordinances** **"In conjunction with the first reading of an ordinance, a motion should be made to either "reject the proposed ordinance" or "to forward the proposed ordinance to a subsequent City Council meeting for final adoption at its second reading".**

1. City Council will review, discuss and may take action on Ordinance No. 2013-687(O), an ordinance approving and adopting an amendment to the budget of the Wincrest Crime Control and Prevention District (WCCPD) to reflect increased sales tax revenues of \$90,000.00, and approving and adopting an amendment to the City of Windcrest Budget for the fiscal year beginning October 1, 2012 and ending on September 30, 2013 for the expenditure of \$132,747.60 for public safety equipment; and establishing a savings clause and an effective date. **First Reading** (Mayor Alan Baxter, Al Ballew, Chief of Police and Sarah Mangham, Municipal Finance Officer requested) (Att. 3) (Ref: 01.16.13 WCCPD
http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1015
00:27:36 and 01.28.13 RCCM
http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1019
03:37:14)
2. City Council will review, discuss and may take action on Ordinance No. 2013-688(O), an ordinance amending Chapter 14, Noise of the Code of Ordinances by revising section 14.102 #3 relating to animals which make frequent or long continued noise. **Second Reading** (CP Pamela Dodson, Mayor Pro Tem requested) (Att. 4) (Ref: 01.28.13 RCCM
http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1019
04:27:56)
3. City Council will review, discuss and may take action on Ordinance No 2013-690(O), an ordinance repealing the City of Windcrest Ethics Code and adopting a new Windcrest Ethics Policy. **First Reading** (Mayor Alan Baxter and Michael Brenan, City Attorney requested) (Att. 5) (Ref: 01.28.13 RCCM
http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1019
00:40:30)

VI. **Resolutions**

1. City Council will review, discuss and may take action on Resolution No. 2013-426(R), a resolution awarding a contract to ASC Paving of San Antonio for the City of Windcrest Parkcrest Drive Mill and overlay project. (Sarah Mangham, Municipal Finance Officer requested) (Att. 6)

VII. Discuss & Act

1. City Council will review, discuss and may take action on Public Works rolling stock/fleet vehicles. *(Tom Garcia, Director of Public Works requested)* (Att. 7) (Ref: 01.28.13 RCCM http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1019 01:10:44)
2. City Council will discuss and may take action on a request from the Citizen Emergency Response Team (CERT) in the amount of \$2500 for the purchase of necessary items for the functionality of the team. *(Mayor Alan Baxter requested)* (Att. 8)
3. City Council will discuss and may take action on the recommendations of the Ethics Policy presented by Council Person Rita Davis. *(Rita Davis, Council Person requested)* (Att. 9)
4. City Council will review, discuss and may take action on rescheduling the Regular City Council Meeting due to if falling on a City Holiday (President's Day). *(Kelly Rodriguez, City Secretary requested)*

VIII. General Announcements & Future Agenda Items Requested

Per Ordinance No. 618, repealing Ordinance No. 593; Section 9: Every agenda shall include an item entry granting a member the opportunity to propose an item for consideration of future agendas for Regular or Special Meetings. Any member may request the inclusion of such items at any meeting.

IX. Adjournment

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two hours prior to the meeting on February 04, 2013.

By:  , City Secretary

In compliance with the Americans With Disabilities Act, the City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. The City of Windcrest will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Kelly Rodriguez, City Secretary, at 210-655-0022 ext. 2150 or Fax 210-655-8776.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ February, 2013.

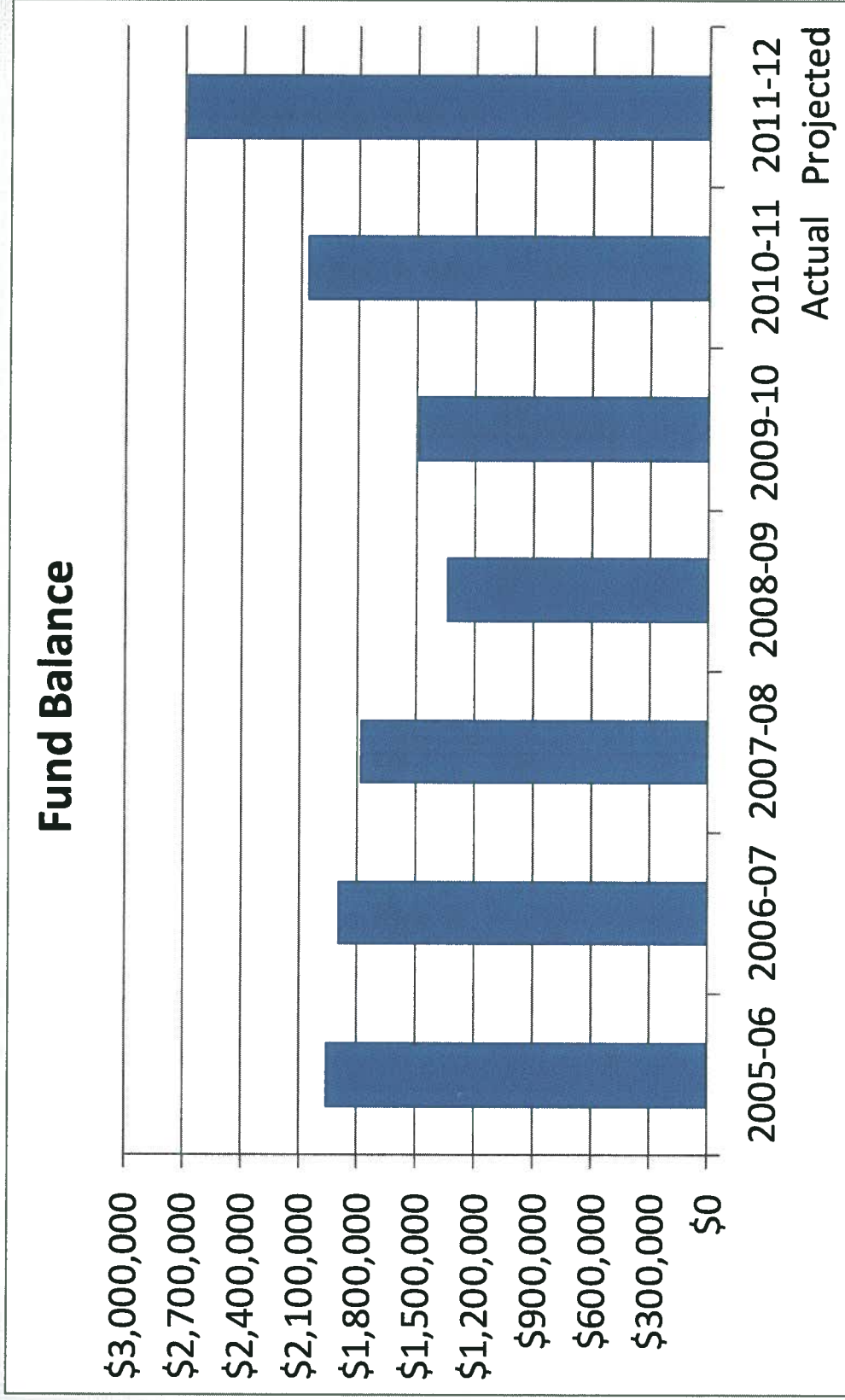
_____ **Title:** _____



Monthly Finance Report

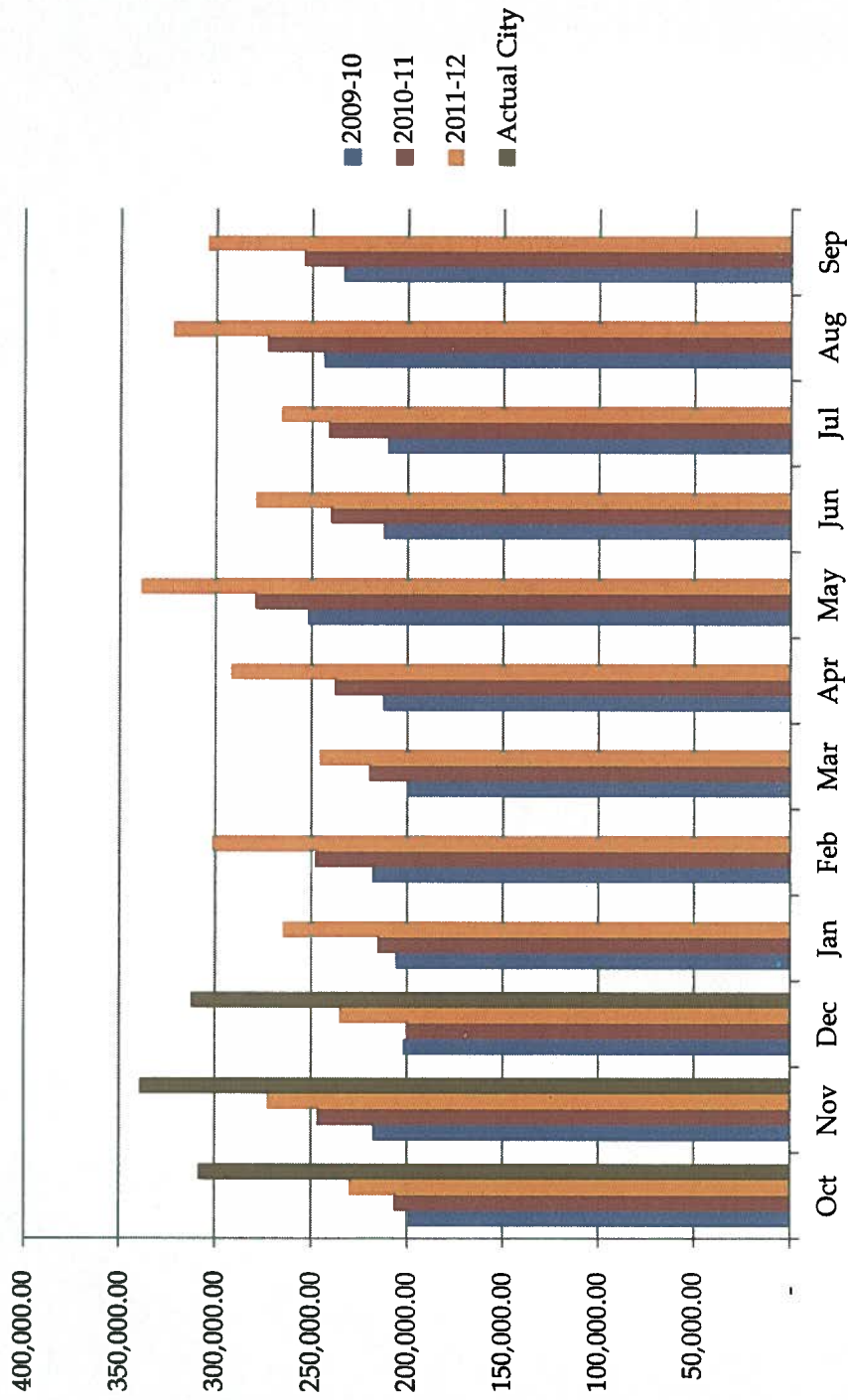
December 2012

W.B. in



Monthly Finance Report

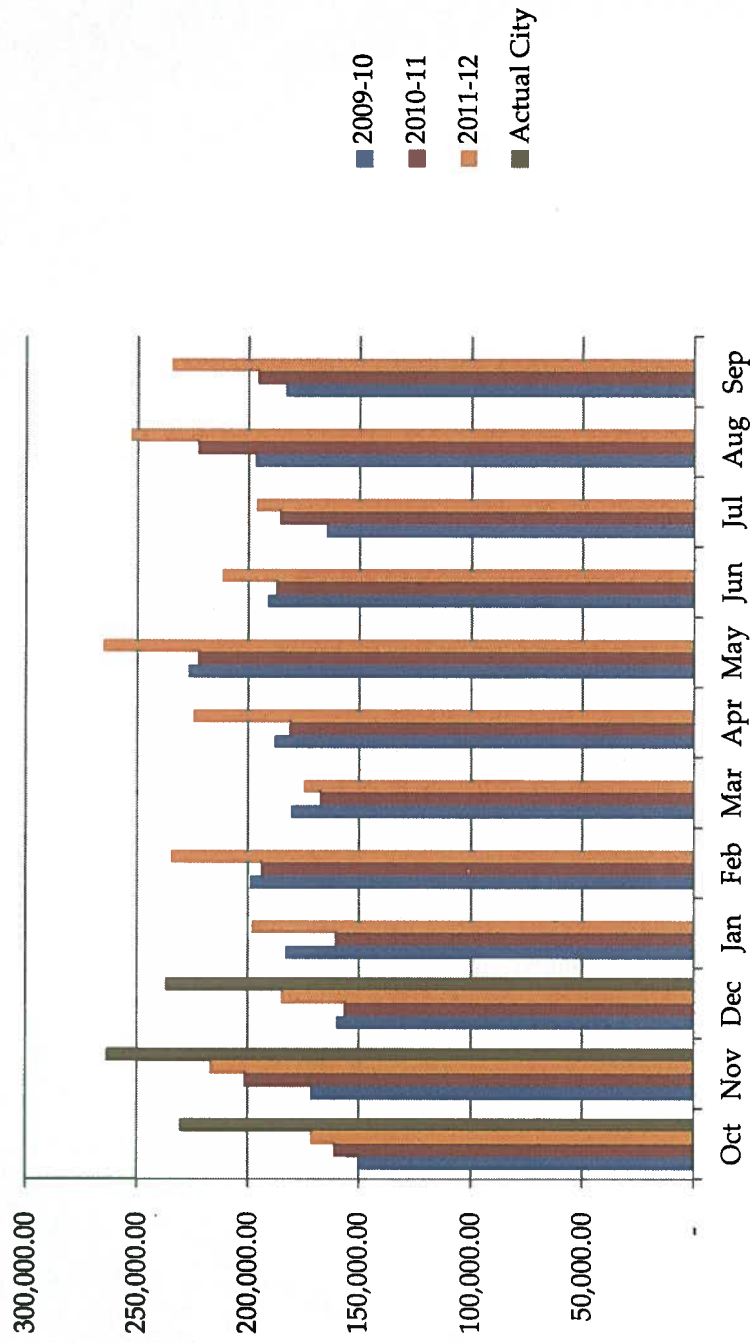
October 2012



City of Windcrest

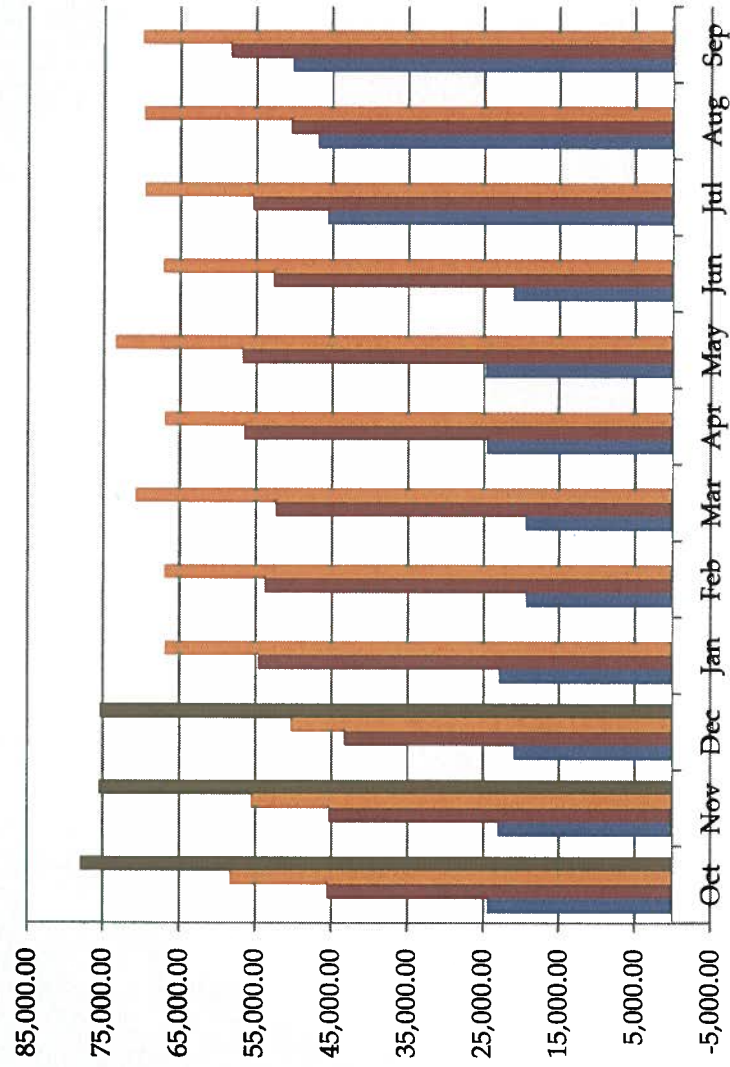
Total Sales Tax

10/18/12 3



City of Windcrest

Sales Tax less SA Annexation



City of Windcrest

Windcrest's Portion of SA Annexation

<u>Fund</u>	<u>YTD Revenues</u>	<u>YTD Expenditures</u>	<u>Current Cash Balance</u>
General	\$1,512,182.78	1,160,835.93	2,521,462 ✓
Garbage	329,121.88	123,226.35	347,383
Friends to Animal Control	1,345.64	751.22	1,952
Asset Seizure - Federal	0.00	0.00	347
County Fire Contribution	5,269.49	1,803.57	16,906
School Crossing Guard	907.45	21.68	41,177
Police Donations	0.15	55.44	6,469
Asset Seizure - State	.21	2,683.82	7,833
Police Education Training	0.24	0.00	10,458
Roosevelt Scholarship	.09	0.00	4,092
Economic Development Corp	44,692.17	196,420.54	2,023,126. ✓
Court Technology	3,200.51	0.00	32,260
Court Building Security	2,400.26	0.00	21,855
Hotel / Motel Tax	48,549.91	6,734.00	108,006 ✓
Debt Service	7,195.71	15,792.25	30,789
WCCPTD	54,228.07	106,916.39	131,467 ✓
Capital Projects - Streets			621,590 ✓
Pooled Cash	44,661.10	37,060.00	498,944
<u>Total Cash</u>			<u>6,426,116</u> ✓

**Monthly Financial Report (MFR) as of
December 31, 2012**

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Treasurer's Report

Bank Account Summary

Sales Tax Graphs

Total City of Windcrest Sales Tax

City of Windcrest Sales Tax - SA Annexation

Sales tax associated with the SA Annexation

General Fund:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Garbage Fund:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Economic Development Corporation:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Hotel Motel Fund:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Debt Service Fund:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Windcrest Crime Control & Prevention District Fund:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Capital Projects Street Fund:

Balance Sheet, Financial Statement Summary and Financial Statement Summary

Summary of Total Assets in Non-Major Funds:

\$	347
\$	5,960
\$	41,177
\$	-
\$	6,469
\$	7,833
\$	10,458
\$	4,092
\$	32,260
\$	21,855

Asset Seizure Fund - Federal

County Fire Contribution

School Crossing Guard

DARE

Police Donations

Asset Seizure Fund - State

Police Education Training Fund

Roosevelt Scholarship Funds

Court Technology Fund

Court Building Security Fund

January 7, 2013

Treasurer's Report to Council Members:

The following summary and attached report is the monthly financial report for **December 2012**. This report covers **25%** of the current fiscal year. If you would like additional detail to support the report, it is available at the City Manager's office.

	Current	Prior	Current	Prior	Y.T.D. %
General Fund:					
Income	\$913,455	\$837,324	\$1,512,182	\$1,658,030	29.88%
Expenditures	\$306,898	304,917	\$1,160,836	1,135,755	22.96%
Net	\$606,556	\$532,407	\$351,346	\$522,275	

Garbage Fund:					
Income	\$20,869	\$28,690	\$329,122	\$224,680	37.71%
Expenditures	\$0	23,952	\$123,226	144,223	12.75%
Net	\$20,869	\$4,739	\$205,896	\$80,457	

Debt Service Fund:					
Income	\$	0.23	\$	69,996	2.02%
Transfers In					
Expenditures					
Net	\$	0	\$	(43,398)	0.00%

Capital Projects Fund:					
Income	\$44,651	\$26,453	\$44,661	\$57,519	11.67%
Expenditures	4,148	-	37,060	12,458	3.37%
Transfers Out					
Net	\$40,504	\$26,452.64	\$7,601	\$45,062	

Total Funds:					
Income	\$978,975	\$926,591	\$1,893,161	\$2,010,226	
Expenditures	\$311,046	\$442,264	\$1,336,915	\$1,405,830	
Transfers In / (Out)	\$	-		\$0	
Net All Funds	\$667,929	\$484,327	\$556,246	\$604,396	

Sales Tax Collections (Actual Received):

Crime Control District	\$	44,483	\$	34,122	\$	133,676	\$	68,743
EDC	\$	44,646	\$	33,663	\$	137,208	\$	55,622
General Fund	\$	178,586	\$	134,653	\$	548,832	\$	222,487
Ad Valorem Tax Offset	\$	44,646	\$	33,663	\$	137,208	\$	55,622
For Street Maintenance	\$	44,646	\$	33,663	\$	137,208	\$	55,622
Net Sales Tax	\$	357,008	\$	269,764	\$	1,094,132	\$	458,096

Annexed Area to S.A.

	\$	(75,412)	\$	(50,478)	\$	(228,832)	\$	(164,629)
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We recommend that this Treasurer's Report be approved.

Respectfully Submitted,

Sarah Mangham
Municipal Finance Officer

CITY OF WINDCREST FINANCE SUMMARY
For the Period Ending December 31, 2012

Account Interest Rate

Pooled Checking	\$	498,944	0.01%
General Fund Money Market	\$	1,298,834	0.01%
General Fund Development Escrow	\$	-	0.01%
General Fund Certificate of Deposit	\$	25,000	0.23%
Garbage Fund Checking	\$	54,477	0.01%
Garbage Fund Money Market	\$	252,474	0.01%
Friends to Animal Control	\$	1,952	0.01%
Debt Service Fund	\$	30,789	0.01%
Capital Projects Street Fund	\$	463,287	0.01%
Hotel/Motel Occupancy Tax Fund	\$	108,006	0.01%
Windcrest Crime Control & Prevention Dist. Fund	\$	131,467	0.01%
Economic Development Corporation	\$	389,464	0.01%
Economic Development Corporation Escrow	\$	1,633,662	0.01%
Asset Forfeiture/Seizure Savings (Federal)	\$	347	0.01%
County Fire Contribution Savings	\$	5,960	0.01%
School Crossing Guard Savings	\$	41,177	0.01%
Dare Program Fund Savings	\$	-	0.01%
Police Donation Savings	\$	6,469	0.01%
Asset Forfeiture/Seizure Savings (State)	\$	7,833	0.01%
Police Education/Training Savings	\$	10,458	0.01%
Roosevelt Scholarship Fund	\$	4,092	0.01%
Municipal Court Technology Fund	\$	32,260	0.01%
Municipal Court Building Security Fund	\$	21,855	0.01%
Total - Frost National Bank	\$	5,018,807	
INVESTMENTS:			
IBC Bank Escrow CD Account	\$	203,873	0.60%
Texpool (breakout by fund on following page)	\$	1,193,200	0.1590%
Texpool for Streets	\$	10,236	0.1590%
Total TexPool	\$	1,203,436	
TOTAL ALL FUNDS	\$	6,426,116	

Texpool Breakout by Fund

Balance

Fund #	Fund Name	12/31/2012
1	General Fund	993,754.58
2	Garbage	40,432.15
17	Debt Service	-
19	Capital Project Street	148,067.21
13	Economic Dev. Fund	-
5	County Fire Contribution	10,946.07
9	Asset Seizure Fund - State	-
	Total	1,193,200.01

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
01-1102	CLAIM ON CASH	421,505.22
01-1105	SAVINGS	1,298,833.88
01-1110	PETTY CASH	1,200.00
01-1112	VISA CARDS-PETTY CASH	4,817.86
01-1120	CERT. OF DEPOSIT-RESTRICTED	25,000.00
01-1125	INVESTMENT/TEXPOOL	993,754.58
01-1127	IBC BANK ESCROW	203,872.73
01-1210	PREPAID VOLUNTEER PENSION	3,552.00
01-1501	A/R-ADVALOREM TAXES	28,655.01
01-1504	ALLOWANCE FOR DOUBT -WARRANTS	(1,083,598.00)
01-1505	ALLOW FOR DOUBTFUL ACCTS	(4,765.18)
01-1510	A/R-SALES TAX	150,633.10
01-1515	A/R-LIQUOR TAX	171.31
01-1562	A/R - GRANT FUNDS	4,358.01
01-1601	A/R-MISC FEES	2,453.26
01-1602	A/R WARRANTS - CITY PORTION	1,203,997.00
01-1605	A/R-FRANCHISE	11,936.69
		<u>3,266,377.47</u>

TOTAL ASSETS

3,266,377.47

LIABILITIES

=====		
01-2200	WAGES PAYABLE	(14,892.00)
01-2205	FED WITHHOLDING	480.07
01-2210	FICA PAYABLE - EMPLOYER	482.23
01-2220	MEDICARE PAYABLE EMPLOYER	111.58
01-2230	TMRS PAYABLE	210.61
01-2240	TRUSTEE PAYABLE	2,087.62
01-2242	SEC 457B DEF.COMP. PAYABLE	4,225.71
01-2245	LIFE INSURANCE PAYABLE	(1,067.38)
01-2250	SUPPLEMENTAL INSURANCE	(35,468.99)
01-2251	DEPENDENT DENTAL INSURANCE	(2,767.21)
01-2252	DEPENDENT VISION INSURANCE	317.91
01-2255	DEF HLTH/OPT LIFE PAYABLE	4,578.17
01-2256	A/P FSA Med Ded	5,815.08
01-2259	A/P MISC DED	(64,929.06)
01-2325	DUE TO S.C.G. FUND	25.00
01-2401	A/P-GENERAL FUND	43,225.43
01-2402	A/P-COMP TO VICTIMS (CVC)	90.00
01-2404	A/P-CRIMINAL JUSTICE(CJP)	(43,225.63)
01-2405	A/P-PERSONNEL TRAIN(JCPT)	12.00
01-2410	A/P-SALES TAX	88,352.84
01-2411	BOND ESCROW	13,366.00
01-2413	A/P TIME PAYMENT	683.29
01-2415	A/P FUGITIVE APPREHENSION (FA)	30.00
01-2416	A/P CONSOLIDATED CRT COST(CCC)	31,998.47
01-2417	A/P JUVENILE CRIME(JCD)	3.00

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
01-2418	A/P FTA FEE (FTA)	4,047.40
01-2422	DEPOSITS-VEHICLE STORAGE	5,104.38
01-2423	AP-CHILD SAFETY SEAT & BELT	629.81
01-2424	A/P CORRECTIONAL MGMT (CMT)	3.00
01-2425	DEPOSITS-CIVIC CENTER	(6,960.00)
01-2426	A/P INDIGENT DEFENSE FEE	1,552.94
01-2428	A/P - MUNI SVC BUREAU	42.93
01-2429	A/P - STATE TRAFFIC FEES	15,543.13
01-2430	BOND REFUNDS	(527.00)
01-2431	A/P - STATE JURY FEE (SJRF)	3,159.78
01-2434	A/P-JUDICIAL FEE-STATE (JFCT)	4,238.91
01-2436	A/P-LINEBARGER COURT COLLECTIO	6,923.95
01-2437	A/P-CIVIL JUSTICE FINE (CJFS)	102.13
01-2475	ENCUMBRANCES	700.66
01-2476	RESERVE FOR ENCUMBRANCES	(700.66)
01-2477	PRIOR YEAR ENCUMBRANCES	3.00
01-2478	RESERVE PRIOR YEAR ENCUMBRANCE	(3.00)
01-2501	DEFERRED REVENUE-TAXES	25,533.11
01-2503	DEFERRED REVENUE - WARRANTS	120,399.00
	TOTAL LIABILITIES	<u>213,538.21</u>
EQUITY		
=====		
01-3201	FUND BALANCE	1,905,007.80
01-3205	FOR ECONOMIC IMPACT	175,000.00
01-3207	FOR CASHFLOW	175,000.00
01-3209	FOR EMERGENCY CONTINGENCY	35,000.00
01-3213	FOR STREET MAINTENANCE	300,000.00
01-3214	FOR STREET SWEEPER	111,559.00
	TOTAL BEGINNING EQUITY	<u>2,701,566.80</u>
	TOTAL REVENUE	1,512,181.78
	TOTAL EXPENSES	<u>1,160,909.32</u>
	TOTAL INCREASE/(DECREASE) IN FUND BAL.	351,272.46
	TOTAL EQUITY & FUND BALANCE	<u>3,052,839.26</u>
	TOTAL LIABILITIES, EQUITY & FUND BALANCE	<u>3,266,377.47</u>
		=====

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>								
ALL REVENUES	5,060,445	5,060,445	913,454.50	1,512,181.78	1,661,175.89	0.00	29.88	3,548,263.22
TOTAL REVENUES	5,060,445	5,060,445	913,454.50	1,512,181.78	1,661,175.89	0.00	29.88	3,548,263.22
<u>EXPENDITURE SUMMARY</u>								
01-ADMINISTRATION								
SALARIES & BENEFITS	130,554	130,554	9,268.02	32,927.20	26,043.00	0.00	25.22	97,626.80
OTHER EXPENSES	62,410	62,410	9,415.15	11,633.01	1,790.97	0.00	18.64	50,776.99
TOTAL 01-ADMINISTRATION	192,964	192,964	18,683.17	44,560.21	27,833.97	0.00	23.09	148,403.79
02-POLICE DEPARTMENT								
SALARIES & BENEFITS	1,504,358	1,502,358	102,959.99	331,523.23	270,011.33	0.00	22.07	1,170,834.77
OTHER EXPENSES	108,748	110,748	5,668.27	20,085.64	14,868.44	0.00	18.14	90,662.36
CAPITAL EXPENSES	0	0	0.00	0.00	3,068.50	0.00	0.00	0.00
TOTAL 02-POLICE DEPARTMENT	1,613,106	1,613,106	108,628.26	351,608.87	287,948.27	0.00	21.80	1,261,497.13
03-FIRE DEPARTMENT								
SALARIES & BENEFITS	121,849	121,849	5,470.10	26,338.79	30,092.50	0.00	21.62	95,510.21
OTHER EXPENSES	104,218	104,218	2,728.62	10,843.80	15,496.19	0.00	10.40	93,374.20
CAPITAL EXPENSES	27,000	27,000	0.00	0.00	19,349.00	0.00	0.00	27,000.00
TOTAL 03-FIRE DEPARTMENT	253,067	253,067	8,198.72	37,182.59	64,937.69	0.00	14.69	215,884.41
04-SPECIAL SERVICES								
SALARIES & BENEFITS	57,114	57,150	3,827.00	13,488.34	1,138.08	0.00	23.60	43,661.66
OTHER EXPENSES	103,135	103,099	15,786.99	37,929.63	36,878.82	0.00	36.79	65,169.37
TOTAL 04-SPECIAL SERVICES	160,249	160,249	19,613.99	51,417.97	38,016.90	0.00	32.09	108,831.03
OTHER EXPENSES								
TOTAL	0	0	0.00	0.00	9.48	0.00	0.00	0.00
06-PARKS & RECREATION								
OTHER EXPENSES	151,575	151,575	551.72	13,305.89	25,821.20	0.00	8.78	138,269.11
CAPITAL EXPENSES	150,000	150,000	0.00	9,014.00	799.98	0.00	6.01	140,986.00
TOTAL 06-PARKS & RECREATION	301,575	301,575	551.72	22,319.89	26,621.18	0.00	7.40	279,255.11
07-FLEET MECHANIC								
SALARIES & BENEFITS	53,896	54,396	3,583.50	11,978.99	8,597.60	0.00	22.02	42,417.01
OTHER EXPENSES	112,752	112,252	3,374.78	34,437.50	35,177.62	0.00	30.68	77,814.50
TOTAL 07-FLEET MECHANIC	166,648	166,648	6,958.28	46,416.49	43,775.22	0.00	27.85	120,231.51
08-COURT								
SALARIES & BENEFITS	227,380	227,380	17,647.32	52,638.43	46,300.32	0.00	23.15	174,741.57
OTHER EXPENSES	29,300	29,300	316.72	7,325.87	2,689.76	0.00	25.00	21,974.13
TOTAL 08-COURT	256,680	256,680	17,964.04	59,964.30	48,990.08	0.00	23.36	196,715.70

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>10-FACILITY DIVISION</u>								
OTHER EXPENSES	114,000	114,000	6,079.58	18,562.11	19,898.26	0.00	16.28	95,437.89
TOTAL 10-FACILITY DIVISION	114,000	114,000	6,079.58	18,562.11	19,898.26	0.00	16.28	95,437.89
<u>11-CIVIC CENTER</u>								
SALARIES & BENEFITS	86,653	86,653	7,056.88	24,769.27	28,464.45	0.00	28.58	61,883.73
OTHER EXPENSES	48,400	48,400	1,560.88	8,963.36	5,764.14	0.00	18.52	39,436.64
TOTAL 11-CIVIC CENTER	135,053	135,053	8,617.76	33,732.63	34,228.59	0.00	24.98	101,320.37
<u>14-CONTRACT SERVICES</u>								
OTHER EXPENSES	349,400	349,400	5,615.79	154,932.11	205,481.79	0.00	44.34	194,467.89
TOTAL 14-CONTRACT SERVICES	349,400	349,400	5,615.79	154,932.11	205,481.79	0.00	44.34	194,467.89
<u>15-TECH SUPPORT</u>								
OTHER EXPENSES	213,074	213,074	26,850.23	72,999.77	39,556.22	0.00	34.26	140,074.23
CAPITAL EXPENSES	0	0	6,183.90	19,683.90	38,099.00	0.00	0.00	(19,683.90)
TOTAL 15-TECH SUPPORT	213,074	213,074	33,034.13	92,683.67	77,655.22	0.00	43.50	120,390.33
<u>16-PUBLIC WORKS</u>								
SALARIES & BENEFITS	436,320	436,320	28,145.70	115,856.56	99,858.77	0.00	26.55	320,463.44
OTHER EXPENSES	89,875	89,875	4,615.80	8,907.27	30,216.03	0.00	9.91	80,967.73
CAPITAL EXPENSES	2,500	2,500	0.00	0.00	0.00	0.00	0.00	2,500.00
TOTAL 16-PUBLIC WORKS	528,695	528,695	32,761.50	124,763.83	130,074.80	0.00	23.60	403,931.17
<u>17-ANIMAL CONTROL</u>								
SALARIES & BENEFITS	65,365	65,365	4,174.19	14,750.10	14,886.66	0.00	22.57	50,614.90
OTHER EXPENSES	18,250	18,250	4,166.65	5,377.24	2,615.90	0.00	29.46	12,872.76
TOTAL 17-ANIMAL CONTROL	83,615	83,615	8,340.84	20,127.34	17,502.56	0.00	24.07	63,487.66
<u>18-WCCPD</u>								
<u>19-INSPECTIONS</u>								
SALARIES & BENEFITS	53,241	53,241	22.60	474.37	9,359.89	0.00	0.89	52,766.63
OTHER EXPENSES	6,950	6,950	(3,164.00)	8,910.15	11,864.51	0.00	128.20	(1,960.15)
TOTAL 19-INSPECTIONS	60,191	60,191	(3,141.40)	9,384.52	21,224.40	0.00	15.59	50,806.48
<u>20-FINANCE</u>								
SALARIES & BENEFITS	126,537	125,517	7,177.34	25,365.01	21,903.15	0.00	20.21	100,151.99
OTHER EXPENSES	93,962	94,982	8,410.44	17,589.01	22,416.43	0.00	18.52	77,392.99
TOTAL 20-FINANCE	220,499	220,499	15,587.78	42,954.02	44,319.58	0.00	19.48	177,544.98
<u>21-ECONOMIC DEVELOPMENT(E)</u>								
<u>25-CITY MANAGEMENT</u>								
SALARIES & BENEFITS	117,683	117,683	8,339.68	24,209.37	25,547.49	0.00	20.57	93,473.63
OTHER EXPENSES	7,640	7,640	1,658.87	4,282.08	12,515.54	0.00	56.05	3,357.92
TOTAL 25-CITY MANAGEMENT	125,323	125,323	9,998.55	28,491.45	38,063.03	0.00	22.73	96,831.55

CITY OF WINCREST
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AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND
FINANCIAL SUMMARY

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	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>26-POOL</u>								
SALARIES & BENEFITS	62,696	62,696	0.00	0.00	2,135.04	0.00	0.00	62,696.00
OTHER EXPENSES	35,000	35,000	5,071.16	5,665.39	894.17	0.00	16.19	29,334.61
TOTAL 26-POOL	97,696	97,696	5,071.16	5,665.39	3,029.21	0.00	5.80	92,030.61
<u>27-POST OFFICE</u>								
SALARIES & BENEFITS	26,598	29,098	3,063.66	8,455.37	2,765.85	0.00	29.06	20,642.63
OTHER EXPENSES	9,200	6,700	318.00	1,574.87	1,906.74	0.00	23.51	5,125.13
TOTAL 27-POST OFFICE	35,798	35,798	3,381.66	10,030.24	4,672.59	0.00	28.02	25,767.76
<u>28-HUMAN RESOURCES</u>								
OTHER EXPENSES	147,900	147,900	2,056.09	6,038.30	13,860.38	0.00	4.08	141,861.70
TOTAL 28-HUMAN RESOURCES	147,900	147,900	2,056.09	6,038.30	13,860.38	0.00	4.08	141,861.70
<u>29-MERIT INCREASES</u>								
<u>00-GENERAL EXPENDITURES</u>								
TOTAL EXPENDITURES	5,055,533	5,055,533	306,898.18	1,160,835.93	1,148,143.20	0.00	22.96	3,894,697.07
REVENUE OVER/(UNDER) EXPENDITURES	4,912	4,912	606,556.32	351,345.85	513,032.69	0.00	7,152.81 (	346,433.85)

CITY OF WINCREST
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AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
01-4101 ADVALOREM TAX CURRENT	1,550,638	1,550,638	600,797.40	981,073.66	788,090.56	0.00	63.27	569,564.34
01-4115 SALES TAX	1,544,999	1,544,999	178,585.87	178,585.87	230,069.53	0.00	11.56	1,366,413.13
01-4116 SALES TX-AD VALOREM TX OFFSET	382,571	382,571	44,646.47	44,646.47	57,517.40	0.00	11.67	337,924.53
01-4118 HOTEL OCC. TAX FUND TRANSFER	106,847	106,847	26,711.76	26,711.76	58,045.00	0.00	25.00	80,135.24
01-4120 MIXED BEVERAGE GROSS RECEIPTS	18,730	18,730	0.00	4,232.06	4,070.14	0.00	22.60	14,497.94
01-4201 CPS ENERGY FRANCHISE FEES	280,759	280,759	0.00	79,313.46	80,121.88	0.00	28.25	201,445.54
01-4205 AT&T TELECOM FRANCHISE FEES	52,646	52,646	0.00	194.30	11,217.03	0.00	0.37	52,451.70
01-4210 TIME WARNER CABLE & TEL FEES	99,155	99,155	0.00	32,078.70	33,952.20	0.00	32.35	67,076.30
01-4215 OTHER TELECOM FEES	29,745	29,745	371.40	7,582.04	3,447.54	0.00	25.49	22,162.96
01-4230 FRANCHISE FEES -WATER	13,109	13,109	0.00	6,228.75	551.51	0.00	47.52	6,880.25
01-4301 INTEREST	3,300	3,300	163.67	519.45	326.99	0.00	15.74	2,780.55
01-4310 COURT FINES	427,000	427,000	24,562.33	88,003.82	72,444.46	0.00	20.61	338,996.18
01-4401 SWIMMING POOL FEES	29,500	29,500	0.00	0.00	0.00	0.00	0.00	29,500.00
01-4408 CONTRACTOR ANNUAL REGISTRATION	3,850	3,850	140.00	720.00	720.00	0.00	18.70	3,130.00
01-4409 BUILDING PERMIT FEES	122,857	122,857	29,701.70	36,622.80	12,068.45	0.00	29.81	86,234.20
01-4410 FOOD PERMIT FEES	18,540	18,540	2,250.00	3,054.00	525.00	0.00	16.47	15,486.00
01-4420 LIQUOR LICENSE FEES	1,200	1,200	375.00	962.50	0.00	0.00	80.21	237.50
01-4425 VEHICLE STORAGE FEES	21,184	21,184	0.00	388.00	272.24	0.00	1.83	20,796.00
01-4430 CIVIC CENTER FEES	25,615	25,615	1,610.00	6,940.00	3,700.00	0.00	27.09	18,675.00
01-4435 DOG TAG & IMPOUNDMENT FEES	1,200	1,200	15.00	150.00	165.00	0.00	12.50	1,050.00
01-4440 MISCELLANEOUS FEES	7,500	7,500	204.63	799.88	3,207.63	0.00	10.67	6,700.12
01-4441 ALARM & PERMIT FEES	6,500	6,500	0.00	150.00	0.00	0.00	2.31	6,350.00
01-4442 PLATTING/ZONING/VAR FEES	6,000	6,000	0.00	0.00	0.00	0.00	0.00	6,000.00
01-4444 FOOD HANDLER TRAINING FEES	5,000	5,000	72.00	837.00	1,315.00	0.00	16.74	4,163.00
01-4450 POST OFFICE SUBSIDY	25,000	25,000	2,083.33	6,249.99	6,249.99	0.00	25.00	18,750.01
01-4460 MISCELLANEOUS INCOME	150,000	150,000	1,163.94	6,137.27	219,892.82	0.00	4.09	143,862.73
01-4470 LEASE OF LAND	0	0	0.00	0.00	50,000.00	0.00	0.00	0.00
01-4501 GARBAGE FUND ADMIN TRANSFER	95,000	95,000	0.00	0.00	23,750.00	0.00	0.00	95,000.00
01-4504 COURT SECURITY FUND TRANSFER	10,000	10,000	0.00	0.00	0.00	0.00	0.00	10,000.00
01-4511 GRANT PROCEEDS-DOJ	22,000	22,000	0.00	0.00	0.00	0.00	0.00	22,000.00
TOTAL REVENUES	5,060,445	5,060,445	913,454.50	1,512,181.78	1,661,175.89	0.00	29.88	3,548,263.22

CITY OF WINCREST
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01 -GENERAL FUND

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DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
01-ADMINISTRATION								
=====								
SALARIES & BENEFITS								
01-501-010 ADMIN. SALARIES	92,958	92,958	7,266.64	18,000.07	15,576.65	0.00	19.36	74,957.93
01-501-014 STIPEND	3,876	3,719	0.00	3,712.30	1,346.62	0.00	99.82	6.77
01-501-018 ADMIN. EDUCATION PAY	600	600	0.00	0.00	0.00	0.00	0.00	600.00
01-501-020 ADMIN. OVERTIME	600	689	152.65	688.93	49.23	0.00	100.00	0.00
01-501-030 SOCIAL SECURITY	8,061	8,061	560.76	2,018.84	1,484.78	0.00	25.04	6,042.16
01-501-040 HEALTH INSURANCE	14,809	14,809	10.85	2,059.59	4,141.57	0.00	13.91	12,749.41
01-501-045 INSURANCE - BCWID	0	0	796.35	4,426.81	0.00	0.00	0.00	4,426.81
01-501-050 RETIREMENT	8,638	8,638	480.77	1,480.66	2,989.80	0.00	17.14	7,157.34
01-501-060 WORKERS' COMPENSATION	472	540	0.00	540.00	454.35	0.00	100.00	0.00
01-501-070 UNEMPLOYMENT COMPENSATION	540	540	0.00	0.00	0.00	0.00	0.00	540.00
TOTAL SALARIES & BENEFITS	130,554	130,554	9,268.02	32,927.20	26,043.00	0.00	25.22	97,626.80
OTHER EXPENSES								
01-501-130 BONDS & TRAINING	2,700	2,700	1,155.00	1,334.64	0.00	0.00	49.43	1,365.36
01-501-151 Contract Svc - Inspections	32,000	32,000	8,150.00	8,150.00	0.00	0.00	25.47	23,850.00
01-501-420 OFFICE SUPPLIES	3,000	3,000	110.15	300.10	708.07	0.00	10.00	2,699.90
01-501-440 ELECTION SUPPLIES	20,000	20,000	0.00	0.00	0.00	0.00	0.00	20,000.00
01-501-600 OFFICE EQUIPMENT & MAINT	800	800	0.00	521.90	0.00	0.00	65.24	278.10
01-501-650 VEHICLE EXPENSE	750	750	0.00	0.00	0.00	0.00	0.00	750.00
01-501-700 CONTINGENCIES	3,160	3,160	0.00	1,326.37	1,082.90	0.00	41.97	1,833.63
TOTAL OTHER EXPENSES	62,410	62,410	9,415.15	11,633.01	1,790.97	0.00	18.64	50,776.99
CAPITAL EXPENSES								
TOTAL 01-ADMINISTRATION	192,964	192,964	18,683.17	44,560.21	27,833.97	0.00	23.09	148,403.79
02-POLICE DEPARTMENT								
=====								
SALARIES & BENEFITS								
01-502-010 POLICE SALARIES	879,381	864,765	70,732.79	169,135.37	113,371.37	0.00	19.56	695,629.63
01-502-012 CIVILIAN SALARIES	163,820	163,820	13,190.68	29,635.41	33,408.75	0.00	18.09	134,184.59
01-502-014 POLICE SPECIAL ASSIGNMENT SA	0	12,600	484.64	1,211.60	117.13	0.00	9.62	11,388.40
01-502-015 POL INCENTIVE PAY-BILLING & S	12,300	12,300	372.27	907.04	600.08	0.00	7.37	11,392.96
01-502-016 CIV INCENTIVE PAY-BILLING & S	2,401	2,401	58.29	144.71	666.94	0.00	6.03	2,256.29
01-502-017 POLICE SALARIES-CERTIFICATION	0	7,145	877.04	2,192.60	954.44	0.00	30.69	4,952.04
01-502-018 POLICE EDUCATION PAY	0	1,201	46.16	115.40	346.20	0.00	9.61	1,085.60
01-502-020 POLICE OVERTIME	27,000	25,000	597.66	2,577.34	5,672.27	0.00	10.31	22,422.66
01-502-021 7K HOURS	26,000	26,000	1,482.82	4,516.14	4,307.02	0.00	17.37	21,483.86
01-502-022 CIVILIAN OVERTIME	5,300	5,300	1,337.93	3,057.47	1,510.55	0.00	57.69	2,242.53
01-502-025 STIPEND (CIVILIAN & POLICE)	32,295	32,295	0.00	30,426.29	10,091.70	0.00	94.21	1,868.71
01-502-026 HAZARDOUS DUTY PAY	19,600	19,600	895.50	2,350.65	0.00	0.00	11.99	17,249.35
01-502-030 SOCIAL SECURITY	72,255	72,255	6,673.17	21,108.05	12,570.36	0.00	29.21	51,146.95

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DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
01-502-030SOCIAL SECURITY CIVILIAN	13,580	13,580	0.00	0.00	2,864.61	0.00	0.00	13,580.00
01-502-040 HEALTH INSURANCE	125,764	123,424	367.63	21,461.65	19,409.54	0.00	17.39	101,962.35
01-502-050 RETIREMENT	75,975	75,975	5,843.41	16,446.15	28,151.41	0.00	21.65	59,528.85
01-502-050CITIZEN'S PATROL	14,185	14,185	0.00	0.00	3,142.77	0.00	0.00	14,185.00
01-502-060 WORKERS' COMPENSATION	30,227	26,237	0.00	26,237.36	28,127.22	0.00	100.00	0.00
01-502-070 UNEMPLOYMENT COMPENSATION	4,275	4,275	0.00	0.00	0.00	0.00	0.00	4,275.00
01-502-096 EXEMPT VACATION PAY-OUT	0	0	0.00	0.00	4,698.97	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	1,504,358	1,502,358	102,959.99	331,523.23	270,011.33	0.00	22.07	1,170,834.77
OTHER EXPENSES								
01-502-120 DUES & SUBSCRIPTIONS	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-502-130 BONDS & TRAINING	4,000	4,000	630.00	934.70	857.20	0.00	23.37	3,065.30
01-502-140 EMPLOYMENT SCREENING	0	0	0.00	0.00	1,473.00	0.00	0.00	0.00
01-502-400 CITIZEN'S PATROL	2,500	2,500	0.00	1,456.89	0.00	0.00	58.28	1,043.11
01-502-420 OFFICE SUPPLIES	4,500	4,500	683.70	685.60	507.09	0.00	15.24	3,814.40
01-502-430 MISCELLANEOUS SUPPLIES	6,000	8,000	0.00	3,721.92	471.89	0.00	46.52	4,278.08
01-502-450 LAB FEES/CRIME SCENE SUPP	8,500	8,500	0.00	579.81	1,549.00	0.00	6.82	7,920.19
01-502-480 UNIFORM ALLOWANCE	12,960	12,960	195.46	360.83	3,491.29	0.00	2.78	12,599.17
01-502-520 BICYCLE PARTS & MAINTENANCE	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
01-502-540 VEHICLE FUEL	64,588	64,588	4,159.11	12,265.13	6,393.97	0.00	18.99	52,322.87
01-502-550 PRISONER EXPENSE	3,000	3,000	0.00	5.10	0.00	0.00	0.17	2,994.90
01-502-700 CONTINGENCIES	1,200	1,200	0.00	75.66	125.00	0.00	6.31	1,124.34
TOTAL OTHER EXPENSES	108,748	110,748	5,668.27	20,085.64	14,868.44	0.00	18.14	90,662.36
CAPITAL EXPENSES								
01-502-800 CAPITAL EXPENDITURES	0	0	0.00	0.00	3,068.50	0.00	0.00	0.00
TOTAL CAPITAL EXPENSES	0	0	0.00	0.00	3,068.50	0.00	0.00	0.00
TOTAL 02-POLICE DEPARTMENT	1,613,106	1,613,106	108,628.26	351,608.87	287,948.27	0.00	21.80	1,261,497.13
03-FIRE DEPARTMENT								
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SALARIES & BENEFITS								
01-503-010 FIRE DEPT. SALARIES	59,967	59,967	4,713.36	11,760.13	11,712.08	0.00	19.61	48,206.87
01-503-012 STIPEND	3,230	3,230	0.00	3,179.65	1,309.82	0.00	98.44	50.35
01-503-020 FIRE OVERTIME	900	900	0.00	15.48	0.00	0.00	1.72	884.52
01-503-030 SOCIAL SECURITY	4,587	4,587	351.06	1,282.33	1,129.24	0.00	27.96	3,304.67
01-503-040 HEALTH INSURANCE	26,284	26,284	257.98	5,147.22	9,406.32	0.00	19.58	21,136.78
01-503-050 RETIREMENT	2,539	2,539	147.70	444.98	1,142.14	0.00	17.53	2,094.02
01-503-060 WORKERS' COMPENSATION	1,937	1,937	0.00	405.00	1,936.90	0.00	20.91	1,532.00
01-503-070 UNEMPLOYMENT COMPENSATION	405	405	0.00	0.00	0.00	0.00	0.00	405.00
01-503-080 VOLUNTEER PENSION FUND	22,000	22,000	0.00	4,104.00	3,456.00	0.00	18.65	17,896.00
TOTAL SALARIES & BENEFITS	121,849	121,849	5,470.10	26,338.79	30,092.50	0.00	21.62	95,510.21
OTHER EXPENSES								
01-503-130 TRAINING	5,000	5,000	0.00	0.00	500.00	0.00	0.00	5,000.00
01-503-140 EMPLOYMENT SCREENING	0	0	0.00	0.00	1,122.50	0.00	0.00	0.00
01-503-150 HAZMAT PROGRAM	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00

CITY OF WINCREST
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01 -GENERAL FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
01-503-221 MOBILE DATA TERMINAL SERVICE	5,500	5,500	570.29	570.29	1,140.48	0.00	10.37	4,929.71
01-503-226 PAGER MAINTENANCE - FIRE	2,000	2,000	0.00	0.00	0.00	0.00	0.00	2,000.00
01-503-227 RADIO CONTRACT	7,500	7,500	0.00	0.00	0.00	0.00	0.00	7,500.00
01-503-327 EOC EQUIPMENT & SUPPLIES	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
01-503-420 OFFICE SUPPLIES	1,600	1,600	0.00	574.00	716.88	0.00	35.88	1,026.00
01-503-430 SUPPLIES & EQUIPMENT	5,500	5,500	41.23	747.98	893.70	0.00	13.60	4,752.02
01-503-450 MEDICAL TRAINING	1,500	1,500	0.00	0.00	426.00	0.00	0.00	1,500.00
01-503-460 MEDICAL TRAINING	2,700	2,700	0.00	280.00	655.00	0.00	10.37	2,420.00
01-503-480 UNIFORM ALLOWANCE	1,800	1,800	0.00	0.00	411.60	0.00	0.00	1,800.00
01-503-503 VEHICLE PARTS - FIRE	4,500	4,500	0.00	332.77	0.00	0.00	7.39	4,167.23
01-503-540 VEHICLE FUEL	22,218	22,218	1,319.32	6,003.41	2,903.80	0.00	27.02	16,214.59
01-503-603 VEHICLE OUTSIDE MAINT. FIRE	6,000	6,000	0.00	320.99	1,001.03	0.00	5.35	5,679.01
01-503-620 DORM - UTILITIES & CABLE	14,000	14,000	797.78	1,576.87	2,680.05	0.00	11.26	12,423.13
01-503-630 DORM - REPAIRS & MAINT	7,000	7,000	0.00	437.49	1,725.00	0.00	6.25	6,562.51
01-503-700 CONTINGENCIES	1,000	1,000	0.00	0.00	483.91	0.00	0.00	1,000.00
01-503-730 ANNUAL PUMP TESTS	3,900	3,900	0.00	0.00	0.00	0.00	0.00	3,900.00
01-503-740 MAINTENANCE CONTRACTS	10,500	10,500	0.00	0.00	836.24	0.00	0.00	10,500.00
TOTAL OTHER EXPENSES	104,218	104,218	2,728.62	10,843.80	15,496.19	0.00	10.40	93,374.20
CAPITAL EXPENSES								
01-503-800 CAPITAL EXPENDITURES	27,000	27,000	0.00	0.00	19,349.00	0.00	0.00	27,000.00
TOTAL CAPITAL EXPENSES	27,000	27,000	0.00	0.00	19,349.00	0.00	0.00	27,000.00
TOTAL 03-FIRE DEPARTMENT	253,067	253,067	8,198.72	37,182.59	64,937.69	0.00	14.69	215,884.41
04-SPECIAL SERVICES								
=====								
SALARIES & BENEFITS								
01-504-009 SALARIES	0	43,500	3,346.16	8,365.40	0.00	0.00	19.23	35,134.60
01-504-011 SALARIES - PLANNING & ZONING	43,500	0	0.00	0.00	0.00	0.00	0.00	0.00
01-504-014 STIPEND	1,292	1,292	0.00	1,271.86	0.00	0.00	98.44	20.14
01-504-030 SOCIAL SECURITY	3,328	3,328	254.28	859.36	0.00	0.00	25.82	2,468.64
01-504-040 HEALTH INSURANCE	5,125	5,125	9.72	2,168.75	1,138.08	0.00	42.32	2,956.25
01-504-050 RETIREMENT	3,597	3,597	216.84	650.52	0.00	0.00	18.09	2,946.48
01-504-060 WORKERS COMPENSATION	137	173	0.00	172.45	0.00	0.00	99.68	0.55
01-504-070 UNEMPLOYMENT COMP	135	135	0.00	0.00	0.00	0.00	0.00	135.00
TOTAL SALARIES & BENEFITS	57,114	57,150	3,827.00	13,488.34	1,138.08	0.00	23.60	43,661.66
OTHER EXPENSES								
01-504-120 DUES & SUBSCRIPTIONS	4,085	4,085	0.00	137.50	354.51	0.00	3.37	3,947.50
01-504-400 CITIZEN'S PATROL	0	0	0.00	62.75	975.52	0.00	0.00	62.75
01-504-420 COPIER PAPER	350	350	0.00	0.00	0.00	0.00	0.00	350.00
01-504-460 SPECIAL EVENTS	10,000	10,000	809.18	5,192.07	7,178.24	0.00	51.92	4,807.93
01-504-470 LIGHT UP	30,000	30,000	12,763.30	22,669.47	15,355.65	0.00	75.56	7,330.53
01-504-480 WINDCREST PROUD	0	0	0.00	0.00	4,114.16	0.00	0.00	0.00
01-504-486 FIREMAN'S PICNIC & WINDFEST	5,000	5,000	0.00	0.00	5,000.00	0.00	0.00	5,000.00
01-504-490 WINDCREST YOUTH ACTIVITIES	4,500	4,500	295.09	358.57	0.00	0.00	7.97	4,141.43
01-504-590 POSTAGE	28,000	28,000	1,259.53	4,367.37	3,806.98	0.00	15.60	23,632.63

CITY OF WINCREST
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01 -GENERAL FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
01-504-609 TRANSFER TO FRIENDS OF ANIMA	2,000	2,000	672.82	672.82	0.00	0.00	33.64	1,327.18
01-504-630 LEGAL ADVERTISING	3,800	3,800	448.80	467.55	93.76	0.00	12.30	3,332.45
01-504-635 ADVERTISING	0	0	0.00	1,013.00	0.00	0.00	0.00	1,013.00
01-504-645 MAYOR - COUNCIL EXPENSES	14,400	14,400	1,115.90	2,831.80	0.00	0.00	19.67	11,568.20
01-504-650 MILEAGE & ENTERTAINMENT EXPE	1,000	964	40.73	156.73	0.00	0.00	16.26	807.27
TOTAL OTHER EXPENSES	103,135	103,099	15,786.99	37,929.63	36,878.82	0.00	36.79	65,169.37
CAPITAL EXPENSES								
TOTAL 04-SPECIAL SERVICES	160,249	160,249	19,613.99	51,417.97	38,016.90	0.00	32.09	108,831.03
SALARIES & BENEFITS								
OTHER EXPENSES								
01-505-430 SUPPLIES	0	0	0.00	0.00	9.48	0.00	0.00	0.00
TOTAL OTHER EXPENSES	0	0	0.00	0.00	9.48	0.00	0.00	0.00
CAPITAL EXPENSES								
TOTAL	0	0	0.00	0.00	9.48	0.00	0.00	0.00
06-PARKS & RECREATION								
SALARIES & BENEFITS								
OTHER EXPENSES								
01-506-100 UTILITIES	0	0	3,302.18	0.00	4,050.11	0.00	0.00	0.00
01-506-130 TRAINING	2,000	2,000	0.00	0.00	0.00	0.00	0.00	2,000.00
01-506-240 CONTRACT MAINTENANCE OUTS	3,500	3,500	190.00	380.00	190.00	0.00	10.86	3,120.00
01-506-250 CONTRACT MAINT.-GREEN BEL	85,000	85,000	1,950.00	6,977.08	4,400.00	0.00	8.21	78,022.92
01-506-260 GREEN BELT CLEANING	2,500	2,500	0.00	2,358.70	0.00	0.00	94.35	141.30
01-506-430 SUPPLIES	12,000	12,000	17.90	1,544.70	716.11	0.00	12.87	10,455.30
01-506-431 EMPLOYEE APPRECIATION LUNCHE	75	75	75.00	75.00	75.00	0.00	100.00	0.00
01-506-420 EQUIPMENT REPAIR	4,000	4,000	0.00	136.36	1,067.91	0.00	3.41	3,863.64
01-506-630 FACILITY MAINTENANCE	17,000	17,000	0.00	141.00	376.20	0.00	0.83	16,859.00
01-506-635 TREES / SHRUBS/LANDSCAPING	25,000	25,000	517.56	1,693.05	14,945.87	0.00	6.77	23,306.95
01-506-700 CONTINGENCIES	500	500	0.00	0.00	0.00	0.00	0.00	500.00
TOTAL OTHER EXPENSES	151,575	151,575	551.72	13,305.89	25,821.20	0.00	8.78	138,269.11
CAPITAL EXPENSES								
01-506-800 CAPITAL EXPENDITURE	0	0	0.00	0.00	799.98	0.00	0.00	0.00
01-506-810 CAPITAL IMPROVEMENTS	150,000	150,000	0.00	9,014.00	0.00	0.00	6.01	140,986.00
TOTAL CAPITAL EXPENSES	150,000	150,000	0.00	9,014.00	799.98	0.00	6.01	140,986.00
TOTAL 06-PARKS & RECREATION	301,575	301,575	551.72	22,319.89	26,621.18	0.00	7.40	279,255.11

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07-FLEET MECHANIC								
SALARIES & BENEFITS								
01-507-010 MECHANIC SALARIES	38,000	38,000	3,007.81	7,392.37	4,748.37	0.00	19.45	30,607.63
01-507-012 STIPEND	1,292	1,292	0.00	1,271.86	594.25	0.00	98.44	20.14
01-507-020 OVERTIME	600	1,100	142.77	683.46	459.84	0.00	62.13	416.54
01-507-030 SOCIAL SECURITY	2,712	2,712	221.08	784.33	412.96	0.00	28.92	1,927.67
01-507-040 HEALTH INSURANCE	4,298	4,298	7.68	1,079.07	94.76	0.00	25.11	3,218.93
01-507-050 RETIREMENT	3,193	3,193	204.16	632.90	911.42	0.00	19.82	2,560.10
01-507-060 WORKERS' COMPENSATION	3,666	3,666	0.00	135.00	1,376.00	0.00	3.68	3,531.00
01-507-070 UNEMPLOYMENT COMPENSATION	135	135	0.00	0.00	0.00	0.00	0.00	135.00
TOTAL SALARIES & BENEFITS	53,896	54,396	3,583.50	11,978.99	8,597.60	0.00	22.02	42,417.01
OTHER EXPENSES								
01-507-120 DUES & SUBSCRIPTIONS	100	100	0.00	0.00	0.00	0.00	0.00	100.00
01-507-130 TRAINING	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-507-420 OFFICE SUPPLIES	250	250	0.00	0.00	0.00	0.00	0.00	250.00
01-507-430 FLEET TOOLS & SUPPLIES	6,500	6,000	51.34	1,176.22	704.26	0.00	19.60	4,823.78
01-507-431 EMPLOYEE APPRECIATION LUNCHE	75	75	0.00	0.00	75.00	0.00	0.00	75.00
01-507-450 ENVIRONMENTAL FEES	700	700	0.00	0.00	0.00	0.00	0.00	700.00
01-507-501 VEHICLE PARTS-ADMIN	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-507-502 VEHICLE PARTS-POLICE	10,000	10,000	428.41	2,895.24	4,299.78	0.00	28.95	7,104.76
01-507-503 VEHICLE PARTS-FIRE	3,500	3,500	252.58	436.05	624.35	0.00	12.46	3,063.95
01-507-506 VEHICLE PARTS-PARKS & REC	1,750	1,750	0.00	76.45	3.50	0.00	4.37	1,673.55
01-507-508 VEHICLE PARTS-WARRANT OFFICE	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-507-516 VEHICLE PARTS-PUBLIC WORKS	5,300	5,300	1,196.72	2,652.85	641.03	0.00	50.05	2,647.15
01-507-520 EQUIPMENT REPAIR	12,000	12,000	143.66	3,445.46	1,757.36	0.00	28.71	8,554.54
01-507-540 VEHICLE FUEL	32,000	32,000	1,302.07	7,031.40	10,656.80	0.00	21.97	24,968.60
01-507-602 VEHICLE OUTSIDE MAINT-POLICE	13,500	13,500	0.00	1,560.03	598.15	0.00	11.56	11,939.97
01-507-603 VEHICLE OUTSIDE MAINT-FIRE	7,000	7,000	0.00	747.81	2,940.62	0.00	10.68	6,252.19
01-507-606 VEHICLE OUTSIDE MAINT-PARKS&	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
01-507-608 VEHICLE OUTSIDE MAINT-WRNT O	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-507-616 VEHICLE OUTSIDE MAINT-PW	2,000	2,000	0.00	1,539.22	0.00	0.00	76.96	460.78
01-507-700 CONTINGENCIES	1,200	1,200	0.00	0.00	0.00	0.00	0.00	1,200.00
01-507-716 DEBT SERVICE - PRINCIPAL	12,877	11,375	0.00	11,375.06	12,876.77	0.00	100.00	0.00
01-507-717 DEBT SERVICE - INTEREST	0	1,502	0.00	1,501.71	0.00	0.00	99.98	0.23
01-507-730 VEHICLE/EQUIPMENT TESTING	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
TOTAL OTHER EXPENSES	112,752	112,252	3,374.78	34,437.50	35,177.62	0.00	30.68	77,814.50
CAPITAL EXPENSES								
TOTAL 07-FLEET MECHANIC	166,648	166,648	6,958.28	46,416.49	43,775.22	0.00	27.85	120,231.51

08-COURT
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CITY OF WINCREST
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SALARIES & BENEFITS								
01-508-010 COURT SALARIES	172,351	172,351	15,025.70	34,176.32	33,307.22	0.00	19.83	138,174.68
01-508-012 STIPEND	6,782	6,782	0.00	6,359.30	2,449.07	0.00	93.77	422.70
01-508-017 CERTIFICATION PAY - COURT	900	900	0.00	0.00	173.10	0.00	0.00	900.00
01-508-018 COURT EDUCATION PAY	300	300	0.00	0.00	57.70	0.00	0.00	300.00
01-508-020 COURT OVERTIME	5,000	5,000	635.26	2,314.82	207.39	0.00	46.30	2,685.18
01-508-030 SOCIAL SECURITY	9,736	9,736	1,162.22	3,979.87	3,227.56	0.00	40.88	5,756.13
01-508-040 HEALTH INSURANCE	19,645	19,645	44.52	2,978.38	1,124.91	0.00	15.16	16,666.62
01-508-050 RETIREMENT	11,491	11,491	779.62	2,329.74	5,150.21	0.00	20.27	9,161.26
01-508-060 WORKER'S COMPENSATION	500	500	0.00	500.00	500.27	0.00	100.00	0.00
01-508-070 UNEMPLOYMENT COMPENSATION	675	675	0.00	0.00	0.00	0.00	0.00	675.00
01-508-095 TERMINATION PAY-OUT	0	0	0.00	0.00	102.89	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	227,380	227,380	17,647.32	52,638.43	46,300.32	0.00	23.15	174,741.57
OTHER EXPENSES								
01-508-120 DUES & SUBSCRIPTIONS	250	250	0.00	0.00	94.06	0.00	0.00	250.00
01-508-130 BONDS & TRAINING	1,800	1,800	0.00	1,398.67	328.82	0.00	77.70	401.33
01-508-150 JUDGE	4,500	4,500	346.16	1,661.55	0.00	0.00	36.92	2,838.45
01-508-160 PROSECUTOR	0	0	680.65)	0.00	0.00	0.00	0.00	0.00
01-508-165 WARRANT JAIL COSTS	8,500	8,500	450.00	3,550.00	1,900.00	0.00	41.76	4,950.00
01-508-170 JURY SERVICE FEES	250	250	0.00	0.00	0.00	0.00	0.00	250.00
01-508-180 COURT OF RECORD/STENOGRAPHER	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
01-508-420 OFFICE SUPPLIES	3,000	3,000	201.21	711.77	366.88	0.00	23.73	2,288.23
01-508-481 CONTINGENCIES	5,000	5,000	0.00	3.88	0.00	0.00	0.08	4,996.12
01-508-540 FUEL	5,000	5,000	0.00	0.00	0.00	0.00	0.00	5,000.00
TOTAL OTHER EXPENSES	29,300	29,300	316.72	7,325.87	2,689.76	0.00	25.00	21,974.13
CAPITAL EXPENSES								
TOTAL 08-COURT	256,680	256,680	17,964.04	59,964.30	48,990.08	0.00	23.36	196,715.70
10-FACILITY DIVISION								
OTHER EXPENSES								
01-510-100 UTILITIES	36,700	36,700	4,255.30	9,168.22	7,656.60	0.00	24.98	27,531.78
01-510-170 JANITORIAL SERVICES	20,000	20,000	1,605.28	5,833.93	3,896.49	0.00	29.17	14,166.07
01-510-240 CONTRACT MAINTENANCE	3,000	3,000	0.00	1,605.28	380.00	0.00	53.51	1,394.72
01-510-430 SUPPLIES	5,500	5,500	0.00	1,600.68	1,394.41	0.00	29.10	3,899.32
01-510-630 FACILITY MAINTENANCE	45,000	45,000	0.00	135.00	3,597.16	0.00	0.30	44,865.00
01-510-650 FIRE ALARM & EXT. INSPECTION	2,000	2,000	219.00	219.00	2,106.50	0.00	10.95	1,781.00
01-510-700 CONTINGENCIES	1,800	1,800	0.00	0.00	867.10	0.00	0.00	1,800.00
TOTAL OTHER EXPENSES	114,000	114,000	6,079.58	18,562.11	19,898.26	0.00	16.28	95,437.89
CAPITAL EXPENSES								
TOTAL 10-FACILITY DIVISION	114,000	114,000	6,079.58	18,562.11	19,898.26	0.00	16.28	95,437.89

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11-CIVIC CENTER								
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SALARIES & BENEFITS								
01-511-010 CIVIC CENTER SALARIES	56,514	56,514	4,494.62	10,980.61	14,294.30	0.00	19.43	45,533.39
01-511-012 STIPEND	2,584	2,584	0.00	2,543.72	1,745.27	0.00	98.44	40.28
01-511-020 OVERTIME - CIVIC CENTER	4,800	6,300	1,708.56	5,601.93	2,946.01	0.00	88.92	698.07
01-511-030 SOCIAL SECURITY	5,167	5,167	438.11	1,589.35	1,458.98	0.00	30.76	3,577.65
01-511-040 HEALTH INSURANCE	8,658	8,658	13.56	2,513.12	2,748.13	0.00	29.03	6,144.88
01-511-050 RETIREMENT	5,071	5,071	402.03	1,270.54	3,022.55	0.00	25.06	3,800.46
01-511-060 WORKERS' COMPENSATION	3,589	2,089	0.00	270.00	2,249.21	0.00	12.92	1,819.00
01-511-070 UNEMPLOYMENT COMPENSATION	270	270	0.00	0.00	0.00	0.00	0.00	270.00
TOTAL SALARIES & BENEFITS	86,653	86,653	7,056.88	24,769.27	28,464.45	0.00	28.58	61,883.73
OTHER EXPENSES								
01-511-100 UTILITIES	17,000	17,000	1,410.88	4,820.20	1,857.16	0.00	28.35	12,179.80
01-511-430 SUPPLIES	5,500	5,500	0.00	834.24	629.82	0.00	15.17	4,665.76
01-511-431 EMPLOYEE APPRECIATION LUNCHE	150	150	150.00	150.00	75.00	0.00	100.00	0.00
01-511-630 FACILITY MAINTENANCE	25,000	25,000	0.00	3,158.92	3,202.16	0.00	12.64	21,841.08
01-511-700 CONTINGENCIES	750	750	0.00	0.00	0.00	0.00	0.00	750.00
TOTAL OTHER EXPENSES	48,400	48,400	1,560.88	8,963.36	5,764.14	0.00	18.52	39,436.64
CAPITAL EXPENSES								
TOTAL 11-CIVIC CENTER	135,053	135,053	8,617.76	33,732.63	34,228.59	0.00	24.98	101,320.37
14-CONTRACT SERVICES								
=====								
OTHER EXPENSES								
01-514-220 FOOD HEALTH OFFICER FEES	12,000	12,000	1,800.00	3,600.00	3,600.00	0.00	30.00	8,400.00
01-514-250 LEGAL & CITY ATTORNEY	30,000	30,000	2,500.00	11,650.00	7,500.00	0.00	38.83	18,350.00
01-514-255 SPECIAL LEGAL FEES	110,000	110,000	0.00	25,835.70	118,321.50	0.00	23.49	84,164.30
01-514-290 AUDIT	24,000	24,000	0.00	9,270.00	0.00	0.00	38.63	14,730.00
01-514-300 EMS	70,000	70,000	5,833.33	17,499.99	17,499.99	0.00	25.00	52,500.01
01-514-310 MUNICIPAL INSURANCE	60,000	60,000	1,682.46	60,802.69	56,430.93	0.00	101.34	802.69
01-514-320 ENGINEER / ARCHITECT	20,000	20,000	6,300.00	17,978.73	0.00	0.00	89.89	2,021.27
01-514-325 SALES TAX COLLECTION SERVICE	6,000	6,000	0.00	6,000.00	0.00	0.00	100.00	0.00
01-514-360 MOBILITY IMPAIRED TRANSPORT	12,000	12,000	0.00	0.00	0.00	0.00	0.00	12,000.00
01-514-400 CREDIT CARD TERMINAL	0	0	0.00	0.00	659.37	0.00	0.00	0.00
01-514-405 RECORDS STORAGE RENTAL	4,200	4,200	0.00	1,500.00	1,470.00	0.00	35.71	2,700.00
01-514-410 RECORDS DESTRUCTION	1,200	1,200	100.00	795.00	0.00	0.00	66.25	405.00
TOTAL OTHER EXPENSES	349,400	349,400	5,615.79	154,932.11	205,481.79	0.00	44.34	194,467.89
CAPITAL EXPENSES								
TOTAL 14-CONTRACT SERVICES	349,400	349,400	5,615.79	154,932.11	205,481.79	0.00	44.34	194,467.89

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
15-TECH SUPPORT								
=====								
SALARIES & BENEFITS								
OTHER EXPENSES								
01-515-200 COMPUTER CONTRACTS	67,130	67,130	4,536.39	18,223.02	8,557.03	0.00	27.15	48,906.98
01-515-201 COMPUTER MAINTENANCE	0	0	0.00	0.00	789.91	0.00	0.00	0.00
01-515-205 TELECOMMUNICATIONS CONTRACT	24,750	24,750	7,472.80	15,994.11	3,657.67	0.00	64.62	8,755.89
01-515-210 TELEPHONE MAINT.CONTRACT	16,000	16,000	0.00	0.00	5,092.54	0.00	0.00	16,000.00
01-515-215 MOBILE PHONES CONTRACT	6,535	6,535	3,941.40	3,906.78	1,826.84	0.00	59.78	2,628.22
01-515-221 MOBILE DATA TERMINAL SERVICE	5,409	5,409	1,220.79	2,410.77	1,467.47	0.00	44.57	2,998.23
01-515-223 PAGER CONTRACT	0	0	0.00	0.00	314.85	0.00	0.00	0.00
01-515-226 RADIO MAINTENANCE	0	0	0.00	0.00	175.00	0.00	0.00	0.00
01-515-289 CONTRACTSERVICES - IT	59,000	59,000	5,859.25	26,319.32	9,746.50	0.00	44.61	32,680.68
01-515-330 WEBSITE SUPPORT CONTRACT	6,000	6,000	3,819.60	3,819.60	4,608.00	0.00	63.66	2,180.40
01-515-333 CLOUD HOSTING FEES	12,000	12,000	0.00	0.00	330.00	0.00	0.00	12,000.00
01-515-460 COPIER CONTRACT & SUPPLIES	15,500	15,500	0.00	2,326.17	2,990.41	0.00	15.01	13,173.83
01-515-700 CONTINGENCIES	750	750	0.00	0.00	0.00	0.00	0.00	750.00
TOTAL OTHER EXPENSES	213,074	213,074	26,850.23	72,999.77	39,556.22	0.00	34.26	140,074.23
CAPITAL EXPENSES								
01-515-800 CAPITAL EXPENSE	0	0	6,183.90	19,683.90	38,099.00	0.00	0.00	19,683.90
TOTAL CAPITAL EXPENSES	0	0	6,183.90	19,683.90	38,099.00	0.00	0.00	19,683.90
TOTAL 15-TECH SUPPORT	213,074	213,074	33,034.13	92,683.67	77,655.22	0.00	43.50	120,390.33
16-PUBLIC WORKS								
=====								
SALARIES & BENEFITS								
01-516-010 PUBLIC WORKS SALARIES	302,806	302,806	24,866.23	60,223.00	45,136.76	0.00	19.89	242,583.00
01-516-012 STIPEND	12,918	14,385	0.00	14,384.67	3,784.84	0.00	100.00	0.33
01-516-015 P.W . INCENTIVE PAY-BILINGUAL	1,200	1,200	92.32	230.80	230.80	0.00	19.23	969.20
01-516-018 P.W. EDUCATION PAY	300	300	23.08	57.70	57.70	0.00	19.23	242.30
01-516-020 PUBLIC WORKS OVERTIME	2,800	2,800	1,636.68	438.68	2,681.81	0.00	15.67	2,361.32
01-516-030 SOCIAL SECURITY	24,381	24,381	1,913.62	6,799.19	5,384.60	0.00	27.89	17,581.81
01-516-040 HEALTH INSURANCE	45,126	45,126	73.68	10,092.23	8,723.79	0.00	22.36	35,033.77
01-516-050 RETIREMENT	25,398	25,398	1,615.45	4,798.92	11,068.02	0.00	18.89	20,599.08
01-516-060 WORKERS' COMPENSATION	15,608	11,619	0.00	11,618.37	15,608.46	0.00	99.99	0.63
01-516-070 UNEMPLOYMENT COMPENSATION	1,283	1,283	0.00	0.00	0.00	0.00	0.00	1,283.00
01-516-080 CONTRACT LABOR	4,500	7,022	1,198.00	7,213.00	0.00	0.00	102.72	191.00
01-516-095 TERMINATION PAY-OUT	0	0	0.00	0.00	7,181.99	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	436,320	436,320	28,145.70	115,856.56	99,858.77	0.00	26.55	320,463.44
OTHER EXPENSES								
01-516-100 UTILITIES	41,800	41,800	2,040.11	2,116.04	14,504.27	0.00	5.06	39,683.96
01-516-130 TRAINING	1,000	1,000	0.00	659.00	0.00	0.00	65.90	341.00

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01 -GENERAL FUND

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
01-516-140 EMPLOYMENT SCREENING	0	0	0.00	0.00	394.00	0.00	0.00	0.00
01-516-240 CONTRACT OUT MAINTENANCE	10,000	10,000	0.00	251.00	261.00	0.00	2.51	9,749.00
01-516-430 SUPPLIES	12,000	12,000	398.58	1,685.98	501.70	0.00	14.05	10,314.02
01-516-431 EMPLOYEE APPRECIATION LUNCHE	575	575	575.00	575.00	75.00	0.00	100.00	0.00
01-516-480 UNIFORM ALLOWANCE	11,000	11,000	0.00	1,059.70	2,126.79	0.00	9.63	9,940.30
01-516-525 EQUIPMENT RENTAL	3,500	3,500	0.00	0.00	638.00	0.00	0.00	3,500.00
01-516-530 STREET SIGNS & MARKERS	5,000	5,000	1,602.11	2,537.94	4,698.63	0.00	50.76	2,462.06
01-516-630 FACILITIES MAINTENANCE	5,000	5,000	0.00	22.61	5,813.30	0.00	0.45	4,977.39
01-516-710 STREET CRACK FILLING MATERIA	0	0	0.00	0.00	30.00	0.00	0.00	0.00
01-516-720 ALLEY/CURB/SIDEWALK REPAIR	0	0	0.00	0.00	1,173.34	0.00	0.00	0.00
TOTAL OTHER EXPENSES	89,875	89,875	4,615.80	8,907.27	30,216.03	0.00	9.91	80,967.73
CAPITAL EXPENSES								
01-516-810 STREET CAPITAL REPAIRS	2,500	2,500	0.00	0.00	0.00	0.00	0.00	2,500.00
TOTAL CAPITAL EXPENSES	2,500	2,500	0.00	0.00	0.00	0.00	0.00	2,500.00
TOTAL 16-PUBLIC WORKS	528,695	528,695	32,761.50	124,763.83	130,074.80	0.00	23.60	403,931.17
17-ANIMAL CONTROL								
=====								
SALARIES & BENEFITS								
01-517-010 SALARIES-ANIMAL CONTROL	41,652	41,652	3,304.74	8,186.62	8,256.55	0.00	19.65	33,465.38
01-517-012 STIPEND	1,938	1,938	0.00	1,271.86	877.93	0.00	65.63	666.14
01-517-013 Salaries - Animal on call	2,600	2,600	200.00	500.00	500.00	0.00	19.23	2,100.00
01-517-020 OVERTIME-ANIMAL CONTROL	3,600	3,600	148.14	439.33	342.61	0.00	12.20	3,160.67
01-517-030 SOCIAL SECURITY	3,610	3,610	277.83	935.72	823.28	0.00	25.92	2,674.28
01-517-040 HEALTH INSURANCE	6,455	6,455	6.78	1,069.76	1,078.08	0.00	16.57	5,385.24
01-517-050 RETIREMENT	3,742	3,742	236.70	713.81	1,375.22	0.00	19.08	3,028.19
01-517-060 WORKER'S COMPENSATION	1,633	1,633	0.00	1,633.00	1,632.99	0.00	100.00	0.00
01-517-070 UNEMPLOYMENT COMPENSATION	135	135	0.00	0.00	0.00	0.00	0.00	135.00
TOTAL SALARIES & BENEFITS	65,365	65,365	4,174.19	14,750.10	14,886.66	0.00	22.57	50,614.90
OTHER EXPENSES								
01-517-230 VET/INPOUNDING/SHELTER	9,000	9,000	3,744.20	4,935.50	2,615.90	0.00	54.84	4,064.50
01-517-231 INPOUNDING/SHELTER	6,000	6,000	0.00	0.00	0.00	0.00	0.00	6,000.00
01-517-240 TRAINING & CERTIFICATION	1,500	1,500	0.00	0.00	0.00	0.00	0.00	1,500.00
01-517-420 EQUIPMENT	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
01-517-430 SUPPLIES	750	750	422.45	441.74	0.00	0.00	58.90	308.26
TOTAL OTHER EXPENSES	18,250	18,250	4,166.65	5,377.24	2,615.90	0.00	29.46	12,872.76
CAPITAL EXPENSES								
TOTAL 17-ANIMAL CONTROL	83,615	83,615	8,340.84	20,127.34	17,502.56	0.00	24.07	63,487.66
18-WCCPD								
=====								

REVENUE & EXPENSE REPORT (UNAUDITED)
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01 -GENERAL FUND

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<u>SALARIES & BENEFITS</u>								
19-INSPECTIONS								
=====								
<u>SALARIES & BENEFITS</u>								
01-519-010 INSPECTION SALARIES	38,001	38,001	0.00	0.00	5,997.35	0.00	0.00	38,001.00
01-519-012 STIPEND	1,292	1,292	0.00	0.00	594.26	0.00	0.00	1,292.00
01-519-015 INSP.INCENTIVE PAY-BILINGUAL	600	600	0.00	0.00	0.00	0.00	0.00	600.00
01-519-020 OVERTIME	1,800	1,800	0.00	0.00	51.69	0.00	0.00	1,800.00
01-519-030 SOCIAL SECURITY	3,190	3,190	0.00	0.00	604.92	0.00	0.00	3,190.00
01-519-040 HEALTH INSURANCE	4,403	4,403	22.60	130.37	598.11	0.00	2.96	4,272.63
01-519-050 RETIREMENT	3,341	3,341	0.00	0.00	1,169.23	0.00	0.00	3,341.00
01-519-060 WORKER'S COMPENSATION	344	344	0.00	344.00	344.33	0.00	100.00	0.00
01-519-070 UNEMPLOYMENT COMPENSATION	270	270	0.00	0.00	0.00	0.00	0.00	270.00
TOTAL SALARIES & BENEFITS	53,241	53,241	22.60	474.37	9,359.89	0.00	0.89	52,766.63
<u>OTHER EXPENSES</u>								
01-519-120 DUES & SUBSCRIPTIONS	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-519-125 CONTRACT INSPECTION SVCS	0	0	6,250.00)	0.00	9,450.00	0.00	0.00	0.00
01-519-130 BONDS & TRAINING	1,500	1,500	111.00	1,135.15	50.00	0.00	75.68	364.85
01-519-150 CONTRACT SERVICES - INSPECTI	0	0	2,975.00	7,775.00	1,700.00	0.00	0.00	7,775.00)
01-519-420 OFFICE SUPPLIES	750	750	0.00	0.00	105.63	0.00	0.00	750.00
01-519-430 SUPPLIES & EQUIPMENT	500	500	0.00	0.00	179.00	0.00	0.00	500.00
01-519-480 UNIFORMS	500	500	0.00	0.00	99.99	0.00	0.00	500.00
01-519-490 VEHICLE PARTS	3,200	3,200	0.00	0.00	0.00	0.00	0.00	3,200.00
01-519-540 VEHICLE FUEL	0	0	0.00	0.00	279.89	0.00	0.00	0.00
TOTAL OTHER EXPENSES	6,950	6,950	3,164.00)	8,910.15	11,864.51	0.00	128.20	1,960.15)
<u>CAPITAL EXPENSES</u>								
TOTAL 19-INSPECTIONS	60,191	60,191	3,141.40)	9,384.52	21,224.40	0.00	15.59	50,806.48
20-FINANCE								
=====								
<u>SALARIES & BENEFITS</u>								
01-520-010 FINANCE SALARIES	95,544	94,524	6,262.39	15,357.13	15,630.73	0.00	16.25	79,166.87
01-520-012 STIPEND	3,876	3,876	0.00	3,764.28	1,131.08	0.00	97.12	111.72
01-520-015 FINANCE BILINGUAL PAY	600	24	0.00	23.08	115.40	0.00	96.17	0.92
01-520-020 FINANCE OVERTIME	0	576	38.65	278.12	203.90	0.00	48.28	297.88
01-520-030 FINANCE SOCIAL SECURITY	6,391	6,391	475.44	1,660.29	1,519.80	0.00	25.98	4,730.71
01-520-040 FINANCE HEALTH INSURANCE	13,413	13,413	33.00	2,874.60	1,084.08	0.00	21.43	10,538.40
01-520-050 FINANCE RETIREMENT	6,062	6,062	367.86	1,048.51	1,859.05	0.00	17.30	5,013.49
01-520-060 WORKER'S COMPENSATION	381	381	0.00	359.00	359.11	0.00	94.23	22.00
01-520-070 UNEMPLOYMENT COMPENSATION	270	270	0.00	0.00	0.00	0.00	0.00	270.00
TOTAL SALARIES & BENEFITS	126,537	125,517	7,177.34	25,365.01	21,903.15	0.00	20.21	100,151.99

REVENUE & EXPENSE REPORT (UNAUDITED)
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01 -GENERAL FUND

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<u>OTHER EXPENSES</u>								
01-520-120 DUES & SUBSCRIPTIONS	600	600	0.00	0.00	0.00	0.00	0.00	600.00
01-520-130 BONDS & TRAINING	4,800	4,800	665.00	1,275.54	0.00	0.00	26.57	3,524.46
01-520-260 DUES & FEES- BCAD	11,356	11,356	0.00	0.00	2,703.00	0.00	0.00	11,356.00
01-520-280 FEES-DELINQUENT COLLECTOR	139	139	0.00	0.00	0.00	0.00	0.00	139.00
01-520-285 CONTRACT SERVICES - MFO	67,200	67,200	5,860.00	12,825.00	17,125.00	0.00	19.08	54,375.00
01-520-289 CONTRACT SUPPORT	0	1,020	0.00	1,015.75	0.00	0.00	99.58	4.25
01-520-400 BANK/CREDIT CARD TERMINAL CH	4,242	4,242	22.00	487.73	0.00	0.00	11.50	3,754.27
01-520-420 OFFICE SUPPLIES	3,975	3,975	863.44	894.04	1,688.43	0.00	22.49	3,080.96
01-520-431 EMPLOYEE APPRECIATION LUNCHE	1,000	1,000	1,000.00	1,000.00	900.00	0.00	100.00	0.00
01-520-600 OFFICE EQUIP. & MAINT	500	500	0.00	0.00	0.00	0.00	0.00	500.00
01-520-700 CONTINGENCIES	150	150	0.00	90.95	0.00	0.00	60.63	59.05
TOTAL OTHER EXPENSES	93,962	94,982	8,410.44	17,589.01	22,416.43	0.00	18.52	77,392.99
<u>CAPITAL EXPENSES</u>								
TOTAL 20-FINANCE	220,499	220,499	15,587.78	42,954.02	44,319.58	0.00	19.48	177,544.98
21-ECONOMIC DEVELOPMENT(E)								
=====								
<u>SALARIES & BENEFITS</u>								
<u>OTHER EXPENSES</u>								
<u>OTHER INCOME/EXPENSES</u>								
25-CITY MANAGEMENT								
=====								
<u>SALARIES & BENEFITS</u>								
01-525-010 CITY MANAGEMENT SALARIES	95,000	95,000	7,307.70	18,269.25	18,269.25	0.00	19.23	76,730.75
01-525-012 STIPEND	1,292	1,292	0.00	1,271.86	529.93	0.00	98.44	20.14
01-525-030 SOCIAL SECURITY	7,417	7,417	528.26	1,683.07	1,635.55	0.00	22.69	5,733.93
01-525-040 HEALTH INSURANCE	4,445	4,445	22.60	1,123.83	1,124.62	0.00	25.28	3,321.17
01-525-050 RETIREMENT	7,976	7,976	481.12	1,443.36	3,570.14	0.00	18.10	6,532.64
01-525-060 WORKER'S COMPENSATION	418	418	0.00	418.00	418.00	0.00	100.00	0.00
01-525-070 UNEMPLOYMENT COMPENSATION	135	135	0.00	0.00	0.00	0.00	0.00	135.00
01-525-080 CONTRACT LABOR - HR	1,000	1,000	0.00	0.00	0.00	0.00	0.00	1,000.00
TOTAL SALARIES & BENEFITS	117,683	117,683	8,339.68	24,209.37	25,547.49	0.00	20.57	93,473.63
<u>OTHER EXPENSES</u>								
01-525-130 BONDS & TRAINING	0	600	0.00	600.00	0.00	0.00	100.00	0.00
01-525-140 EMPLOY. SCREENING & RECRUITM	0	0	0.00	630.00	0.00	0.00	0.00	630.00
01-525-150 MOVING EXPENSE - CITY MGR	0	0	0.00	0.00	10,000.00	0.00	0.00	0.00
01-525-420 OFFICE SUPPLIES	1,200	1,200	0.00	808.99	1,088.59	0.00	67.42	391.01
01-525-640 EMPLOYEE RECOGNITION	4,500	3,900	1,548.09	1,548.09	900.00	0.00	39.69	2,351.91

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01-525-645 MEALS & ENTERTAINMENT	500	500	0.00	418.05	250.00	0.00	83.61	81.95
01-525-655 Cell Phone Allowance	1,440	1,440	110.78	276.95	276.95	0.00	19.23	1,163.05
TOTAL OTHER EXPENSES	7,640	7,640	1,658.87	4,282.08	12,515.54	0.00	56.05	3,357.92
OTHER INCOME/EXPENSES								
TOTAL 25-CITY MANAGEMENT	125,323	125,323	9,998.55	28,491.45	38,063.03	0.00	22.73	96,831.55
26-POOL								
=====								
SALARIES & BENEFITS								
01-526-010 SALARIES	51,200	51,200	0.00	0.00	0.00	0.00	0.00	51,200.00
01-526-020 OVERTIME	2,800	2,800	0.00	0.00	0.00	0.00	0.00	2,800.00
01-526-030 SOCIAL SECURITY	4,131	4,131	0.00	0.00	0.00	0.00	0.00	4,131.00
01-526-060 WORKER'S COMPENSATION	2,135	2,135	0.00	0.00	2,135.04	0.00	0.00	2,735.00
01-526-070 UNEMPLOYMENT COMPENSATION	2,430	2,430	0.00	0.00	0.00	0.00	0.00	2,430.00
TOTAL SALARIES & BENEFITS	62,696	62,696	0.00	0.00	2,135.04	0.00	0.00	62,696.00
OTHER EXPENSES								
01-526-100 UTILITIES	12,500	12,500	5,071.16	5,071.16	0.00	0.00	40.57	7,428.84
01-526-130 BONDS & TRAINING	1,500	1,500	0.00	0.00	0.00	0.00	0.00	1,500.00
01-526-255 CONTRACT SERVICES - POOL	5,000	5,000	0.00	0.00	0.00	0.00	0.00	5,000.00
01-526-430 MISCELLANEOUS SUPPLIES	10,000	10,000	0.00	250.62	894.17	0.00	2.51	9,749.38
01-526-520 EQUIPMENT REPAIR	3,500	3,500	0.00	343.61	0.00	0.00	9.82	3,156.39
01-526-630 FACILITY MAINTENANCE	2,000	2,000	0.00	0.00	0.00	0.00	0.00	2,000.00
01-526-700 CONTINGENCIES	500	500	0.00	0.00	0.00	0.00	0.00	500.00
TOTAL OTHER EXPENSES	35,000	35,000	5,071.16	5,665.39	894.17	0.00	16.19	29,334.61
CAPITAL EXPENSES								
TOTAL 26-POOL	97,696	97,696	5,071.16	5,665.39	3,029.21	0.00	5.80	92,030.61
27-POST OFFICE								
=====								
SALARIES & BENEFITS								
01-527-010 POST OFFICE SALARIES	17,160	19,160	2,504.62	5,001.28	1,979.34	0.00	26.10	14,158.72
01-527-012 STIPEND	1,292	1,792	0.00	1,589.84	536.84	0.00	88.72	202.16
01-527-020 OVERTIME - POST OFFICE	600	600	245.94	344.44	0.00	0.00	57.41	255.56
01-527-030 SOCIAL SECURITY	1,313	1,313	210.41	556.54	204.37	0.00	42.39	756.46
01-527-040 HEALTH INSURANCE	4,584	4,584	0.00	704.02	0.00	0.00	15.36	3,879.98
01-527-050 RETIREMENT	1,469	1,469	102.69	259.25	0.00	0.00	17.65	1,209.75
01-527-060 WORKER'S COMPENSATION	45	45	0.00	0.00	45.30	0.00	0.00	45.00
01-527-070 UNEMPLOYMENT COMPENSATION	135	135	0.00	0.00	0.00	0.00	0.00	135.00
TOTAL SALARIES & BENEFITS	26,598	29,098	3,063.66	8,455.37	2,765.85	0.00	29.06	20,642.63

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

01 -GENERAL FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>OTHER EXPENSES</u>								
01-527-130 BONDS & TRAINING	300	300	0.00	0.00	0.00	0.00	0.00	300.00
01-527-420 OFFICE SUPPLIES - POST OFFIC	2,500	2,500	55.00	522.87	797.10	0.00	20.91	1,977.13
01-527-421 CONTRACT / SEASONAL HELP	2,500	0	0.00	0.00	320.64	0.00	0.00	0.00
01-527-610 OFFICE EQUIPMENT LEASE	3,200	3,200	263.00	1,052.00	789.00	0.00	32.88	2,148.00
01-527-700 CONTINGENCIES	300	300	0.00	0.00	0.00	0.00	0.00	300.00
01-527-710 INVENTORY ADJUSTMENTS	400	400	0.00	0.00	0.00	0.00	0.00	400.00
TOTAL OTHER EXPENSES	9,200	6,700	318.00	1,574.87	1,906.74	0.00	23.51	5,125.13
<u>CAPITAL EXPENSES</u>								
TOTAL 27-POST OFFICE	35,798	35,798	3,381.66	10,030.24	4,672.59	0.00	28.02	25,767.76
28-HUMAN RESOURCES								
=====								
<u>OTHER EXPENSES</u>								
01-528-121 ADP Contract	0	0	0.00	0.00	3,640.43	0.00	0.00	0.00
01-528-140 EMPLOYMENT SCREENING/RECRUIT	13,500	13,500	513.00	1,300.00	2,635.96	0.00	9.63	12,200.00
01-528-141 ADP SERVICES	0	0	0.00	0.00	7,583.99	0.00	0.00	0.00
01-528-142 RECOGNITION PROGRAM	2,200	2,200	0.00	0.00	0.00	0.00	0.00	2,200.00
01-528-143 EMPLOYEE WELLNESS PROGRAM	2,000	2,000	0.00	0.00	0.00	0.00	0.00	2,000.00
01-528-150 EMP MED COST ASSIST	130,200	130,200	1,543.09	4,738.30	0.00	0.00	3.64	125,461.70
TOTAL OTHER EXPENSES	147,900	147,900	2,056.09	6,038.30	13,860.38	0.00	4.08	141,861.70
TOTAL 28-HUMAN RESOURCES	147,900	147,900	2,056.09	6,038.30	13,860.38	0.00	4.08	141,861.70
29-MERIT INCREASES								
=====								
<u>SALARIES & BENEFITS</u>								
00-GENERAL EXPENDITURES								
=====								
<u>SALARIES & BENEFITS</u>								
TOTAL EXPENDITURES	5,055,533	5,055,533	306,898.18	1,160,835.93	1,148,143.20	0.00	22.96	3,894,697.07
REVENUE OVER/ (UNDER) EXPENDITURES	4,912	4,912	606,556.32	351,345.85	513,032.69	0.00	7,152.81 (	346,433.85)

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

02 -GARBAGE FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
02-1100	CASH	54,477.29
02-1102	CLAIM ON CASH	26,726.56
02-1105	SAVINGS	252,473.78
02-1115	INVESTMENT - TEXPOOL	40,432.15
02-1601	A/R-COMMERCIAL GARBAGE	49,883.37
02-1605	A/R-RESIDENTIAL GARBAGE	68,976.98
02-1606	ALLOW FOR DOUBTFUL ACCTS	(11,222.56)
02-1608	A/R - UNAPPLIED CREDITS	(6,055.76)
		<u>475,691.81</u>
TOTAL ASSETS		
		<u>475,691.81</u>
=====		
LIABILITIES		
=====		
02-2315	DUE TO GENERAL FUND	(27,545.00)
02-2410	A/P-SALES TAX	63,113.21
02-2420	DEFERRED REVENUE-RESIDENT	(20,312.46)
	TOTAL LIABILITIES	<u>15,255.75</u>
EQUITY		
=====		
02-3201	FUND BALANCE	254,540.53
	TOTAL BEGINNING EQUITY	<u>254,540.53</u>
	TOTAL REVENUE	329,121.88
	TOTAL EXPENSES	<u>123,226.35</u>
	TOTAL INCREASE/(DECREASE) IN FUND BAL.	<u>205,895.53</u>
	TOTAL EQUITY & FUND BALANCE	<u>460,436.06</u>
	TOTAL LIABILITIES, EQUITY & FUND BALANCE	<u>475,691.81</u>
		=====

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

02 -GARBAGE FUND

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>								
ALL REVENUES	872,673	872,673	20,868.70	329,121.88	333,450.17	0.00	37.71	543,551.10
TOTAL REVENUES	872,673	872,673	20,868.70	329,121.88	333,450.17	0.00	37.71	543,551.10
<u>EXPENDITURE SUMMARY</u>								
00-GENERAL EXPENDITURES								
SALARIES & BENEFITS	881,307	881,307	0.00	116,122.43	179,605.20	0.00	13.18	765,185.00
OTHER EXPENSES	85,000	85,000	0.00	7,103.92	0.00	0.00	8.36	77,896.08
OTHER INCOME/EXPENSES	0	0	0.00	0.00	23,750.00	0.00	0.00	0.00
TOTAL 00-GENERAL EXPENDITURES	966,307	966,307	0.00	123,226.35	203,355.20	0.00	12.75	843,081.08
<u>TOTAL EXPENDITURES</u>								
TOTAL EXPENDITURES	966,307	966,307	0.00	123,226.35	203,355.20	0.00	12.75	843,081.08
<u>REVENUE OVER/ (UNDER) EXPENDITURES</u>								
REVENUE OVER/ (UNDER) EXPENDITURES	(93,634) (	93,634)	20,868.70	205,895.53	130,094.97	0.00	219.89-(	299,529.98)

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

02 -GARBAGE FUND

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
02-4101 INCOME-COMMERCIAL	373,476	373,476	22,301.36	75,327.35	85,297.99	0.00	20.17	298,148.65
02-4105 INCOME-RESIDENTIAL	487,710	487,710	0.00	253,309.98	242,523.67	0.00	51.94	234,400.02
02-4107 INCOME-RECYCLING	347	347	0.00	0.00	39.73	0.00	0.00	347.00
02-4110 INCOME-LATE CHARGE	11,124	11,124 (	1,434.16)	480.83	5,565.92	0.00	4.32	10,643.15
02-4115 INCOME-INTEREST	16	16	1.50	3.72	2.30	0.00	23.25	12.28
02-4130 INCOME - MISCELLANEOUS	0	0	0.00	0.00	20.56	0.00	0.00	0.00
TOTAL REVENUES	872,673	872,673	20,868.70	329,121.88	333,450.17	0.00	37.71	543,551.10

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

02 -GARBAGE FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
00-GENERAL EXPENDITURES								
=====								
SALARIES & BENEFITS								
02-500-010 EXPENSES-COMMERCIAL	365,651	365,651	0.00	44,636.43	75,195.58	0.00	12.21	321,015.00
02-500-020 EXPENSES-RESIDENTIAL	420,656	420,656	0.00	71,486.00	104,409.62	0.00	16.99	349,170.00
02-500-030 EXPENSES-ADMINISTRATIVE	95,000	95,000	0.00	0.00	0.00	0.00	0.00	95,000.00
TOTAL SALARIES & BENEFITS	881,307	881,307	0.00	116,122.43	179,605.20	0.00	13.18	765,185.00
OTHER EXPENSES								
02-500-591 EXPENSE - ALLY REPAIR	75,000	75,000	0.00	7,103.92	0.00	0.00	9.47	67,896.08
02-500-592 EXPENSES - ADDITIONAL CITY S	10,000	10,000	0.00	0.00	0.00	0.00	0.00	10,000.00
TOTAL OTHER EXPENSES	85,000	85,000	0.00	7,103.92	0.00	0.00	8.36	77,896.08
OTHER INCOME/EXPENSES								
02-500-900 EXPENSES-TRANSFER GENERAL FU	0	0	0.00	0.00	23,750.00	0.00	0.00	0.00
TOTAL OTHER INCOME/EXPENSES	0	0	0.00	0.00	23,750.00	0.00	0.00	0.00
TOTAL 00-GENERAL EXPENDITURES	966,307	966,307	0.00	123,226.35	203,355.20	0.00	12.75	843,081.08
TOTAL EXPENDITURES	966,307	966,307	0.00	123,226.35	203,355.20	0.00	12.75	843,081.08
REVENUE OVER/(UNDER) EXPENDITURES	(93,634) (	93,634)	20,868.70	205,895.53	130,094.97	0.00	219.89-(	299,529.98)

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

13 -ECONOMIC DEVELOPMENT CORP

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
13-1102	CLAIM ON CASH	6,753.61
13-1105	CASH - CHECKING	389,464.35
13-1106	Savings - TLF Proceeds	1,633,661.69
13-1510	A/R SALES TAX	28,878.90
		<u>2,058,758.55</u>
	TOTAL ASSETS	2,058,758.55
=====		
LIABILITIES		
=====		
13-2315	DUE TO GENERAL FUND	43,870.00
13-2410	A/P - SALES TAX	17,329.56
	TOTAL LIABILITIES	<u>61,199.56</u>
EQUITY		
=====		
13-3201	FUND BALANCE	2,149,287.36
	TOTAL BEGINNING EQUITY	<u>2,149,287.36</u>
	TOTAL REVENUE	44,692.17
	TOTAL EXPENSES	<u>196,420.54</u>
	TOTAL INCREASE/(DECREASE) IN FUND BAL. (	151,728.37)
	TOTAL EQUITY & FUND BALANCE	<u>1,997,558.99</u>
	TOTAL LIABILITIES, EQUITY & FUND BALANCE	2,058,758.55
=====		

REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

13 -ECONOMIC DEVELOPMENT CORP

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>								
ALL REVENUES	382,821	382,821	44,661.52	44,692.17	57,541.69	0.00	11.67	338,128.83
TOTAL REVENUES	382,821	382,821	44,661.52	44,692.17	57,541.69	0.00	11.67	338,128.83
<u>EXPENDITURE SUMMARY</u>								
00-GENERAL EXPENDITURES								
SALARIES & BENEFITS	148,899	150,837	3,576.24	25,976.40	0.00	0.00	17.22	124,860.30
OTHER EXPENSES	102,154	100,216	2,790.78	13,667.89	8,733.11	0.00	13.64	86,548.41
CAPITAL EXPENSES	1,813,541	1,813,541	24,269.20	156,776.25	62,055.22	0.00	8.64	1,656,764.75
TOTAL 00-GENERAL EXPENDITURES	2,064,594	2,064,594	30,636.22	196,420.54	70,788.33	0.00	9.51	1,868,173.46
TOTAL EXPENDITURES	2,064,594	2,064,594	30,636.22	196,420.54	70,788.33	0.00	9.51	1,868,173.46
REVENUE OVER/(UNDER) EXPENDITURES	(1,681,773)	(1,681,773)	14,025.30	151,728.37)	13,246.64)	0.00	9.02	(1,530,044.63)

REVENUE & EXPENSE REPORT (UNAUDITED)

AS OF: DECEMBER 31ST, 2012

13 -ECONOMIC DEVELOPMENT CORP

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
13-4115 SALES TAX (.25)	382,571	382,571	44,649.07	44,649.07	57,517.40	0.00	11.67	337,921.93
13-4301 INTEREST	250	250	12.45	43.10	24.29	0.00	17.24	206.90
TOTAL REVENUES	382,821	382,821	44,661.52	44,692.17	57,541.69	0.00	11.67	338,128.83

13 -ECONOMIC DEVELOPMENT CORP

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
00-GENERAL EXPENDITURES								
=====								
SALARIES & BENEFITS								
13-500-009 SALARIES - EDC	70,000	70,000	5,384.62	13,461.55	0.00	0.00	19.23	56,538.45
13-500-013 STIPEND	0	1,938	0.00	1,871.86	0.00	0.00	96.60	65.84
13-500-030 SOCIAL SECURITY-EDC	5,465	5,465	419.60	1,356.10	0.00	0.00	24.81	4,108.90
13-500-040 HEALTH INSURANCE-EDC	876	876	15.82	83.29	0.00	0.00	9.51	792.71
13-500-050 RETIREMENT-EDC	7,140	7,140	356.20	1,068.60	0.00	0.00	14.97	6,071.40
13-500-060 WORKERS COMPENSATION-EDC	283	283	0.00	0.00	0.00	0.00	0.00	283.00
13-500-070 UNEMPLOYMENT COMPENSATION	135	135	0.00	135.00	0.00	0.00	100.00	0.00
13-500-080 CONTRACT LABOR	65,000	65,000	2,600.00	8,000.00	0.00	0.00	12.31	57,000.00
TOTAL SALARIES & BENEFITS	148,899	150,837	3,576.24	25,976.40	0.00	0.00	17.22	124,860.30
OTHER EXPENSES								
13-500-115 MOBILE TELEPHONE	1,450	1,450	110.78	276.95	0.00	0.00	19.10	1,173.05
13-500-120 DUES & SUBSCRIPTIONS	1,400	1,400	0.00	652.00	0.00	0.00	46.57	748.00
13-500-130 TRAINING	5,000	5,000	180.00	180.00	0.00	0.00	3.60	4,820.00
13-500-132 TRAVEL	15,000	13,062	0.00	277.26	0.00	0.00	2.12	12,785.04
13-500-135 MEALS & ENTERTAINMENT	5,000	5,000	0.00	1,870.50	0.00	0.00	37.41	3,129.50
13-500-200 COMPUTER MAINTENANCE	200	200	0.00	0.00	0.00	0.00	0.00	200.00
13-500-201 WEBSITE MAINTENANCE	720	720	0.00	124.00	0.00	0.00	17.22	596.00
13-500-250 LEGAL EXPENSES	60,000	60,000	2,500.00	7,500.00	7,500.00	0.00	12.50	52,500.00
13-500-290 AUDIT	5,500	5,500	0.00	2,750.00	0.00	0.00	50.00	2,750.00
13-500-430 SUPPLIES	1,200	1,200	0.00	13.18	0.00	0.00	1.10	1,186.82
13-500-590 POSTAGE	145	145	0.00	0.00	0.00	0.00	0.00	145.00
13-500-630 LEGAL ADVERTISING	476	476	0.00	0.00	276.28	0.00	0.00	476.00
13-500-640 COPIER USAGE	1,443	1,443	0.00	0.00	956.83	0.00	0.00	1,443.00
13-500-700 CONTINGENCIES	4,620	4,620	0.00	24.00	0.00	0.00	0.52	4,596.00
TOTAL OTHER EXPENSES	102,154	100,216	2,790.78	13,667.89	8,733.11	0.00	13.64	86,548.41
CAPITAL EXPENSES								
13-500-800 EDC PROJECTS	200,000	200,000	0.00	4,937.50	0.00	0.00	2.47	195,062.50
13-500-801 PROMOTING WINCREST	38,282	38,282	13,022.50	13,637.46	0.00	0.00	35.62	24,644.54
13-500-890 TLF LOAN PAYMENTS	659,960	659,960	7,786.87	26,778.43	44,986.80	0.00	4.06	633,181.57
13-500-891 RACKER ROAD PROJECT	915,299	915,299	0.00	104,461.19	17,068.42	0.00	11.41	810,837.81
13-500-892 TLF INTEREST	0	0	3,459.83	6,961.67	0.00	0.00	0.00	6,961.67
TOTAL CAPITAL EXPENSES	1,813,541	1,813,541	24,269.20	156,776.25	62,055.22	0.00	8.64	1,656,764.75
OTHER INCOME/EXPENSES								
=====								
TOTAL 00-GENERAL EXPENDITURES	2,064,594	2,064,594	30,636.22	196,420.54	70,788.33	0.00	9.51	1,868,173.46
TOTAL EXPENDITURES								
REVENUE OVER/(UNDER) EXPENDITURES	(1,681,773)	(1,681,773)	14,025.30	(151,728.37)	(13,246.64)	0.00	9.02	(1,530,044.63)

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

16 -HOTEL/MOTEL TAX FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
16-1102	CLAIM ON CASH	32,973.40
16-1105	SAVINGS	108,005.65
		<u>140,979.05</u>
	TOTAL ASSETS	140,979.05
=====		
LIABILITIES		
=====		
EQUITY		
=====		
16-3201	FUND BALANCE	125,874.90
	TOTAL BEGINNING EQUITY	<u>125,874.90</u>
	TOTAL REVENUE	48,549.91
	TOTAL EXPENSES	<u>33,445.76</u>
	TOTAL INCREASE/(DECREASE) IN FUND BAL.	<u>15,104.15</u>
	TOTAL EQUITY & FUND BALANCE	<u>140,979.05</u>
	TOTAL LIABILITIES, EQUITY & FUND BALANCE	140,979.05
=====		

REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

16 -HOTEL/MOTEL TAX FUND

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>								
ALL REVENUES	153,997	153,997	23,036.69	48,549.91	32,710.66	0.00	31.53	105,447.14
TOTAL REVENUES	153,997	153,997	23,036.69	48,549.91	32,710.66	0.00	31.53	105,447.14
<u>EXPENDITURE SUMMARY</u>								
00-GENERAL EXPENDITURES								
CAPITAL EXPENSES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00
TOTAL 00-GENERAL EXPENDITURES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00
TOTAL EXPENDITURES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00
REVENUE OVER/(UNDER) EXPENDITURES	153,997	153,997	23,036.69	41,815.91	32,710.66	0.00	27.15	112,181.14

REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

16 -HOTEL/MOTEL TAX FUND

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
16-4101 INCOME-HOT	153,989	153,989	23,035.78	48,547.20	32,707.78	0.00	31.53	105,441.80
16-4115 INCOME-INTEREST	8	8	0.91	2.71	2.88	0.00	33.66	5.34
TOTAL REVENUES	153,997	153,997	23,036.69	48,549.91	32,710.66	0.00	31.53	105,447.14

REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

16 -HOTEL/MOTEL TAX FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
00-GENERAL EXPENDITURES								
=====								
SALARIES & BENEFITS								
CAPITAL EXPENSES								
16-500-800 CAPITAL EXPENDITURES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00)
TOTAL CAPITAL EXPENSES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00)
TOTAL 00-GENERAL EXPENDITURES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00)
TOTAL EXPENDITURES	0	0	0.00	6,734.00	0.00	0.00	0.00	6,734.00)
REVENUE OVER/(UNDER) EXPENDITURES	153,997	153,997	23,036.69	41,815.91	32,710.66	0.00	27.15	112,181.14

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

17 -DEBT SERVICE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
-----------	---------------------	---------

ASSETS

17-1102	CLAIM ON CASH	(62,847.09)
17-1105	SAVINGS	<u>30,789.57</u>
		(32,057.52)

TOTAL ASSETS

(32,057.52)

LIABILITIES

=====

17-2356	DUE TO HOTEL/MOTEL TAX FUND	(24,595.00)
	TOTAL LIABILITIES	(24,595.00)

EQUITY

=====

17-3201	FUND BALANCE	<u>1,134.02</u>
	TOTAL BEGINNING EQUITY	1,134.02
	TOTAL REVENUE	7,195.71
	TOTAL EXPENSES	<u>15,792.25</u>
	TOTAL INCREASE/(DECREASE) IN FUND BAL.	(8,596.54)

TOTAL EQUITY & FUND BALANCE

(7,462.52)

TOTAL LIABILITIES, EQUITY & FUND BALANCE

(32,057.52)

=====

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

17 -DEBT SERVICE

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>								
ALL REVENUES	356,585	356,585	0.23	7,195.71	72,334.46	0.00	2.02	349,389.49
TOTAL REVENUES	356,585	356,585	0.23	7,195.71	72,334.46	0.00	2.02	349,389.49
<u>EXPENDITURE SUMMARY</u>								
00-GENERAL EXPENDITURES								
OTHER EXPENSES	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
TOTAL 00-GENERAL EXPENDITURES	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
TOTAL EXPENDITURES	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
REVENUE OVER/ (UNDER) EXPENDITURES	356,585	356,585	0.23	8,596.54)	49,038.71	0.00	2.41-	365,181.74

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

17 -DEBT SERVICE

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
17-4101 INCOME - TAX NOTES PROCEEDS	0	0	0.00	0.00	48,922.88	0.00	0.00	0.00
17-4115 INCOME - INTEREST	1	1	0.23	0.69	0.71	0.00	57.50	0.51
17-4117 AD VALOREM TAX (I&S .073841)	356,584	356,584	0.00	7,195.02	23,410.87	0.00	2.02	349,388.98
TOTAL REVENUES	356,585	356,585	0.23	7,195.71	72,334.46	0.00	2.02	349,389.49

REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

17 -DEBT SERVICE

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
00-GENERAL EXPENDITURES								
=====								
OTHER EXPENSES								
17-500-210 TAX NOTE INTEREST EXPENSE	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
TOTAL OTHER EXPENSES	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
TOTAL 00-GENERAL EXPENDITURES	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
TOTAL EXPENDITURES	0	0	0.00	15,792.25	23,295.75	0.00	0.00	15,792.25)
REVENUE OVER/(UNDER) EXPENDITURES	356,585	356,585	0.23	8,596.54)	49,038.71	0.00	2.41-	365,181.74

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

18 -WCC&PD FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
18-1102	CLAIM ON CASH	18,816.60
18-1105	CASH - SAVINGS	131,466.59
18-1510	A/R-SALES TAX	(151.64)
		<u>150,131.55</u>
	TOTAL ASSETS	<u>150,131.55</u>
		=====
LIABILITIES		
=====		
18-2315	DUE TO GENERAL FUND	(27,100.00)
18-2400	A/P PENDING	(300.00)
	TOTAL LIABILITIES	<u>(27,400.00)</u>
EQUITY		
=====		
18-3201	FUND BALANCE	<u>230,219.87</u>
	TOTAL BEGINNING EQUITY	<u>230,219.87</u>
	TOTAL REVENUE	54,228.07
	TOTAL EXPENSES	<u>106,916.39</u>
	TOTAL INCREASE/(DECREASE) IN FUND BAL.	(52,688.32)
	TOTAL EQUITY & FUND BALANCE	<u>177,531.55</u>
	TOTAL LIABILITIES, EQUITY & FUND BALANCE	<u>150,131.55</u>
		=====

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

18 -WCC&PD FUND

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>								
ALL REVENUES	393,394	393,394	44,484.70	54,228.07	69,996.49	0.00	13.78	339,165.93
TOTAL REVENUES	393,394	393,394	44,484.70	54,228.07	69,996.49	0.00	13.78	339,165.93
<u>EXPENDITURE SUMMARY</u>								
<u>00-GENERAL EXPENDITURES</u>								
SALARIES & BENEFITS	222,701	222,701	16,296.86	52,449.50	49,497.95	0.00	23.55	170,251.50
OTHER EXPENSES	72,884	72,884	1,705.47	5,596.45	63,714.40	0.00	7.68	67,287.55
CAPITAL EXPENSES	153,000	157,615	0.00	48,870.44	182.50	0.00	31.01	108,744.31
TOTAL 00-GENERAL EXPENDITURES	448,585	453,200	18,002.33	106,916.39	113,394.85	0.00	23.59	346,283.36
TOTAL EXPENDITURES	448,585	453,200	18,002.33	106,916.39	113,394.85	0.00	23.59	346,283.36
REVENUE OVER/(UNDER) EXPENDITURES	(55,191)	(59,806)	26,482.37	(52,688.32)	(43,398.36)	0.00	88.10	(7,117.43)

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

18 -WCC&PD FUND

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
18-4101 INCOME - SALES TAX	393,380	393,380	44,482.98	54,222.98	69,990.56	0.00	13.78	339,157.02
18-4115 INCOME - INTEREST	14	14	1.72	5.09	5.93	0.00	36.36	8.91
TOTAL REVENUES	393,394	393,394	44,484.70	54,228.07	69,996.49	0.00	13.78	339,165.93

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

18 -WCC&PD FUND

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
00-GENERAL EXPENDITURES								
=====								
SALARIES & BENEFITS								
18-500-009 SALARIES	140,172	140,172	12,603.67	29,769.28	28,681.09	0.00	21.24	110,402.72
18-500-010 ADMINISTRATIVE EXPENSE	2,000	2,000	0.00	0.00	0.00	0.00	0.00	2,000.00
18-500-013 STIPEND	5,167	5,167	0.00	5,087.44	2,332.22	0.00	98.46	79.56
18-500-014 SPECIAL ASSIGNMENT PAY K-9	4,500	4,500	0.00	0.00	576.95	0.00	0.00	4,500.00
18-500-015 INCENTIVE PAY-BILING & SHIFT	2,400	2,400	35.96	72.50	184.64	0.00	3.02	2,327.50
18-500-017 CERTIFICATION PAY	0	0	46.16	115.40	242.34	0.00	0.00	115.40
18-500-018 EDUCATION PAY	300	300	0.00	0.00	0.00	0.00	0.00	300.00
18-500-020 OVERTIME	17,200	17,200	1,223.04	2,860.13	2,841.35	0.00	16.63	14,339.87
18-500-021 7K HOURS	2,100	2,100	328.83	827.19	631.89	0.00	39.39	1,272.81
18-500-026 HAZARDOUS DUTY PAY	0	0	0.00	13.85	0.00	0.00	0.00	13.85
18-500-030 SOCIAL SECURITY	12,962	12,962	1,060.90	3,373.94	3,230.97	0.00	26.03	9,588.06
18-500-040 HEALTH INSURANCE	18,710	18,710	74.81	4,321.01	4,361.15	0.00	23.09	14,388.99
18-500-050 RETIREMENT	13,585	13,585	923.49	2,588.42	6,415.35	0.00	19.05	10,996.58
18-500-060 WORKERS COMPENSATION	3,065	3,065	0.00	3,420.34	0.00	0.00	111.59	355.34
18-500-070 UNEMPLOYMENT COMPENSATION	540	540	0.00	0.00	0.00	0.00	0.00	540.00
TOTAL SALARIES & BENEFITS	222,701	222,701	16,296.86	52,449.50	49,497.95	0.00	23.55	170,251.50
OTHER EXPENSES								
18-500-130 BONDS & TRAINING	5,000	5,000	399.00	799.00	0.00	0.00	15.98	4,201.00
18-500-420 OFFICE SUPPLIES	500	500	0.00	0.00	0.00	0.00	0.00	500.00
18-500-430 JUVENILE PROG.FEES & SUPPLIE	5,000	5,000	0.00	0.00	0.00	0.00	0.00	5,000.00
18-500-435 K-9 PROGRAM EXPENSES	0	0	0.00	174.28	519.53	0.00	0.00	174.28
18-500-450 SYSTEM ACCESS FEE	10,100	10,100	0.00	0.00	0.00	0.00	0.00	10,100.00
18-500-480 UNIFORMS	2,000	2,000	156.57	1,233.97	471.25	0.00	61.70	766.03
18-500-500 MISC. CRIME PREVENTION	5,000	5,000	0.00	944.00	0.00	0.00	18.88	4,056.00
18-500-516 DEBT SERVICE - PRINCIPAL	0	0	0.00	0.00	62,623.74	0.00	0.00	0.00
18-500-517 MAINTENANCE ON EQUIPMENT	45,284	45,284	1,149.90	2,445.20	99.88	0.00	5.40	42,838.80
TOTAL OTHER EXPENSES	72,884	72,884	1,705.47	5,596.45	63,714.40	0.00	7.68	67,287.55
CAPITAL EXPENSES								
18-500-800 CAPITAL EXPENDITURES	153,000	157,615	0.00	48,870.44	182.50	0.00	31.01	108,744.31
TOTAL CAPITAL EXPENSES	153,000	157,615	0.00	48,870.44	182.50	0.00	31.01	108,744.31
OTHER INCOME/EXPENSES								
TOTAL 00-GENERAL EXPENDITURES	448,585	453,200	18,002.33	106,916.39	113,394.85	0.00	23.59	346,283.36
TOTAL EXPENDITURES	448,585	453,200	18,002.33	106,916.39	113,394.85	0.00	23.59	346,283.36
REVENUE OVER/(UNDER) EXPENDITURES	(55,191)	(59,806)	26,482.37	(52,688.32)	(43,398.36)	0.00	88.10	(7,117.43)

BALANCE SHEET

AS OF: DECEMBER 31ST, 2012

19 -CAPITAL PROJECTS STREETS

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
19-1102	CLAIM ON CASH	109,058.67
19-1105	CASH - SAVINGS	463,286.55
19-1115	INVESTMENTS-TEXPOOL #1590000002	10,235.66
19-1116	INVESTMENTS-TEXPOOL#1590000001	148,067.21
19-1510	A/R-SALES TAX	28,878.90
		<u>759,526.99</u>
TOTAL ASSETS		<u>759,526.99</u>
		=====
LIABILITIES		
=====		
19-2315	DUE TO GENERAL FUND	88,700.00
19-2410	A/P - SALES TAX	17,329.56
19-2441	Construction Retainage	2,495.01
	TOTAL LIABILITIES	<u>108,524.57</u>
EQUITY		
=====		
19-3201	FUND BALANCE	643,401.32
	TOTAL BEGINNING EQUITY	<u>643,401.32</u>
TOTAL REVENUE		44,661.10
TOTAL EXPENSES		<u>37,060.00</u>
TOTAL INCREASE/(DECREASE) IN FUND BAL.		<u>7,601.10</u>
TOTAL EQUITY & FUND BALANCE		<u>651,002.42</u>
TOTAL LIABILITIES, EQUITY & FUND BALANCE		<u>759,526.99</u>
		=====

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

19 -CAPITAL PROJECTS STREETS

% OF YEAR COMPLETED: 25.00

	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	% OF		BUDGET BALANCE
						TOTAL ENCUMBERED	BUDGET	
<u>REVENUE SUMMARY</u>								
ALL REVENUES	382,588	382,588	44,651.32	44,661.10	57,521.06	0.00	11.67	337,927.15
TOTAL REVENUES	382,588	382,588	44,651.32	44,661.10	57,521.06	0.00	11.67	337,927.15
<u>EXPENDITURE SUMMARY</u>								
00-GENERAL EXPENDITURES								
SALARIES & BENEFITS	0	0	0.00	0.00	12,457.57	0.00	0.00	0.00
CAPITAL EXPENSES	1,100,000	1,100,000	4,147.50	37,060.00	0.00	0.00	3.37	1,062,940.00
TOTAL 00-GENERAL EXPENDITURES	1,100,000	1,100,000	4,147.50	37,060.00	12,457.57	0.00	3.37	1,062,940.00
TOTAL EXPENDITURES	1,100,000	1,100,000	4,147.50	37,060.00	12,457.57	0.00	3.37	1,062,940.00
REVENUE OVER/(UNDER) EXPENDITURES	(717,412) (	717,412)	40,503.82	7,601.10	45,063.49	0.00	1.06-(	725,012.85)

REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

19 -CAPITAL PROJECTS STREETS

% OF YEAR COMPLETED: 25.00

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
19-4115 INCOME - INTEREST	17	17	4.85	14.63	3.66	0.00	84.81	2.62
19-4116 INCOME-SALES TAX (.25)	382,571	382,571	44,646.47	44,646.47	57,517.40	0.00	11.67	337,924.53
TOTAL REVENUES	382,588	382,588	44,651.32	44,661.10	57,521.06	0.00	11.67	337,927.15

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

19 -CAPITAL PROJECTS STREETS

% OF YEAR COMPLETED: 25.00

DEPARTMENTAL EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	YTD BALANCE	PRIOR YEAR	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
00-GENERAL EXPENDITURES									
=====									
SALARIES & BENEFITS									
19-500-050 MISCELLANEOUS EXPENSE	0	0	0.00	0.00	12,457.57	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	0	0	0.00	0.00	12,457.57	0.00	0.00	0.00	0.00
CAPITAL EXPENSES									
19-500-800 CAPITAL EXPENDITURES	1,100,000	1,100,000	0.00	0.00	0.00	0.00	0.00	0.00	1,100,000.00
19-500-810 STREET MAINTENANCE	0	0	4,147.50	37,060.00	0.00	0.00	0.00	0.00	(37,060.00)
TOTAL CAPITAL EXPENSES	1,100,000	1,100,000	4,147.50	37,060.00	0.00	0.00	0.00	3.37	1,062,940.00
TOTAL 00-GENERAL EXPENDITURES	1,100,000	1,100,000	4,147.50	37,060.00	12,457.57	0.00	0.00	3.37	1,062,940.00
TOTAL EXPENDITURES	1,100,000	1,100,000	4,147.50	37,060.00	12,457.57	0.00	0.00	3.37	1,062,940.00
REVENUE OVER/(UNDER) EXPENDITURES	(717,412) (	717,412)	40,503.82	7,601.10	45,063.49	0.00	0.00	1.06-(	725,012.85)

BALANCE SHEET
AS OF: DECEMBER 31ST, 2012

99 - POOLED CASH

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
99-1102	POOLED CASH	<u>498,943.54</u>
		<u>498,943.54</u>
TOTAL ASSETS		
		<u>498,943.54</u>
=====		
LIABILITIES		
=====		
99-2399	DUE TO OTHER FUNDS	<u>498,628.54</u>
	TOTAL LIABILITIES	<u>498,628.54</u>
EQUITY		
=====		
TOTAL LIABILITIES, EQUITY & FUND BALANCE		
		<u>498,628.54</u>
=====		
*** AMOUNT OUT OF BALANCE ***		315.00

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: DECEMBER 31ST, 2012

99 -POOLED CASH

% OF YEAR COMPLETED: 25.00

ORIGINAL BUDGET	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	PRIOR YEAR YTD BALANCE	TOTAL ENCUMBERED	% OF BUDGET	BUDGET BALANCE
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City of Windcrest

Quarterly Investment Report October 2012 - December 2012 Portfolio Summary Management Report

<u>Portfolio as of September 30, 2012</u>		<u>Portfolio as of December 31, 2012</u>	
Beginning Book Value	\$ 5,733,265	Ending Book Value	\$ 6,426,116
Beginning Market Value	\$ 5,733,265	Ending Market Value	\$ 6,426,116
		Investment Income for the quarter	\$ 660
Unrealized Gain / Loss	\$ -	Unrealized Gain/Loss	\$ -
		Change in Unrealized Gain/Loss	\$ -
		* Change in Market Value:	\$ 692,851
		<u>Increase due to Property Tax Revenue</u>	

Authorized by:

Sarah Mangham
Sarah Mangham, CGFO
Municipal Finance Officer

Rafael Castillo, Jr.
Rafael Castillo, Jr.
City Manager

This report is prepared in compliance with the City's Investment Policy and reporting requirements in the Government Code Chapter 2256.

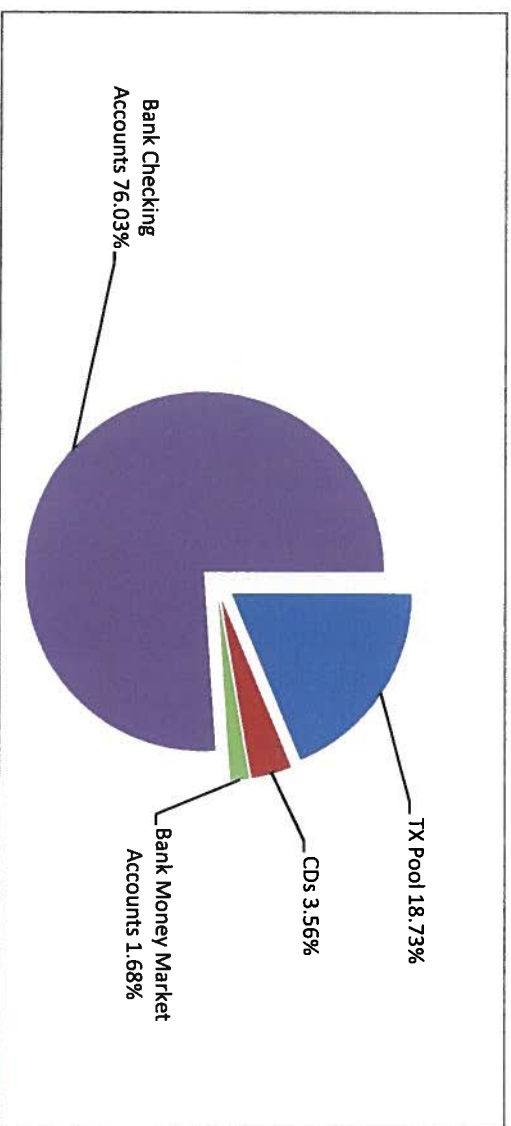
* Change in Market Value is required data, but will primarily reflect the receipt and expenditures of the City's funds from quarter to quarter.

Your Portfolio

As of December 31, 2012

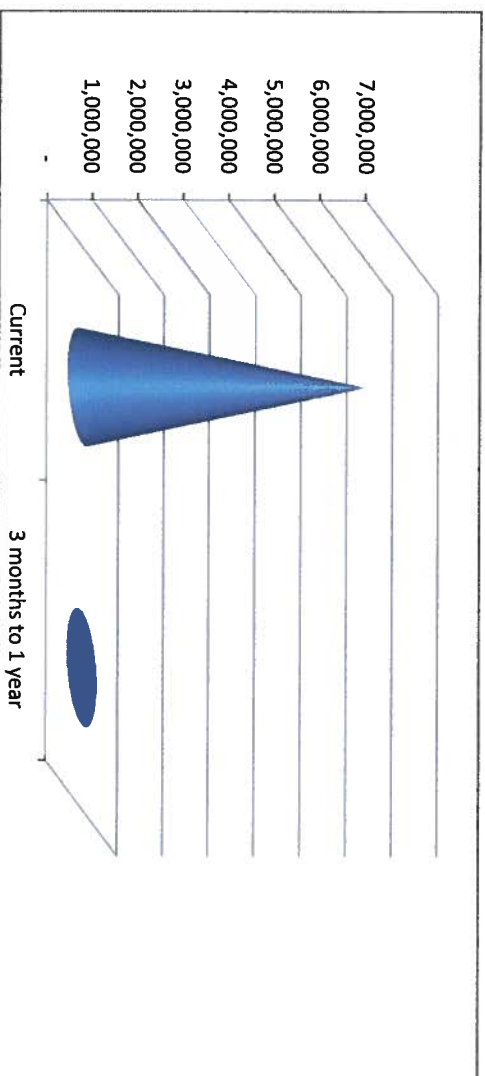
Your portfolio by diversification.

TX Pool	1,203,436
CDs	228,873
Bank Money Market Accounts	108,006
Bank Checking Accounts	4,885,801



Your portfolio by maturity.

Current	6,197,243
3 months to 1 year	228,873



Your Portfolio

As of December 31, 2012

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term (days)
Investment Pools	1,203,436	1,203,436	1,203,436	18.73%	1
Money Market Funds	108,006	108,006	108,006	1.68%	1
Bank Accounts	4,885,801	4,885,801	4,885,801	76.03%	1
CDs	228,873	228,873	228,873	3.56%	129/365

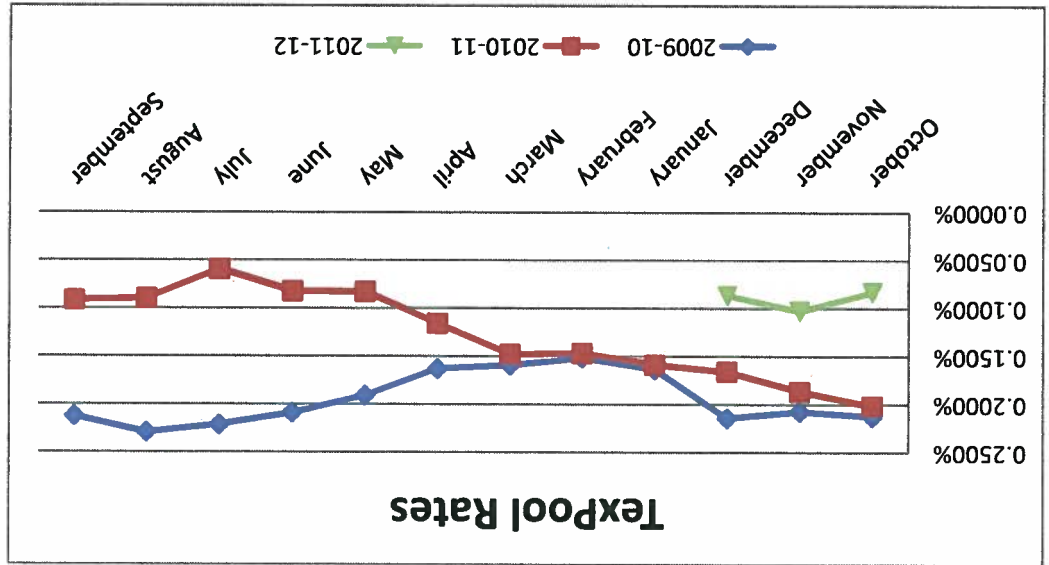
CITY OF WINDCREST FINANCE SUMMARY
For the Period Ending December 31, 2012

Frost Bank Accounts:				Acct Code	
				Rate	Term (days)
Pooled Checking				0.0010%	1
General Fund Money Market				0.0010%	1
General Fund Development Escrow				0.0010%	1
Garbage Fund Checking				0.0010%	1
Garbage Fund Money Market				0.0010%	1
Friends of Animal Control				0.0010%	1
Debt Service Fund				0.0010%	1
Capital Projects Street Fund				0.0010%	1
Hotel/Motel Occupancy Tax Fund				0.0010%	1
Windcrest Crime Control & Prevention Dist. Fund				0.0010%	1
Economic Development Corporation				0.0010%	1
Economic Development Corporation Escrow				0.0010%	1
Asset Forfeiture/Seizure Savings (Federal)				0.0010%	1
County Fire Contribution Savings				0.0010%	1
School Crossing Guard Savings				0.0010%	1
Dare Program Fund Savings				0.0010%	1
Police Donation Savings				0.0010%	1
Asset Forfeiture/Seizure Savings (State)				0.0010%	1
Police Education/Training Savings				0.0010%	1
Roosevelt Scholarship Fund				0.0010%	1
Municipal Court Technology Fund				0.0010%	1
Municipal Court Building Security Fund				0.0010%	1
INVESTMENTS:					
Total - Frost National Bank					
IBC Bank Escrow CD Account	01-1127				
General Fund Certificate of Deposit	19-1115				
Texpool for Streets					
Texpool (breakout by fund below)					
General Fund	01-1125	993,754.58			
Garbage	02-1115	40,432.15			
Debt Service	17-1115	-			
Capital Project Street	19-1116	148,067.21			
Economic Dev. Fund	13-1115	-			
County Fire Contribution	05-1115	10,946.07			
Asset Seizure Fund - State	09-1115	-			
TOTAL ALL FUNDS					
Fund Title		Balance	Interest Earned		
01 General Fund		2,521,461.58	519.45		
02 Garbage Fund		347,383.15	3.72		
03 Friends of Animal Control		1,952.00	-		
04 Asset Seizure - Fed		347.00	-		
05 County Fire Contribution		16,906.07	0.05		
06 School Crossing Guard		41,177.00	0.92		
07 Dare Program		-	-		
08 Police Donations		6,469.00	0.15		
09 Asset Seizure - State		7,833.00	0.21		
10 Police Education/Training		10,458.00	0.24		
11 Roosevelt Scholarship		4,092.00	0.09		
13 Economic Development		2,023,126.00	43.10		
14 Court Technology		32,260.00	0.63		
15 Court Building Security		21,855.00	0.42		
16 Hotel / Motel		108,006.00	2.71		
17 Debt Service		30,789.00	69.00		
18 WCCPD		131,467.00	5.09		
19 Capital Projects Streets		621,590.21	14.63		
99 Pooled cash		498,944.00	-		
Total		6,426,116.01	660.41		

\$ 6,426,116

TEXPOOL

2009-10	2010-11	2011-12
October	0.2129%	0.2019%
November	0.2077%	0.1867%
December	0.2145%	0.1661%
January	0.1639%	0.1590%
February	0.1518%	0.1471%
March	0.1594%	0.1481%
April	0.1630%	0.1160%
May	0.1910%	0.0832%
June	0.2090%	0.0827%
July	0.2216%	0.0597%
August	0.2294%	0.0900%
September	0.2127%	0.0917%



IBC CD

2009-10	2010-11	2011-12
November	1.1500%	0.6000%
March	1.1500%	0.6000%
July	1.1500%	0.6000%

No graph for this CD.

Frost CD

2009-10	2010-11	2011-12
July	0.2300%	0.2500%

No graph for this CD.

FROST - ALL ACCOUNTS

2009-10	2010-11	2011-12
October	0.5000%	0.0010%
November	0.5000%	0.0010%
December	0.5000%	0.0010%
January	0.5000%	0.0010%
February	0.5000%	0.0010%
March	0.5000%	0.0010%
April	0.0010%	0.0010%
May	0.0010%	0.0010%
June	0.0010%	0.0010%
July	0.0010%	0.0010%
August	0.0010%	0.0010%
September	0.0010%	0.0010%

No graph for Frost Accounts.



City Council Agenda Item Report

January 28, 2013

Contact – Chief Al Ballew & Sarah Mangham

aballew@windcrest-tx.gov; smangham@windcrest-tx.gov

SUBJECT:

DELIBERATION AND POSSIBLE ACTION ON THE CITY COUNCIL AUTHORIZING THE INCREASE IN WCCPD CAPITAL EXPENDITURES TO COME FROM FUND BALANCE.

1. BACKGROUND/HISTORY

Staff would like to request to utilize a portion of fund balance, as well as an increase in sales tax in WCCPD funds to purchase additional capital items.

Staff presented the list of items and associated cost to the WCCPD Board on 01/16/2013, and it was approved thru the board unanimously.

2. FINDINGS/CURRENT ACTIVITY

Staff is requesting \$132,747.60

Items to be purchased

- 3 Police Tahoes and related equipment
- Additional COPSync items for other uniformed officers who does not drive the traditional Police cruiser / tahoe.

3. FINANCIAL IMPACT -

The increase in cost will come from the Fund Balance and additional sales tax. Staff is including raising Sales Tax from 393,380 to \$483,380 which is still \$7,487 below actual for FY 2011-12. After all the sales tax has been posted for the fiscal year ending 2011-12, our new projected fund balance for the beginning of 2012-13 is \$237,890. An increase of \$91,614.00. The amount needed is \$132,747.60.

4. ACTION OPTIONS/RECOMMENDATION

Staff recommends the Council to approve this amount and we will move it forward for second reading on February 4th.

PACKET: 00291-WCCPD Fund Balance

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000361							
18 500-800	2/04/2013	CIP Expenditures fr	132,747.60	153,000.00	4,614.75	290,362.35	216,231.91
CAPITAL EXPENDITURES							
18 4101	2/04/2013	CIP Expenditures fr	90,000.00	393,380.00-	0.00	483,380.00-	378,744.49-
INCOME - SALES TAX							
TOTAL NO. ADJUSTMENTS--REVENUE:					1	90,000.00	
TOTAL NO. ADJUSTMENTS--EXPENSE:					1	132,747.60	
TOTAL IN PACKET--						222,747.60	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

ORDINANCE NO. 2013-687(O)

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF WINDCREST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING ON SEPTEMBER 30 2013; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the operating budget of the municipal government of the City of Windcrest for the fiscal year October 1, 2012 to September 30, 2013; and,

WHEREAS, said budget amendments have been submitted to the City Council by the City Manager, in accordance with the City's Fiscal and Budgetary Policy.

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

Section 1. That the City Council of the City of Windcrest does hereby ratify, approve and adopt the amendments to the budget considered for fiscal year of October 1, 2012 to September 30, 2013 as identified in Attachment "A" of this ordinance.

Section 2. That should any part, portion, or section of this ordinance be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining portions, parts, or sections or parts of section of this ordinance, which provisions shall be, remain and continue to be in full force and effect.

Section 3. That this ordinance shall be effective upon passage.

PASSED AND APPROVED, on the 28th day of January, 2013 at a regular meeting of the City Council of the City of Windcrest, Texas which meeting was held in compliance with the Open Meetings Act, Tex. Gov't Code, §551.001, et.seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

Michael Brennan, City Attorney



ORDINANCE NO. 2013-687(O)

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET OF THE WINDCREST CRIME CONTROL AND PREVENTION DISTRICT (WCCPD) TO REFLECT INCREASED SALES TAX REVENUES OF \$90,000.00, AND APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF WINDCREST BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING ON SEPTEMBER 30 2013 FOR THE EXPENDITURE OF \$132,747.60 FOR PUBLIC SAFETY EQUIPMENT; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Windcrest Crime Control and Prevention District budget for the fiscal year October 1, 2012 to September 30, 2013 to reflect increased sales tax revenues of \$90,000.00; and

WHEREAS, the City Council desires to amend the operating budget of the municipal government of the City of Windcrest-for the fiscal year October 1, 2012 to September 30, 2013to approve the expenditure of \$132,747.60 from account 18-500-800 for the acquisition of public safety equipment; and,

WHEREAS, said budget amendments have been submitted to the City Council by the City Manager, in accordance with the City's Fiscal and Budgetary Policy.

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

Section 1. That the City Council of the City of Windcrest does hereby ratify, approve and adopt the amendments to the budget considered for fiscal year of October 1, 2012 to September 30, 2013 as identified in Attachment "A" of this ordinance.

Section 2. That should any part, portion, or section of this ordinance be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining portions, parts, or sections or parts of section of this ordinance, which provisions shall be, remain and continue to be in full force and effect.

Section 3. That this ordinance shall be effective upon passage.

PASSED AND APPROVED, on the ____ day of February, 2013 at a regular meeting of the City Council of the City of Windcrest, Texas which meeting was held in compliance with the Open Meetings Act, Tex. Gov't Code, §551.001, et.seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

APPROVED:

Michael S. Brennan, City Attorney



WINDCREST TEXAS

Ordinance 2013-688(O)

January 28, 2013

**Code of Ordinances
Chap. 14
Sec. 14.102 (3)**

SUBJECT: City Council will review, discuss and may take action on Ordinance No. 2013-688(O), an ordinance amending Chapter 14, Noise of the Code of Ordinances by revising section 14.102 #3 relating to animals which make frequent or long continued noise.

1. CURRENTLY READS:

(3) The keeping of any animal, fowl, or bird, which makes frequent, or long, continued noise for an extended period of time. Such extended period of time shall consist of continuous noise for 30 minutes or more in any 24-hour period, or intermittent noise for 60 minutes or more during any 24-hour period. (<http://www.windcrest-tx.gov/DocumentCenter/View/22>)

2. WILL READ (AFTER COUNCIL APPROVAL):

(3) The keeping of any non-canine animal, fowl or bird which makes frequent or long continued noise;

ORDINANCE NO. 2013-688(O)

**AN ORDINANCE AMENDING CHAPTER 14, NOISE, OF THE
CODE OF ORDINANCES BY REVISING SECTION 14.102 3
RELATING TO ANIMALS WHICH MAKE FREQUENT OR
LONG CONTINUED NOISE.**

WHEREAS, the City Council finds that Chapter 3, Animal Control, of the Code of Ordinances addresses noise nuisances by dogs so that there is no need for regulation of dog noise nuisances in Chapter 14 of the Code of Ordinances.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF WINDCREST**, that Chapter 14, Noise, Section 14.102 3, of the Code of Ordinances is hereby amended to state as follows:

“3. The keeping of any non-canine animal, fowl or bird which makes frequent or long continued noise;”

PASSED AND APPROVED this 28th day of January, 2013.

MAYOR

ATTEST:

KELLY RODRIGUEZ, City Secretary

APPROVED AS TO FORM:

MICHAEL S. BRENAN, City Attorney



ORDINANCE NO. 2013-690(O)

**AN ORDINANCE REPEALING THE CITY OF WINDCREST
ETHICS CODE AND ADOPTING A NEW WINDCREST ETHICS
POLICY**

WHEREAS, the Windcrest Code of Ethics Policy was adopted on or about October 20, 2008; and

WHEREAS, the City Council has methodically and thoroughly reviewed the existing policy to assess its efficacy and applicability to the various levels of city officials and employees; and

WHEREAS, the City Council has reviewed recommendations from the Texas Comptroller's Office concerning ethics policies, and the ethics policies of other cities, including San Antonio; and

WHEREAS, such reviews culminated in a determination at the City Council meeting on January 28, 2013 that the attached Ethics Policy with four separate levels of applicability most suits the needs of the city government of Windcrest.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the Windcrest Code of Ethics Policy adopted on or about October 20, 2008 is hereby repealed and the attached Windcrest Ethics Policy comprised of four levels is hereby adopted as the new Ethics Policy of the City of Windcrest.

This ordinance shall be effective five days after its publication.

PASSED and APPROVED this ____ day of February, 2013.

ALAN E. BAXTER, MAYOR

ATTEST:

KELLEY RODRIGUEZ, CITY SECRETARY

APPROVED AS TO FORM:

MICHAEL S. BRENAN, CITY ATTORNEY

WINDCREST, TEXAS

ETHICS POLICY

Windcrest Ethics Policy

The City Council in December 2012 voted to have four, separate levels of THE ETHICS CODE. The Police and the Fire Departments will have their own code of ethics in addition to this one. The four levels are based on the person's responsibilities. The following are the four levels.

1. For Citizen Volunteers, including but not limited to – Committees formed by Council, Newsletter Committee, Citizen's Patrol and Animal Task Force.
2. Employees and Contract Employees, who are not involved with City government, finances or contractors.
3. Boards, Districts and Committees, including but not limited to, Windcrest Economic Development Committee (EDC), Planning and Zoning, Parks and Recreation, Board of Adjustments, Windcrest Crime and Prevention District.
4. City Officials, City Employees who make decisions, administer City government finances or who are involved in the procurement of goods or services on behalf of the City and applicable contract employees.

LEVEL ONE

For Citizen Volunteers, including but not limited to – Committees formed by Council, Newsletter Committee, Citizen's Patrol and Animal Task Force.

Ethical behavior regarding human conduct is a factor in all aspects of life. As a Windcrest Citizen Volunteer, it is simply a matter of public trust in the services provided. This trust encompasses each and every facet of all operations that make Windcrest city government and its ancillary functions work...in an absolute ethical manner.

A key term regarding ethical behavior is "integrity." Simply put, integrity means doing what you know is right even if no one is watching. If ever in doubt, confide with someone up your management chain (e.g., supervisor, city secretary, city manager, city attorney, council members, or the mayor). If an integrity issue involves someone in your management chain, feel free to take it to the next higher level without fear of retribution. If necessary, take it outside the chain (e.g., our city judge perhaps).

Bottom line...ethical Citizen Volunteer behavior is essential to the well-being of Windcrest and its citizens. There is zero tolerance for otherwise.

LEVEL TWO

Employees and Contract Employees, who are not involved with City government, finances or contractors.

Ethical behavior regarding human conduct is a factor in all aspects of life. As a Windcrest city employee, it is simply a matter of public trust in the services provided. This trust encompasses each and every facet of all operations that make Windcrest city government and its ancillary functions work...in an absolute ethical manner. It also applies to all businesses contracted to provide services for Windcrest.

A key term regarding ethical behavior is "integrity." Simply put, integrity means doing what you know is right even if no one is watching. If ever in doubt, confide with someone up your management chain (e.g., supervisor, city secretary, city manager, city attorney, council members, or the mayor). If an integrity issue involves someone in your management chain, feel free to take it to the next higher level without fear of retribution. If necessary, take it outside the chain (e.g., our city judge perhaps).

Bottom line...ethical employee behavior is essential to the well-being of Windcrest and its citizens. There is zero tolerance for otherwise.

PLEASE NOTE THAT TEXAS IS A RIGHT TO WORK STATE. ZERO TOLERANCE CAN MEAN TERMINATION. THIS IS AT THE SOLE DISCRETION OF THE CITY COUNCIL. IF YOU ARE A CONTRACT EMPLOYEE, YOUR CONTRACT IS VOIDABLE AT THE SOLE DISCRETION OF THE CITY COUNCIL AND BY YOUR SIGNATURE YOU RELINQUISH ANY RIGHTS FOR RECOURSE OR APPEAL.

LEVEL THREE

Oath Attached

Boards, Districts and Committees, including but not limited to, Windcrest Economic Development Committee (EDC), Planning and Zoning, Parks and Recreation, Board of Adjustments, Windcrest Crime and Prevention District.

As a Volunteer in one of these aforementioned entities, you are held to a higher standard. You take an oath which is attached to this ETHICS CODE. There are laws that apply to what you do. Ignorance of one of these laws is not an excuse. When in doubt, ask the City Attorney, the EDC attorney and/or the City Manager. Additionally, please read and sign the following:

Ethical behavior regarding human conduct is a factor in all aspects of life. As a Windcrest volunteer, it is simply a matter of public trust in the services provided. This trust encompasses each and every facet of all operations that make Windcrest city government and its ancillary functions work...in an absolute ethical manner. It also applies to all businesses contracted to provide services for Windcrest.

A key term regarding ethical behavior is "integrity." Simply put, integrity means doing what you know is right even if no one is watching. If ever in doubt, confide with someone up your management chain (e.g., supervisor, city secretary, city manager, city attorney, council members, or the mayor). If an integrity issue involves someone in your management chain, feel free to take it to the next higher level without fear of retribution. If necessary, take it outside the chain (e.g., our city judge perhaps).

Bottom line...ethical employee behavior is essential to the well-being of Windcrest and its citizens. There is zero tolerance for otherwise.

OATH
For
Level Three

"I, _____, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____ of the City of Windcrest, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and the State of Texas, so help me God."

LEVEL FOUR

City Officials, City Employees who make decisions, administer City government finances or who are involved in the procurement of goods or services on behalf of the City and applicable contract employees.

As one of the aforementioned people, you have taken on a greater responsibility. It is one that involves decisions with regard to tax payer's dollars. If you are an elected official you will also take an oath of office which is attached.

Ethical behavior regarding human conduct is a factor in all aspects of life. As a Windcrest city employee, elected official, contracted employee and/or contractor (whether paid or as a volunteer), it is simply a matter of public trust in the services provided. This trust encompasses each and every facet of all operations that make Windcrest city government and its ancillary functions work...in an absolute ethical manner. It also applies to all businesses contracted to provide services for Windcrest.

A key term regarding ethical behavior is "integrity." Simply put, integrity means doing what you know is right even if no one is watching. If ever in doubt, confide with someone up your management chain (e.g., supervisor, city secretary, city manager, city attorney, council members, or the mayor). If an integrity issue involves someone in your management chain, feel free to take it to the next higher level without fear of retribution. If necessary, take it outside the chain (e.g., our city judge perhaps).

Bottom line...ethical employee behavior is essential to the well-being of Windcrest and its citizens. There is zero tolerance for otherwise.

Level Four (continued)

FOR ELECTED OFFICIALS, YOU ARE GOVERNED BY THE CITY CHARTER, LAWS OF THE STATE OF TEXAS AND THE LAWS OF THE UNITED STATES OF AMERICA. IGNORANCE OF THE LAW(S) IS NO EXCUSE. YOUR SIGNED OATH OF OFFICE IS ATTACHED TO THIS DOCUMENT.

FOR CITY EMPLOYEES, YOU ARE GOVERNED BY THE CITY CHARTER, THE LAWS OF THE STATE OF TEXAS AND THE LAWS OF THE UNITED STATES OF AMERICA. IGNORANCE OF THE LAW(S) IS NO EXCUSE. PLEASE NOTE THAT TEXAS IS A RIGHT TO WORK STATE. ZERO TOLERANCE MAY MEAN TERMINATION. THIS WILL BE DETERMINED IN THE SOLE DISCRETION OF THE CITY COUNCIL.

FOR CONTRACTORS OR CONTRACT EMPLOYEES, IF IT IS DETERMINED BY THE WINDCREST CITY COUNCIL, IN THEIR SOLE DISCRETION, THAT THE ETHICS POLICY WAS VIOLATED, YOUR CONTRACT IS VOIDABLE UPON THE SOLE DECISION OF THE WINDCREST CITY COUNCIL AND BY SIGNING THIS DOCUMENT YOU AGREE TO THIS TERM. YOU RELINQUISH ANY RIGHT FOR ANY RECOURSE OR APPEAL.

OATH
For
Level Four

Note: This is for Elected Officials Only

“I, _____, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____ of the City of Windcrest, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and the State of Texas, so help me God.”



City Council Agenda Item Report

February 4, 2013

Contact – Sarah Mangham
smangham@windcrest-tx.gov

Resolution #: 2013-426(R)

SUBJECT: Deliberation and possible action on a resolution to award a contract for the performance of Parkcrest Drive Mill and Overlay to ASC Paving.

1. BACKGROUND/HISTORY

On December 14, 2012 the City of Windcrest released an Invitation for Bids for Parkcrest Drive Mill and Overlay, and advertised notices for such bids on December 14, 2012 and December 21, 2012 in the San Antonio Express. On January 11th, 2013 five sealed- bids were opened and publicly read aloud in the Council Chambers.

2. FINDINGS/CURRENT ACTIVITY

ASC Paving of San Antonio placed a low bid of \$87,745.00. The bid included the following: Mobilization; Prime Coat; Tack Coat; Hot Mix Asphaltic Pavement Type- D; Salvaging, Hauling & Stockpiling Reclaimable Asphaltic Pavement; Cutting and Replacing Pavements with HMAP – Type B or Type D; Barricades, Signs, and Traffic Handling; and Temporary Erosion, Sediment and Water Pollution Prevention and Control – Sand Bags for Erosion Control.

3. FINANCIAL IMPACT -

ASC Paving of San Antonio placed a low bid of \$87,745.00. The project was originally budgeted at \$175,000.00. The Capital Expenditures (19-500-800) remaining budget balance for FY 2013 is \$1,093,880.00.

4. ACTION OPTIONS/RECOMMENDATION

Staff recommends the award of the Parkcrest Drive Mill and Overlay contract to ASC Paving of San Antonio.



M & S ENGINEERING
ENGINEERS | PLANNERS | SURVEYORS

6477 FM 311 | PO BOX 970
SPRING BRANCH, TX 78070
830.228.5446 PH | 830.885.2170 FX
FIRM FI-394
WWW.MSENGR.COM

January 16, 2013

Andrew Hunt, P.E.
Raba-Kistner Consultants, Inc.
12821 W. Golden Lane
San Antonio, TX 78249

**Re: City of Windcrest – Parkcrest Drive Mill and Overlay Project
Bid Award Recommendation**

Dear Mr. Hunt:

Bids for the referenced project were received on January 11, 2013 and the tabulations are attached to this letter. ASC Paving is the lowest bidder and the bid documentation they provided was satisfactory. We recommend the construction contract be awarded to ASC Paving.

Should you have any questions or comments regarding this proposal, please do not hesitate to contact me.

Sincerely,

Thomas N. Turk, P.E.
Transportation Manager

Attachments

PAGE 1 OF 1

CIVIL • ELECTRICAL • SURVEYING
A FULL SERVICE COMPANY



M & S ENGINEERING
ENGINEERS | PLANNERS | SURVEYORS

Parkcrest Drive Mill and Overlay Bid Tabulation January 14, 2013

Item #	Description	Unit	Qty	ASC Paving Inc		Ramming Paving		Pronto Sandblasting Coating & Oil Field Company		Gilberts Utility & Concrete Works		Albrite Constructors of Texas Inc	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
100.1	Mobilization	LS	1	\$3,000.00	\$3,000.00	\$9,500.00	\$9,500.00	\$74,000.00	\$74,000.00	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00
202.1	Prime Coat	GAL	1,200	\$0.10	\$120.00	\$3.83	\$4,596.00	\$5.00	\$6,000.00	\$2.50	\$3,000.00	\$4.50	\$5,400.00
203.1	Tack Coat	GAL	600	\$3.50	\$2,100.00	\$2.83	\$1,758.00	\$5.00	\$3,000.00	\$2.50	\$1,500.00	\$4.50	\$2,700.00
205.4	2" HMAP Type "D"	SY	6,500	\$9.25	\$60,125.00	\$7.19	\$46,735.00	\$12.00	\$78,000.00	\$21.00	\$136,500.00	\$20.00	\$130,000.00
208.1	2" Salvaging, Hauling & Stockpiling Reclaimable Asphaltic Pavement	SY	6,500	\$1.50	\$9,750.00	\$3.07	\$19,955.00	\$5.00	\$32,500.00	\$2.50	\$16,250.00	\$1.57	\$10,205.00
511.2	3" Cutting and Replacing Pavements with HMAP - Type B or Type D	SY	1,000	\$12.00	\$12,000.00	\$15.84	\$15,840.00	\$18.00	\$18,000.00	\$13.50	\$13,500.00	\$12.25	\$12,250.00
530.1	Barriercases, Signs, and Traffic Handling	LS	1	\$500.00	\$500.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00	\$9,250.00	\$9,250.00
540.8	Temporary Erosion, Sediment and Water Pollution Prevention and Control - Sand Bags for Erosion Control (6" High)	LF	150	\$1.00	\$150.00	\$5.00	\$750.00	\$4.00	\$600.00	\$4.00	\$600.00	\$84.68	\$12,698.00
Total Bid Price:					\$87,745.00		\$104,134.00		\$157,100.00		\$180,350.00		\$187,004.00



GEOTECHNICAL ENGINEERING STUDY

FOR

**PARKCREST DRIVE
WINDCREST, TEXAS**

GEOTECHNICAL ENGINEERING STUDY

For

**PARKCREST DRIVE
WINDCREST, TEXAS**

Prepared for

CITY OF WINDCREST
Windcrest, Texas

Prepared by

RABA KISTNER CONSULTANTS, INC.
San Antonio, Texas

PROJECT NO. ASA12-119-00

January 28, 2013

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Logs of Borings
Key to Terms and Symbols
Results of Soil Analyses
Moisture Density Relationship Curve
PI-Lime Series Curve

INTRODUCTION

Raba-Kistner Consultants Inc. (R-K) has completed the authorized subsurface exploration and pavement design analysis for the proposed improvements to Parkcrest Drive located in Windcrest, Texas. This report briefly describes the procedures utilized during this study and presents our findings along with our recommendations for pavement rehabilitation design and construction guidelines.

PROJECT DESCRIPTION

The roadway to be considered in this study is a portion of the existing Parkcrest Drive which is located in Windcrest, Texas. The portion of Parkcrest Drive under consideration is approximately 2,000 ft long and will extend from Candleglo Drive to Walzem Road. The purpose of our study was to determine the field measured pavement thicknesses at our boring locations and to provide both new pavement design recommendations and mill and overlay recommendations. As the City of Windcrest does not currently have its own design standards, we have been instructed to design the street in general accordance with the *City of San Antonio's Design Guidance Manual* regarding Local Type A streets. Recommendations for Local Type A Streets both with and without bus traffic are provided in this report.

LIMITATIONS

This engineering report has been prepared in accordance with accepted Geotechnical Engineering practices in the region of south/central Texas and for the use of the City of Windcrest (CLIENT) and its representatives for pavement design purposes. This report may not contain sufficient information for purposes of other parties or other uses. This report is not intended for use in determining construction means and methods.

The recommendations submitted in this report are based on the data obtained from the four borings and one bulk sample collected at this site as well as the information provided to us. This report may not reflect the actual variations of the subsurface conditions across the site. The nature and extent of variations across the site may not become evident until construction commences. The construction process itself may also alter subsurface conditions. If variations appear evident at the time of construction, it may be necessary to reevaluate our recommendations after performing on-site observations and tests to establish the engineering impact of the variations.

The scope of our Geotechnical Engineering Study does not include an environmental assessment of the air, soil, rock, or water conditions either on or adjacent to the site.

BORINGS AND LABORATORY TESTS

Subsurface conditions at the site were evaluated by 4 borings drilled at the locations shown on the Boring Location Map, Figure 1. These locations are approximate and distances were measured using a recreational grade, hand-held, GPS Locator; tape; angles; pacing; etc. The borings were drilled through the existing pavement to depths of approximately 5 ft below the existing ground surface using a truck-

mounted drilling rig. During drilling operations, 8 Split-Spoon samples (with Standard Penetration Testing) were collected.

In addition to the above samples, a bulk sample of the predominant subgrade soil was also collected for use in California Bearing Ratio (CBR) and Lime Series testing. Each sample was visually classified in the laboratory by a member of our Geotechnical Engineering staff. In addition to the CBR and Lime Series Tests, the geotechnical engineering properties of the strata were evaluated by the following tests:

Type of Test	Number Conducted
Natural Moisture Content	8
Atterberg Limits	4

The results of all laboratory tests are presented in graphical or numerical form on the boring logs illustrated on Figures 2 through 5. A key to classification terms and symbols used on the logs is presented on Figure 6. The results of the laboratory and field testing are also tabulated on Figure 7 for ease of reference. The results of the CBR testing can be found on the Moisture Density Relationship Curve, Figure 8. The PI-Lime Series Curve can be found on Figure 9.

Standard penetration test results are noted as "blows per ft" on the boring logs and Figure 7, where "blows per ft" refers to the number of blows by a falling hammer required for 1 ft of penetration into the soil/weak rock. Samples will be retained in our laboratory for 30 days after submittal of this report. Other arrangements may be provided at the request of the Client.

FINDINGS AND TEST RESULTS

SUBSURFACE FINDINGS

Each of our borings was drilled through the existing roadway pavements and the results of our field measured asphalt and base thicknesses are presented in the table below. The subsurface stratigraphy underlying the pavements, at this site can be described as a thin veneer of stiff to very stiff dark brown clay overlying stiff to hard tan clay with calcareous deposits. Each stratum has been designated by grouping soils that possess similar physical and engineering characteristics. The boring logs should be consulted for more specific stratigraphic information. The lines designating the interfaces between strata on the boring logs represent approximate boundaries. Transitions between strata may be gradual.

Boring No.	Asphalt Thickness (in.)	Base Material Thickness (in.)
B-1	1-3/4	3
B-2	2-1/2	3
B-3	2	3
B-4	2-1/4	2-1/4

Subgrade Strength Characterization

We have assumed the pavement subgrade will consist of on-site clays. The CBR was measured using *ASTM D 1883 Standard Test Method for CBR (California Bearing Ratio) of Laboratory-Compacted Soils* and was determined to be 2.2 using the soaked sample methodology. Swell was also measured as part of the CBR procedure and was determined to be 2.8 percent. Based on these results and our experience with the soils in this area, we have assumed a design CBR value of 2.0 for use in our pavement section analysis. If clay soils are imported for the purpose of constructing/improving the roadbed then imported materials must be selected that have a CBR value of at least 2.0. If lower quality clay fill materials are utilized, the pavement sections will have to be increased based on the quality (tested CBR value) of the clays imported.

Swell/Heave Discussion

Subgrade soils that are highly expansive when water is introduced (i.e. highly plastic soils) will heave, causing the pavement to become rough or uneven over time. Pavement roughness is generally defined as an expression of irregularities in the pavement surface that adversely affect the ride quality of a vehicle (and thus the user). Roughness is an important pavement characteristic because it affects not only ride quality but also vehicle costs, fuel consumption, and maintenance costs. Pavement heave can be reduced through various measures but cannot be totally eliminated without full removal of the problematic soil. Measures available for reducing heave include:

- Soil Treatment with Lime or Other Chemicals
- Removal and Replacement of High PI Soils
- Drains or Barriers to Collect or Inhibit Moisture Infiltration

Soil treatment with lime (or other chemicals) is typically used to reduce the swelling potential of the upper portion of the pavement subgrade containing moderately plastic soils. Lime and water are mixed with the top 6 to 12 inches (or possibly more) of the subgrade and allowed to mellow or cure for a period of time. After mellowing the soil-lime mixture is compacted to form a strong soil matrix that can improve pavement performance and potentially reduce soil heave. However, in highly plastic soils, lime treatment of only the top portion of the expansive subgrade may not provide an acceptable reduction in PVR. For a more substantial reduction in PVR, removal and replacement of the high PI soil may be the only method available to reduce the potential vertical rise of the pavement to an acceptable level. As stated previously though, it must be recognized that partial removal of expansive clay soil only reduces the potential (or risk) of the damage swell can cause to a pavement and does not completely eliminate this risk.

In addition, capturing water infiltration via French drains, pavement edge drains, or inhibiting water through the use of vertical moisture barriers would reduce the potential for heave since one important component of the heaving mechanism, water, would be reduced. Geocomposite membranes, like geogrids, are also another tool available that may help reduce the damage that heaving subgrades

cause to flexible pavements and may be considered in addition to or as an alternative to other mitigation techniques.

It should be noted that the pavement sections derived in the following sections are structurally adequate for the assumed traffic levels and existing clay subgrade strength, but do not consider the long-term effects of pavement roughness due to heave, which can only be addressed by the measures discussed in this section.

NEW PAVEMENT RECOMMENDATIONS

DESIGN PARAMETERS – HOT MIX ASPHALT PAVEMENTS

New pavements or fully reconstructed pavements along Parkcrest Drive are to be evaluated in general accordance with the *City of San Antonio's Design Guidance Manual* regarding Local Type A Streets. Recommendations for Local Type A Streets both with and without bus traffic are provided in this report. Based on information provided by the City of San Antonio, we understand that the following design parameters are required for use in the design of flexible pavements for these types of streets.

Street Classification	Equivalent 18-kip Single Axle Load Applications (ESALs)	Reliability	Serviceability Initial/Terminal	Standard Deviation	Structural Number Minimum/Maximum
Local Type A Without Bus Traffic	100,000	70	4.2/2.0	0.45	2.02/3.18
Local Type A With Bus Traffic	1,000,000	70	4.2/2.0	0.45	2.58/4.20

The required structural number is related to the CBR value of the pavement subgrade and the amount of traffic that the pavement will carry over its service life. The CBR provides an estimate of the relative strength of the subgrade and consequently indicates the ability of the pavement section to carry load. This site specific CBR value is utilized in conjunction with the above specified parameters to determine the required Structural Number (SN) for use in the design of the pavement section.

To determine the required design SN value, we utilized a software program entitled "AASHTOWare DARWin 3.1.017, Pavement Design and Analysis System," which is published by the American Association of State Highway and Transportation Officials (AASHTO) and is based on the 1993 edition of the AASHTO "Guide for the Design of Pavement Structures."

The "required by design" SN values presented below are calculated using the DARWin software. Also shown are the values subsequently determined in the design of the pavement sections for this site.

Structural Number Recommendations

Street Classification	Structural Number Required by Design	Structural Number Provided by Design
Local Type A Without Bus Traffic	2.87	2.98
Local Type A With Bus Traffic	4.04	4.06

Generally, we recommend that soils that have a plasticity index of 20 or greater be treated with lime or by some other method to reduce the plasticity index to less than 20, thereby reducing the swell/heave potential discussed in a previous section. The plasticity index results in our borings were determined to be greater than 20. However, the plasticity index conducted on our bulk sample was determined to be less than 20. The swell determined during the CBR testing was determined to be 2.8 percent in the same bulk sample which is approximately 5 inches over a 15 ft depth (the depth of the active zone considered in San Antonio).

Because of the results of the plasticity indices in our borings, the swell potential determined during the CBR testing, and our experience with highly expansive soils in this part of Bexar County, particularly the City of Windcrest, we recommend that at least the upper 6 in. of subgrade be lime treated in any new pavement construction. While this will not eliminate the potential for swell, it will help to reduce the potential for swell which may improve the performance of this portion of Parkcrest over the life of the pavements.

PAVEMENT DESIGN PARAMETERS – HOT MIX ASPHALT PAVEMENTS

The following input variables are utilized to design flexible base pavements (commonly referred to as Asphaltic Cement Concrete or Asphalt pavements) when using the procedures detailed in the 1993 *AASHTO Guide for Design of Pavement Structures*:

- Performance Period
- Roadbed Soil Resilient Modulus psi
- Serviceability Indices
- Overall Standard Deviation
- Reliability, %
- Design Traffic, 18-kip ESALs

Performance Period

The pavement structure was designed for a 20-year performance period which is typical for most flexible pavements.

Roadbed Soil Resilient Modulus

The Resilient Modulus (M_R) is the material property used to characterize the support characteristics of the roadbed soils in flexible pavement design. It is a measure of the soil's deformation response to cyclic applications of loads much smaller than a failure load. Using conventional correlations, local experience and a design CBR value of 2.0, as discussed above, a Resilient Modulus of 3,000 psi has been used for this project.

To determine the resilient modulus (M_R) of the subgrade, we utilized the correlation equation shown below:

$$M_R = 1,500 \times \text{CBR}$$

Serviceability Indices

Initial serviceability is a measure of the pavement's smoothness or rideability immediately after construction. Terminal serviceability is the minimum tolerable serviceability of a pavement. When the serviceability of a pavement reaches its terminal value, rehabilitation is required. See the recommended Initial and Terminal Serviceability Indices on the table presented in the *City of San Antonio Design Parameters – Hot Mix Asphalt Pavements* section of this report.

Overall Standard Deviation

Overall standard deviation accounts for both chance variation in the traffic prediction and normal variation in pavement performance prediction for a given traffic. Higher values represent more variability; thus, the pavement thickness increases with higher overall standard deviations. A value of 0.45 was utilized for the flexible pavement designs presented herein.

Reliability, %

The reliability value represents a "safety factor," with higher reliabilities representing pavement structures with less chance of failure. The AASHTO Guide recommends values ranging from 50 to 99.9%, depending on the functional classification and the location (urban vs. rural) of the roadway. See the recommended Reliability values on the table presented in the *City of San Antonio Design Parameters – Hot Mix Asphalt Pavements* section of this report.

Design Traffic 18-kip ESAL

The 18-kip ESALs were determined from the traffic data specified in the Unified Development Code for the City of San Antonio. See the recommended values on the table presented in the *City of San Antonio Design Parameters – Hot Mix Asphalt Pavements* section of this report.

RECOMMENDED PAVEMENT SECTIONS – HOT MIX ASPHALT PAVEMENTS

Utilizing the design SN values discussed above and minimum layer thicknesses, the optional pavement sections presented in the tables below are recommended.

Our pavement recommendations were prepared assuming that the soils in place along the alignment will remain and will be utilized to support any new or reconstructed pavements. Lime treatment of the exposed clay subgrade should be performed in conjunction with the scarifying, moisture conditioning, and recompaction described in the *Site Preparation* section of this report.

For this site, the following options for pavement sections are available.

CBR=2.0	Layer Description	Layer Thickness	Recommended SN Coeff.	S.N. Extension
Local Type A Without Bus Traffic	Type D Surface Course	2.5 in.	0.44	1.10
	Flexible (Granular) Base	10.0 in.	0.14	1.40
	Lime Treated Subgrade	6.0 in.	0.08	0.48
	Combined Total	18.5 in.		2.98
Local Type A With Bus Traffic	Type D Surface Course	2.0 in.	0.44	0.88
	Type C/D Surface Course	2.0 in.	0.44	0.88
	Flexible (Granular) Base	13.0 in.	0.14	1.82
	Lime Treated Subgrade ⁽¹⁾	6.0 in.	0.08	0.48
	Combined Total	23.0 in.		4.06

MILL AND OVERLAY RECOMMENDATIONS

In lieu of complete reconstruction, the existing pavement surface can be milled and overlaid with new asphalt to provide short term rehabilitation. While this method will provide a new driving surface and level many existing irregularities in the driving surface, it will do nothing to improve the existing base or supporting subgrade soils. In addition, if milling of the existing pavement does not extend below existing pavement cracks, reflection cracking could be evident a short time after the rehabilitation is complete. Without an extensive pavement condition study and traffic analysis, it is difficult to estimate the life of this rehabilitation technique. Where possible, we recommend that new pavement construction be considered for the long term rehabilitation of the failed pavements.

If this method is utilized, on the basis of our field measured asphalt thicknesses, we recommend that the upper 2 in. of asphalt be milled. After the upper 2 in. of asphalt has been removed, the exposed base or remaining asphalt) should be visually inspected for deeper cracking. The remaining base material or asphalt in isolated areas where deeper cracking is readily visible should be removed and replaced with flexible (granular) base up to the milled elevation and compacted in accordance with the *Granular Base Course* section of this report. Prior to placement of the new asphalt surface, a prime coat should be placed on top of a flexible base course in accordance with the *Prime Coat* section of this report. New asphalt

should consist of a Type D asphalt placed in accordance with the *Asphaltic Concrete Surface and/or Binder Courses* section of this report.

PAVEMENT CONSTRUCTION CONSIDERATIONS

SITE PREPARATION

Preparation for the right-of-way (for streets, sidewalks, utilities, etc.) should be performed in accordance with the 2008 City of San Antonio Standard Specification Item 101 – *Preparing of Right-of-Way*. If complete reconstruction is selected, exposed subgrades should be thoroughly proofrolled in order to locate and densify any weak, compressible zones. A minimum of 5 passes of a fully-loaded dump truck or a similar heavily-loaded piece of construction equipment should be used for planning purposes. Proofrolling operations should be observed by the Geotechnical Engineer or his representative to document subgrade condition and preparation. Weak or soft areas identified during proofrolling should be removed and replaced with a suitable, compacted backfill.

After completion of the proofrolling operations and just prior to flexible base placement, the exposed subgrade should be moisture conditioned by scarifying to a minimum depth of 6 in. and recompacting to a minimum of 95 percent of the maximum density determined from the Texas Department of Transportation Compaction Test (TxDOT, Tex-114-E). The moisture content of the subgrade should be maintained within the range of optimum moisture content to 3 percentage points above optimum until permanently covered. Lime treatment of the exposed clay subgrade should be performed in conjunction with the scarifying, moisture conditioning, and recompaction.

ON-SITE CLAY FILL

If additional on-site soils are used to replace weak subgrade areas or adjust grades at the site, we recommend that the on-site soils be placed to conform to the 2008 City of San Antonio Standard Specifications Item 107 – *Embankment* Type B. They should be placed in compacted lifts not exceeding 6 in. in thickness and compacted to the requirements of Table 2 in Item 107 based on the maximum density and optimum moisture content as determined by TxDOT, Tex-114-E. The moisture content of the fill should be maintained to be at least equal to the optimum water content, but not exceed 3 percentage points above the optimum water content until permanently covered. Fill materials shall be free of roots and other organic or degradable material. We recommend that the maximum particle size not exceed 3 in. or one half the compacted lift thickness, whichever is smaller. If other import fill materials are utilized, **RKCI** should be notified, as additional CBR testing and thicker pavement sections may be required.

It is imperative that the subgrade modulus utilized in the pavement design process be met or exceeded by the fill material. In the event that the clay fill used is different than the existing subgrade, the recommendations in this report could be invalidated and the design engineer must be consulted to determine if additional CBR testing and thicker pavement sections are required.

LIME TREATMENT OF SUBGRADE

Lime treatment of the subgrade soils should be in accordance with the 2008 City of San Antonio Standard Specification, Item 108 – Lime Treated Subgrade. Lime-treated subgrade soils should be compacted to a minimum of 95 percent of the maximum density at a moisture content within the range of optimum moisture content to 3 percentage points above the optimum moisture content as determined by Tex-113-E. Based on the results of the Lime Series Curve, we recommend that at least 5 percent hydrated lime by weight be used to reduce the PI of the subgrade clays or the minimum required by the City of San Antonio which is 15 pounds/S.Y. for 6 in. of lime treated subgrade. If dry placement of lime is used during construction, an additional 1 percent of lime should be added to account for expected loss.

It is also recommended to perform additional laboratory testing to determine the concentration of soluble sulfates in the subgrade soils, in order to investigate the potential for adverse reaction to lime in certain sulfate-containing soils. The adverse reaction, referred to as sulfate-induced heave, has been known to cause cohesive subgrade soils to swell in short periods of time, resulting in pavement heaving and possible failure.

GRANULAR BASE COURSE

The flexible base course should be crushed limestone conforming to the 2008 City of San Antonio Standard Specification, Item 200 – *Flexible Base*, Type A Grade 1. The base course should be placed in lifts with a maximum compacted thickness of 8 in. (10 inches loose) and compacted to a minimum of 95 percent of the maximum density determined by Tex-113-E at a moisture content within the range of 2 percentage points below to 2 percentage points above the optimum moisture content as determined by Tex-113-E.

PRIME COAT

A prime coat should be placed on top of a flexible base course and should be a MC-30 or AE-P conforming to the 2008 City of San Antonio Standard Specification for Construction Item 202 – *Prime Coat* as well as TxDOT Standard Specifications 2004, Item 300 – *Asphalts, Oils or Emulsions*. Prime coat application rates are typically between 0.1 to 0.3 gal/yd² and are generally dependent upon the absorption rate of the granular base and other environmental conditions at the time of placement. City of San Antonio Standard Specification Item 202 – *Prime Coat* states that the application rate shall not exceed 0.2 gal/yd².

TACK COAT

A tack coat should be placed between asphaltic concrete base and/or surface lifts and should be a PG binder with a minimum high-temperature grade of PG 58, SS-1H, CSS-1H, or EAP&T conforming to TxDOT Standard Specifications 2004, Item 300 – *Asphalts, Oils or Emulsions*. For construction, City of San Antonio Standard Specification Item 203 – *Tack Coat* shall be specified and the application rate shall not exceed 0.1 gal/yd². See additional requirements for tack coats in the appropriate City of San Antonio Standard Specification for Asphaltic Concrete Materials.

ASPHALTIC CONCRETE SURFACE AND/OR BINDER¹ COURSES

The asphaltic concrete surface and/or binder courses should conform to the 2008 City of San Antonio Standard Specification Item 205 – *Hot Mix Asphaltic Concrete Pavement* Types C or D for the surface and binder, and Type B for the base, if the full depth asphalt section is selected for construction. Recycled asphalt pavement (RAP) should be limited to 20 percent of the total weight of the mix for Types C and D mixes and 30 percent for Type B mixes. Higher percentages of RAP may be permissible depending on the material source. If higher percentages of RAP are desired, contact RKCI for consideration. Asphalt cement grades should conform to the table shown below, which conforms to the requirements of Item 205.

Street Classifications	Minimum PG Asphalt Cement Grade		
	Surface Courses	Binder & Level Up Courses	Base Courses
Arterials	PG 76-22	PG 70-22	PG 64-22
Collector and Local Type B Streets	PG 70-22		
Local Type A Street With Bus Traffic		PG 64-22	
Local Type A Street Without Bus Traffic	PG 64-22		

The asphaltic concrete should be compacted on the roadway to contain from 5 to 9 percent air voids computed using the maximum theoretical specific gravity^{*}(Rice) of the mixture determined according to Test Method Tex-227-F. Pavement specimens, which shall be either cores or sections of asphaltic pavement, will be tested according to Test Method Tex-207-F. The nuclear-density gauge or other methods which correlate satisfactorily with results obtained from project roadway specimens may be used when approved by the Engineer. Unless otherwise shown on the plans, the Contractor shall be responsible for obtaining the required roadway specimens at their expense and in a manner and at locations selected by the Engineer.

It is recommended that the hot mix asphalt concrete pavement be placed with a paving machine only and not with a motor grader unless prior approval is granted by the Engineer for special circumstances.

MISCELLANEOUS PAVEMENT RELATED CONSIDERATIONS

Drainage Considerations

As with any soil-supported structure, the satisfactory performance of a pavement system is contingent on the provision of adequate surface and subsurface drainage. Insufficient drainage which allows saturation of the pavement subgrade and/or the supporting granular pavement materials will greatly reduce the performance and service life of the pavement systems.

¹ A binder course is defined as the hot mixed asphalt concrete (HMAC) layer placed directly beneath the HMAC surface or wearing course but is not an asphalt treated base layer.

Surface and subsurface drainage considerations crucial to the performance of pavements at this site include (but are not limited to) the following:

- Any known natural or man-made subsurface seepage at the site which may occur at sufficiently shallow depths as to influence moisture contents within the subgrade should be intercepted by drainage ditches or below grade French drains.
- Final site grading should eliminate isolated depressions adjacent to curbs, which may allow surface water to pond and infiltrate into the underlying soils. Curbs should be installed to a sufficient depth to reduce infiltration of water beneath the curbs and into the pavement base materials.
- Pavement surfaces should be maintained to help minimize surface ponding and to provide rapid sealing of any developing cracks. These measures will help reduce infiltration of surface water downward through the pavement section.

Utilities

Our experience indicates that significant settlement of backfill can occur in utility trenches, particularly when trenches are deep, when backfill materials are placed in thick lifts with insufficient compaction, and when water can access and infiltrate the trench backfill materials. The potential for water to access the backfill is increased where water can infiltrate flexible base materials due to insufficient penetration of curbs, and at sites where geological features can influence water migration into utility trenches. It is our belief that another factor which can significantly impact settlement is the migration of fines within the backfill into the open voids in the underlying free-draining bedding material.

To reduce the potential for settlement in utility trenches, we recommend that consideration be given to the following:

- All backfill materials should be placed and compacted in controlled lifts appropriate for the type of backfill and the type of compaction equipment being utilized and all backfilling procedures should be tested and documented.
- Consideration should be given to wrapping free-draining bedding gravels with a geotextile fabric (similar to Mirafi 140N) to reduce the infiltration and loss of fines from backfill material into the interstitial voids in bedding materials.

Curb and Gutter

It is good practice to construct curbs such that the depth of the curb extends through the entire depth of the granular base material to act as a protective barrier against the infiltration of water into the granular base. Pavements that do not have this protective barrier to moisture tend to develop longitudinal cracks 1 to 2 ft from the edge of the pavement. Once these cracks develop, further degradation and weakening of the underlying granular base may occur due to water seepage through the cracks.

Pavement Maintenance

Regular pavement maintenance is critical in maintaining pavement performance over a period of several years. All cracks that develop in asphalt pavements should be regularly sealed. Areas of moderate to severe fatigue cracking (also known as alligator cracking) should be sawcut and removed. The underlying base should be checked for contamination or loss of support and any insufficiencies fixed or removed and the entire area patched. All cracks that develop in concrete pavements should be routed and sealed regularly. Joints in concrete pavements should be maintained to reduce the influx of incompressible materials that restrain joint movement and cause spalling and/or cracking. Other typical TxDOT or City of San Antonio maintenance techniques should be followed as required.

Construction Traffic

Construction traffic on prepared subgrade, granular base or asphalt treated base (black base) should be restricted as much as possible until the protective asphalt surface pavement is applied. Significant damage to the underlying layers resulting in weakening may occur if heavily loaded vehicles are allowed to use these areas.

Longitudinal Cracking

Asphalt pavement sections in highly expansive soil environments, such as those encountered at this site, can develop longitudinal cracking along unprotected pavement edges. In the semi-arid climate of south central Texas this condition typically occurs along the unprotected edges of pavements where the adjoining grounds are not developed, i.e. not landscaped/irrigated or otherwise maintained.

The longitudinal cracking generally occurs between 2 to 4 feet inside of and parallel to the unprotected edges of the pavement. Differential drying and shrinkage of the highly expansive clay subgrade between the exposed pavement edge and that beneath the pavement section commonly causes the cracking. This problem can best be addressed by providing either a horizontal or vertical moisture barrier at the unprotected pavement edge.

A horizontal barrier is commonly in the form of a paved shoulder extending 8 feet or greater beyond the edge of the pavement. Other methods of shoulder treatment, such as using geofabrics beyond the edge of the roadway, are sometimes used in an effort to help reduce longitudinal cracking. Although this alternative does not eliminate the longitudinal cracking phenomenon, the location of the cracking is transferred to the shoulder rather than within the traffic lane.

Vertical barriers installed along the unprotected edges of roadway pavements are also effective in preventing non-uniform drying and shrinkage of the subgrade clays. These barriers are typically in the form of a vertical moisture barrier/membrane extending a minimum of 6 feet below the top of the subgrade at the pavement edge. Both types of barriers must be sealed at the edge of the pavement to prevent a crack that would facilitate the drying of the subgrade clays.

A more economical alternative, which will not limit the shrinkage of the underlying subgrade clays but may reduce the occurrence of longitudinal, cracking, is the use of a geogrid base reinforcement in the pavement section. Geogrid gives the pavement section a tensile strength component that is not otherwise inherent in a typical flexible base pavement section.

At a minimum, we recommend that curbs completely penetrate base materials and be installed to sufficient depth to reduce infiltration of water beneath the curbs.

* * * * *

The following figures are attached and complete this report:

Figure 1	Boring Location Map
Figures 2 through 5	Logs of Borings
Figure 6	Key to Terms and Symbols
Figure 7	Results of Soil Analyses
Figure 8	Moisture Density Relationship Curve
Figure 9	PI-Lime Series Curve

ATTACHMENTS



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SOURCE: 2011 Aerial Photograph Provided by The City of San Antonio (COSA)

BORING LOCATION MAP

PARKCREST DRIVE
 WINDCREST, TEXAS

REVISIONS:

No.	DATE	DESCRIPTION

PROJECT No.:
 ASA12-119-00

ISSUE DATE:	12/10/2012
DRAWN BY:	CCL
CHECKED BY:	TIP
REVIEWED BY:	TIP

FIGURE

1

LOG OF BORING NO. B-1

Parkcrest Drive
Windcrest, Texas



DRILLING
METHOD: Straight Flight Auger

LOCATION: N 29.51468; W 98.37370

DEPTH, FT	SYMBOL	SAMPLES	DESCRIPTION OF MATERIAL	BLOWS PER FT	UNIT DRY WEIGHT, pcf	SHEAR STRENGTH, TONS/FT ²			PLASTICITY INDEX	% -200
						0.5	1.0	1.5		
			ASPHALT (1-3/4 in.)							
			BASE MATERIAL (3 in.)							
			CLAY, Stiff to Very Stiff, Tan, with calcareous deposits	10					21	
				17						
5			Boring Terminated							
10										
15										

NOTE: THESE LOGS SHOULD NOT BE USED SEPARATELY FROM THE PROJECT REPORT

DEPTH DRILLED: 5.0 ft	DEPTH TO WATER: Dry	PROJ. No.: ASA12-119-00
DATE DRILLED: 11/13/2012	DATE MEASURED: 11/13/2012	FIGURE: 2

Parkcrest Drive
Windcrest, Texas

LOG OF BORING NO. B-3

Parkcrest Drive
Windcrest, Texas



DRILLING
METHOD: Straight Flight Auger

LOCATION: N 29.51281; W 98.37343

DEPTH, FT	SYMBOL	SAMPLES	DESCRIPTION OF MATERIAL	BLOWS PER FT	UNIT DRY WEIGHT, pcf	SHEAR STRENGTH, TONS/FT ²			PLASTICITY INDEX	% -200
						0.5	1.0	1.5		
			ASPHALT (2 in.)							
			BASE MATERIAL (3 in.)							
			CLAY, Dark Brown							
			CLAY, Very Stiff, Tan, with calcareous deposits and gravel	16						
				16					32	
5			Boring Terminated							
10										
15										

NOTE: THESE LOGS SHOULD NOT BE USED SEPARATELY FROM THE PROJECT REPORT

DEPTH DRILLED:

5.0 ft

DEPTH TO WATER:

Dry

PROJ. No.:

ASA12-119-00

DATE DRILLED:

11/13/2012

DATE MEASURED:

11/13/2012

FIGURE:

4

LOG OF BORING NO. B-4

Parkcrest Drive
Windcrest, Texas



DRILLING METHOD: Straight Flight Auger

LOCATION: N 29.51160; W 98.37341

DEPTH, FT	SYMBOL	SAMPLES	DESCRIPTION OF MATERIAL	BLOWS PER FT	UNIT DRY WEIGHT, pcf	SHEAR STRENGTH, TONS/FT ²												PLASTICITY INDEX	% -200
						0.5 1.0 1.5 2.0 2.5 3.0 3.5 4.0													
						PLASTIC LIMIT				WATER CONTENT				LIQUID LIMIT					
						10	20	30	40	50	60	70	80						
			ASPHALT (2-1/4 in.)																
			BASE MATERIAL (2-1/4 in.)																
			CLAY, Very Stiff, Dark Brown	24										42					
			CLAY, Hard, Tan, with calcareous deposits and gravel	50															
5			Boring Terminated																

NOTE: THESE LOGS SHOULD NOT BE USED SEPARATELY FROM THE PROJECT REPORT

DEPTH DRILLED: 5.0 ft
DATE DRILLED: 11/13/2012

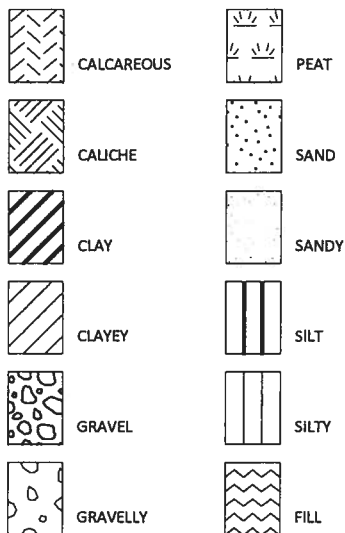
DEPTH TO WATER: Dry
DATE MEASURED: 11/13/2012

PROJ. No.: ASA12-119-00
FIGURE: 5

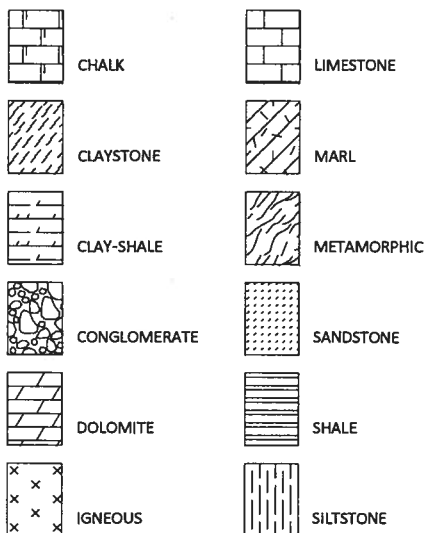
KEY TO TERMS AND SYMBOLS

MATERIAL TYPES

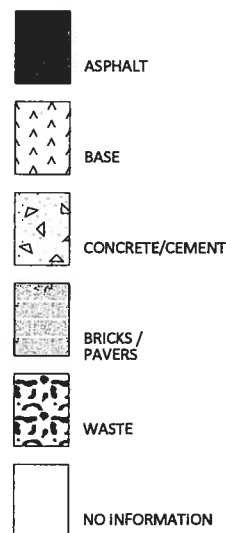
SOIL TERMS



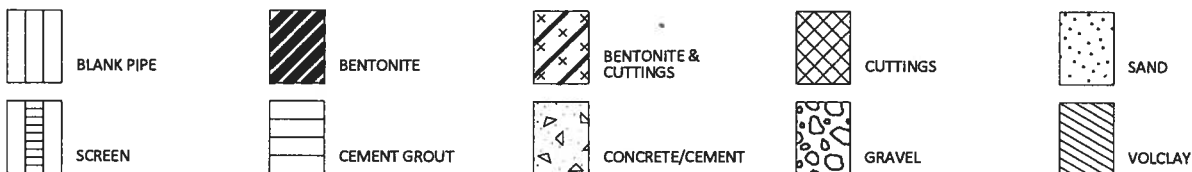
ROCK TERMS



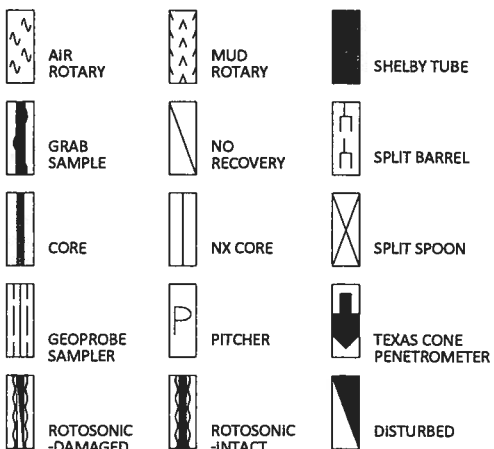
OTHER



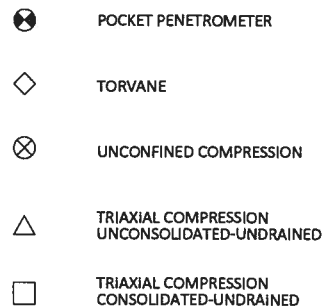
WELL CONSTRUCTION AND PLUGGING MATERIALS



SAMPLE TYPES



STRENGTH TEST TYPES



NOTE: VALUES SYMBOLIZED ON BORING LOGS REPRESENT SHEAR STRENGTHS UNLESS OTHERWISE NOTED

KEY TO TERMS AND SYMBOLS (CONT'D)

TERMINOLOGY

Terms used in this report to describe soils with regard to their consistency or conditions are in general accordance with the discussion presented in Article 45 of SOILS MECHANICS IN ENGINEERING PRACTICE, Terzaghi and Peck, John Wiley & Sons, Inc., 1967, using the most reliable information available from the field and laboratory investigations. Terms used for describing soils according to their texture or grain size distribution are in accordance with the UNIFIED SOIL CLASSIFICATION SYSTEM, as described in American Society for Testing and Materials D2487-06 and D2488-00, Volume 04.08, Soil and Rock; Dimension Stone; Geosynthetics; 2005.

The depths shown on the boring logs are not exact, and have been estimated to the nearest half-foot. Depth measurements may be presented in a manner that implies greater precision in depth measurement, i.e 6.71 meters. The reader should understand and interpret this information only within the stated half-foot tolerance on depth measurements.

RELATIVE DENSITY

COHESIVE STRENGTH

PLASTICITY

<u>Penetration Resistance Blows per ft</u>	<u>Relative Density</u>	<u>Resistance Blows per ft</u>	<u>Consistency</u>	<u>Cohesion TSF</u>	<u>Plasticity Index</u>	<u>Degree of Plasticity</u>
0 - 4	Very Loose	0 - 2	Very Soft	0 - 0.125	0 - 5	None
4 - 10	Loose	2 - 4	Soft	0.125 - 0.25	5 - 10	Low
10 - 30	Medium Dense	4 - 8	Firm	0.25 - 0.5	10 - 20	Moderate
30 - 50	Dense	8 - 15	Stiff	0.5 - 1.0	20 - 40	Plastic
> 50	Very Dense	15 - 30	Very Stiff	1.0 - 2.0	> 40	Highly Plastic
		> 30	Hard	> 2.0		

ABBREVIATIONS

B = Benzene	Qam, Qas, Qal = Quaternary Alluvium	Kef = Eagle Ford Shale
T = Toluene	Qat = Low Terrace Deposits	Kbu = Buda Limestone
E = Ethylbenzene	Qbc = Beaumont Formation	Kdr = Del Rio Clay
X = Total Xylenes	Qt = Fluvial Terrace Deposits	Kft = Fort Terrett Member
BTEX = Total BTEX	Qao = Seymour Formation	Kgt = Georgetown Formation
TPH = Total Petroleum Hydrocarbons	Qle = Leona Formation	Kep = Person Formation
ND = Not Detected	Q-Tu = Uvalde Gravel	Kek = Kainer Formation
NA = Not Analyzed	Ewi = Wilcox Formation	Kes = Escondido Formation
NR = Not Recorded/No Recovery	Emi = Midway Group	Kew = Walnut Formation
OVA = Organic Vapor Analyzer	Mc = Catahoula Formation	Kgr = Glen Rose Formation
ppm = Parts Per Million	EI = Laredo Formation	Kgru = Upper Glen Rose Formation
	Kknm = Navarro Group and Marlbrook Marl	Kgrl = Lower Glen Rose Formation
	Kpg = Pecan Gap Chalk	Kh = Hensell Sand
	Kau = Austin Chalk	

PROJECT NO. ASA12-119-00

KEY TO TERMS AND SYMBOLS (CONT'D)

TERMINOLOGY

SOIL STRUCTURE

Slickensided	Having planes of weakness that appear slick and glossy.
Fissured	Containing shrinkage or relief cracks, often filled with fine sand or silt; usually more or less vertical.
Pocket	Inclusion of material of different texture that is smaller than the diameter of the sample.
Parting	Inclusion less than 1/8 inch thick extending through the sample.
Seam	Inclusion 1/8 inch to 3 inches thick extending through the sample.
Layer	Inclusion greater than 3 inches thick extending through the sample.
Laminated	Soil sample composed of alternating partings or seams of different soil type.
Interlayered	Soil sample composed of alternating layers of different soil type.
Intermixed	Soil sample composed of pockets of different soil type and layered or laminated structure is not evident.
Calcareous	Having appreciable quantities of carbonate.
Carbonate	Having more than 50% carbonate content.

SAMPLING METHODS

RELATIVELY UNDISTURBED SAMPLING

Cohesive soil samples are to be collected using three-inch thin-walled tubes in general accordance with the Standard Practice for Thin-Walled Tube Sampling of Soils (ASTM D1587) and granular soil samples are to be collected using two-inch split-barrel samplers in general accordance with the Standard Method for Penetration Test and Split-Barrel Sampling of Soils (ASTM D1586). Cohesive soil samples may be extruded on-site when appropriate handling and storage techniques maintain sample integrity and moisture content.

STANDARD PENETRATION TEST (SPT)

A 2-in.-OD, 1-3/8-in.-ID split spoon sampler is driven 1.5 ft into undisturbed soil with a 140-pound hammer free falling 30 in. After the sampler is seated 6 in. into undisturbed soil, the number of blows required to drive the sampler the last 12 in. is the Standard Penetration Resistance or "N" value, which is recorded as blows per foot as described below.

SPLIT-BARREL SAMPLER DRIVING RECORD

Blows Per Foot	Description
25	25 blows drove sampler 12 inches, after initial 6 inches of seating.
50/7"	50 blows drove sampler 7 inches, after initial 6 inches of seating.
Ref/3"	50 blows drove sampler 3 inches during initial 6-inch seating interval

NOTE: To avoid damage to sampling tools, driving is limited to 50 blows during or after seating interval.

PROJECT NO. ASA12-119-00

RABAKISTNER

RESULTS OF SOIL SAMPLE ANALYSES

PROJECT NAME: Parkcrest Drive
Windcrest, Texas

FILE NAME: ASA12-119-00.GPJ

12/10/2012

Boring No.	Sample Depth (ft)	Blows per ft	Water Content (%)	Liquid Limit	Plastic Limit	Plasticity Index	USCS	Dry Unit Weight (pcf)	% -200 Sieve	Shear Strength (tsf)	Strength Test
B-1	1.0 to 2.5	10	17	38	17	21	CL				
	3.5 to 5.0	17	12								
B-2	1.0 to 2.5	16	18	55	17	38	CH				
	3.5 to 5.0	22	11								
B-3	1.0 to 2.5	16	19								
	3.5 to 5.0	16	20	47	15	32	CL				
B-4	1.0 to 2.5	24	20	62	20	42	CH				
	3.5 to 5.0	50	9								

PP = Pocket Penetrometer TV = Torvane UC = Unconfined Compression FV = Field Vane UU = Unconsolidated Undrained Triaxial

CU = Consolidated Undrained Triaxial

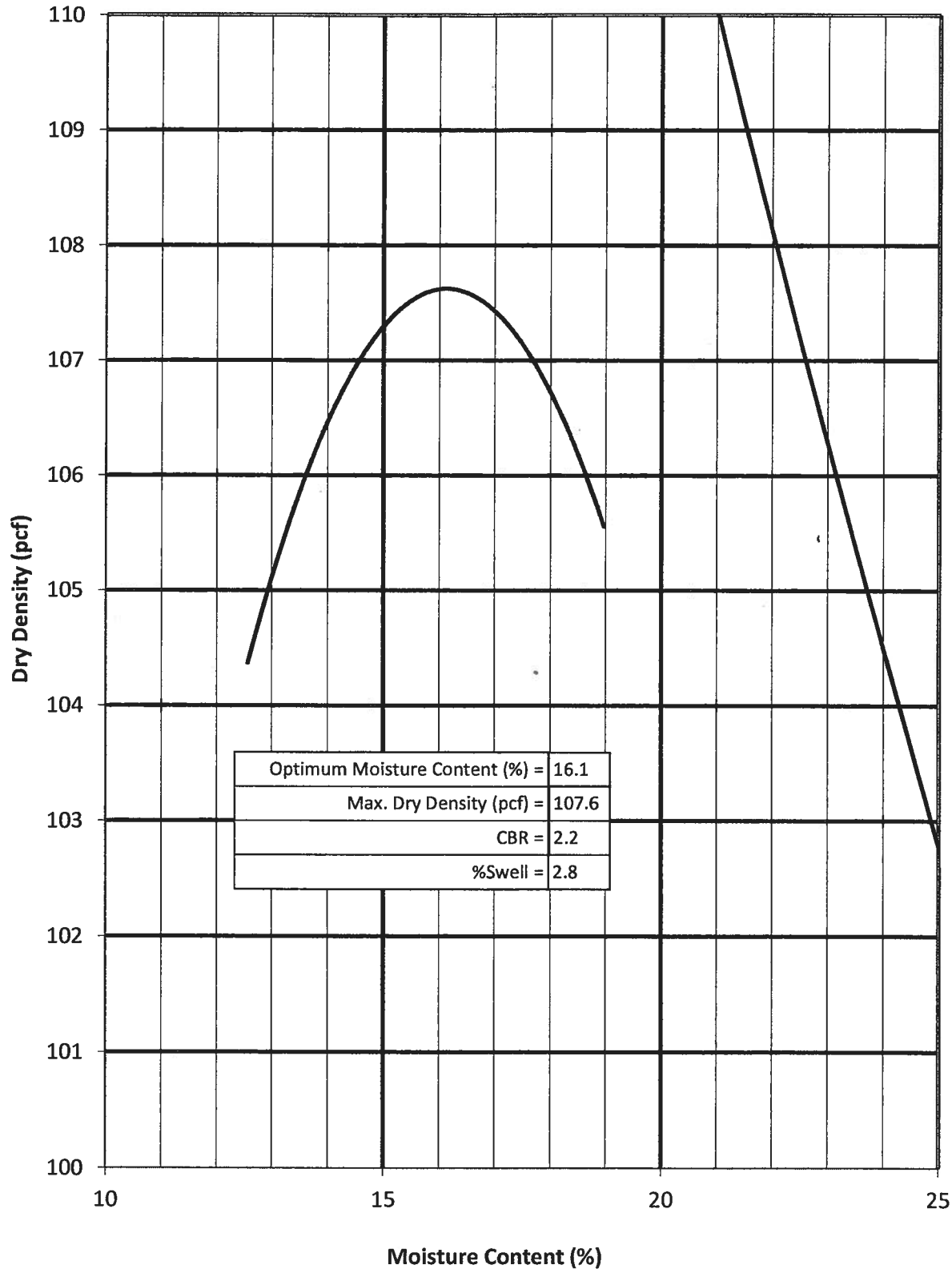
PROJECT NO. ASA12-119-00

RABAKISTNER

FIGURE 7

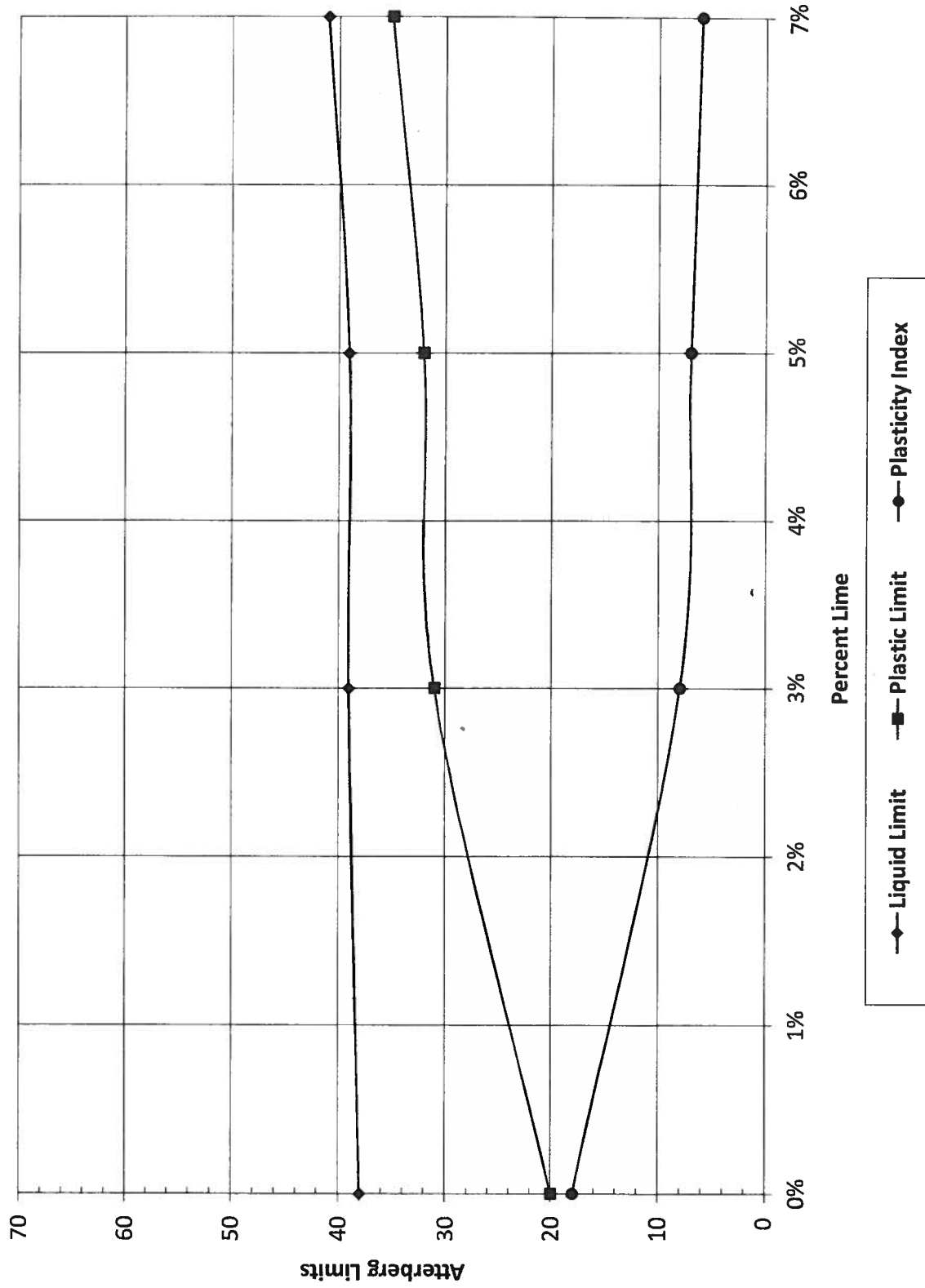
MOISTURE DENSITY RELATIONSHIP CURVE

Parkcrest Drive



PI-LIME SERIES CURVE

Parkcrest Drive



CONSULTANTS • ENVIRONMENTAL • FACILITIES • INFRASTRUCTURE

► San Antonio, TX

Austin, TX

Dallas , TX

McAllen, TX

Brownsville, TX

El Paso, TX

Mexico

Corpus Christi , TX

Houston, TX

Salt Lake City, UT



RESOLUTION NO. 2013-426(R)

A RESOLUTION AWARDING A CONTRACT TO ASC PAVING OF SAN ANTONIO FOR THE CITY OF WINDCREST PARKCREST DRIVE MILL AND OVERLAY PROJECT.

WHEREAS, on October 8, 2012 the City of Windcrest City Council passed Resolution 408(R) authorizing Raba Kistner, Inc. to develop bid documents, specifications, and construction plans required to be utilized in the bidding and award of a construction contract for the performance of CIP construction projects on Parkcrest Drive and authorizing the City Manager to develop and release a Request for Bids for the execution of said project.

WHEREAS, on December 14, 2012 the City of Windcrest released an Invitation for Bids for Parkcrest Drive Mill and Overlay, and advertised notices for such bids on December 14, 2012 and December 21, 2012 in the City of Windcrest's Newspaper of Record; and

WHEREAS, on January 11th 2012 in the City Council Chambers five sealed bids from prospective contractors were opened and reviewed. ASC Paving of San Antonio was the low bidder at Eighty-Seven Thousand, Seven Hundred and Forty-Five Dollars, (\$87,745.00); and

WHEREAS, the funding for City of Windcrest Parkcrest Drive Mill and Overlay is budgeted from the City of Windcrest Capital Improvement Budget.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS, the City Council of the City of Windcrest hereby awards a contract in the amount of Eighty-Seven Thousand, Seven Hundred and Forty-Five Dollars, (\$87,745.00) for the City of Windcrest Parkcrest Drive Mill and Overlay Project to ASC Paving of San Antonio. The City Manager is authorized to negotiate and execute all documents on behalf of the City.

PASSED AND APPROVED ON THIS THE ____ day of February, 2013.

Alan E. Baxter, Mayor

ATTEST

Kelly Rodriguez, City Secretary

APPROVED AS TO FORM

Michael Brennan, City Attorney

Unit #	Year	Vehicle Make	Model	Estimate Mileage
PW- 2	1999	Ford	F-150	Dose not work
PW-3	2004	Ford	F-150	48720
PW-4	1999	Ford	F-150	81714
PW-5	1996	Ford	F-150	88670
PW-6	1993	Ford	F-250	54579
PW-7	1996	Ford	F-150	66211
PW-9	1993	Ford/ Bucket Trk.	F-350	13398
PW-29	1978	Ford	F-350	28063

Addition or Replaced	Year Purchased	Years of Service
Addition	1999	13 Yrs.
Addition	2004	8 Yrs.
Addition	1999	13 Yrs.
Addition	1996	16 Yrs.
Addition	1993	19 Yrs.
Addition	1996	16 Yrs.
Addition	1993	19 Yrs.
Donated by F.D.	1978	4 Yrs.



Public Works

Fleet condition 2013.

1. Unit PW-2

Year 1999 F-150 V-6

Vin: 1FT2F1721YKAS4104

EXTERIOR

**Paint is in poor condition, has scratches and some dents.*

**Tailgate needs replacement and hardware*

INTERIOR

**Seat is torn , exposing metal on the outer edge of the seat.*

**Head liner has a small tear.*

**Shifter needs repair.*

- Front end shakes when coming to a stop.
-

PW-2













2. Unit PW-4

Year 1999 F-150 V-6

Vin: 1FT2F1720XKAS1290

Mil. 81714 Lic. 752-757

EXTERIOR-FAIR CONDITION

****Paint has scratches.***

****Right door has slight damage.***

****Tailgate needs repair.***

****Engine has a slight knock.***

INTERIOR-GOOD CONDITION

****Seats have been refurbished.***

****Dashboard had some plastic replacements.***







F-150









3. Unit PW-5

Year 1996 F-150 V-6

Vin: 2FTEF15YXTCA34355

EXTERIOR

****Paint is in good condition but there are some spots without paint.***

INTERIOR

****Headliner is torn and sagging.***

****Passenger and driver door will not open from inside of cab.***

****Dash is cracked.***











4. Unit PW-6

Year 1993 F-250 V-8

Vin:1FTHHF25H7PNA87310

EXTERIOR

- *Paint is in poor condition/rust.*
- *Slight damage to right side of truck.*
- *Tailgate is in poor condition.*

INTERIOR

- *Torn seat.*
 - *Passenger and driver door will not open from inside.*
 - *Headliner is in poor condition.*
 - *Flooring is torn.*
 - *Dash is cracked in many areas.*
 - *No A/C, poor Heat.*
 - *Exhaust leaks.*
-















5. Unit PW-7

Year 1996 F-150 V-8

Vin:1FTEF13Y2TNA36093

EXTERIOR

- *Doors in poor condition.*
- *Paint is in poor condition.*
- *Body is in poor condition.*
- *Tailgate needs replacement.*

INTERIOR

- *Torn seat with metal frame exposed.*
 - *Dash is cracked in many areas.*
 - *Headliner is fallen and torn.*
-
- *Engine is in poor condition, runs rough.*
-













6. Unit PW-29

Year 1978 F-350

Vin:F37HKBG6494

This Unit was given to Public Works by Windcrest Volunteer Fire Department.

EXTERIOR

**Floor mat is torn.*

**Seat has a burn hole from a spot light*

**Rust in door frames.*

INTERIOR

**Passenger mirror is coming apart from door.*

**Paint in a poor condition.*

**Runs fairly good.*







7. Unit PW-9



PW 9

WINL
TE
PUBLIC



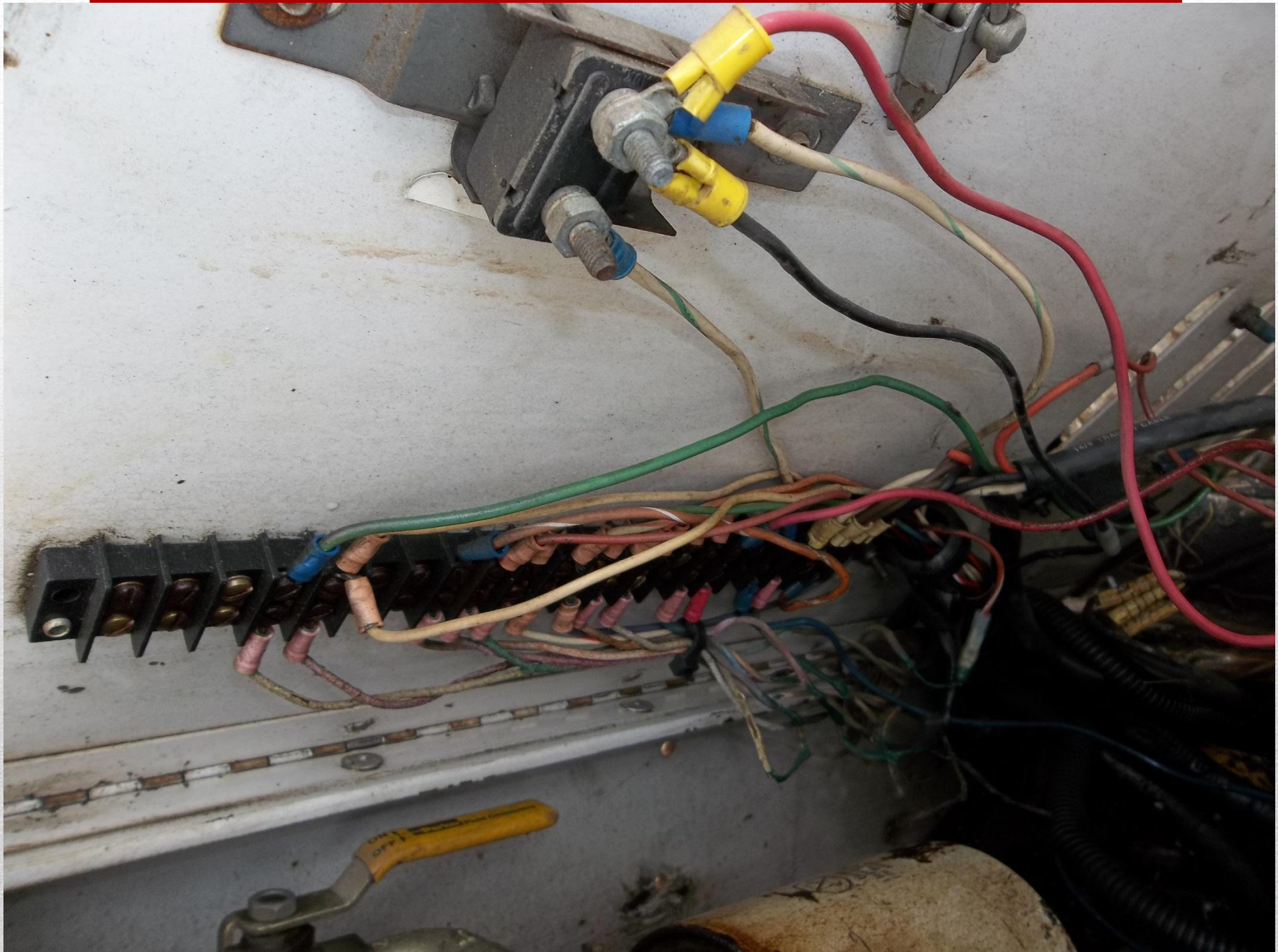


13770 7097
20603
FORD
-1770













Thank you.

CERT Tent and banner to set up Incident Command and to be used for CERT events.

Table

Folding chairs

CERT Bags to include:

Flashlight, Work Gloves, Safety Goggles, N95 Dust Masks, Write in the rain notebooks, Duct Tape, Yellow Caution Tape, Lumber Crayon, Felt Tip Markers, pens, pt. carry and first aid supplies

First Aid Supplies for CERT Bags to include:

Disposable Non Latex Gloves, Triangular Bandages, Roller Gauze, 4x4's, Mylar Emergency Blankets

CERT Tee Shirts for 15 CERT Team Members

CERT Hard Hats for 15 CERT Team Members

CERT Reflective Safety Vest

Pealess Survival Whistle

Multi Function Tool

Pry Bar

Rope

Tarp

Container for Cribbing

The City of Windcrest

Ethics Code

January 28, 2013

DIVISION 1: DECLARATION OF POLICY

SECTION 1-01 STATEMENT OF PURPOSE

SECTION 1-02 DEFINITIONS

DIVISION 2: PRESENT CITY OFFICIALS AND EMPLOYEES

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SECTION 2-02 UNFAIR ADVANCEMENT OF PRIVATE INTERESTS

SECTION 2-03 GIFTS

SECTION 2-04 CONFIDENTIAL INFORMATION

SECTION 2-05 REPRESENTATION OF PRIVATE INTERESTS

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THE CITY OF WINDCREST ETHICS CODE

DIVISION 1: DECLARATION OF POLICY

SECTION 1-01 STATEMENT OF PURPOSE

It is essential in a democratic system that the public have confidence in the integrity, independence, and impartiality of those who act on their behalf in government. Such confidence depends not only on the conduct of those who exercise official power, but on the availability of aid or redress to all persons on equal terms and on the accessibility and dissemination of information relating to the conduct of public affairs. For the purpose of promoting confidence in the government of the City of Windcrest and thereby enhancing the city's ability to function effectively, this code of ethics is adopted. The code establishes standards of conduct, disclosure requirements, and enforcement mechanisms relating to city officials and employees and others whose actions inevitably affect public faith in city government, such as former city officials and employees, candidates for public office, persons doing business with the city, and lobbyists. By prohibiting conduct incompatible with the city's best interests and minimizing the risk of any appearance of impropriety, this code of ethics furthers the legitimate interests of democracy.

Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of Windcrest to enforce the City Charter and the associated ordinances and codes. To ensure and enhance public confidence in City Government, each city official must not only adhere to the principles of ethical conduct set forth in this code and technical compliance therewith, but they must scrupulously avoid the appearance of impropriety at all times.

SECTION 1-02 DEFINITIONS

As used in this code of ethics, the following words and phrases have the meaning ascribed to them in this Section, unless the context requires otherwise or more specific definitions set forth elsewhere in this code apply

- (a) *Acceptance*. A written or verbal indication that someone agrees; "Acceptance" of an offer of subsequent employment or business opportunities includes legally binding contracts and all informal understandings that the parties expect to be carried out. An agreement, either by express act or by implication from conduct, to the terms of an offer so that a binding contract is formed.
- (b) *Affiliated*. Business entities are "affiliated" if one is the parent or subsidiary of the other or if they are subsidiaries of the same parent business entity.
- (c) *Affinity*. Relationship by "affinity" (by marriage) is defined in Sections 573.024 and 573.025 of the Texas Government Code.
- (d) *Before the City*. Representation or appearance "before the city" means before the City Council; before a board, commission, or other city entity; or before a city official or employee. Representation "before the city" does not include representation before a board where members of said board are not wholly appointed by the City Council.
- (e) *Benefit*. "Benefit" means anything reasonably regarded as pecuniary gain or pecuniary advantage, including a benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

- (f) *Entity*. "Entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.
- (g) *Candidate*. "Candidate" means a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:
 - (1) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;
 - (2) the filing of an application for a place on a ballot;
 - (3) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
 - (4) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication; and
 - (5) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure.
- (h) *City*. "City" means the City of Windcrest.
- (i) *Code of Ethics*. "Code of ethics," "ethics code," or "this code" means Divisions 1 through 6 of this Chapter, its amendment(s) and/or enhanced definitions.
- (j) *"Complainant"* means an individual who has filed a sworn complaint with the City Secretary.
- (k) *Confidential Government Information*. "Confidential government information" includes all information held by the city that is not available to the public under the Texas Public Information Act and any information from a meeting closed to the public pursuant to the Texas Open Meetings Act, unless disclosure is permitted under the Open Meetings Act.
- (l) *Consanguinity*. Relationship by "consanguinity" (by blood) is defined in Sections 573.022 and 573.023 of the Texas Government Code.
- (m) *Discretionary Contract*. "Discretionary contract" means any contract other than those which by law must be awarded on a low or high qualified bid basis. Discretionary contracts do not include those contracts subject to Section 252.022(a)(7) of the Texas Local Government Code or those contracts not involving an exercise of judgment or choice.
- (n) *Economic Interest*. "Economic interest" includes, but is not limited to, legal or equitable property interests in land, chattels, and intangibles, and contractual rights having more than de minimis value. Service by a city official or employee as an officer, director, advisor, or otherwise active participant in an educational, religious, charitable, fraternal, or civic organization does not create for that city official or employee an economic interest in the property of the organization.

Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an economic interest in such securities or other assets unless the person in question

participates in the management of the fund. Ownership of stock in a publicly traded corporation does not constitute ownership for purposes of this code if the employee or official owns less than 10% of the voting stock or shares of the entity and the value of the stock is less than \$15,000.

- (o) *Employee.* The term "employee" or "city employee" is any person listed on the City of Windcrest payroll as an employee, whether part-time or full-time.
- (p) *Former City Official or Employee.* A "former city official" or "former city employee" is a person whose city duties terminate on or after the effective date of this code.
- (q) *Gift.* "Gift" means a voluntary transfer of property (including the payment of money) or the conferral of a benefit having pecuniary value (such as the rendition of services or the forbearance of collection on a debt), unless consideration of equal or greater value is received by the donor.
- (r) *Indirect Ownership.* A person "indirectly owns" an equity interest in a business entity where the interest is held through a series of business entities, some of which own interests in others.
- (s) *Intentionally.* A person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is his conscious objective or desire to engage in the conduct or cause the result.
- (t) *Knowingly.* A person acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to circumstances surrounding his or her conduct when he or she is aware of the nature of his or her conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his or her conduct when he or she is aware that his or her conduct is reasonably certain to cause the result.
- (u) *Official.* The term "official" or "city official" includes the following persons:
 - The Mayor;
 - Members of the City Council;
 - Municipal Court Judges;
 - The City Manager;
 - Deputy City Manager; Reserved
 - Assistant City Managers; Reserved
 - Assistants to the City Manager; Reserved
 - City Secretary;
 - Deputy City Secretary; Reserved
 - Assistant City Secretary;
 - Municipal Court Clerk;
 - All department heads and assistant department heads;
 - Internal Auditor and all assistant internal auditors; Reserved; and

Members of all boards, commissions, committees, and other bodies created by the City Council pursuant to federal or state law or City ordinance, including entities that may be advisory only in nature, who are appointed by City Council or who are designated in the by-laws or organization papers of the entity to serve on behalf of the city; and board members of any entity who are appointed by the City Council to such board membership.

- (v) *Official Action.* "Official action" includes:
 - (1) any affirmative act (including the making of a recommendation) within the scope of, or in violation of, an official or employee's duties, and

- (2) any failure to act, if the official or employee is under a duty to act and knows that inaction is likely to affect substantially an economic interest of the official or employee or any person.
- (w) *Official Information.* "Official information" includes information gathered pursuant to the power or authority of city government.
- (x) *Ownership.* Ownership of an interest in a mutual or common investment fund that holds securities or other assets does not constitute direct or indirect ownership of such securities or other assets unless the person in question participates in the management of the fund. Ownership of stock in a publicly traded corporation does not constitute ownership for purposes of this code if the employee or official owns less than 10% of the voting stock or shares of the entity and the value of the stock is less than \$15,000.
- (y) *Partner.* Someone who engages in an activity or undertaking with another; "Partner" includes partners in general partnerships, limited partnerships, and joint ventures. One who shares or takes part with another especially in a venture with shared benefits and shared risks.
- (z) *Personally and Substantially Participated.* "Personally and Substantially Participated" means to have taken action as an official or employee through decision, approval, disapproval, recommendation, giving advice, investigation or similar action. The fact that the person had responsibility for a matter does not by itself establish that the person "personally and substantially participated" in the matter.
- (aa) *Recklessly.* A person acts recklessly, or is reckless, with respect to circumstances surrounding his conduct or the result of his conduct when he is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's standpoint.
- (bb) *Representation.* "Representation" is a presentation of fact – either by words or by conduct – made to induce someone to act. Representation does not include appearance as a witness in litigation or other official proceedings.
- (cc) *Respondent* means an individual identified in a sworn complaint to have allegedly violated the Ethics Code.
- (dd) *Solicitation.* "Solicitation" of subsequent employment or business opportunities includes all forms of proposals and negotiations relating thereto.

DIVISION 2: PRESENT CITY OFFICIALS AND EMPLOYEES

SECTION 2-01 CONFLICTS OF INTEREST

- (a) **General Rule.** To avoid the appearance and risk of impropriety, a city official or employee shall not take any official action that he or she knows is likely to affect the economic interests of:
 - (1) the official or employee;

- (2) his or her parent, child, spouse, or other family member within the second degree of consanguinity or affinity;
 - (3) his or her outside client;
 - (4) a member of his or her household;
 - (5) the outside employer of the official or employee or of his or her parent, child (unless the child is a minor), spouse, or member of the household (unless member of household is a minor);
 - (6) a business entity in which the official or employee knows that any of the persons listed in Subsections (a)(1) or (a)(2) holds an economic interest as that term is defined in Section 1-02;
 - (7) a business entity which the official or employee knows is an affiliated business or partner of a business entity in which any of the persons listed in Subsections (a)(1) or (a)(2) holds an economic interest as defined in Section 1-02;
 - (8) a business entity or nonprofit entity for which the city official or employee serves as an officer or director or in any other policy making position; other than non-profit boards to which the official or employee is appointed by the City Council or city management as a non-voting member to represent the best interests of the city; or
 - (9) a person or business entity with whom, within the past twelve months:
 - (A) the official or employee, or his or her spouse, directly or indirectly has
 - (i) solicited an offer of employment for which the application is still pending,
 - (ii) received an offer of employment which has not been rejected, or
 - (iii) accepted an offer of employment; or
 - (B) the official or employee, or his or her spouse, directly or indirectly engaged in negotiations pertaining to business opportunities, where such negotiations are pending or not terminated.
- (b) **Recusal and Disclosure.** A city official or employee whose conduct would otherwise violate Subsection (a) must recuse himself or herself. From the time that the conflict is, or should have been recognized, he or she shall:
- (1) immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter; and
 - (2) promptly file with the City Secretary the appropriate form for disclosing the nature and extent of the prohibited conduct.

In addition:

- (3) a supervised employee shall promptly bring the conflict to the attention of his or her supervisor, who will then, if necessary, reassign responsibility for handling the matter to another person; and
- (4) a member of a board shall promptly disclose the conflict to other members of the board and shall not be present during the board's discussion of, or voting on, the matter.

(c) **Definitions.** For purposes of this rule:

- (1) An action is likely to affect an economic interest if it is likely to have an effect on that interest that is distinguishable from its effect on members of the public in general or a substantial segment thereof; and
- (2) The term *client* includes business relationships of a highly personalized nature, but not ordinary business-customer relationships.

SECTION 2-02 UNFAIR ADVANCEMENT OF PRIVATE INTERESTS

(a) **General Rule.** A city official or employee may not use his or her official position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including himself or herself) any form of special consideration, treatment, exemption, or advantage beyond that which is lawfully available to other persons. A city official who represents to a person that he or she may provide an advantage to that person based on the official's position on a board or commission violates this rule.

(b) **Special Rules.** The following special rules apply in addition to the general rule:

- (1) **Acquisition of Interest in Impending Matters.** A city official or employee shall not acquire an interest in, or be affected by, any contract, transaction, zoning decision, or other matter, if the official or employee knows, or has reason to know, that the interest will be directly or indirectly affected by impending official action by the city.
- (2) **Reciprocal Favors.** A city official or employee may not enter into an agreement or understanding with any other person that official action by the official or employee will be rewarded or reciprocated by the other person, directly or indirectly.
- (3) **Appointment of Relatives.** A city official or employee shall not appoint or employ or vote to appoint or employ any relative within the third degree of consanguinity or affinity or any member of his or her household to any office or position of employment within the city.
- (4) **Supervision of Relatives.** No official or employee shall be permitted to be in the line of supervision of a relative within the third degree of consanguinity or third degree of affinity or any member of his or her household. Department heads are responsible for enforcing this

policy. If an employee, by reason of marriage, promotion, reorganization, or otherwise, is placed into the line of supervision of a relative, one of the employees will be reassigned or other appropriate arrangements will be made for supervision.

- (c) **Recusal and Disclosure.** A city official or employee whose conduct would otherwise violate this Section shall adhere to the recusal and disclosure provisions provided in Section 2-01(b) of Division 2 (Conflicts of Interest).

SECTION 2-03 GIFTS

(a) **General Rule.**

- (1) A city official or employee shall not solicit, accept, or agree to accept any gift or benefit for himself or herself or his or her business:

(A) that reasonably tends to influence or reward official conduct; or

(B) that the official or employee knows or should know is being offered with the intent to influence or reward official conduct.

A city official or employee may accept a public award or reward for meritorious service of professional achievement, provided that the award or reward is reasonable in light of the occasion and it is not prohibited under the Texas Penal Code Section 36.08.

- (2) A city official or employee shall not solicit, accept, or agree to accept any gift or benefit, from:

(A) any individual or entity doing or seeking to do business with the City; or

(B) public relations firm; or

(C) any person or entity seeking action or advocating on zoning or platting matters before a city body,

save and except for

i) items received that are of nominal value; or

ii) meals in an individual expense of \$25 or less at any occurrence, and no more than a cumulative value of \$500 in a single calendar year from a single source.

Doing business with the city includes, but is not limited to, individuals and entities that are parties to a discretionary contract, individuals and entities that are subcontractors to a discretionary contract, and partners and/or parents and/or subsidiary business entities of any individuals and entities that are parties to a discretionary contract and individuals or entities that seek or have low-bid contracts with the city.

(b) Special Applications. Subsection (a)(2) does not include:

- (1) a gift to a city official or employee relating to a special occasion, such as a wedding, anniversary, graduation, birth, illness, death, or holiday, provided that the value of the gift is fairly commensurate with the occasion and the relationship between the donor and recipient;
- (2) advancement for or reimbursement of reasonable expenses for travel in connection with official duties authorized in accordance with city policies.
- (3) a public award or reward for meritorious service or professional achievement, provided that the award or reward is reasonable in light of the occasion and it is not prohibited under the Texas Penal Code Section 36.08;
- (4) a loan from a lending institution made in its regular course of business on the same terms generally available to the public;
- (5) a scholarship or fellowship awarded on the same terms and based on the same criteria that are applied to other applicants;
- (6) any solicitation for civic or charitable causes;
- (7) admission to an event in which the city official or employee is participating in connection with his or her spouse's position;
- (8) ceremonial and protocol gifts presented to city officials from a foreign government or international or multinational organization and accepted for the City of Windcrest;
- (9) admission to a widely attended event, such as a convention, conference, symposium, forum, panel discussion, dinner, viewing, reception or similar event, offered by the sponsor of the event, and unsolicited by the City official or employee, if attending or participating in an official capacity, including:
 - (A) the official or employee participates in the event as a speaker or panel participant by presenting information related to matters before the City; or
 - (B) the official or employee performs a ceremonial function appropriate to that individual's position with the City; or
 - (C) attendance at the event is appropriate to the performance of the official duties or representative function of the official or employee;
- (10) admission to a charity event provided by the sponsor of the event, where the offer is unsolicited by the City official or employee;

- (11) admission to training or education program, including meals and refreshments furnished to all attendees, if such training is related to the official or employee's official duties and the training is in the interest of the City.

(c) **Campaign Contribution Exception.** The general rule stated in Subsection (a) does not apply to a campaign contribution made pursuant to the Texas Election Code.

(d) **Gifts to Closely Related Persons.** A city official or employee shall take reasonable steps to persuade:

- (1) a parent, spouse, child, or other relative within the second degree of consanguinity or affinity, or
- (2) an outside business associate

not to solicit, accept, or agree to accept any gift or benefit:

- (3) that reasonably tends to influence or reward the city official's or employee's official conduct, or
- (4) that the official or employee knows or should know is being offered with the intent to influence or reward the city official's or employee's discharge of official duties.

(e) **Definitions.**

- (1) For purposes of this rule, a person is an "outside business associate" if both that person and the city official or employee own, with respect to the same business entity:

- (A) ten (10) percent or more of the voting stock or shares of the business entity, or

- (B) ten (10) percent or more of the fair market value of the business entity.

- (2) For purposes of this rule, a "sponsor" of an event is the person or persons primarily responsible for organizing the event or sponsoring a table or tables. A person who simply contributes money or buys tickets to an event is not considered a sponsor.

- (3) A "source" is the individual or entity that funds an expenditure or series of expenditures. Expenditures made by multiple agents of the same source are deemed to be expenditures from a single source.

- (4) Any item of "nominal value" is an item with a fair market value of \$25 or less.

SECTION 2-04 CONFIDENTIAL INFORMATION

- (a) **Improper Access.** A city official or employee shall not use his or her position to obtain official information about any person or entity for any purpose other than the performance of official duties.

(b) **Improper Disclosure or Use.** A city official or employee shall not intentionally, knowingly, or recklessly disclose any confidential information gained by reason of said official's or employee's position concerning the property, operations, policies or affairs of the city. This rule does not prohibit:

- (1) any disclosure that is no longer confidential by law; or
- (2) the confidential reporting of illegal or unethical conduct to authorities designated by law.

SECTION 2-05 REPRESENTATION OF PRIVATE INTERESTS

(a) **Representation Before the City by a Member of the Board.** A city official or employee who is a member of a board or other city body shall not represent any person, group, or entity:

- (1) before that board or body;
- (2) before city staff having responsibility for making recommendations to, or taking any action on behalf of, that board or body, unless the board or body is only advisory in nature; or
- (3) before a board or other city body which has appellate jurisdiction over the board or body of which the city official or employee is a member, if any issue relates to the official's or employee's official duties.

(b) **Representation Before the City by City Officials and Employees.**

- (1) **General Rule.** A city official or employee shall not represent for compensation any person, group, or entity, other than himself or herself, or his or her spouse or minor children, before the city. For purposes of this subsection, the term compensation means money or any other thing of value that is received, or is to be received, in return for or in connection with such representation.
- (2) **Exception for Board Members.** The rule stated in subsection b(1) does not apply to a person who is classified as a city official only because he or she is an appointed member of a board or other city body.

(c) **Prestige of Office and Improper Influence.** In connection with the representation of private interests before the city, a city official or employee shall not:

- (1) assert the prestige of the official's or employee's city position for the purpose of advancing private interests; or
- (2) state or imply that he or she is able to influence city action on any basis other than the merits.

(d) **Representation in Litigation Adverse to the City.**

- (1) **Officials and Employees (Other than Board Members).** A city official or employee, other than a person who is classified as an official only because he or she is an appointed member of a board or other city body, shall not represent any person, group, or entity, other than himself or herself, or his or her spouse or minor children, in any litigation to which the city is a party, if the interests of that person, group, or entity are adverse to the interests of the city.
- (2) **Board Members.** A person who is classified as a city official only because he or she is an appointed member of a board or other city body shall not represent any person, group, or entity, other than himself or herself, or his or her spouse or minor children, in any litigation to which the city is a party, if the interests of that person, group, or entity are adverse to interests of the city and the matter is substantially related to the official's duties to the city.

SECTION 2-06 CONFLICTING OUTSIDE EMPLOYMENT

- (a) **General Rule.** A city official or employee shall not solicit, accept, or engage in concurrent outside employment which could reasonably be expected to impair independence of judgment in, or faithful performance of, official duties.
- (b) **Special Application.** The following special rule applies in addition to the general rule: A city official or employee shall not provide services to an outside employer related to the official's or employee's city duties.
- (c) **Other Rules.** The general rule stated above applies in addition to all other rules relating to outside employment of city officials and employees, including requirements for obtaining prior approval of outside employment as applicable.

SECTION 2-07 PUBLIC PROPERTY AND RESOURCES

A city official or employee shall not use, request, or permit the use of city facilities, personnel, equipment, or supplies or time while on city duty for private purposes (including political purposes), except:

- (a) pursuant to duly adopted city policies, or
- (b) to the extent and according to the terms that those resources are lawfully available to the public.

SECTION 2-08 POLITICAL ACTIVITY

Limitations on the political activities of city officials and employees are imposed by state law, the City Charter, and city personnel rules and are incorporated into this provision by reference. In addition, the following ethical restrictions apply:

- (a) **Influencing Subordinates.** A city official or employee shall not, directly or indirectly, induce or attempt to induce any city subordinate of the official or employee:

- (1) to participate in an election campaign, contribute to a candidate or political committee, or engage in any other political activity relating to a particular party, candidate, or issue, or
- (2) to refrain from engaging in any lawful political activity.

A general statement merely encouraging another person to vote does not violate this rule.

- (b) **Paid Campaigning.** A city official or employee shall not accept any thing of value, directly or indirectly, for political activity relating to an item pending on the ballot, if he or she participated in, or provided advice relating to, the exercise of discretionary authority by a city body that contributed to the development of the ballot item. Any thing of value does not include a meal or other item of nominal value the city official or employee receives in return for providing information on an item pending on the ballot.
- (c) **Official Vehicles.** A city official or employee shall not display or fail to remove campaign materials on any city vehicle under his or her control.

Limitations on the use of public property and resources for political purposes are imposed by Section 2-07 of Division 2 (Public Property and Resources).

SECTION 2-09 ACTIONS OF OTHERS

- (a) **Violations by Other Persons.** A city official or employee shall not intentionally or knowingly assist or induce, or attempt to assist or induce, any person to violate any provision in this code of ethics.
- (b) **Using Others to Engage in Forbidden Conduct.** A city official or employee shall not violate the provisions of this code of ethics through the acts of another.

SECTION 2-10 PROHIBITED INTERESTS IN CONTRACTS

- (a) No officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, or shall be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies, or service, *except on behalf of the City as an officer or employee*. Any willful violation of this Section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit his office or position. Any violation of this Section, with the knowledge, expressed or implied, of the person or corporation contracting with the Council shall render the contract involved voidable by the City Manager or the Council.
- (b) **Financial Interest.** An officer or employee is presumed to have a prohibited "financial interest" in a contract with the city, or in the sale to the city of land, materials, supplies, or service, if any of the following individuals or entities is a party to the contract or sale:
 - (1) the officer or employee;

- (2) his or her spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity;
 - (3) a business entity in which the officer or employee, or his or her parent, child or spouse, directly or indirectly owns:
 - (A) ten (10) percent or more of the voting stock or shares of the business entity, or
 - (B) ten (10) percent or more of the fair market value of the business entity; or
 - (4) a business entity of which any individual or entity listed in Subsection (1), (2) or (3) is:
 - (A) a subcontractor on a city contract;
 - (B) a partner; or
 - (C) a parent or subsidiary business entity.
- (c) If an officer or employee has or may potentially have a presumed prohibited financial interest in a contract with the city, or in the sale to the city of land, materials, supplies or service under subsection (b), the officer or employee may apply to the City Attorney for a determination and decision on whether the officer or employee has an actual direct or indirect financial interest in that contract or transaction.
- The City Attorney will make this assessment using a standard of “clear and convincing” evidence at a hearing. A request for such a determination cannot be made confidentially. The hearing must be posted two weeks in advance clearly stating the officer or employee with the presumed prohibited financial interest, the contract or transaction at issue, and the individual or business entity that is the party to the contract or transaction at issue.
- (d) Any contract or transaction already in place at the time the individual becomes an officer or employee subject to the prohibitions in this section may remain in place until the contract expires or the transaction is completed without creating a prohibited financial interest for the officer or employee.
- (e) Definitions. For purposes of enforcement under the provision of this Section:
- (1) a city “employee” is any employee of the city.
 - (2) a city “officer” is:
 - (A) the Mayor or any Council member;
 - (B) a Municipal Court Judge;
 - (C) a member of any board or commission which is more than advisory in nature.

SECTION 2-11 CITY COUNCIL CONTRACT PERSONNEL

- (a) A member of the City Council who, in the course of official duties, has direct supervisory authority over contract personnel shall make reasonable efforts to ensure that the conduct of contract personnel is compatible with the obligations imposed on city officials and employees by this code of ethics.
- (b) Contract personnel employed by a member of the city council shall comply with all obligations imposed by this code of ethics on city employees. Contract personnel, though, may not engage in political activity using City resources or during duty hours.
- (c) All contracts for administrative services between a member of the City Council and independent contractors shall contain a provision requiring the independent contractor to comply with all requirements imposed by this code on city employees.

SECTION 2-12 PERSONS REQUIRED TO REPORT VIOLATIONS; TIME TO REPORT; PLACE TO REPORT

- (a) A City official or employee who has knowledge of a violation of any of the provisions of this Ethics Code shall report this violation as provided below within a reasonable time after the person has knowledge of a violation. A City official or employee shall not delegate to, or rely on, another person to make the report. Any City official or employee who has knowledge that a violation of the Ethics Code has been committed and intentionally fails to report such violation is subject to the penalties herein.
- (b) A report made under this Section shall be made to:
 - (1) the City Secretary who shall promptly forward the report to the Mayor and City Councilmembers.
- (c) A report shall state:
 - (1) the name of the City official or employee who believes that a violation of a provision of the Ethics Code has been or may have been committed;
 - (2) the identity of the person or persons who allegedly committed the violation;
 - (3) a statement of the facts on which the belief is made; and
 - (4) any other pertinent information concerning the alleged violation.

DIVISION 3: FORMER CITY OFFICIALS AND EMPLOYEES

SECTION 3-01 CONTINUING CONFIDENTIALITY

A former city official or employee shall not use or disclose confidential government information acquired during service as a city official or employee. This rule does not prohibit:

- (a) any disclosure that is no longer confidential by law; or
- (b) the confidential reporting of illegal or unethical conduct to authorities designated by law.

Section 3-02 Subsequent Representation of Private Interests.

- (a) **Representation of Private Interests Before the City by a Former Board Member.** A person who was a member of a board or other city body shall not represent any person, group, or entity for a period of two (2) years after the termination of his or her official duties:
 - (1) before that board or body;
 - (2) before city staff having responsibility for making recommendations to, or taking any action on behalf of, that board or body, unless the board or body is only advisory in nature; or
 - (3) before a board or other city body which has appellate jurisdiction over the board or body of which the former city official or employee was a member, if any issue relates to his or her former duties.
- (b) **Representation of Private Interests Before the City by Former City Officials and Employees.** A former city official or employee shall not represent for compensation any person, private group, or private entity, other than himself or herself, or his or her spouse or minor children, before the city for a period of two (2) years after termination of his or her official duties. This subsection does not apply to a person who was classified as a city official only because he or she was an appointed member of a board or other city body. For purposes of this subsection, the term compensation means money or any other thing of value that is received, or is to be received, in return for or in connection with such representation.
- (c) **Improper Representation of Influence.** In connection with the representation of private interests before the city, a former city official or employee shall not state or imply that he or she is able to influence city action on any basis other than the merits.
- (d) **Representation in Litigation Adverse to the City.** A former city official or employee shall not, absent consent from the city, represent any person, group, or entity, other than himself or herself, or his or her spouse or minor children, in any litigation to which the city is a party, if the interests of that person, group, or entity are adverse to the interests of the city and the matter is one in which the former city official or employee personally and substantially participated prior to termination of his or her official duties.

SECTION 3-03 PRIOR PARTICIPATION IN THE NEGOTIATION, AWARD OR ADMINISTRATION OF CONTRACTS

A former city official or employee shall not, within two (2) years of the termination of official duties for the city, perform work on a compensated basis relating to a discretionary city contract, if he or she personally and substantially participated in the negotiation, award or administration of the contract.

A former city official or employee, within two (2) years of termination of official duties, must disclose to the City Secretary immediately upon knowing that he or she will perform work on a compensated basis relating to a discretionary city contract for which he or she did not personally and substantially participate in its negotiation, award or administration. This subsection does not apply to a person who was classified as a city official only because he or she was an appointed member of a board or other city body.

SECTION 3-04 PROHIBITED INTEREST IN DISCRETIONARY CONTRACTS

(a) **Impermissible Interest in Discretionary Contract or Sale.** This Subsection applies only to contracts or sales made on a discretionary basis, and does not apply to contracts or sales made on a competitive bid basis. Within one (1) year of the termination of official duties, a former city officer or employee shall neither have a financial interest, direct or indirect, in any discretionary contract with the City, nor have a financial interest, direct or indirect, in the sale to the City of any land, materials, supplies, or service. Any violation of this Section, with the knowledge, expressed or implied, of the individual or business entity contracting with the Council shall render the contract involved voidable by the City Manager or the Council. A former city officer or employee has a prohibited "financial interest" in a discretionary contract with the city, or in the sale to the city of land, materials, supplies, or service, if any of the following individuals or entities is a party to the contract or sale:

- (1) the former officer or employee;
- (2) his or her parent, child, or spouse;
- (3) a business entity in which the former officer or employee, or his or her parent, child or spouse, directly or indirectly owns:
 - (A) ten (10) percent or more of the voting stock or shares of the business entity, or
 - (B) ten (10) percent or more of the fair market value of the business entity; or
- (4) a business entity of which any individual or entity listed in Subsection (1), (2) or (3) is:
 - (A) a subcontractor on a city contract;
 - (B) a partner; or
 - (C) a parent or subsidiary business entity.

(b) **Exception: Prior Employment or Status.** Notwithstanding subsection (a) of this Section 3-04 (Discretionary Contracts) and Section 3-03 (Prior Participation in Negotiation, Award or Administration of Contracts), a former city official or employee may upon leaving official duties return to employment or other status enjoyed immediately prior to commencing official city duties.

(c) **Definitions.** For purposes of this Section:

- (1) A "former city employee" is any person who, prior to termination of employee status was an employee of the city.
- (2) A "former city officer" is any person who, immediately prior to termination of official duties, was:
 - (A) the Mayor or a member of City Council;
 - (B) a Municipal Court Judge; or
 - (C) a member of any board or commission which is more than advisory in nature. The term does not include members of the board of another governmental entity even if some or all of these members are appointed by the city.
- (3) The term "contract" means any discretionary contract other than a contract for the personal services of the former city official or employee.
- (4) The term "service" means any services other than the personal services of the former official or employee.

DIVISION 4: PERSONS DOING BUSINESS WITH THE CITY

SECTION 4-01 PERSONS SEEKING DISCRETIONARY CONTRACTS

(a) **Disclosure of Parties, Owners, and Closely Related Persons.** For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and this code of ethics, an individual or entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract on a form provided by the city:

- (1) the identity of any individual who would be a party to the discretionary contract;
- (2) the identity of any entity that would be a party to the discretionary contract and the name of:
 - (A) any individual or entity that would be a subcontractor on the discretionary contract; and
 - (B) any individual or entity that is known to be a partner or a parent entity of any individual or entity who would be a party to the discretionary contract, or any subsidiary entity that is anticipated to be involved in the execution of the contract; and

- (3) the identity of any lobbyist, attorney or consultant employed for purposes relating to the discretionary contract being sought by any individual or entity who would be a party to the discretionary contract.

An individual or entity seeking a discretionary contract is required to supplement this filing on a form provided by the city in the event there is any change in the information required of the individual or entity under this subsection. The individual or entity seeking a discretionary contract must supplement this filing before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

- (b) **Political Contributions.** Any individual or entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract, on a form provided by the city, all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or entity whose identity must be disclosed under Subsection (a).

Indirect contributions by an individual include, but are not limited to, contributions made by an individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made by the officers, owners of the entity seeking the contract, and attorneys, consultants or registered lobbyists of the entity hired or retained to assist an individual or entity seeking a contract.

Indirect contributions do not include contributions by owners of a business entity who hold less than 5% of the fair market value or voting stock of the entity.

Political contributions made in the preceding 24 months to any individual who is a former councilmember must be disclosed, unless:

- (1) the contributions were made in connection with a campaign or officeholder account not associated with a city office; and
 - (2) the former officeholder has terminated the campaign treasurer appointment and filed the final campaign finance report with the Office of the City Secretary at the time the contract was in the solicitation process or under consideration for approval by the city; and
 - (3) the former member is not or was not serving in a city office at the time the contract was in the solicitation process or under consideration for approval by the city.
- (c) **Briefing Papers and Open Records.** Briefing papers prepared for the city council concerning any proposed discretionary contract to be considered for ordinance or resolution action shall reveal the information disclosed in compliance with Subsections (a) and (b), and that information shall constitute an open record available to the public.

SECTION 4-02 DISCLOSURE OF ASSOCIATION WITH CITY OFFICIAL OR EMPLOYEE

- (a) **Disclosures During Appearances.** A person appearing before a city board or other city body shall disclose to it any known facts which, reasonably understood, raise a question as to whether any member of the board or body would violate Section 2-01 of Division 2 (Conflicts of Interest) by participating in official action relating to a matter pending before the board or body.
- (b) **Disclosures in Proposals.** Any individual or business entity seeking a discretionary contract with the city shall disclose, on a form provided by the city, any known facts which, reasonably understood, raise a question as to whether any city official would violate 2-01 of Division 2 (Conflicts of Interest) by participating in official action relating to the discretionary contract.
- (c) **Disclosure of Benefit.** If a person who requests official action on a matter knows that the requested action will confer an economic benefit on any city official or employee that is distinguishable from the effect that the action will have on members of the public in general or a substantial segment thereof, he or she shall disclose that fact in a signed writing to the city official, employee, or body that has been requested to act in the matter, unless the interest of the city official or employee in the matter is apparent. The disclosure shall also be made in a signed writing filed with the City Secretary.
- (d) **Definition.** For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

SECTION 4-03 PROHIBITED CONTACTS DURING CONTRACT SOLICITATION PERIOD

A person or entity who seeks or applies for a city contract or any other person acting on behalf of such person or entity, is prohibited from contacting city officials and employees regarding such a contract after a Request for Proposal (RFP), Request for Qualification (RFQ) or other solicitation has been released. This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials and employees, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by respondents or their agents may lead to disqualification of their offer from consideration.

DIVISION 5: LOBBYISTS

SECTION 5-01 GUIDANCE BY REFERENCE

The City of San Antonio, Texas Ethics Code contains provisions defining, monitoring and regulating the conduct of lobbyists. Even though such provisions are not included in this code, they are recommended as a guide to monitoring lobbyists.

DIVISION 6: MEMBERS OF THE PUBLIC AND OTHERS

Division 6 (Members of the Public and Others) applies to current and former city officials and employees, persons doing business with the city, and lobbyists, as well as to members of the public and any other person (including business entities and nonprofit entities).

SECTION 6-01 FORMS OF RESPONSIBILITY

No person shall intentionally or knowingly induce, attempt to induce, conspire with, aid or assist, or attempt to aid or assist another person to engage in conduct violative of the obligations imposed by Divisions 2 (Present City Officials and Employees), 3 (Former City Officials and Employees) and 4 (Persons Doing Business with the City) of this ethics code.

DIVISION 7: FINANCIAL DISCLOSURE

SECTION 7-01 FINANCIAL DISCLOSURE REPORT

(a) Persons Required to File Disclosure Form.

- (1) **City Officials and City Employees.** No later than thirty (30) days after accepting appointment or assuming the duties of office, and annually thereafter, the city officials defined in Section 1-02(u) of Division 1 (Definitions), are required to file with the City Secretary a complete sworn financial disclosure report. Any employee (i) utilized in evaluating or purchasing equipment, vehicles or any other purchases who also has contact with contractor(s) who provide such equipment or vehicles, or (ii) utilized in providing input to any contract or composing specifications of equipment or vehicles or other purchases, who also has contact with contractor(s) who provide such services, equipment or vehicles, is required to file with the City Secretary a complete sworn financial disclosure report.
- (2) **Exception.** Candidates for City Council and City officials required to file financial disclosure statements pursuant to Local Government Code Chapter 145 shall file financial disclosure statements in compliance with the Local Government Code in place of filing statements required by this code of ethics. Such officials shall also complete an addendum to the statement disclosing information required by this code of ethics, but not required under the Local Government Code. The addendum shall be prepared by the Office of the City Secretary. Deadlines for filing the financial disclosure documents shall be governed by Chapter 145 of the Local Government Code.

- (b) The City Secretary shall prepare and provide the financial disclosure reports required by this division.
- (c) Any city official or employee who, in connection with his or her official duties, accepts a trip or excursion involving the gratuitous provision of transportation, accommodations, entertainment, meals, or refreshments paid for by a person or entity other than a public agency must file with the City Secretary, before embarking on the travel, a disclosure statement identifying:

- (1) the name of the sponsor;
 - (2) the places to be visited; and
 - (3) the purpose and dates of the travel;
 - (4) the estimated amount of the expenses to be paid.
- (d) Acceptance of a trip or excursion by City Manager, City Secretary, Assistant City Secretary, and all department heads and assistant department heads must receive prior written approval of the City Manager. Other personnel must receive written approval by their department head after obtaining concurrence of the City Manager.

DIVISION 8: ETHICS REVIEW

SECTION 8-01 GUIDANCE BY REFERENCE

The City of San Antonio, Texas Ethics Code contains provisions for the establishment of an ethics review board. Even though such provisions are not included in this code, such provisions may serve as a guide for City Council consideration of ethics violations.

SECTION 8-02 COMPLAINTS

- (a) **Filing.** Any person who believes that there has been a violation of this ethics code may file a sworn complaint with the City Secretary to allege such violations.

A complaint filed in good faith is qualifiedly privileged. A person who knowingly makes a false statement in an ethics complaint is subject to criminal prosecution for perjury or civil liability for the tort of abuse of process.

Assistance. The City Secretary shall provide information to persons who inquire about the process in order to file a complaint.

- (b) **Form.** A complaint filed under this section must be in writing and under oath and must set forth in simple, concise, and direct statements the matters required by the City Secretary.
- (c) **Review by the Mayor and Respondents.** A copy of a complaint shall be promptly forwarded by the City Secretary to the Mayor and City Council. The Mayor shall review the complaint for compliance with the filing requirements of Section 8-02(b) within 5 business days of receipt from the Office of the City Secretary. If the complaint does not substantially comply with the filing requirements, the Mayor shall return the complaint to the complainant with a letter explaining the defects in the complaint.

- (d) **Civil Sanctions for Ethics Code Violations.** The following civil remedies may be recommended or imposed by the City Council which finds that the ethics laws have been violated:

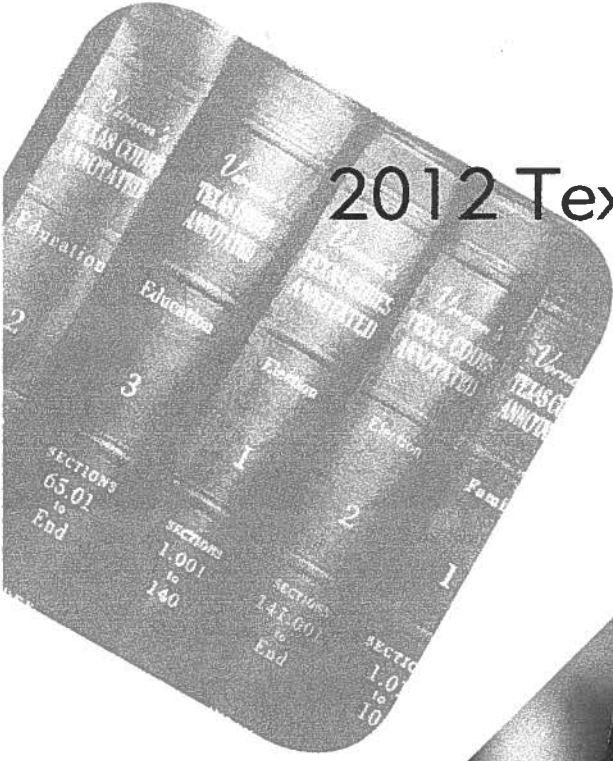
- (1) **Disciplinary Action.** City officials (except the Mayor and members of the City Council) and employees who engage in conduct that violates this code may be notified, warned, reprimanded, suspended, or removed from office or employment by the appointing authority, or by a person or body authorized by law to impose such remedies. Disciplinary action under this Section may be imposed in addition to any other penalty or remedy contained in this code of ethics or any other law. Disciplinary action pertaining to the Mayor and members of the City Council is based on state law and the City Charter, and in particular section 3.08 thereof.
- (2) **Suit for Damages or Injunctive Relief.** This code of ethics has been enacted not only to further the policy stated in section 1-01 (Statement of Purpose), but to protect the City and any other person from any losses or increased costs incurred by the City or other person as a result of the violation of these provisions. It is the intent of the City that this ethics code can and should be recognized by a court as a proper basis for a civil cause of action for damages or injunctive relief based upon a violation of its provisions, and that such forms of redress should be available in addition to any other penalty or remedy contained in this code of ethics or any other law. The City Council may refer a violation of the ethics code to the Windcrest City Attorney for consideration of a suit by the city for damages or injunctive relief.
- (3) **Disqualification from Contracting or Lobbying.**
 - (a) If the City Council finds that any person (including business entities and non-profit entities) has intentionally or knowingly violated any provision of the Ethics Code, or has intentionally or knowingly assisted another person in violating any provision of the Ethics Code, or has violated a provision or assisted another in a violation that the person should have known was a violation of the Ethics Code, the City Council may prohibit that person from entering into any contract with the city for a period not to exceed three (3) years.

An entity or nonprofit entity may also be disqualified from contracting based on the conduct of an employee or agent in violation of this code.
 - (b) It is a violation of this code of ethics:
 - (1) for a person debarred from entering into a contract with the city to enter, or attempt to enter, into a contract with the city during the period of disqualification from contracting; or
 - (2) for a city official or employee to knowingly assist a violation of Subsection (b)(1) of this rule.
 - (c) Nothing in this section shall be construed to prohibit any person from receiving a service or benefit, or from using a facility, which is generally available to the public, according to the same terms.
- (4) **Recommendation to Void or Ratify Contract.** If the City Council finds that there has been an intentional or knowing violation of any provision of the Ethics Code, or that a person has

- (b) All city officials, employees, volunteers and contractors shall sign an affidavit which affirms that they have read the ethics code. The affidavit shall be on a form prepared by the City Secretary.
- (c) The City Attorney or designee, in consultation with the City Manager, shall develop educational materials and conduct educational programs for the city officials, employees, former city officials and employees, candidates for public office, persons doing business with the city and lobbyists on the provisions of this code of ethics and Section 171 of the Texas Local Government Law. Such materials and programs shall be designed to maximize understanding of the obligations imposed by these ethics laws.
- (d) The City Manager shall enact an administrative directive requiring that all departments provide their employees with training on the Ethics Code at least once every other calendar year. Training shall be provided to all city departments by video and will include educational materials. Additional presentations shall be offered to any department where necessary to accommodate large numbers of employees.
- (e) The City Attorney shall notify department heads regarding any significant amendments to the Ethics Code within 30 days of adoption. Department heads shall disseminate the information to department employees.
- (f) Information shall be provided to employees terminating city service regarding the restrictions on former city employees in Division 3 of this code.

DIVISION 9: SEVERABILITY

If any provision of this code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this code to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this code which can be given effect without the invalid or unconstitutional provision or application.

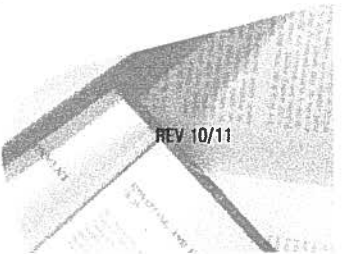


2012 Texas Conflict of Interest Laws MADE EASY

Answers to the most frequently asked questions about
the Texas Conflict of Interest Laws



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT



REV 10/11

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Texas Conflict of Interest Laws Made Easy

Every time a local public official participates in contracting with his or her governmental entity or owns real property that may be affected by that entity's actions, the official must consider whether his or her discussion, decision or vote on an item will violate either Texas conflict of interest laws or local conflict of interest provisions. Public officials need to be aware of the applicable standards for determining when such a conflict of interest may exist and how such conflicts must be handled. The following questions and answers provide a lay person's explanation of the general conflict of interest laws that apply to Texas local officials. This handbook provides general guidance on the issues raised in this area. While the Local Government section of the Office of the Attorney General is available to answer general questions about this article from local officials, local officials should consult with their legal counsel regarding the application of the law to the facts of each particular situation.

1. *What conflict of interest laws apply to local public officials in Texas?*

The general conflict of interest laws for Texas city and county officials, as well as officials of other Texas political subdivisions, is found in chapter 171 of the Local Government Code.¹ Chapter 171 establishes the standard for determining when a local official has a conflict of interest that would affect his or her ability to discuss, decide or vote on a particular item.² Chapter 171 conflict of interest provisions apply to all local public officials.³ Within a governmental unit, "local public officials" are defined to include:

1. elected officials such as the members of the city council or county commissioners (whether paid or unpaid); and
2. appointed officials (paid or unpaid) who exercise responsibilities that are more than advisory in nature.⁴

It should be noted that other state and federal laws, as well as local provisions, may be applicable to officials in a particular situation. Whether a law is applicable depends on the activity that the official is undertaking. Officials should work with their own legal counsel to determine whether their activities are subject to any such additional provisions.

2. *Do conflict of interest laws apply to persons appointed to local boards and commissions (e.g., planning and zoning commission members)?*

Chapter 171 conflict of interest laws apply to persons appointed to local boards and commissions if the board or commission exercises powers that are more than advisory in nature.⁵ For example, members of a city's planning and zoning commission would likely be subject to chapter 171 conflict of interest provisions. Accordingly, the ability of such officials to discuss or vote on an item would potentially be limited by these laws if the official is considered to have a conflict of interest on the issue.

¹ TEX. LOC. GOV'T CODE ANN. §§ 171.001 - .010 (West 2008).

² *Id.* § 171.002.

³ *Id.* §171.001(1).

⁴ *Id.*

⁵ *Id.*

3. ***Do conflict of interest laws apply to members of purely advisory committees that are established by the local entity?***

No, chapter 171 conflict of interest provisions apply only to an officer who exercises responsibilities beyond those that are advisory in nature.⁶ Whether an officer exercises such responsibilities depends on the authority vested in him or her by law and not necessarily on the title of a committee to which he or she belongs.

A city may adopt other additional provisions defining and prohibiting conflicts of interest.⁷

4. ***What types of issues are covered by Texas conflict of interest laws?***

Texas conflict of interest statutes do not address every conceivable conflict that may arise for a local official. In fact, chapter 171 conflict laws are generally financial in nature and cover two main types of conflicts:⁸

1. **Business entity conflicts:** Conflicts due to a local official's substantial financial interest in a "business entity" that has an issue before his or her governmental unit;⁹ or
2. **Real property conflicts:** Conflicts due to a local official's substantial financial interest in "real property" that would be affected by his or her governmental unit's action.¹⁰

5. ***What is the definition of a "business entity" for purposes of the conflict of interest laws?***

For purposes of Texas conflict of interest laws, a "business entity" means:

a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.¹²

Governmental entities such as cities or school districts are not considered business entities.¹³ Accordingly, if the issue before a city council involves a governmental entity, an official's relationship with that entity would not subject that official to chapter 171 conflict of interest laws. However, an economic development corporation is a business entity, so an official with a substantial interest in the corporation would have to comply with chapter 171.¹⁴

⁶ *Id.*

⁷ *Id.* § 171.007.

⁸ A less commonly seen conflict is covered in section 171.003, which prohibits an official from acting either as a surety for businesses doing business with the governmental entity or as a surety on bonds involving public officials.

⁹ *Id.* § 171.002(a).

¹⁰ *Id.* § 171.002(b).

¹² TEX. LOC. GOV'T CODE ANN. § 171.001(2) (West 2008).

¹³ Tex. Att'y Gen. Op. Nos. DM-267 (1993); GA-31 (2003).

¹⁴ Tex. Att'y Gen. Op. No. JC-547 (2002).

6. ***What is considered a “substantial interest” in a business entity (such that it would amount to a potential conflict of interest)?***

There are four ways that a person could be deemed to have a “substantial interest” in a business entity that would raise a potential conflict of interest. A person has a substantial interest in a business entity if the person has a(n):

1. **Stock interest:** If the official owns 10 percent or more of the total voting stock or shares of the business entity;¹⁵
2. **Other ownership interest:** If the official owns either 10 percent or more, or \$15,000 or more, of the fair market value of the business entity;¹⁶
3. **Income interest:** If the official received more than 10 percent of his or her gross income for the previous year from the business entity;¹⁷
4. **Close family member with any of the above interests:** If a close relative of the local official has any of the above types of interest in a business entity. A local official is considered to have the same interest in a business entity that his or her close relatives have in that business entity. In this context, close relatives of an official would include persons who are related to the official within the first degree by consanguinity (blood) or affinity (marriage).¹⁸ Such relatives would include an official’s father, father-in-law, mother, mother-in-law, daughter, daughter-in-law, son, son-in-law and the spouse of the official.

7. ***Is the fact that a local official is employed by a business entity sufficient to create a potential conflict?***

Being employed by a business entity will prevent a local official from discussing or voting on a matter involving that business, provided more than 10 percent of the official’s previous year’s gross income came from his or her employment with that business.

8. ***What is the test for conflict of interest regarding a business entity?***

State law provides a two-part test for ascertaining whether a local official has a conflict of interest regarding a business entity that would prevent the official from participating in a vote or discussion on that item.¹⁹ To determine whether a conflict exists that would prevent that official’s participation in a vote or a discussion, one should apply the following two-step analysis:

1. **Step one (substantial interest analysis):** First, the official must determine if he or she received more than 10 percent of his or her gross income in the previous year from that business entity or if he or she owns 10 percent or more of the voting stock or shares of the business entity or has some other substantial ownership interest in the business entity.²⁰ (See Question 6, part 2, above.) If the official has such an interest or a close

¹⁵ TEX. LOC. GOV’T CODE ANN. § 171.002(a)(1) (West 2008).

¹⁶ *Id.*

¹⁷ *Id.* § 171.002(a)(2).

¹⁸ *Id.* § 171.002(c).

¹⁹ *Id.* § 171.004.

²⁰ *Id.* § 171.002(a)(2).

relative of the official has such an interest,²¹ the official must consider the second part of the test for determining if a conflict of interest exists.

2. **Step two (special economic effect analysis):** The official must determine whether the action that the local entity is considering would have a special economic effect on the business entity that is distinguishable from its general effect on the public.²²

If it is determined that the official has a substantial interest in the business entity and it is likely that the action would have a special economic effect on the business entity that is distinguishable from its effect on the general public,²³ a conflict of interest would exist. If a conflict of interest exists, the official is prevented from discussing or voting on an issue involving that business entity.²⁴

9. ***May an indirect benefit from a contract with a business constitute a possible conflict of interest?***

In certain situations, an indirect benefit that a local official may receive regarding a business entity may be sufficient to constitute a conflict of interest. For example, the Dallas Court of Appeals concluded that the definition of “substantial interest” did not distinguish between funds received directly from a business entity and funds received indirectly. Whether a particular interest is a “substantial interest” is a question of fact.²⁵

10. ***What is considered a “substantial interest” in real property (such that it would amount to a potential conflict of interest)?***

There are two ways that a person could be deemed to have a “substantial interest” in real property (such that it would amount to a potential conflict of interest).²⁶ A person has a substantial interest in real property if he or she has:

1. **A \$2,500 ownership interest in the real property:** If the official has a legal or equitable ownership interest in real property worth \$2,500 or more²⁷ or
2. **A close family member with a \$2,500 ownership interest in the real property:** If a close relative of the local official has a legal or equitable ownership interest in real property worth \$2,500 or more then the official is considered to have the same interest in the piece of real property that his or her close relative has in the real property. In this context, close relatives of an official would include persons who are related to the official within the first degree by consanguinity (blood) or affinity (marriage).²⁸ Such relatives would include an official’s father, father-in-law, mother, mother-in-law, daughter, daughter-in-law, son, son-in-law and the spouse of the official.

²¹ *Id.* § 171.002(c).

²² *Id.* § 171.004(a)(1).

²³ *Id.*

²⁴ *Id.* § 171.004(a).

²⁵ *Dallas County Flood Control Dist. No. 1 v. Cross*, 773 S.W.2d 49, 55 (Tex. App.—Dallas 1989, no writ).

²⁶ TEX. LOC. GOV’T CODE ANN. § 171.002(b)-(c) (West 2008).

²⁷ *Id.*

²⁸ *Id.* § 171.002(c).

11. *What is the test for conflict of interest regarding real property?*

State law provides a two-part test for ascertaining whether a local official has a conflict of interest regarding real property that would prevent the official from participating in a vote or discussion on that item.²⁹ To determine whether a conflict exists that would prevent that official's participation in a vote or discussion, one should apply the following two-step analysis:

1. **Substantial interest analysis:** The official must determine if the official has a legal or equitable ownership interest in real property worth \$2,500 or more. If the official has such an interest or a close relative of the official has such an interest,³⁰ the official must consider the second part of the test for determining if a conflict of interest exists.
2. **Special economic effect analysis:** The official must determine whether it is reasonably foreseeable that the action the local entity is considering would have a special economic effect on the value of the property that is distinguishable from its general effect on the public.³¹

If it is determined that the official has a substantial interest in the real property and it is reasonably foreseeable that the action would have a special economic effect on the value of the property that is distinguishable from its effect on the general public,³² a conflict of interest would exist. If a conflict of interest exists, the official is prevented from discussing or voting on an issue involving that business entity.³³

The fact that an action would affect property physically close to an official's own property does not, in and of itself, establish a conflict of interest that would prevent an official from discussing or voting on that item. The official must consider whether the proposed governmental action would have a special economic effect on the value of his or her own property that is distinguishable from its effect on the general public.³⁴ For example, if a zoning, variance or platting request would have a special economic effect on a city official's own property or the real property of a close relative of the official, the official could not participate in the discussion or vote on that matter.

12. *Might the part-time or summer job of an official's child create a conflict of interest?*

If a local official's child worked at a job that constituted more than 10 percent of the child's income for the previous year, that might create a potential conflict of interest for the parent. If the child had such an interest, the parent could not vote on or discuss local governmental business that would have a special economic effect on the child's employer.³⁵

²⁹ *Id.* § 171.004.

³⁰ *Id.* § 171.002(c).

³¹ *Id.* § 171.004(a)(2).

³² *Id.*

³³ *Id.* § 171.004(a).

³⁴ *Id.* § 171.004(a)(2); Tex. Att'y Gen. Op. No. GA-796 (2010).

³⁵ Tex. Att'y Gen. Op. No. JC-63 (1999).

13. *May a local official discuss or vote on an item if the effect of the vote on the official's business or property interest is no different than its effect on the general public?*

Yes, an official may discuss and vote on an item if there is no distinguishable difference between the item's effect on the local official and its effect on the general public.³⁶ For example, a city may be considering the adoption of a setback requirement that would apply to all residential lots. Such a requirement arguably would not impact a city official's property in a more significant manner than it would impact the property of other members of the general public. In such a situation, the official could fully participate in the discussion and vote. Of course, if the official's property would be specially enhanced by a change in the setback requirement, then it would be more likely to present a conflict of interest issue for the official.

14. *What actions must a local official take if the official has a conflict of interest under chapter 171?*

If a local official has a conflict of interest under the two-part test of chapter 171, the official must take three actions:

1. **File an affidavit:** The official must file an affidavit with the local unit's official record keeper stating the nature and extent of the official's interest in the matter.³⁷ This affidavit must be filed before any vote or decision on the matter is made by the entity.³⁸ A sample conflict of interest affidavit is attached at the end of this article;
2. **Abstain from discussion on the item:** The official must abstain from discussions or other proceedings regarding the item;³⁹ and
3. **Abstain from voting on the item:**⁴⁰ The official must not vote on the item.

15. *May a local official deliberate about an issue with which the official has a conflict of interest if the official abstains from voting on the issue?*

No, a local official may not discuss an issue with which he or she has a conflict of interest even if he or she abstains from voting on the item.⁴¹ The statute prohibits "further participation" in a matter if a conflict exists.⁴² If a conflict of interest exists, the official must file the required affidavit and abstain from both discussing and voting on the item.⁴³

The attorney general has opined that a member of a governmental body does not "participate in a matter" for purposes of the conflict of interest laws by merely attending an executive session on the matter and remaining silent during the deliberations.⁴⁴ However, it may be wise, the opinion noted, for the interested public officer to refrain from attending open or closed meetings that address the matter in which he or she is interested.

³⁶ TEX. LOC. GOV'T CODE ANN. § 171.004 (West 2008).

³⁷ *Id.* § 171.004(a)-(b).

³⁸ *Id.* § 171.004(a).

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* § 171.004(a)-(b).

⁴⁴ Tex. Att'y Gen. Op. No. GA-334 (2005).

16. May a local entity separate out an item from a budget to allow the official with the conflict to vote on the budget?

Yes, a governing body of a local entity shall take a separate vote on any budget item involving a business entity in which a local official has a substantial interest.⁴⁶ The remaining officials without a conflict may separately discuss and vote on the item involving that business entity. The official with the conflict may then vote on the final overall budget once the matter for which there was a conflict is resolved.⁴⁷ The official with the conflict must also have filed the required affidavit with the official record keeper regarding the conflict.⁴⁸

17. What may a local entity do if a majority of the members of the governmental body have a conflict of interest regarding an item to be considered?

Chapter 171 conflict of interest laws do not prevent discussion or voting on the item if a majority of the members of a governmental body have similar conflicts of interest on the same item.⁴⁹ However, prior to any deliberations on the matter, each of the members of the governmental body with a conflict must have filed the required affidavit noting their interest in the item.⁵⁰

18. May a home rule city provide further conflict of interest limitations on its city officials and employees?

Yes, a home rule city (a city with a population of 5,000 or more that has adopted a city charter) may provide further and more restrictive conflict of interest limitations on its officials and employees.⁵¹ Such restrictions may be contained in a city ordinance, city policy or within the city charter. For example, some cities have ethics ordinances or city charter provisions that prevent their city officials from discussing or voting on items if the official has any financial interest in the item. *

19. Are there state statutes that provide stricter conflict of interest restrictions for particular situations or for certain public officials or that contain additional reporting requirements?

Yes, there are certain state statutes that provide stricter conflict of interest restrictions in particular areas. For example, there are conflict of interest statutes within chapter 312 of the Tax Code that completely prohibit a local entity's governing body from approving a tax abatement if a member of that body owns the property that is the subject of the tax abatement.⁵² If a local official has some type of interest in the item before the governing body, the official will want to visit with local counsel as to whether the interest constitutes a chapter 171 conflict of interest or presents a conflict pursuant to some other state law.

Chapter 176 of the Local Government Code requires members of the governing body and executive officers of local government entities to file a conflicts disclosure statement relating to a person that the governmental entity has contracted with or is considering contracting with if the

⁴⁶ TEX. LOC. GOV'T CODE ANN. § 171.005(a) (West 2008).

⁴⁷ *Id.* § 171.005(b).

⁴⁸ *Id.* § 171.004(b).

⁴⁹ *Id.* § 171.004(c).

⁵⁰ *Id.*

⁵¹ *Id.* § 171.007(b); Tex. Att'y Gen. Op. No. GA-68 (2003).

⁵² TEX. TAX CODE ANN. § 312.204(d) (West 2008).

16. *May a local entity separate out an item from a budget to allow the official with the conflict to vote on the budget?*

Yes, a governing body of a local entity shall take a separate vote on any budget item involving a business entity in which a local official has a substantial interest.⁴⁶ The remaining officials without a conflict may separately discuss and vote on the item involving that business entity. The official with the conflict may then vote on the final overall budget once the matter for which there was a conflict is resolved.⁴⁷ The official with the conflict must also have filed the required affidavit with the official record keeper regarding the conflict.⁴⁸

17. *What may a local entity do if a majority of the members of the governmental body have a conflict of interest regarding an item to be considered?*

Chapter 171 conflict of interest laws do not prevent discussion or voting on the item if a majority of the members of a governmental body have similar conflicts of interest on the same item.⁴⁹ However, prior to any deliberations on the matter, each of the members of the governmental body with a conflict must have filed the required affidavit noting their interest in the item.⁵⁰

18. *May a home rule city provide further conflict of interest limitations on its city officials and employees?*

Yes, a home rule city (a city with a population of 5,000 or more that has adopted a city charter) may provide further and more restrictive conflict of interest limitations on its officials and employees.⁵¹ Such restrictions may be contained in a city ordinance, city policy or within the city charter. For example, some cities have ethics ordinances or city charter provisions that prevent their city officials from discussing or voting on items if the official has any financial interest in the item. *

19. *Are there state statutes that provide stricter conflict of interest restrictions for particular situations or for certain public officials or that contain additional reporting requirements?*

Yes, there are certain state statutes that provide stricter conflict of interest restrictions in particular areas. For example, there are conflict of interest statutes within chapter 312 of the Tax Code that completely prohibit a local entity's governing body from approving a tax abatement if a member of that body owns the property that is the subject of the tax abatement.⁵² If a local official has some type of interest in the item before the governing body, the official will want to visit with local counsel as to whether the interest constitutes a chapter 171 conflict of interest or presents a conflict pursuant to some other state law.

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⁴⁷ *Id.* § 171.005(b).

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local officer or his or her family member has a certain business relationship or gift history with that person exceeding certain threshold amounts.⁵³ It also requires a person who contracts or seeks to contract with the local governmental entity to file a completed questionnaire disclosing the person's affiliation and business relationship with each member of the governing body and executive officers of the entity.⁵⁴ The disclosure forms are prepared by the Texas Ethics Commission, available at www.ethics.state.tx.us/whatsnew/conflict_forms.htm. These must be filed with the entity's records administrator and, in certain instances, posted on the Internet.⁵⁵

20. *Are there special conflict of interest provisions that apply to the selection of a local depository?*

Yes, there are special conflict of interest provisions that apply to the selection of a local depository. Prior to 1967, local entities were prohibited from using a bank as a depository if a member of the governing body was an officer, director or shareholder of the bank.⁵⁶ However, this prohibition has been substantially diminished under current law.⁵⁷ Local units can now contract with a depository even if a local official or employee with the duty to select the depository is also an officer, director or shareholder of the bank, unless the official or employee, either individually or collectively, owns more than 10 percent of the bank's stock.⁵⁸ In such a situation, the entity is required to have the interested official or employee follow all of the procedures required for a chapter 171 conflict of interest. These procedures would include filing an affidavit, abstaining from deliberations and abstaining from the vote regarding the depository.⁵⁹ If a majority of the remaining members of the governing body vote to select the bank as a depository, it may serve as the local entity's depository.

A home rule city may adopt stricter conflict of interest provisions that would be applicable to the selection of a city depository. For example, a city ordinance or city charter provision may prohibit the selection of a city depository if a city official or employee has any financial interest in the bank.

21. *Are there special conflict of interest laws that apply to judges?*

Chapter 171 of the Local Government Code does not contain special conflict of interest laws that apply to judges. However, judges are subject to the Code of Judicial Conduct.⁶⁰ In basic terms, these rules require that judges avoid actions that would suggest even the appearance of impropriety.⁶¹ They also prohibit judges from having any financial interest in any aspect of a case that they handle as judges. Furthermore, Article V, Section 11 of the Texas Constitution prohibits a judge from presiding over any case where he or she may have either a direct personal or pecuniary interest. Additionally, a judge may not preside over any case where he or she is

⁵³ TEX. LOC. GOV'T CODE ANN. § 176.003 (West 2008). *See also* Tex. Att'y Gen. Op. No. GA-446 (2006).

⁵⁴ TEX. LOC. GOV'T CODE ANN. § 176.006 (West Supp. 2011).

⁵⁵ *Id.* §§ 176.003(b), 176.009 (West 2008).

⁵⁶ Tex. Att'y Gen. Op. Nos. V-640 (1948); WW-957 (1960).

⁵⁷ TEX. GOV'T CODE ANN. § 404.0211 (state agencies) (West 2005); TEX. LOC. GOV'T CODE ANN. § 131.903 (other political subdivisions) (West 2008).

⁵⁸ TEX. LOC. GOV'T CODE ANN. § 131.903(a)(2) (West 2008).

⁵⁹ *Id.* § 171.004.

⁶⁰ TEX. CODE JUD. CONDUCT, *reprinted in* TEX. GOV'T CODE ANN., tit. 2, subtit. G app. B (West 2005 & Supp. 2010).

⁶¹ TEX. CODE JUD. CONDUCT, Canon 2 (West 2005).

25. *May a person be charged with a crime if the official violates the conflict of interest laws?*

Yes, chapter 171 of the Local Government Code provides four situations in which a public official may be prosecuted for his or her actions or inaction regarding a conflict of interest.⁶⁸ Specifically, a local official can be prosecuted for:

1. **Failure to File an Affidavit Noting a Conflict:** Failing to file an affidavit with the official record keeper noting the official's substantial interest in an item if such a filing is required by Local Government Code section 171.004;⁶⁹
2. **Participating in Discussions Regarding an Item for Which There is a Conflict:** Discussing or otherwise participating on an item if such participation is prohibited under Local Government Code section 171.004 due to a conflict of interest on that item;⁷⁰
3. **Serving as a Surety for Certain Businesses:** Acting as a surety for any business entity that has work, business or a contract of any amount with the local entity;⁷¹ or
4. **Serving as a Surety for Local Official Bonds:** Acting as a surety on any official bond that is required for an official of a governmental body of the local entity.⁷²

Violation of any of the above four items can be prosecuted as a class A misdemeanor⁷³ and is punishable by a fine not to exceed \$4,000 and/or up to one year in jail.⁷⁴ Whether to prosecute an alleged violation of the conflict of interest laws is subject to the prosecutorial discretion of the local district attorney or prosecuting criminal county attorney. The attorney general does not have original jurisdiction to prosecute violations of conflict of interest laws by public officials.

26. *Does the conflict of interest law apply to directors of an economic development corporation?*

Chapter 171 of the Local Government Code does not apply to the directors of an economic development corporation created under the Development Corporation Act of 1979 because such corporations are not considered to be governmental entities.⁷⁵ However, state laws governing corporations may have their own provisions governing certain conflicts. For instance, state law governing nonprofit corporations prohibits loans being made by the corporation to its director.⁷⁶ "If a loan is made to a director, the directors who vote for making the loan and any officers participating in making the loan 'shall be jointly and severally liable to the corporation for the amount of such loan until repayment thereof.'"⁷⁷ A corporation's board members should also check the corporate bylaws for any discussion of board conflicts.

⁶⁸ *Id.* § 171.003.

⁶⁹ *Id.* § 171.003(a)(1).

⁷⁰ *Id.*

⁷¹ *Id.* § 171.003(a)(2).

⁷² *Id.* § 171.00(a)(3).

⁷³ *Id.* § 171.003(b).

⁷⁴ TEX. PEN. CODE ANN. § 12.21 (West 2011).

⁷⁵ Tex. Att'y Gen. Op. No. JC-338 (2001).

⁷⁶ TEX. BUS. ORGS. CODE ANN. § 22.225(a) (West Supp. 2011).

⁷⁷ *Id.* § 22.225(b); Tex. Att'y Gen. Op. No. JC-338 (2001).

27. Do the conflict of interest laws apply to board members of a municipal utility district?

Yes, Chapter 171 of the Local Government Code does apply to members of a municipal utility district (MUD).⁷⁸ MUD board members may not participate in a discussion or vote on a matter involving a business entity or real property if they have substantial interests in the matter and it is reasonably foreseeable that action on the matter would confer an economic benefit on the business entity or real property.⁷⁹ Chapter 171 also imputes to a MUD board member the substantial interests of certain near relatives in a business entity or real property.⁸⁰

28. Do the conflict of interest laws apply to members of a local governing body who have a direct, personal matter pending before the governing body?

Chapter 171 of the Local Government Code does not apply to direct, personal matters of a member of a local governing body. It only applies to public officials who have a substantial financial interest in a business entity or real property. However, public policy in Texas bars public officials from casting a deciding vote in a matter concerning an issue in which the official has a direct, personal interest.⁸¹ For example, a member of a governing body would be disqualified from voting on a resolution to pay his or her legal fees or the legal fees of another member indicted on charges for Open Meetings Act violations.⁸²

⁷⁸ Tex. Att’y Gen. Op. No. JC-184 (2000).

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ Tex. Att’y Gen. Op. No. JC-294 (2000); *Hager v. State ex rel. TeVault*, 446 S.W.2d 43, 49 (Tex. Civ. App.—Beaumont 1969, writ ref’d n.r.e.).

⁸² Tex. Att’y Gen. Op. No. JC-294 (2000).