



Project No. 5552-001-11-00
August 12, 2024

Lindsay Ross
Municipal Solid Waste Permits – MC 124
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Response to Notice of Deficiency Letter – Type V Permit Application
City of Copperas Cove Transfer Station, Permit No. MSW-2422
RN102668464/CN600260467
Tracking No. 29805585

Dear Ms. Ross:

On behalf of The City of Copperas Cove, please find enclosed one original and two copies of the replacement pages for the referenced permit application. The attached replacement pages were developed to incorporate comments included in your email dated July 11, 2024.

The enclosed table contains each comment identified by the TCEQ and a response to each below the comment. Please also note that in addition to addressing TCEQ's comments, Appendix IIIB has been revised to remove detailed drainage calculations.

During the course of your review, if you need additional information or have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read 'C Marsh', is positioned above the printed name.

Charles Marsh, P.E.
Project Director

Attachments: Attachment 1: Application Deficiencies Table
Attachment 2: Revision Pages (RLSO Format)
Attachment 3: Revision Pages (Clean Format)

cc: TCEQ Region 9
Mr. Scott Osburn, City of Copperas Cove

ATTACHMENT 1
APPLICATION DEFICIENCIES TABLE

Table of Deficiencies

NOD ID	MRI ID	App. Part	Citation	Location	1st NOD Type	NOD Description
NT1	24	General	330.57(g)(5)	Type V Permit Application	Inconsistent	In Part I/II of the application, Section 15- Legal Authority the version date of the documents provided is 5/28/2024. Clarify the date of this document because the application was submitted on 5/3/2024 making the date listed invalid. Response: Parts I/II-15-2 through I/II-15-32 have been replaced with the most current version of the City of Copperas Cove Charter.
NT2	72	Part I	330.59(b)(3)		Incorrect	The listed Latitude and Longitude in Section 12 of the Part I Application Form is listed incorrectly with the coordinates flipped (latitude coordinate is listed as longitude and vice versa). Revise to list the coordinates properly on the Part I Application form. The coordinates are listed correctly in the remainder of the application. Response: Response: In Section 12 of the part 1 application form, the latitude and longitude coordinates have been switched to the correct positions.
NT3	126	Part II	330.61(b)(1)(A)	Will be provided upon request.	Comment Only	Provide a descriptive narrative that describes the percentage of incoming waste that must be recovered and its intended use. Response: An estimated percentage of waste that may be recovered through this facility is provided in Parts I&II, section 2.1.2. Please note that there is no waste diversion requirement for permitted transfer station facilities.
NT4	168	Part II	330.61(p)	Parts I/II, Section 2.3 and Appendix I/IIA - AACOG Coordination	Incomplete	Provide documentation to demonstrate coordination with the applicable council of government. Response: CTCOG Coordination is included on Pages I/II-A-132.
NT5	181	Part II	330.61(c)(11)	Part III, Figure IIIA-5	Ambiguous	Clarify the location of the figure that demonstrates the location of all access control features. Response: Figures IIIA - 1 and IIIA - 2 have been revised to demonstrate all access control features. Part III-SDP Section 2.1.2 identifies these figures.
NT6	186	Part II	330.61(d)(2)	Parts I/II, Figures I/II-4.1 and I/II-4.2	Ambiguous	Figures I/II - 4.1 and I/II-4.2 do not clearly show the location of interior roads at the facility and show the approximate location of the transfer station and roadways outside of the facility boundary. Provide a figure that shows the location of interior roads. A figure that is typically presented to demonstrate the interior roads of the facility is similar to Figure IIIA-2 with the interior roads listed in the legend. Response: The requested information is provided in Figure I/II - 4.4.
NT7	271	Part III	330.63(b)(2)	Part III-SDP, Figure III-2.1	Incomplete	Provide a building plan for the recycling center. Response: Figure IIIA - 6 has been replaced with a plan view of the recycling facility. Cross-section views of the recycling center are found in Figures IIIA - 7 and IIIA - 8.
NT8	701	Part III	330.457(f)(3)	Part III-SDP, Appendix III C, Section 2.1	Omitted	Revise the closure plan to specify that the operator will begin closure activities no later than 30 days after final receipt of waste. Response: Appendix III C Section 2.1 now states that closure activities will begin within 30 days of final receipt of waste.
NT9	785	Part IV	330.675	Part IV-SOP, Section 6.8	Omitted	Revise the recordkeeping and reporting requirements to include all reports required by 30 TAC §330.675 to the Executive Director. Response: Part IV-SOP Table 5.1 states within the table that records will be kept as required by 30 TAC §330.675.

Table of Deficiencies

NOD ID	MRI ID	App. Part	Citation	Location	1st NOD Type	NOD Description
NT10	989	Part IV	330.203(a)	Part IV-SOP, Section 3.1	Ambiguous	In Section 2 of the Site Operating Plan, there is a section heading named "Receipt of Special Waste" but there is no narrative following this section heading. Provide a narrative for this heading or delete the section heading if not needed. Response: Part IV-SOP Section 2.1, subheading Receipt of Special Wastes, now contains a plan for the receipt and temporary storage of permitted special wastes.
NT11	990	Part IV	330.203(b)	Part IV-SOP, Section 3.2	Incomplete	Revise to provide a description of the estimated amount of recovered materials from waste expected during recycling operations. Response: Part IV-SOP section 2.4 has been added to the document with estimated quantities of diverted materials.
NT12	1025	Part IV	330.209(b)	Part IV-SOP, Section 5.1	Comment Only	Provide a description of the on-site storage area for source-separated or recyclable materials. Response: Part IV-SOP section 4.1 now includes a description of the recyclables storage area.
NT13	1046	Part IV	330.219(d)(3)	Part IV-SOP, Section 6 Table 6-1	Omitted	Revise the narrative to indicate that copies of annual reports will be maintained in the site operating record for five years. Response: Part IV-SOP Section 5.1 now states that records will be maintained for five years.
NT14	1051	Part IV	330.221(c)	Part IV-SOP, Section 7	Incomplete	Revise the narrative to include that the fire protection plan shall comply with local fire codes. Response: Part IV-SOP Section 6.1 states that the fire prevention plan will be updated during the building permitting process as necessary to comply with local fire codes.
NT15	1056	Part IV	330.223(b)	Part IV-SOP, Section 8.1.3	Incomplete	Revise the description of the access road from the public road to include the number of lanes and how it is designed for expected traffic volumes. Response: Part IV-SOP Section 7.1.2 has a revised description of the public access road which includes the number of lanes and traffic volume capacity.
NT16	1057	Part IV	330.223(b)	Part IV-SOP, Section 8.1.3	Omitted	Revise the narrative to include a description of vehicle parking. Response: Part IV- SOP Section 7.1.3 has been added to the document with a description of vehicle parking.

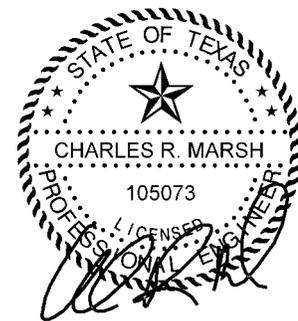
In addition to these comments and in response to a conversation with TCEQ on July 11, Appendix IIIB has been revised to remove detailed drainage calculations from the application.

ATTACHMENT 2
REVISION PAGES
(RLSO FORMAT)

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TCEQ PERMIT NO. MSW-40145
TYPE V PERMIT APPLICATION**

Prepared for
The City of Copperas Cove
April 2024

Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

This document is issued for permitting purposes only.

Permit or Approval	Received	Pending	Not Applicable
Ocean Dumping Permits under Marine Protection Research and Sanctuaries Act			x
Dredge or Fill Permits under Clean Water Act			x
Licenses under the Texas Radiation Control Act			x
Other (describe):			
Other (describe):			

12. Facility General Information

Facility Name: City of Copperas Cove Transfer Station

Contact Name: Larry Scott Title: Director of Solid Waste

MSW Authorization Number (if existing): 2422

Regulated Entity Reference Number: **RN** 102668464

Physical or Street Address (if available): 2605 S. FM116

City: Copperas Cove County: Coryell State: TX Zip Code: 76522

Phone Number: 254-547-5245

Latitude (Degrees, Minutes Seconds): 31° 05' 38" N

Longitude (Degrees, Minutes Seconds): 97° 54' 06" W

Benchmark Elevation (above mean sea level): 1073.54 feet

Description of facility location with respect to known or easily identifiable landmarks:
Facility is located north of Crestview Christian Church on FM 116 Road, approximately 0.25 miles southeast of U.S. Highway 190.

Access routes from the nearest United States or state highway to the facility:

From U.S. Highway 190, exit FM 116 and go approximately 0.25 miles to the south and proceed to TS entrance.

Coastal Management Program

Is the facility within the Coastal Management Program boundary?

Yes No

Signature Page

Site Operator or Authorized Signatory

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Ryan D. Haverlah Title: City Manager

Email Address: [Redacted]

Signature: [Handwritten Signature] Date: 08/08/2024

Operator or Principal Executive Officer Designation of Authorized Signatory

To be completed by the operator if the application is signed by an authorized representative for the operator.

I hereby designate _____ as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Operator or Principal Executive Officer Name: _____

Email Address: _____

Signature: _____ Date: _____

Notary

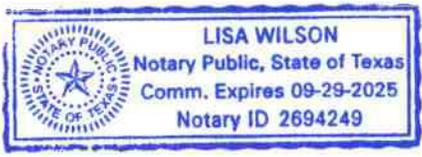
SUBSCRIBED AND SWORN to before me by the said Ryan Haverlah

On this 8th day of August, 2024

My commission expires on the 29th day of September, 2025

[Handwritten Signature]

Notary Public in and for
Coryell County, Texas



Note: Application Must Bear Signature & Seal of Notary Public

- Incinerator ash;
- Sludges.

2.1.2 Projected Transfer Rate

The City of Copperas Cove TS will serve residences and businesses, including those in the Service Area. The TS received approximately 30,838 tons during the 2021 fiscal year beginning September 1, 2020 and ending August 31, 2021.

Waste will be transferred to a permitted facility on a daily basis except for extenuating circumstances such as inclement weather or mechanical breakdown. As economic conditions, population growth, and waste generation rates change, the volume of incoming waste may vary.

An estimated 10-15% of incoming waste is currently diverted for recycling. Once the proposed recycling center is constructed, the estimated amount of recyclable material is anticipated to increase to 20% to 25% of the total incoming waste stream.

The estimated maximum annual waste acceptance rate for the facility for five years is shown in the following table.

NTMWD Fiscal Year ¹	Waste Acceptance Rate	
	Daily ² (tons per day)	Annually (tons per year)
2021	84.5	30,838
2022	85.8	31,319
2023	87.1	31,808
2024	88.5	32,304
2025	89.9	32,808

¹ The fiscal year runs from September to August.

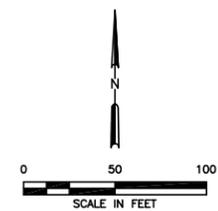
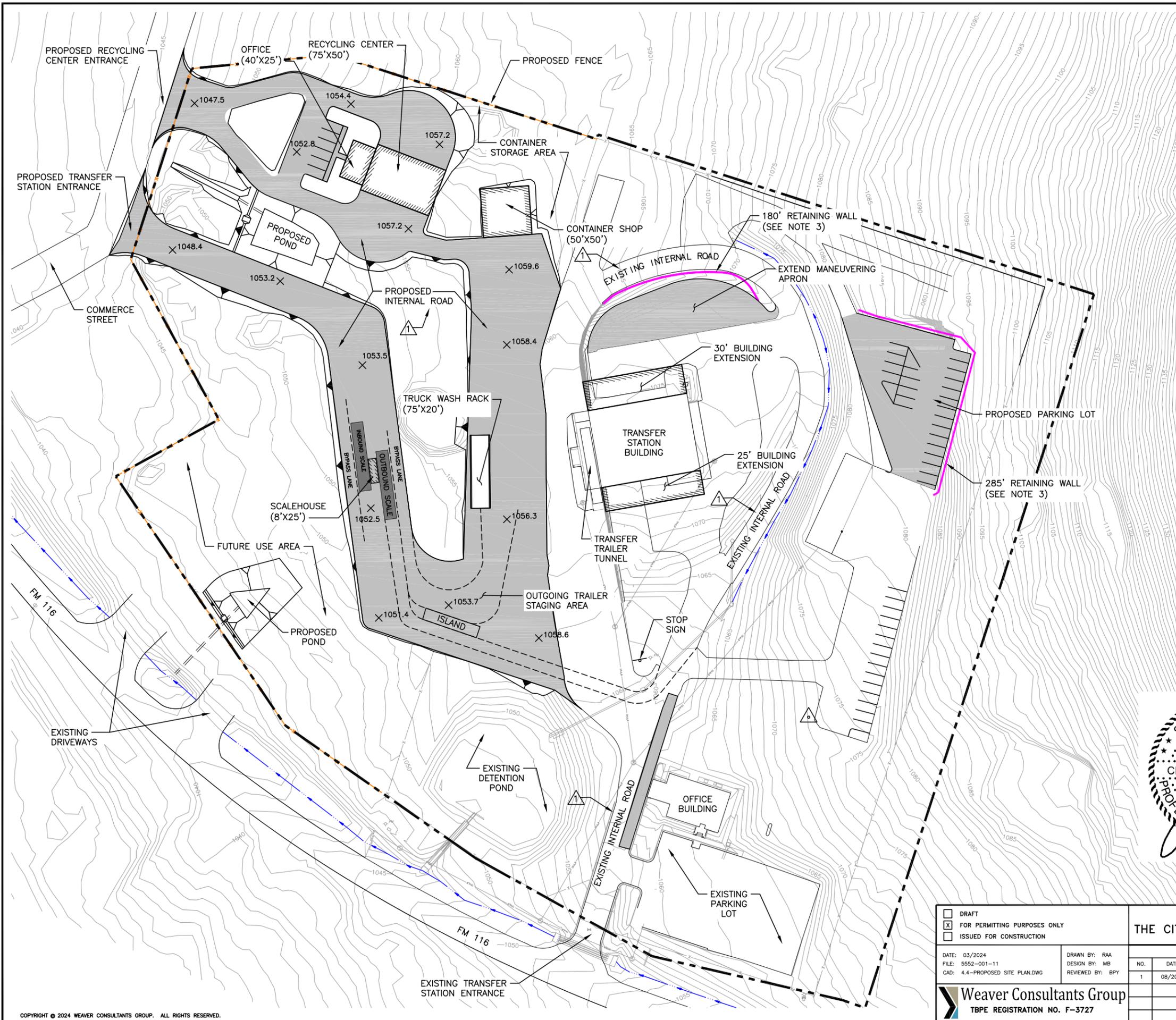
² Averaged over 365 days per year.

As shown below, the average population equivalent using the above projected maximum waste acceptance rates varies from 33,800 persons to 35,960 persons. As the transfer station Service Area conditions change, adjustments to the service area population may occur. The population equivalent of the areas served was calculated as follows:

$$\frac{(84.5 \text{ tons/day})(2,000 \text{ lbs/ton})}{(5 \text{ lbs/person/day})} = 33,800 \text{ persons}$$

$$\frac{(89.9 \text{ tons/day})(2,000 \text{ lbs/ton})}{(5 \text{ lbs/person/day})} = 35,960 \text{ persons}$$

A maximum of 1,100 tons of waste can be processed, transferred, and stored at the facility within the enclosed building. The maximum and average lengths of time that solid waste will remain at the facility are 72 hours and 24 hours, respectively. Solid waste will not be stored overnight at the facility except for extenuating circumstances such as inclement weather or mechanical breakdown. Non-stored wastes will be transported daily to a permitted landfill.



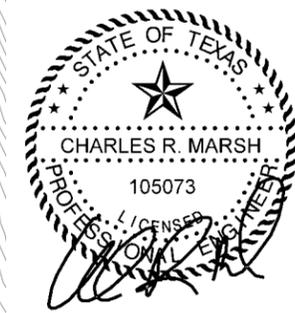
LEGEND

	PERMIT BOUNDARY
	EXISTING CONTOUR (SEE NOTE 1)
	PROPOSED RETAINING WALL (SEE NOTE 2)
	PROPOSED PAVEMENT SURFACING
	CHANNEL
x 1056.3	SPOT ELEVATION
	SITE BENCHMARK
	INDICATES REVISION (SEE LIST OF REVISIONS)

- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.
 - THE PROPOSED RETAINING WALLS VARIES FROM 2 TO 15 FEET IN HEIGHT.

BENCHMARK INFORMATION

NORTHING	EASTING	ELEVATION (FT-MSL)
10370871.91	3058064.70	1073.54



- LIST OF REVISIONS:**
- ADDED ROADWAY CALLOUTS.

08-12-2024

<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR THE CITY OF COPPERAS COVE	TYPE V PERMIT APPLICATION PROPOSED SITE PLAN CITY OF COPPERAS COVE TRANSFER STATION CORYELL COUNTY, TEXAS						
	DATE: 03/2024 FILE: 5552-001-11 CAD: 4.4-PROPOSED SITE PLAN.DWG		REVISIONS					
DRAWN BY: RAA DESIGN BY: MB REVIEWED BY: BPY	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/2024</td> <td>SEE LIST OF REVISIONS</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	08/2024	SEE LIST OF REVISIONS	WWW.WCGRP.COM
NO.	DATE	DESCRIPTION						
1	08/2024	SEE LIST OF REVISIONS						
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		FIGURE 1/II-4.4						

CHARTER

Footnotes:

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Editor's note— Printed herein is the Charter of the City of Copperas Cove, as adopted by the city council on May 18, 2010, by section 3 of Ordinance No. 2010-21. Amendments to the charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headlines, catchlines and citations to state statutes has been used, and capitalization has been conformed for consistency. Additions made for clarity are indicated by brackets, and footnotes have been inserted by the editor.

ARTICLE I. - INCORPORATION: FORM OF GOVERNMENT: CORPORATE POWERS

Sec. 1.01. - Incorporation.

The inhabitants of the City of Copperas Cove, within the corporate limits as now established or to be established in the future by law as directed by this charter, shall be a municipal body politic and corporate in continued growth under the name of the City of Copperas Cove.

Sec. 1.02. - Form of government.

The municipal government provided by this charter shall be of the type known as the council-manager government. The municipal government provided by this charter shall consist of a mayor and council members, elected by the people and responsible to the people, and a city manager, appointed by and responsible to the council for proper administration of the affairs of the city.

Sec. 1.03. - Home rule.

- (a) The City of Copperas Cove shall have the power of local self government to the fullest extent permitted by law. The city shall have all the powers granted to cities by the Constitution and Laws of the State of Texas together with all of the implied powers necessary to carry into execution those powers and those express and implied powers necessary for the government, interests, health, welfare and good order of the city and its inhabitants. All powers shall be exercised and enforced in the manner prescribed by the laws of the State of Texas, in this charter and the city's ordinances.
- (b) All powers of the city shall be vested in the city council, except as otherwise provided by law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.
- (c)

The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted by the state or this charter.

Sec. 1.04. - Change of boundaries.

- (a) *Annexation.* The boundaries of the City of Copperas Cove may be enlarged and extended by the annexation of additional territory in any of the methods and in any manner and by any procedure that may now be provided by state law, or that may be hereafter provided by such law. Any territory annexed shall become a part of the city, and said land and its residents and future residents shall be entitled to all the rights and privileges of other citizens of the city subject to federal, state and local laws and regulations.
- (b) *Disannexation.* Whenever there exists within the corporate limits of the City of Copperas Cove any territory not suitable or necessary for city purposes, or for the purpose of effectuating common boundary line agreements between the City of Copperas Cove and adjoining cities, the city council may, by ordinance duly passed, disannex said territory as a part of the city; said ordinance shall accurately describe the territory sought to be eliminated from the city and shall contain a plat designating such territory so that the same can be definitely ascertained, and when said ordinance has been duly passed the territory shall cease to be a part of said city, but said territory shall remain liable for its pro rata share of any debts incurred while said area was a part of the city, and the city shall continue to levy, assess and collect taxes on the property within said territory to pay the indebtedness incurred while said area was a part of the city as though the same had not been excluded from the boundaries of the city.
- (c) *Agreement.* Upon mutual agreement between the City of Copperas Cove and any other adjacent municipality may, by ordinance duly passed, exchange territory with the other adjoining municipality for the purpose of effectuating a common boundary line agreement.

Sec. 1.05. - Eminent domain.

The city shall have the full authority to exercise the right of eminent domain for public use when necessary or desirable to carry out any of the powers conferred upon it by this charter, or by the constitution or laws of the State of Texas.

ARTICLE II. - THE COUNCIL

Sec. 2.01. - Composition and terms of office.

- (a) *Composition.* The council shall be composed of a mayor and seven (7) council members. The mayor and all council members shall be elected from the city at large, and each council member shall occupy a position on the council, such positions being numbered one (1) through seven (7) consecutively. The mayor will not be designated as a numbered position on the ballot but shall be designated as "MAYOR."
- (b) *Terms of office.* At the first general election held under this charter, and each three (3) years thereafter, the mayor and two (2) council members shall be elected, with the mayor filling the office of mayor and the two (2) council members filling the office of numbered positions one (1) and two (2). The following year, and each three (3) years thereafter, three (3) council members shall be elected, to fill the office of numbered positions three (3), four (4) and five (5). The following year, and each three (3) years thereafter, two (2) council members shall be elected to fill the office of numbered positions six (6) and seven (7). A council member, unless sooner removed from office under the provisions of this charter, shall serve for a term of three (3) years, and shall serve not more than two (2) terms in succession in the office to which elected. Section 2.07(c) also applies.

Sec. 2.02. - Restrictions.

If any member of the city council desires to run for a different council office other than that which he/she holds, he/she must resign and vacate his/her present office at least sixty (60) days prior to the next election for the desired office. The resignation shall be effective on the date of such resignation. For the purposes of this provision there shall be only two (2) offices; the office of mayor and the office of numbered council member.

Sec. 2.03. - Presiding officer: mayor and mayor pro tempore.

- (a) The mayor shall be elected in the manner provided by this charter to serve for a term of three (3) years and shall not serve more than two (2) terms in succession. The mayor shall preside at all meetings of the city council and shall be recognized as head of the city government for all ceremonial purposes, by the governor for purposes of martial law, and shall serve as the emergency management director in times of an emergency as provided by state law, but shall have no day-to-day administrative duties other than signatory duties where the mayor signs a variety of documents to give them official legal effect. The mayor shall vote at council meetings only to break a tie.
- (b) At the city council's second regular meeting following each yearly regular election of council members, or runoff election if required, the council shall elect one (1) of its members as mayor pro tem, for a period of one (1) year. The mayor pro tem shall act as mayor during the absence or

disability of the mayor and, when so acting, shall have the same powers, duties, and restrictions as set forth for the office of mayor, except that he/she shall not lose the right to vote.

- (c) In the event that both the mayor and mayor pro tem are absent from a council meeting, if there be a quorum as elsewhere stated in this charter, the council members present shall elect a chairperson who shall have the authority to conduct the meeting as if he/she were the mayor except that he/she shall not lose the right to vote.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 2.04. - Qualifications.

A candidate for office must:

- (1) Be a United States citizen;
- (2) Be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- (3) Be registered to vote by the regular filing deadline for a candidate's application for a place on the ballot or on the date of appointment, as applicable;
- (4) Have resided continuously in the corporate limits of the city for twelve (12) months immediately preceding the regular filing deadline for a candidate's application for a place on the ballot or on the date of appointment, as applicable;
- (5) Not have been convicted of a felony for which he or she has not been pardoned or otherwise released from the resulting disabilities;
- (6) Not have been determined by a final judgment of a court exercising probate jurisdiction to be:
 - (a) Totally mentally incapacitated; or
 - (b) Partially mentally incapacitated without the right to vote;
- (7) Not be disqualified by reason of any section of this charter or by state or federal law; and
- (8) Satisfy any other eligibility requirements prescribed by law for the office.

(Amd. of 11-2-21(A), approved 11-10-21)

Sec. 2.05. - Judge of qualifications.

The city council is the final judge of all elections and the qualifications of its members and of any other elected officials of the city.

Sec. 2.06. - Compensation of council members and mayor.

The mayor shall receive [fifty dollars] (\$50.00) and all other council members shall receive [twenty-five dollars] (\$25.00) for each regular and specially called meeting attended. No council member shall receive any compensation for attendance at any workshop meeting, except for any workshop meeting that is conducted on a date separate from a regular or special called meeting. In addition, city council shall establish by ordinance methods of reimbursement for all actual and necessary expenses incurred by the mayor and council members in the performance of their duties.

Sec. 2.07. - Vacancies, forfeitures, filling of vacancies.

- (a) *Vacancies.* The office of a council member or office of the mayor shall become vacant upon death, resignation, removal from office by recall, or forfeiture of his/her office.
- (b) *Forfeiture.*
1. A council member or the mayor shall forfeit his/her office if he/she:
 - (1) Lacks at any time during the term of office any qualification for the office prescribed by this charter or by law,
 - (2) Violates any express prohibition of this charter,
 - (3) Is convicted of a misdemeanor involving moral turpitude, felony or is assessed a deferred adjudication or probation for a felony,
 - (4) Fails to attend two (2) consecutive regular meetings unless excused by city council (said excusal may be obtained before or after the absence occurs) caused by sickness or emergency, or
 - (5) Moves his/her permanent residence outside the city limits.
 2. If a council member is alleged to have violated any provision of this section and does not immediately resign, the council and mayor may conduct a hearing to determine if the office holder has forfeited and should vacate his/her office. The hearing shall be held within 30 days of the council, as a body, learning of the alleged forfeiture. The council may, by an affirmative vote of five (5) members, declare the office of said office holder to be forfeited and vacant. Disposition of the matter under this charter is final. Further relief may be sought in a court of law. The office holder subject to the forfeiture shall not have a vote. The mayor shall vote unless he/she is the office holder subject to the forfeiture.
- (c) [*Filling of vacancies.*] Any city council member or mayoral vacancy shall be filled as follows:
1. If the vacancy(s) results in an unexpired term of greater than twelve (12) months and within 120 days of the city's general election then the vacancy(s) shall be filled at the general election consistent with state law. Said term of office to be for the unexpired term of the office vacated.
 - 2.

If the vacancy(s) results in an unexpired term of greater than twelve (12) months and outside of 120 days of the city's general election then the vacancy(s) shall be filled at a special election within one hundred and twenty (120) days after such vacancy(s) occur consistent with state law. Said term of office to be for the unexpired term of the office vacated.

3. If the vacancy(s) results in an unexpired term of twelve (12) months or less and outside of 350 days of the city's general election then the vacancy(s) shall be filled by appointment of the city council upon a two-thirds vote of all city council members. Said term of office to be for the unexpired term of the office vacated.
4. If the vacancy(s) results in an unexpired term of twelve (12) months or less and within 68 days of the city's general election then the vacancy(s) shall be filled at the general election consistent with state law. Said term of office to be for the unexpired term of the office vacated.

After a vacancy in office is filled by election, if the unexpired term is one (1) year or less, that council member may seek re-election for two (2) additional consecutive terms. If the unexpired term exceeds one (1) year that council member may succeed himself/herself only once. For the purposes of this section the period from one [(1)] annual general election to the next annual general election shall be considered as one [(1)] year or less regardless of the number of calendar days involved.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14; Res. No. 2018-45, 11-13-18, approved 11-6-18; Amd. of 11-2-21(C), (G) approved 11-10-21)

Sec. 2.08. - Prohibitions.

- (a) *Holding other office.* Except where authorized by law, no mayor or council member shall hold any other city office or city employment during his/her term as mayor or council member, and no former mayor or council member shall hold any compensated appointive city office or city employment until two (2) years after the expiration of his/her term as mayor or council member.
- (b) *Reserved.*
- (c) *Appointments and removals.* Neither the council nor any of its individual members, including the mayor, shall in any manner dictate the appointment or removal of any city administrative officer or employee whom the city manager or any of his/her subordinates are empowered to appoint, however, the council may express its views and fully and freely discuss with the city manager anything pertaining to appointment and removal of such officers and employees.
- (d) *Interference with administration.* Neither the council nor its individual members, including the mayor, shall give any orders or direction, public or private, to any officer or employee who is subject to the direction and supervision of the city manager. Council members, including the mayor, shall not give orders or direction to the city secretary, city judge, city attorney or city manager unless acting as a council as a whole. This is not to preclude the council or its individual

members, including the mayor, from conducting a dialog with city staff where the spirit and intent is not to interfere with the management and administration of the city. The mayor is not prohibited from performing administrative duties under a Declaration of Emergency Disaster per section 2.13 or when performing administrative duties as the Emergency Management Director per section 2.15.

(Ord. No. 2012-34, § 1, 8-14-12, approved 11-6-12; Ord. No. 2023-33, § 2(B), 8-15-23, approved 11-7-23)

Sec. 2.09. - Meetings of council.

The council shall hold at least two (2) regular meetings each month with the exception of December, which shall have a minimum of one (1) regular meeting, and as many additional meetings as it deems necessary to transact the business of the city and its citizens. The council shall fix, by ordinance, the days, time and place of the regular meetings. Special meetings of the council may be held at any time during the year.

(Amd. of 11-2-21(D), approved 11-10-21)

Sec. 2.10. - Rules of procedure.

The council shall, by ordinance, determine its own rules and order of business and the rules shall provide that citizens of the city shall have a reasonable opportunity to be heard at all regular and special council meetings in regard to any matter under consideration. The council shall provide for minutes being taken and recorded of all meetings, and such minutes shall be a public record. Voting, except on unanimous votes, shall be by roll call and the yeas, nays, and abstentions shall be recorded in the minutes. Four (4) council members shall constitute a quorum for the purpose of transaction of business. Unless otherwise required by law, no actions of council shall be valid and binding unless adopted by the affirmative vote of four (4) or more members of the council.

(Ord. No. 2012-34, § 2, 8-14-12, approved 11-6-12)

Sec. 2.11. - Investigative power of the council.

The council shall have the power to inquire into or investigate the official conduct of any department, agency, office, officer, employee, council members and mayor of the city and for that purpose shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers, records or other evidence, and as it shall provide by ordinance, to punish and fix penalties for contempt for failure or refusal to obey any such subpoena or to produce any such books, papers, records, or other evidence, unless otherwise stated by state law.

Sec. 2.12. - Reserved.

Editor's note— Ord. No. 2014-48, § 2, adopted Nov. 17, 2014, ratifying the results of a special election held on Nov. 4, 2014, repealed § 2.12, which pertained to city secretary and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010. The user's attention is directed to § 4.05 of this charter for relevant provisions.

ARTICLE III. - ELECTIONS, INITIATIVE, REFERENDUM AND RECALL

Sec. 3.01. - Municipal elections.

- (a) *Schedule*. The general municipal election shall be held annually on a day established by the city council and compliant with state law. The runoff election date will be held in accordance with state election law. The city council shall be responsible to specify places for holding all elections.
- (b) *Special elections*. The city council may order a special election for ordinances, bond issues, charter amendments, recall or other purposes deemed appropriate. Special elections must be held on a uniform election date in accordance with state election law.

(Ord. No. 2012-34, § 3, 8-14-12, approved 11-6-12)

Sec. 3.02. - Filing for office.

Any qualified person may have his or her name placed on the official ballot as a candidate for mayor or council member at any election held for such purpose and in accordance with state law.

(Ord. No. 2012-34, § 4, 8-14-12, approved 11-6-12)

Sec. 3.03. - Official ballots.

Official ballots shall be prepared consistent with the requirements of state law.

(Amd. of 11-2-21(E), approved 11-10-21)

Sec. 3.04. - Elections.

- (a) To be elected for the office of council member or mayor, the candidate must receive a majority vote of qualified voters who voted in the general election. If no candidate receives a majority vote, the two (2) candidates with the highest number of votes will participate in a runoff election.
- (b) *Canvassing elections*. Returns of elections shall be accomplished according to state law.
- (c) *Notification and taking office*. It shall be the duty of the city secretary to notify all persons elected. Those elected shall take office and enter upon their duties after qualifying by taking and subscribing to their oath of office at a time an[d] in the manner as required by state law.

(Amd. of 11-2-21(E), approved 11-10-21)

Sec. 3.05. - Oath of office.

Every officer of the city, whether elected or appointed, before entering upon the duties of office, shall take and subscribe to the appropriate oath or affirmation prescribed by the secretary of state of the State of Texas. The oath shall also contain a statement affirming that the officer will uphold and comply with the Charter of the City of Copperas Cove, Texas. Oaths of office shall be kept in the office of the city secretary.

Sec. 3.06. - Power of initiative.

The voters of this city shall have the power to propose any ordinance, or reject the same at the polls. An initiated ordinance may be submitted to the council by a petition signed by qualified voters of the city, equal in number to two and one-half percent (2.50%) of qualified voters registered to vote at the last general city election.

Sec. 3.07. - Power of referendum.

The voters of this city shall have the power to repeal at the polls any ordinance enacted by the city council which is subject to the initiative process under this charter, except for bonds and all other property tax backed debt obligations that have been legally awarded to a successful bidder or other legal obligations. The petition for referendum shall require the same number and qualification of signers as required by this charter for an initiative petition.

(Ord. No. 2012-34, § 5, 8-14-12, approved 11-6-12)

Sec. 3.08. - Requirements of petition.

Any five (5) qualified voters may begin initiative or referendum proceedings by filing with the city secretary an affidavit stating they constitute the petitioners committee and will be responsible for circulating the petition and filing it in proper form, stating their names and addresses, and setting out in full the proposed initiative ordinance or the ordinance sought to be considered. Petitions shall contain, or have attached to them, the full texts of the ordinance proposed or sought to be considered. The signatures to the initiative or referendum need not all be appended to one paper, but each signer shall sign his/her name in ink, shall add his/her place of residence by street and number, shall include his/her date of birth or voter registration number, and shall state his/her county of residence. The circulators of each petition page shall make an affidavit that he/she, and he/she only, personally circulated that page of the petition, and that each signature is the genuine signature of the person as is written, and further, that no signatures shall have been placed there more than forty-five (45) days prior to the filing of such petition. Petitions shall be returned to the city secretary for filing within forty-five (45) days after filing of the affidavit of petitioners committee.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14; Amd. of 11-2-21(F), approved 11-10-21)

Sec. 3.09. - Filing, examination and certification of petition.

Within twenty (20) business days after an initiative, referendum or recall petition is filed, the city secretary shall determine whether such petition is signed by a sufficient number of qualified voters and has proper affidavit(s). After completing examination of the petition, the city secretary shall certify the results to the city council at its next regular meeting. If such petition is insufficient, the city secretary shall set forth in a certificate the particulars in which it is insufficient, and an additional ten (10) days shall be allowed in which to file an amendment or supplement which will correct the deficiency. No petition, once amended, may be amended again.

Sec. 3.10. - Effect of certification of referendum petition.

When a referendum petition or amended petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or further action shall be suspended if it shall have gone into effect, until and unless it is approved by the voters.

Sec. 3.11. - Council consideration and submission to voters.

- (a) When the council receives a petition for initiative which has been certified by the city secretary to be sufficient, the council shall either enact the proposed ordinance within thirty (30) days, or after certification the proposed ordinance shall be submitted to a vote of the qualified voters of the city on the city's first next general election in accordance with state election law.
- (b) When the council receives a referendum petition certified by the city secretary to be sufficient, the council shall reconsider the referred ordinance within thirty (30) days; and if not repealed, it shall submit that ordinance to the qualified voters of the on the city's next general election in accordance with state election law.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 3.12. - Ballot form and results of elections.

- (a) The ballot used in voting upon an initiated or referred ordinance shall state the caption of the ordinance and below the caption shall set forth on separate lines the words: "For the Ordinance" "Against the Ordinance." Any number of ordinances may be voted upon at the same election in accordance with the provisions of this charter. An ordinance submitted, and receiving an affirmative majority of the votes cast, shall then become effective as an ordinance of the city. An ordinance so adopted may be repealed or amended at any time after the expiration of two (2) years by a majority vote of the entire city council.
- (b)

If conflicting ordinances are approved at the same election, the ordinance receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Sec. 3.13. - Power to recall.

- (a) *Power to recall.* The voters of the City of Copperas Cove shall have the power to recall any elected officer of this city for the reasons of incompetency and official misconduct and upon conviction of a crime of moral turpitude.
- (1) Incompetency means gross ignorance of official duties; gross carelessness in the discharge of official duties; or inability or unfitness to promptly and properly discharge official duties because of a serious mental or physical defect that did not exist at the time of the officer's election.
 - (2) Official misconduct means intentional unlawful behavior relating to official duties and includes intentional or corrupt failure, refusal, or neglect to perform a duty imposed on the officer by law.
- (b) *Requirements of a recall petition.*
- (1) A petition for recall shall specifically state the grounds alleged for the removal of the officer in plain and intelligible language and must cite the time and place of the occurrence of each act alleged as a ground for removal with as much certainty as the nature of the case permits.
 - (2) The petition shall be signed by qualified voters of the city equal in number two and one-half percent (2.50%) of the number of qualified voters registered to vote at the last general city election. The petition shall be verified by the same number of signers, with the same qualifications, and in the same manner required in the charter for an initiative petition.
- (c) *Ordering of an election.* If the petition is certified by the city secretary to be sufficient, the council shall order and hold, or cause to be held, on the next feasible date for such, an election as specified under state law, to determine whether such officer shall be recalled.
- (d) *Limitation for removal.* An officer may not be removed for an act the officer committed before election to office.

Sec. 3.14. - Results of recall election.

If the majority of the votes cast at a recall election shall be for the removal from office of the elected officer named on the petition and ballot, upon the canvas of said election, his/her office shall immediately be declared vacant and shall be filled as vacancies in the city council are filled, as provided in this charter. An elected officer who has been so removed from office shall not be eligible to succeed himself/herself.

Sec. 3.15. - Limitation on recall.

No petition shall be filed against an elected officer within [one hundred eighty] (180) days after he/she has taken office. A recall election need not be ordered by the council if the term of office of the elected officer against whom a petition is filed is to expire within [one hundred eighty] (180) days after the petition is filed with the city secretary. An elected officer previously the subject of a recall election, shall not be listed on a recall petition within [three hundred sixty-five] (365) days of the previous recall election.

Sec. 3.16. - [Public hearing.]

The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the council, request that a public hearing be held to permit him/her to present facts pertinent to the charges specified in the recall petition. In this event, the council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such requests for a public hearing.

Sec. 3.17. - Ballots in recall election.

Ballots used at recall elections shall conform to the following requirements:

- (1) With respect to each person whose removal is sought, the question shall be submitted "Shall (name of person) be removed from the office of (mayor) (council member) by recall?"
- (2) Immediately below the question, there shall be printed the two (2) following propositions, one above the other, in the order indicated: "YES." "NO".

Sec. 3.18. - Reserved.

Editor's note— Ord. No. 2023-33, § 2, adopted August 15, 2023, approved November 7, 2023, repealed § 3.18, which pertained to failure of council to call a recall election and derived from Ord. No. 2010-21, § 3 May 18, 2010.

ARTICLE IV. - ADMINISTRATIVE SERVICES

Sec. 4.01. - City manager.

(a) *Appointment and qualifications.*

- (1) The council shall appoint a city manager, who shall be the chief administrative and executive officer of the city. He/she shall be chosen solely on the basis of his/her executive and administrative training, experience and ability. He/she need not be a resident of the city when appointed; however, during his/her tenure of office he/she shall reside in the city.

(2)

No mayor or council member shall receive such appointment during the term for which he/she shall have been elected or within two (2) years after the expiration of his/her term.

- (b) *Term and salary.* The city manager shall serve at the discretion of the city council and shall receive such salary as may be fixed by the council.
- (c) *Powers and duties.* The city manager shall be responsible to the council for the administration of all the affairs of the city. The powers and duties conferred upon the city manager shall include, but shall not be limited by the following:
 - (1) He/she shall see that all laws, provisions of this charter, and acts of the city council, subject to enforcement by him/her, or by officers subject to his/her direction and supervision, are faithfully executed.
 - (2) Appoint, suspend or remove any employee of the city, including department heads, not appointed by council.
 - (3) Attend all meetings of the council unless an approved absence is authorized by council.
 - (4) Prepare the annual budget and submit it to the council and be responsible for its administration after its adoption.
 - (5) Prepare and submit to council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
 - (6) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem necessary.
 - (7) Perform such other duties as may be prescribed by this charter or required of him/her by the council.
 - (8) Manage, as administrative head, all employees of the city. However, the city manager may not lower, change or alter in any manner the salary and/or the compensation package of personnel directly responsible to the city council.
 - (9) The city council, including the mayor, shall evaluate the city manager annually in accordance with the city's personnel policies manual, and each council member shall sign the evaluation.
 - (10) Prescribe the forms of receipts, vouchers, bills or claims to be used by all the offices, departments or agencies of the city government.
 - (11) Examine and sign all contracts, orders and other documents by which the city government incurs financial obligations, having previously ascertained that monies have been appropriated and allotted and will be available when the obligations shall become due and payable.
 - (12) Audit and approve, before payment, all bills, invoices, payrolls, and other evidence of claims, demands or charges against the city government and with the advice of the city attorney determine the regularity, legality and correctness of such claims, demands or charges.

(13) Inspect and audit any accounts or records of financial transactions which may be maintained in any office, department or agency of the city government apart from or subsidiary to the accounts kept in his/her office.

(Ord. No. 2012-34, §§ 6, 7, 8-14-12, approved 11-6-12; Amd. of 11-2-21(H), approved 11-10-21)

Sec. 4.02. - Acting city manager.

The city manager within sixty (60) days after taking office, shall designate by letter filed with the city secretary, a qualified administrative officer of the city to perform the duties of the city manager in his/her absence or disability. Such designation shall be approved by council.

Sec. 4.03. - Department heads.

The head of each department, except those specifically mentioned in this charter, shall be appointed by, responsible to, and removed by the city manager, and shall be directly responsible for the administration of his or her department. The city manager shall determine the salary of the head of each department under his or her supervision.

No department or office established by this charter shall be discontinued by the city council, and no duties of any such departments shall be transferred therefrom or added thereto.

Sec. 4.04. - Participation of city manager and other department heads in meetings.

The city manager shall have the right to participate in the discussion of all matters coming before the council. Other department heads shall take part in all discussions of the council relating to their respective offices, departments or agencies, subject to the provisions of the Open Meetings Act.

Sec. 4.05. - City secretary.

- (a) The city manager shall appoint a city secretary.
- (b) The city secretary shall be responsible for giving notices of city council meetings, keeping a record of city council proceedings, authenticating by signature and recording, in full in a book kept and indexed for that purpose, all ordinances and resolutions, be responsible for all city elections, and shall perform such other duties as the city manager may assign.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

ARTICLE V. - LEGAL DEPARTMENTS AND MUNICIPAL COURT

Sec. 5.01. - City attorney.

The city council shall appoint a competent attorney, licensed by the State of Texas, who shall be its "city attorney". The city attorney shall serve at the discretion of the city council. The city attorney shall designate assistant(s) city attorney and submit the name(s) to the city council for concurrence, if the council appropriates sufficient funds for that position. The city attorney shall receive for his/her services such compensation as may be fixed by the council. The city attorney shall appear, in any court, on behalf of the city.

The city attorney, such designated assistant city attorney or other authorized attorney shall represent the city in all litigation. He/she, such designated assistant city attorney or other authorized attorney shall be the legal advisor, counsel for the city, and counsel for the departments of the city.

The city attorney shall review any and all ordinances considered suspect for change or deletion and cause said ordinance to be brought before the city council with his/her recommendations. The city council and the mayor shall evaluate the city attorney annually, and each council member and the mayor shall sign the evaluation.

The city attorney shall review all contracts as to legal sufficiency prior to their approval and execution. (Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14; Ord. No. 2023-33, § 2(C), 8-15-23, approved 11-7-23)

Sec. 5.02. - Municipal court.

There shall be a court for the trial of misdemeanor offenses known as the "Municipal Court of Copperas Cove, Texas," with such powers and duties as are given and prescribed by laws of the State of Texas and this charter.

The municipal court shall be presided over by a magistrate, who shall be known as "the judge of the municipal court."

The court shall be served by a clerk, to be known as the "municipal court administrator", who shall be a city employee.

All fines imposed by the municipal court, or by any court in cases appealed from judgments of the municipal court, shall be paid into the city treasury for the use and benefit of the city.

(Amd. of 11-2-21(G), approved 11-10-21)

Sec. 5.03. - Municipal judge.

There shall be a magistrate of the municipal court known as the "judge of the municipal court", appointed and removed by the city council in accordance with state law. He/she shall receive such compensation as may be fixed by the city council.

The city council and the mayor shall evaluate the municipal judge annually, and each council member and the mayor shall sign the evaluation.

Further, the city council may appoint an associate municipal judge to serve in the absence of the municipal judge. The associate judge shall serve at the discretion of the city council, who shall fix his/her compensation.

(Ord. No. 2012-34, § 8, 8-14-12, approved 11-6-12)

ARTICLE VI. - THE BUDGET

Footnotes:

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Editor's note— Ord. No. 2012-34, § 9, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed sections 6.02—6.11, which pertained to preparation and submission of proposed budget; anticipated revenue compared with other years in budget; proposed expenditures compared with other years; proposed budget: a public record; public hearing amending or supplementing proposed budget; vote required for adoption; date of final adoption; effective date and distribution of budget; contingent appropriations and amending the budget, respectively, which derived from Ord. No. 2010-21, § 3, adopted May 18, 2010 and included new provisions as herein set out.

Sec. 6.01. - Fiscal year.

The fiscal year of the City of Copperas Cove shall begin the first day of October and shall end on the last day of September of each calendar year. Such fiscal year shall also constitute the budget and accounting year.

Sec. 6.02. - Preparation and submission of proposed operating budget.

The city manager shall submit to the city council annually a proposed operating budget in accordance with state law and supporting the qualifying budget application criteria of the Government Finance Officers Association.

(Ord. No. 2012-34, § 9, 8-14-12, approved 11-6-12)

Sec. 6.02.1. - Amending the operating budget.

The Cities operating budget shall be amended as provided for in state law and the rules and policies adopted by City Council.

(Ord. No. 2023-33, § 2(D), 8-15-23, approved 11-7-23)

Sec. 6.02.2.—6.05.1. - Reserved.

Editor's note— Ord. No. 2023-33, § 2(D), adopted August 15, 2023, approved November 7, 2023, repealed §§ 6.02.2—6.05.1, which pertained to transfers of appropriations, preparation and submission of the capital improvement plan, amending the capital improvement plan, preparation and submission of the capital outlay plan, amending the capital outlay plan, preparation and submission of the personnel plan, amending the personnel plan and derived from Ord. No. 2012-34, §§ 1, 13, August 14, 2012, approved November 6, 2012; Amd. of November 2, 2021(G)—(K), approved November 10, 2021.

ARTICLE VII. - ISSUANCE AND SALE OF BONDS

Sec. 7.01. - Power to borrow.

The City of Copperas Cove shall have the right and power to issue its general obligation bonds on the full faith and credit of the city, payable from ad valorem taxes not to exceed the maximum rate permitted by the Texas constitution, for the purpose of providing permanent public improvements or for any other public purpose. The city shall also have the right and power to issue its revenue bonds payable from the revenues of any municipally owned utility or utilities, and may secure such revenue bonds by a mortgage or deed of trust on the physical properties of such utility or utilities. The city shall also have the right and power to issue interest bearing time warrants pursuant to Article 2368a., Vernon's Annotated Civil Statutes as amended, may be amended or disposed of in the future and interest bearing certificates of obligation pursuant to Acquisition, Sale or Lease of Property, V.T.C.A., Local Government Code, Chap. 271, Subchapter C, as amended, may be amended or disposed of in the future.

Sec. 7.02. - Reserved.

Editor's note— Ord. No. 2012-34, § 10, adopted Aug. 14, 2012 and approved at a special election on Nov. 6, 2012, repealed § 7.02, which pertained to issuance of bonds, time warrants and certificates of obligation and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

ARTICLE VIII. - FINANCE ADMINISTRATION

Sec. 8.01. - Director of finance.

- (a) *Appointment.* The council may set up a department of finance, the head of which shall be the director of finance, who shall be appointed by the city manager.
- (b) *Qualifications.* The director of finance shall have the proper knowledge of municipal accounting and sufficient experience in budgeting and financial control to properly perform the duties of the office.

- (c) *Power and duties.* Under the direction of the city manager, the director of finance shall have charge of the administration of the financial affairs of the city, and to that end he/she shall have the authority and shall be required to:
- (1) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to ensure that budget appropriations as established or changed by the city council are not exceeded.
 - (2) Maintain a general accounting system for the city government each of its offices, departments, and agencies; keep books for and exercise financial budgetary control over each office, department and agency; keep separate accounts for the items of appropriation contained in the city budget, each of which accounts shall show the amount of the appropriation, the amounts paid therefrom, the unpaid obligations against it and the unencumbered balance; require reports of receipts and disbursements from each receiving and spending agency of the city government to be made daily or at such intervals as may be deemed expedient.
 - (3) Submit to the council through the city manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the city.
 - (4) Collect license fees and other revenues of the city, or for whose collection the city is responsible, and receive all money receivable by the city from state or federal government, or from any court, or from any office, department or agency of this city.
 - (5) Supervise and be responsible for the purchase, storage and distribution of all supplies, materials, equipment and other articles used by any office, department or agency of the city government.
 - (6) Approve all proposed expenditures; provided that there is an unencumbered balance of appropriated and available funds.
 - (7) Supervise and be responsible for the sale or disposal of surplus or obsolete supplies, materials and equipment belonging to the city.
- (d) *Acting.* In the absence of a director of finance, the city manager's designee will serve in the capacity of director of finance.

(Ord. No. 2012-34, §§ 11, 12, 8-14-12, approved 11-6-12)

Sec. 8.02. - Reserved.

Editor's note— Amd. of 11-2-21(G), approved November 10, 2021, renumbered former § 8.02 as § 6.02.2.

Sec. 8.03. - Reserved.

Editor's note— Amd. of 11-2-21(G), approved November 10, 2021, repealed § 8.03, which pertained to

accounting supervision and control and derived from the Prior Code.

Sec. 8.04. - Lapse of appropriations.

All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered. The finance director shall transfer such lapsed appropriations to the reserve account of the fund to which the lapsed appropriation belongs.

Sec. 8.05. - Fees shall be paid to city.

All fees received by any officer or employee shall belong to the city government and shall be paid to the department of finance at such times as required by the director of finance.

Sec. 8.06. - Sale of city property.

Any sale, gift, or contract for the sale of any real property belonging to the city, either in form of land, real estate or other real properties, shall be in accordance with the Texas Constitution, Texas Local Government Code, Chapters 253 and 263, and the acts amendatory thereof and supplementary thereto, now or hereafter enacted, and all other applicable state law. Personal property shall be disposed of according to ordinance.

Sec. 8.07. - Purchase procedure.

The director of finance shall have authority to make expenditures from one [(1)] or more municipal funds without the approval of the city council for all budgeted items up to that amount which, under state law, triggers the competitive procurement process. Within sixty (60) days from the date this section becomes effective, city council shall adopt an ordinance to provide all contracts, purchases and other procurements comply with the statutory competitive procurement process and other relevant laws. Said ordinance shall be reviewed within sixty (60) days from the date each legislative session ends, and shall be amended as necessary to comply with any changes to the statutory competitive procurement process, or other relevant laws adopted in that legislative session. Said ordinance may be reviewed and amended at any other times, as deemed expedient and necessary by city council or if required by amendment to the Texas Constitution.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 8.08. - Contract for improvements.

Any city contract requiring an expenditure by, or imposing an obligation or liability on the city shall be made in accordance with the requirements of the Constitution and statutes of the State of Texas. These contracts shall include, but are not limited to, contracts for the construction of public works or the purchase of materials, equipment, supplies, or machinery. Within sixty (60) days from the date this section becomes effective city council shall adopt an ordinance to provide all expenditures falling under the purview of this

section comply with the requirements of the Constitution and statutes of the State of Texas. Said ordinance shall be reviewed within sixty (60) days from the date each legislative session ends, and shall be amended as necessary to comply with any changes to the statutory requirements adopted in that legislative session. Said ordinance may be reviewed and amended at any other times, as deemed expedient and necessary by city council or if required by amendment to the Texas Constitution.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 8.09. - Disbursement of funds.

All checks, vouchers or warrants for the withdrawal of money from the city depository shall be signed by the director of finance, or his/her deputy, and countersigned by the city manager. In the event the city manager is the director of finance, all checks signed by him/her shall be countersigned by the director of budget.

(Amd. of 11-2-21(L), approved 11-10-21)

Sec. 8.10. - Accounting control of purchases.

All purchases made shall be pursuant to a written requisition from the head of the office, department or agency whose appropriation will be charged, and no contract or order shall be issued to any seller unless and until the director of finance certifies that there is to the credit of such office, department or agency a sufficient unencumbered balance to pay for the supplies, materials, equipment or contractual services for which the contract or order is to be issued.

Sec. 8.11. - Reserved.

Editor's note— Ord. No. 2012-34, § 14, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 8.11, which pertained to borrowing in anticipation of property taxes and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 8.12. - Reserved.

Editor's note— Ord. No. 2012-34, § 15, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 8.12, which pertained to sale of notes: report of sale and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 8.13. - Surety bonds.

The directors of all administrative departments whose duties include the handling of monies and all employees whose duties include the handling of monies belonging to the City of Copperas Cove shall, before entering upon the duties of this office or employment, be bonded with a responsible surety company

acceptable to the city council for such amount as the council may prescribe, the premium of which bond shall be paid by the city; and the city council may also require any such surety bond to be further conditioned that the principal thereon will faithfully perform and/or discharge the duties of his/her office, and if there are provisions of state law bearing upon the functions of his/her office under which the execution of a surety bond is required, it shall be further conditioned to comply therewith.

ARTICLE IX. - TAX ADMINISTRATION

Sec. 9.01. - Power to tax.

The city shall have all the same powers of taxation granted by the constitution and the general laws of the State of Texas governing cities with a population in excess of five thousand (5,000) inhabitants and by virtue of this charter shall have the power to:

- (a) Authorize the granting and issuance of licenses and direct the manner of issuing and registering the same and fix the fees therefor; but no license shall be issued for a longer period than one (1) year and shall not be assignable except by permission of the governing authority of the city; and may adopt such measures as may be deemed necessary to enforce the registration requirements;
- (b) Assessing the penalty and interest rate and the method of determining the amount of collector's cost to be charged to delinquent tax accounts;

(Ord. No. 2023-33, § 2(B), 8-15-23, approved 11-7-23)

ARTICLE X. - FRANCHISES AND PUBLIC UTILITIES

Sec. 10.01. - Powers of the city.

The city shall have the power to buy, construct, lease, maintain, operate and regulate public utilities and to manufacture, distribute and sell the output of such utility operations. In addition, the city shall have additional powers as granted by the constitution and the laws of the State of Texas. The city shall not provide any utility services outside the city limits except by a written contract with the prospective customer requesting such services.

Sec. 10.02. - Power to grant franchise.

The council shall have the power, by ordinance, to grant, renew, extend and amend by mutual agreement, all franchises of all public utilities operating within the city. To the extent authorized by law no franchise shall be granted, renewed or extended for an indeterminate period or for a term of more than

twenty (20) years.

(Ord. No. 2023-33, § 2(E), 8-15-23, approved 11-7-23)

Secs. 10.03—10.09. - Reserved.

Editor's note— Ord. No. 2023-33, § 2(E), adopted August 15, 2023, approved November 7, 2023, repealed §§ 10.03—10.08, which pertained to ordinance granting franchise, grant not to be exclusive, transfer of franchise, franchise value not to be allowed, right of regulation, regulation of rates and derived from Ord. No. 2010-21, § 3 May 18, 2010. Section 10.09 was repealed by Amendment of 11-2-21(E) approved November 10, 2021, which pertained to submission of annual reports and derived from the Prior Code.

Sec. 10.10. - Municipally owned utilities.

An account will be maintained by the city manager for each public utility owned or operated. Each account will show the true and complete financial results of the city ownership and operation including assets and liabilities by classes, depreciation reserve, other reserves and surplus, revenues, operating expenses, depreciation, interest payments, rental and disposition of annual income, capital cost of each city-owned utility, cost of and service rendered to any city department, and other information required by the council. Annually, a certified public accountant will prepare, and the council will cause to be published, a financial report for each public utility owned or operated by the city. Each report will contain the information specified in this section and such other information as required by the council. The council will establish, by ordinance, the submission and inclusive dates of each report.

Sec. 10.11. - Records.

The city shall compile and maintain a public record of city-owned and operated public utilities, public utility franchises and related annual reports.

ARTICLE XI. - GENERAL PROVISIONS

Sec. 11.01. - Publicity of records.

All records of the city shall be open for inspection by any citizen or by any representative of a citizen's organization or the press during normal business hours subject only to the provisions and limitations of the Texas Public Information Act as now exists or hereafter amended.

Sec. 11.02. - Conflict of interest.

For purposes of this section the term "City Official" means any individual subject to the requirements of Texas Local Government Code, Chapter 171.

It is hereby prohibited for members of city council or a city official to violate the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171.

(Amd. of 11-2-21(M), approved 11-10-21)

Sec. 11.03. - Reserved.

Editor's note— Ord. No. 2012-34, § 16, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 11.03, which pertained to gratuities and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 11.04. - Reserved.

Editor's note— Ord. No. 2012-34, § 17, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 11.04, which pertained to equal employment opportunities and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 11.05. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.05, which pertained to employee relations and derived from the Prior Code.

Sec. 11.06. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.06, which pertained to damage suits and derived from the Prior Code.

Sec. 11.07. - Power to settle claims.

The city council, and only the city council, shall have the power to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the city, including suits by the city to recover delinquent taxes.

Sec. 11.08. - Service of process against the city.

All legal process against the city shall be served upon the mayor or city secretary.

Sec. 11.09. - City not required to give security or execute bond.

It shall not be necessary in any action, suit or proceeding in which the City of Copperas Cove is a party, for any bond, undertaking or security to be demanded, executed by or on behalf of said city in any of the state courts, but in all such actions, suits, appeals or proceedings, same shall be conducted in the same manner

as if such bond, undertaking or security had been given as required by law, and said city shall be just as liable as if security of bond had been duly executed.

Sec. 11.10. - Liens against city property.

No lien of any kind shall ever exist against any property, real or personal, owned by the city except that the same be created by this charter.

Sec. 11.11. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.11, which pertained to provisions relating to assignment, execution and garnishment and derived from the Prior Code.

Sec. 11.12. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.12, which pertained to power to remit penalties and derived from the Prior Code.

Sec. 11.13. - Churches and school property not exempt from special assessments.

No property of any kind, church, school, or otherwise, in the City of Copperas Cove shall be exempt from any of the special taxes and assessments authorized by this charter for local improvements unless the exemption is required by state law.

Sec. 11.14. - Sale or lease of property other than public utilities or acquired by tax sale.

Any real property owned by the City of Copperas Cove may be sold or leased by the city council when in its judgment such sale or lease will be for the best interests of the city; provided, however, a sale or a lease for more than five (5) years shall never become effective until thirty (30) days after passage of the ordinance or resolution affecting same. If, during such thirty (30) day period, a referendum petition is presented to the city secretary which in all respects conforms to the referendum provisions of article II of this charter, and same is found sufficient, then the secretary shall certify the sufficiency of same to the city council, and an election shall be called submitting the question of whether or not the sale or lease shall be consummated. Provided, further, however, the provisions of this section shall not apply to public utilities nor to property purchased by the city at tax sales.

Sec. 11.15. - Effect of this charter on existing law.

All ordinances, resolutions, rules and regulations now in force under the city government of Copperas Cove, and not in conflict with the provisions of this charter, shall remain in force under this charter until altered, amended or repealed by the council after this charter takes effect; and all rights of the City of

Copperas Cove under existing franchises and contracts are preserved in full force and effect to the City of Copperas Cove. Upon adoption of this charter, it shall constitute the charter of the City of Copperas Cove.

Sec. 11.16. - Continuance of contracts and succession of rights.

All contracts entered into by the city or for its benefit, prior to the taking effect of this charter, shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws or ordinances existing at the time this charter takes effect may be carried to completion in accordance with the provisions of such existing laws or ordinances. All suits, taxes, penalties, forfeitures and all other rights, claims and demands, which have accrued under the laws heretofore in force governing the City of Copperas Cove, shall belong to and be vested in and shall be prosecuted by and for the use and benefit of the corporation hereby created, and shall not in any way be diminished, effected or prejudiced by the adoption and taking effect of this charter.

Sec. 11.17. - Construction and separability clause.

The charter shall be liberally construed to carry out its intents and purposes. If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter nor the context in which such section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 11.18. - Amending the charter.

Amendments to this charter may be framed and submitted to the qualified electors of the city by a charter commission in the manner provided by law for framing and submitting a new charter.

Amendments may also be proposed and submitted by ordinance, passed by a majority vote of the full membership of the council, or by a petition signed by not less than two and one-half percent (2.50%) of the number of qualified voters registered to vote at the last general city election.

When a charter amendment petition shall have been filed with the council in conformity with the provisions of this charter as to petitions for initiated ordinances, the council shall forth with provide by ordinance for submitting such proposed amendment to a vote of the qualified electors. Any ordinance for submitting a charter amendment to the qualified electors shall provide that such amendment be submitted at the next general municipal election if one shall occur not less than thirty (30) days nor more than ninety (90) days after the passage of the ordinance; otherwise it shall provide for the submission of the amendment at a special election held on a uniform election date in accordance with state law.

Notice of the election for the submission of said amendment or amendments shall be given by publication thereof, in some newspaper of general circulation in said city, on the same day in each of two (2) successive weeks; the date of the first publication to be not less than fourteen (14) days prior to the date set

for said election. If a proposed amendment be approved by a majority of the qualified electors voting thereon, it shall become a part of the charter at the time fixed therein. Each amendment shall be confined to one subject; and when more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the qualified electors to vote on each amendment separately.

(Ord. No. 2012-34, § 18, 8-14-12, approved 11-6-12)

Sec. 11.19. - Rules of construction.

As used in this charter, a word importing the masculine gender only shall extend to, and be applied to, females as well as males. A word importing the singular number shall include the plural, and a word importing the plural number shall include the singular.

Sec. 11.20. - Regulation of alcohol.

The sale of liquor and beer is prohibited in all residential sections or areas of the city, as designated by any zoning ordinance or Comprehensive Plan of the city. The city council may enact any and all other regulations regarding the sale, consumption, distribution, etc. of alcoholic beverages, as permitted by law.

Section 11.21. - Rearrangement and renumbering.

The city council shall have the power, by ordinance, to renumber and rearrange all articles, sections and paragraphs of this charter or any amendments thereto, as it deems appropriate, and upon the passage of such ordinance, a copy thereof certified by the city secretary shall be forwarded to the Secretary of State for filing.

CHARTER COMPARATIVE TABLE

Home Rule Charter Section	Disposition this Charter
<u>1.01—1.15</u>	<u>1.01—1.15</u>
<u>2.01—2.12</u>	<u>2.01—2.12</u>
<u>3.01—3.18</u>	<u>3.01—3.18</u>
<u>4.01—4.06</u>	<u>4.01—4.06</u>
<u>5.01—5.03</u>	<u>5.01—5.03</u>
<u>6.01—6.16</u>	<u>6.01—6.16</u>
<u>7.01, 7.02</u>	<u>7.01, 7.02</u>
<u>8.01—8.13</u>	<u>8.01—8.13</u>
<u>9.01</u>	<u>9.01</u>
<u>10.01—10.11</u>	<u>10.01—10.11</u>
<u>11.01—11.20</u>	<u>11.01—11.20</u>

Date	Amendment Number	Disposition
4- <u>2-83</u>	1	<u>2.06</u>
	2	<u>2.12</u>
	3	<u>4.01(c)(8)</u>
	4	<u>4.02</u>
	5	<u>5.03</u>
	6	6.09
	7	6.14
4- <u>5-88</u>	2	<u>3.01(a)</u>
	3	<u>3.04(a)</u>
	6	<u>9.01[1], [2]</u>
	7	10.08
5- <u>1-93</u>	1	See Note*
	2	<u>1.03</u>
	3	<u>1.04</u>
	4	<u>1.05</u>
	5	1.07
	6	1.16
	7	<u>2.01</u>
	8	<u>2.02</u>
	9—11	<u>2.03</u>
	12	<u>2.05</u>
	14, 15	<u>2.07</u>
	16	<u>2.08</u>
	17	<u>2.10</u>
	18	<u>2.12</u>
	19, 20	<u>3.02</u>
	21	<u>3.03</u>
	22	<u>3.05</u>
	23	<u>3.06</u>
	24—26	<u>3.13</u>
	27, 28	<u>4.01</u>
	29	<u>4.04</u>
	30	<u>5.01</u>
	31	<u>5.02</u>
	32	<u>5.03</u>
	33	<u>6.02</u>
	34	<u>6.02</u> , 6.05, 6.06, 6.07, 6.08
	35	6.11
	36	6.14

	37	6.16
	38	<u>7.02</u>
	39	<u>8.02</u>
	40	<u>8.04</u>
	41, 42	<u>8.06</u>
	43	<u>8.09</u>
	44	10.07
	45	<u>11.02</u>
	46	<u>11.04</u>
	47, 48	<u>11.05</u>
	49	<u>11.07</u>
	50	<u>11.08</u>
5- 3-97	1	<u>1.04</u>
	2	<u>2.03</u>
	3	<u>2.05</u>
	4	<u>2.07</u>
	5	<u>2.08</u>
	6	<u>2.12</u>
	7	<u>4.01</u>
	8	<u>5.01</u>
	9	<u>5.03</u>
	10	<u>8.06</u>
	11	<u>8.07</u>
	12	<u>8.08</u>
5- 8-01 (Res.)	1—3	<u>1.04</u>
	4	<u>2.07</u>
	5	<u>2.08(c)</u>
	6	<u>2.06</u>
	7	<u>2.10</u>
	8—11	<u>2.13—2.16</u>
4- <u>2-83</u>	1	<u>2.06</u>
	12	<u>3.03(d)</u>
	13	<u>3.04(b)</u>
	14, 15	<u>3.13</u>
	16, 17	<u>4.01</u>
	18	<u>4.03</u>
	19, 20	<u>4.04</u>
	21	<u>4.05</u>
	22	4.06
	23	<u>2.12</u>
	24, 25	<u>8.07, 8.08</u>
	26	<u>8.12</u>

	27	10.03
	28	10.07
	29, 30	<u>11.01, 11.02</u>
	31	<u>11.04</u>
	32	11.22

Ord. No.	Adoption Date	Election Date	Section	Charter Section
2003-03	2- 4-03	5- 3-03	1	Art. II, <u>§ 2.12</u>
				art. IV, <u>§ 4.01</u>
				Art. V, <u>§§ 5.01, 5.03</u>
				Art. VIII, <u>§ 8.06</u>
2003-09	5- 6-03	5- 3-03	1—3	Art. II, <u>§ 2.12</u>
				Art. IV, <u>§ 4.01</u>
				Art. V, <u>§§ 5.01, 5.03</u>
				Art. VIII, <u>§ 8.06</u>
2005-08	6-21-05	9-10-05	1	Art. II, <u>§ 2.07</u>
				Art. III, <u>§ 3.04</u>
2005-15	9-20-05	9-10-05	2(Prop. 5)	Art. II, <u>§ 2.07</u>
			(Prop. 7)	Art. III, <u>§ 3.04</u>
2008-17	5-20-08	5-10-08	3	Arts. I—XI, <u>§§ 1.01—11.21</u>
2010-21	5-18-10	5- 8-10	3	Arts. I—XI, <u>§§ 1.01—11.21</u>
2012-34	8-14-12	11- 6-12	1	Art. II, <u>§ 2.08(a)</u>
			2	Art. II, <u>§ 2.10</u>
			3	Art. III, <u>§ 3.01(a)</u>
			4	Art. III, <u>§ 3.02</u>
			5	Art. III, <u>§ 3.07</u>
			6	Art. IV, <u>§ 4.01(a)(2)</u>
			7 Added	Art. IV, <u>§ 4.01(c)(10)—(c)(13)</u>
			8	Art. V, <u>§ 5.03</u>
			9 Rpld	Art. VI, <u>§§ 6.02—6.11</u>
			Added	Art. VI, <u>§§ 6.02—6.05.1</u>
			10 Rpld	Art. VII, <u>§ 7.02</u>
			11 Rpld	Art. VIII, <u>§ 8.01(c)(4), (c)(6), (c)(7)</u>
			Rnbd	Art. VIII, <u>§ 8.01(c)(5)</u>
			as	Art. VIII, <u>§ 8.01(c)(4)</u>

			Rnbd	Art. VIII, <u>§ 8.01(c)(8)</u> —(c)(10)
			as	Art. VIII, <u>§ 8.01(c)(5)</u> —(c)(7)
			12	Art. VIII, <u>§ 8.01(d)</u>
			13	Art. VIII, <u>§ 8.02</u>
			14, 15 Rpld	Art. VIII, <u>§§ 8.11, 8.12</u>
			16, 17 Rpld	Art. XI, <u>§§ 11.03, 11.04</u>
			18	Art. XI, <u>§ 11.18</u>
2014-48	11-17-14	11- 4-14	2	Art. II, <u>§§ 2.03(c), 2.07(c)</u>
			Rpld	Art. II, <u>§ 2.12</u>
				Art. III, <u>§§ 3.08, 3.11</u>
			Added	Art. IV, <u>§ 4.05</u>
				Art. V, <u>§ 5.01</u>
				Art. VIII, <u>§§ 8.07, 8.08</u>
2018-45(Res.)	11-13-18	11- 6-18		Art. II, <u>§ 2.07(b)</u>
Amd. of	11-10-21	11-2-21	(A)	<u>2.04</u>
			(C)	<u>2.07(b)2.</u>
			(D)	<u>2.09</u>
			Rpld	<u>11.05, 11.06</u>
			Rpld	<u>11.11, 11.12</u>
			(E)	<u>3.03</u>
				<u>3.04(c)</u>
			Rpld	10.09
			(F)	<u>3.08</u>
			(G)	<u>2.07(b)2.</u>
				<u>5.02</u>
			Rnbd	<u>8.02</u>
			as	6.02.2
			Rpld	<u>8.03</u>
			(H)	<u>4.01(c)(3)</u>

			(I)	6.03
			(J)	6.04
			(K)	6.05
			(L)	<u>8.09</u>
			(M)	<u>11.02</u>
2023-33	8-15-23	11- <u>7-23</u>	2(B) Rpld	<u>2.08(b)</u>
			Rpld	<u>3.18</u>
				<u>9.01</u>
			(C)	<u>5.01</u>
			(D)	<u>6.02.1</u>
			Rpld	6.02.2—6.05.1
			(E)	<u>10.02</u>
			Rpld	10.03—10.08

Footnotes:

--- (1) ---

Note— Charter Amendment No. 1 of 5-1-93 amended the charter by correcting spelling, punctuation, grammatical errors; by correcting legal references; and by changing masculine pronouns to masculine/feminine or gender free forms.

**COORDINATION WITH
CENTRAL TEXAS COUNCIL OF GOVERNMENTS**



July 31, 2024

TO:

Mr. Charles Marsh
Project Director
Weaver Consultants Group
6420 Southwest Blvd
Suite 206
Fort Worth, TX 76109

Mr. Larry Scott
Solid Waste Director
City of Copperas Cove
2605 S FM 116
Copperas Cove, TX 76522

RE: PERMIT APPLICATION MSW 2422, COPPERAS COVE TRANSFER STATION

Mr. Marsh & Mr. Scott,

Thank you for submitting the preliminary Permit Application No. MSW-2422 for the Copperas Cove Transfer Station, in Coryell County, Texas. As you know, the Central Texas Council of Governments (CTCOG) has been directed by the Texas Commission on Environmental Quality (TCEQ) to determine the consistency of solid waste permit applications and amendments, and registration applications with the Regional Plan.

This letter is to confirm that the City of Copperas Cove and Weaver Consultants Group have officially coordinated with CTCOG. The Solid Waste Advisory Committee and CTCOG staff have both had the opportunity to review the application and found it to be consistent with the goals of the 2022-2042 CTCOG Regional Solid Waste Management Plan. Unless there are significant changes to the final permit application from those in the draft version, this determination should not change.

If you have any questions regarding CTCOG's consistency review procedures, please contact James McGill by phone at 254-770-2366 or by email at james.mcgill@ctcog.org.

Sincerely,

DocuSigned by:

9A28DF6BBD25443...

Jim Reed, AICP

Executive Director

Central Texas Council of Governments (CTCOG)

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS**

TYPE V PERMIT AMENDMENT APPLICATION

**PART III
SITE DEVELOPMENT PLAN**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

This document is issued for permitting purposes only.

2 GENERAL FACILITY DESIGN

2.1 Facility Access

2.1.1 Adequacy of Access Roads and Highways §330.63(a)

Vehicles bound for the City of Copperas Cove TS will access the TS facility via an existing entrance from FM 116 and two driveways on Commerce Street. The FM 116 entrance will only be used by employees, visitors, and city-owned waste hauling trucks. The two new driveways proposed to be constructed off of Commerce Street as a part of this project will be used by MSW and recyclable material haulers, including private citizens. U.S. Highway 190, FM 116, FM 3048, and Commerce Street are other access roads within one mile of the site. U.S. Highway 190, FM 116, FM 3048 and Commerce Street are public roads maintained by the City of Copperas Cove and TxDOT.

As noted in Parts I/II, in Section 8, and in the Traffic Study included in Appendix I/IIA, the site access roads will provide adequate access to the site throughout the life of the facility.

In accordance with §330.61(i)(4), TxDOT was contacted to determine if any traffic or location restrictions apply to the facility. Improvements to FM 116 will be constructed and accepted by TxDOT before any proposed improvements to the facility can accept waste.

2.1.2 Fences and Access Control §330.63(b)(1)

Vehicle access to the TS facility will be controlled by the scalehouse attendant during operating hours. Outside operating hours, the inbound access will be controlled by gates located at the facility entrance. As shown on Figures IIIA-1 and IIIA-2 in Appendix IIIA, access to the site at points other than the entry gate is prevented by a 6-foot high chain link or barbed wire fence and natural barriers (including tree lines along the west, east, and north boundaries) located around the perimeter of the TS site in a manner so as to prevent the entry of livestock, to protect the public from exposure to potential health and safety hazards, and to discourage unauthorized entry or uncontrolled disposal of solid waste or hazardous materials.

City of Copperas Cove's policy will restrict entry to the site only to designated site operations personnel, solid waste haulers authorized to use the facility, TCEQ personnel, and properly identified persons whose entry is authorized by City of Copperas Cove's Solid Waste employees. City of Copperas Cove reserves the right

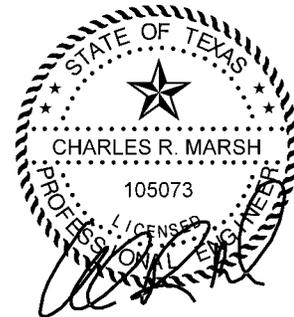
**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS**

**PART III
SITE DEVELOPMENT PLAN
APPENDIX IIIA
GENERAL FACILITY DESIGN DRAWINGS**

Prepared for
The City of Copperas Cove

April 2024

Revised July 2024



08-12-2024

Prepared by

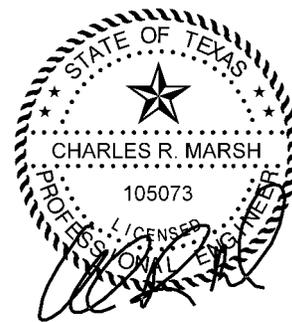
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

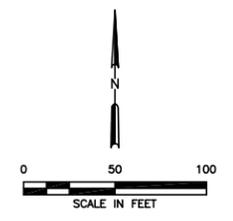
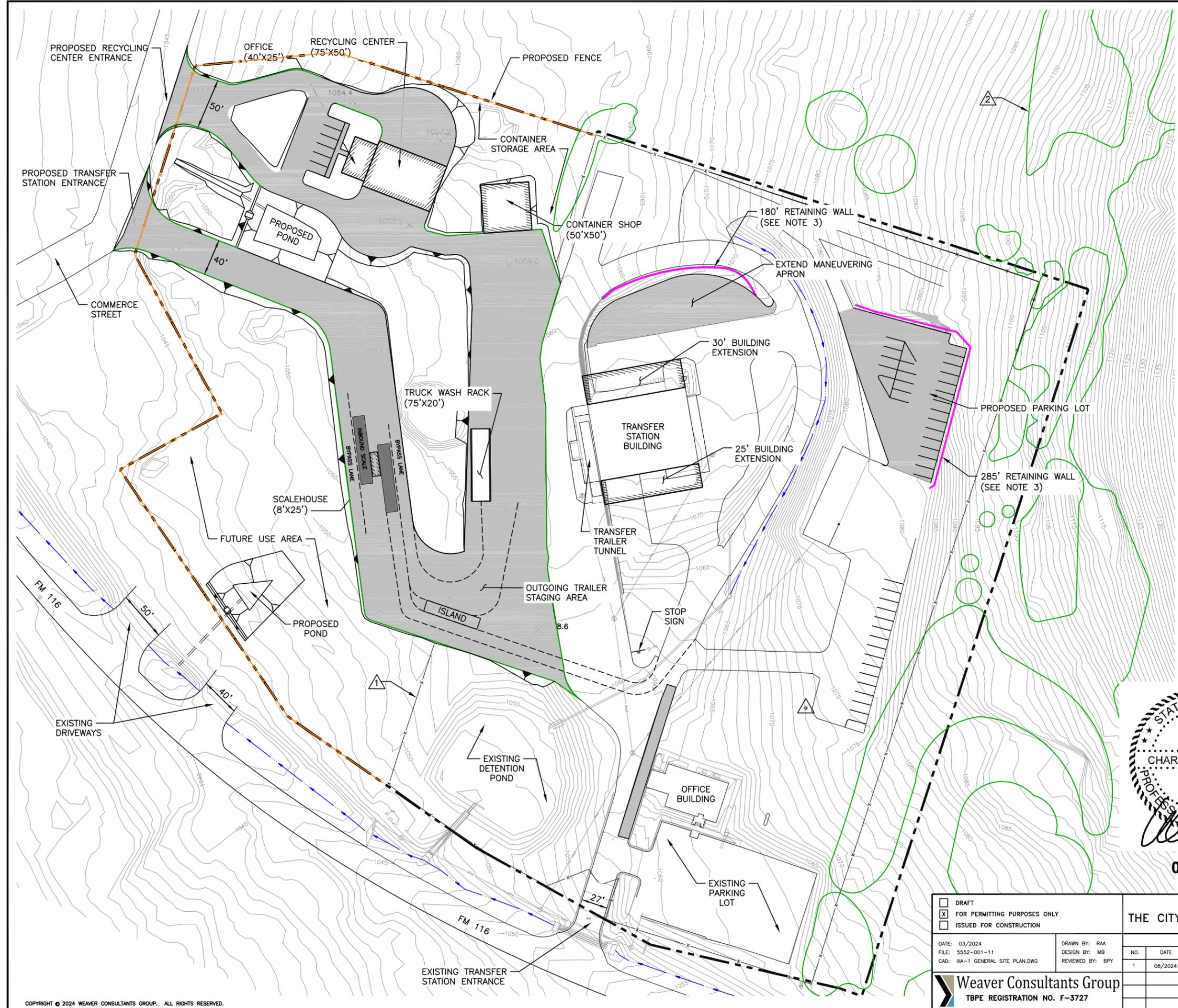
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- FIGURE IIIA-2 – Transfer Area Site Plan
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- FIGURE IIIA-4 – Transfer Station Building Elevations
- FIGURE IIIA-5 – Transfer Station Building Elevations
- FIGURE IIIA-6 – Recycling Center Building Elevations Plan
- FIGURE IIIA-7 – Recycling Center Building Elevations
- FIGURE IIIA-8 – Recycling Center Building Elevations



08-12-2024



- LEGEND**
- PERMIT BOUNDARY
 - EXISTING CONTOUR (SEE NOTE 1)
 - PROPOSED RETAINING WALL (SEE NOTE 2)
 - PROPOSED PAVEMENT SURFACING
 - CHANNEL
 - SPOT ELEVATION
 - EXISTING FENCE
 - PROPOSED FENCE
 - SITE BENCHMARK
 - EXISTING TREES
 - INDICATES REVISION (SEE LIST OF REVISIONS)

- NOTES:**
1. EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.
 2. THE PROPOSED RETAINING WALLS VARIES FROM 2 TO 15 FEET IN HEIGHT.

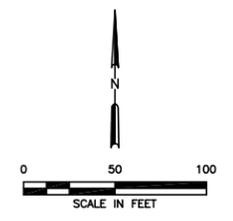
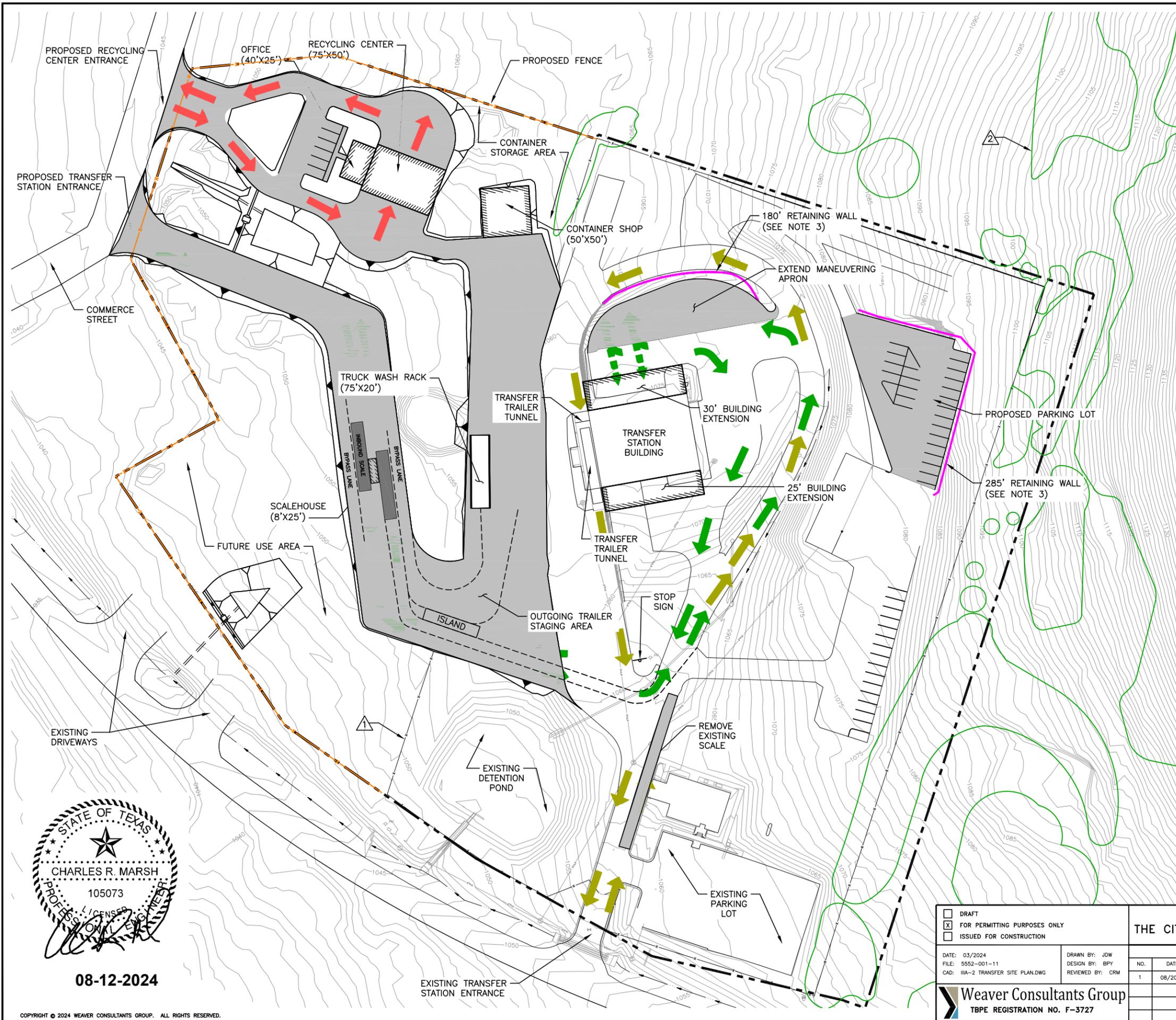
BENCHMARK INFORMATION		
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- LIST OF REVISIONS:**
1. EMPHASIZED EXISTING FENCE.
 2. ADDED NATURAL BARRIERS.

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	DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-1 GENERAL SITE PLAN.DWG		DRAWN BY: RAA DESIGN BY: MB REVIEWED BY: BPY					
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NO.	DATE	DESCRIPTION						
1	08/2024	SEE LIST OF REVISIONS						
		WWW.WCGRP.COM FIGURE IIIA-1						



- LEGEND**
- PERMIT BOUNDARY (SEE NOTE 1)
 - EXISTING CONTOUR (SEE NOTE 2)
 - PROPOSED RETAINING WALL (SEE NOTE 3)
 - PROPOSED PAVEMENT SURFACING
 - CHANNEL
 - TRANSFER TRAILER ROUTE
 - ROUTE TRUCK/UNLOADING ROUTE
 - RECYCLING CENTER ROUTE
 - EXISTING SEWER LINE AND MANHOLE
 - EXISTING FENCE
 - PROPOSED FENCE
 - EXISTING TREES
 - INDICATES REVISION (SEE LIST OF REVISIONS)

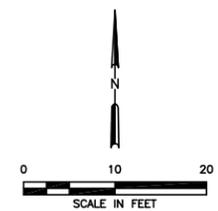
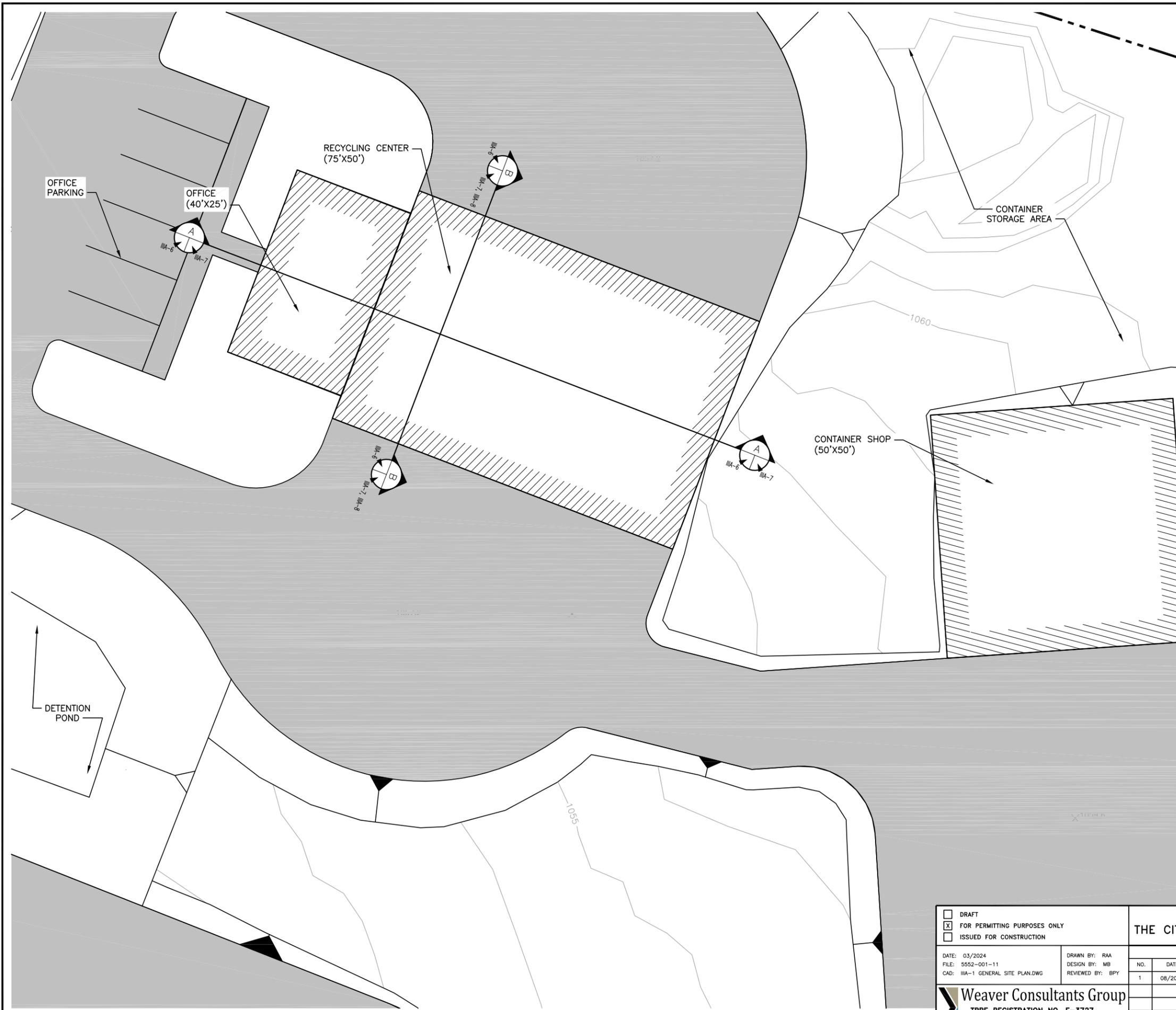
- NOTES:**
1. THE PERMIT BOUNDARY IS REPRODUCED FROM A LEGAL DESCRIPTION PROVIDED BY WEAVER CONSULTANTS GROUP AND QUINTERO ENGINEERING ON JUNE 19, 2023 AND MARCH 10, 2023 RESPECTIVELY.
 2. EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.
 3. THE PROPOSED RETAINING WALLS VARY FROM 2 TO 15 FEET IN HEIGHT.
 4. ALL WASTE ACCEPTED AT THE FACILITY WILL BE STORED AND PROCESSED IN THE TRANSFER STATION BUILDING.
 5. NO SOLID WASTE OPERATIONS WILL OCCUR WITHIN ANY EASEMENT, BUFFER ZONE, OR RIGHT-OF-WAY.
 6. WASTE TRANSFER OPERATIONS WILL OCCUR INSIDE THE TRANSFER STATION. WATER THAT COMES INTO CONTACT WITH OPERATIONS INSIDE THE BUILDING WILL BE DISCHARGED TO THE CITY OF COPPERAS COVER SANITARY SEWER SYSTEM. STORMWATER THAT DOES NOT COME INTO CONTACT WITH WASTE TRANSFER OPERATIONS WILL BE DISCHARGED IN ACCORDANCE WITH THE SITES SWPPP.

- LIST OF REVISIONS:**
1. EMPHASIZED EXISTING FENCE.
 2. ADDED NATURAL BARRIERS.



08-12-2024

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	THE CITY OF COPPERAS COVE		
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		NO. 1 DATE 06/2024	DESCRIPTION SEE LIST OF REVISIONS
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM	FIGURE IIIA-2



LEGEND

	PERMIT BOUNDARY
	EXISTING CONTOUR (SEE NOTE 1)
	PROPOSED PAVEMENT SURFACING
	INDICATES REVISION (SEE LIST OF REVISIONS)

NOTES:

- EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.



08-12-2024

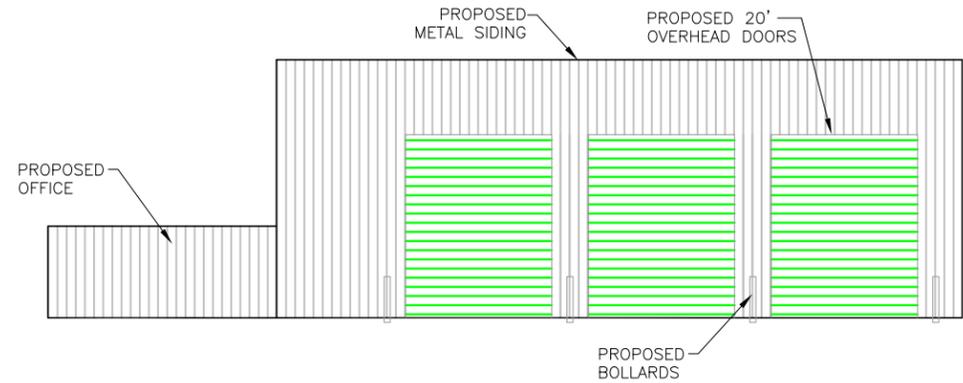
- LIST OF REVISIONS:**
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	THE CITY OF COPPERAS COVE											
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Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM	FIGURE IIIA-6									

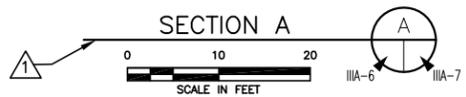
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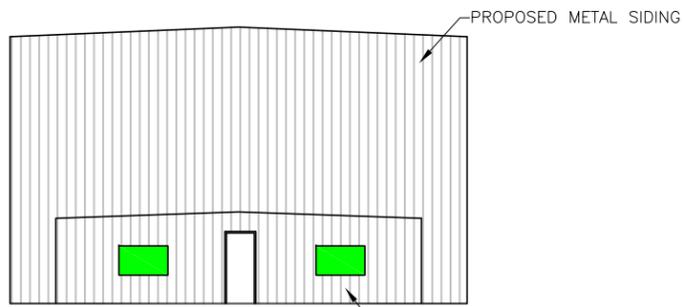
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- APPROXIMATE DOOR HEIGHT
1078 FT-MSL
- APPROXIMATE BUILDING HEIGHT
1068 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL



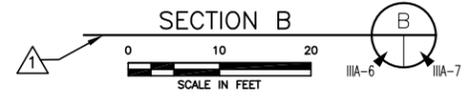
RECYCLING CENTER ELEVATION LOOKING NORTH



- APPROXIMATE EAVE HEIGHT
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- APPROXIMATE BUILDING HEIGHT
1068 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL



RECYCLING CENTER ELEVATION LOOKING EAST



08-12-2024

INDICATES REVISION
(SEE LIST OF REVISIONS)

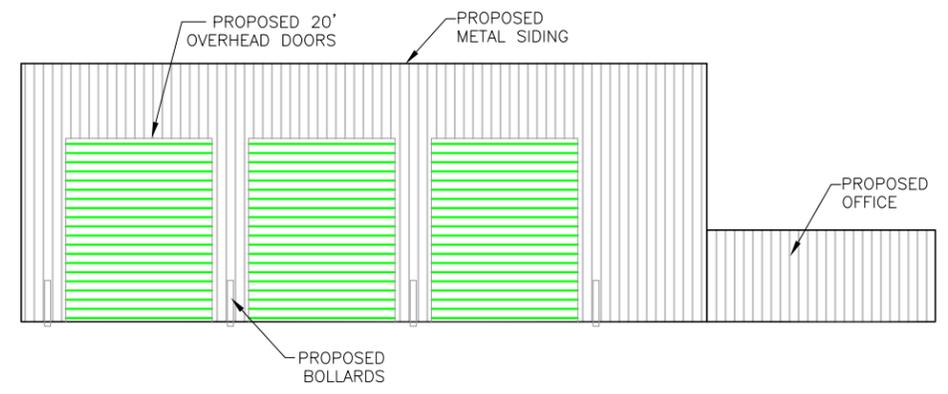
- LIST OF REVISIONS:
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 2. RENUMBERED FIGURE IIIA-6 TO FIGURE IIIA-7.

NOTE:
ELEVATIONS LISTED ARE APPROXIMATE.

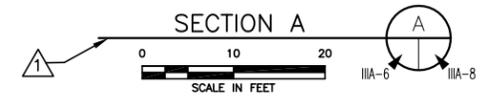
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DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-7-BUILDING ELEVATIONS.DWG	DRAWN BY: RAA DESIGN BY: MB REVIEWED BY: CRM	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">08/2024</td> <td>SEE LIST OF REVISIONS</td> </tr> </tbody> </table>	REVISIONS			NO.	DATE	DESCRIPTION	1	08/2024	SEE LIST OF REVISIONS
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1	08/2024	SEE LIST OF REVISIONS									
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM FIGURE IIIA-7									

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- APPROXIMATE EAVE HEIGHT
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- APPROXIMATE DOOR HEIGHT
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- APPROXIMATE BUILDING HEIGHT
1068 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL

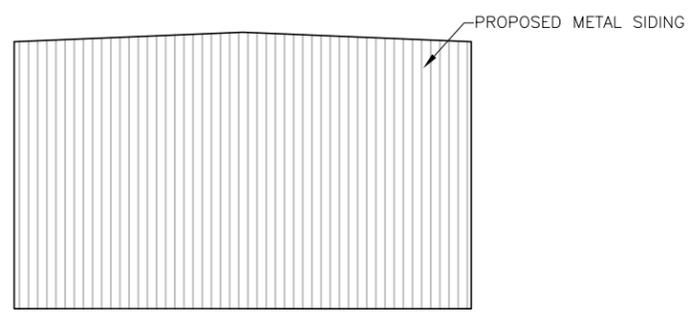


RECYCLING CENTER ELEVATION LOOKING SOUTH

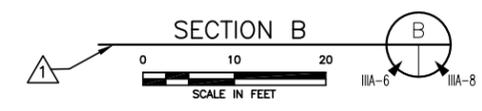


08-12-2024

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- APPROXIMATE FINISH FLOOR
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RECYCLING CENTER ELEVATION LOOKING WEST



INDICATES REVISION
(SEE LIST OF REVISIONS)

- LIST OF REVISIONS:**
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 2. RENUMBERED FIGURE IIIA-7 TO FIGURE IIIA-8.

NOTE:
ELEVATIONS LISTED ARE APPROXIMATE.

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DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-8-BUILDING ELEVATIONS.DWG	DRAWN BY: JDW DESIGN BY: BPY REVIEWED BY: CRM	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th style="width: 10%;">NO.</th> <th style="width: 10%;">DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	REVISIONS			NO.	DATE	DESCRIPTION									
REVISIONS																	
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**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TYPE V PERMIT APPLICATION**

**PART III
FACILITY DESIGN REPORT
APPENDIX IIIC
CLOSURE PLAN**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

Project No. 5552-001-11-00

This document is issued for permitting purposes only.

2 CLOSURE REQUIREMENTS

2.1 Title 30 TAC §330.459 and 30 TAC §330.457 Closure Requirements

At the time of closure, the site will remove all waste, waste residues, and any recovered materials. The transfer station structure, pad, walls, and associated units will be decontaminated. All material on-site, whether in process or processed, will be evacuated to an authorized facility, and the tipping floors, processing areas, and post-processing areas will be disinfected by washing down with industrial cleaners. The operator shall begin closure activities no later than 30 days after final receipt of waste. The operator shall then complete the closure activities for the unit in accordance with the approved plan within 180 days of initiation of closure activities.

2.2 Title 30 TAC §330.461 Certification of Final Facility Closure

No later than 90 days prior to the initiation of final closure, the site will, through a public notice in the newspaper(s) of largest circulation in the vicinity of the facility, provide public notice for final facility closure. This notice will include the name, address, and physical location of the facility, the permit number, and the last day of intended receipt of materials for processing at the facility. The site will also make available an adequate number of copies of the approved Closure Plan for public review. The owner/operator will also provide written notification to the TCEQ of the intent to close the facility and place this Notice of Intent in the site operating record.

Initiation of closure activities for the facility will begin after the date on which the facility receives the known final receipt of waste to be processed.

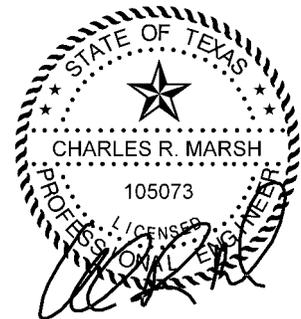
The following steps will be taken:

- Notify the TCEQ of when closure will be initiated.
- Post a minimum of one sign at the main entrance and all other frequently used points of access for the facility notifying all persons who may utilize the facility of the date of closing for the facility and the prohibition against further receipt of waste materials after the stated date.

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TYPE V PERMIT APPLICATION**

**PART III
SITE PLAN AND DESIGN CRITERIA
APPENDIX IIIB
FACILITY SURFACE WATER DRAINAGE REPORT**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024

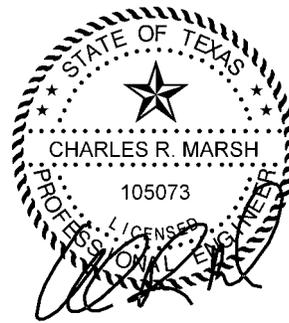


08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

This document is issued for permitting purposes only.



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08-12-2024

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- 4.2 Post-Development Drainage Conditions
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- 4.4 Flood Insurance Rate Map
- 4.5 Pond P1 Plan
- 4.6 Pond P2 Plan
- 4.7 Pond P3 Plan

1 INTRODUCTION

This Facility Surface Water Drainage Report is prepared as part of the Municipal Solid Waste (MSW) Type V Permit Application for the City of Copperas Cove Transfer Station (TS) consistent with Title 30 Texas Administrative Code (TAC) §330.63(c) and §330.303. This plan addresses surface water drainage design and erosion control. ~~Permit level plans and details are presented for the TS in Appendix IIIA.~~

This section addresses §330.63(c) and §330.303.

Consistent with Title 30 TAC §330.63(c) and §330.303, the facility will be constructed, maintained, and operated to manage run-on and runoff during the peak discharge of a 25-year, 24-hour rainfall event and will prevent the off-site discharge of waste and in-process and/or processed materials. Surface water drainage in and around a facility shall be controlled to prevent surface water running onto, into, and off the transfer station processing area. ~~Although not specifically required by the rules, the drainage analysis for a 25-year, 24-hour storm event is used to demonstrate that the existing drainage of the TS site will not be adversely altered. The supporting hydrologic demonstrations are included in Appendices IIIB-A and IIIB-C.~~

As shown on **Parts I/II, Figure 4-41/II-11.1** and discussed in Parts I/II, Section 11 – Floodplain and Wetlands Statement, no portion of the site is located within the 100-year floodplain. The TS is located over 900 feet from the nearest 100-year floodplain, as defined by the Federal Emergency Management Administration (FEMA).

~~Section 2 of this report includes a discussion of the regional drainage, stormwater management system, and TPDES compliance. Section 3 discusses the detailed drainage design methodology. Section 4 demonstrates that the TS development will not adversely alter the existing drainage patterns.~~

2 STORMWATER MANAGEMENT

2.1 Regional Drainage Information

According to the USGS Watershed Boundary Dataset, the City of Copperas Cove Transfer Station is located in the Clear Creek Watershed (HUC: 120702030506). The facility drains to an unnamed tributary of Clear Creek Watershed in Copperas Cove, which then flows South to Lampasas River and then flows east to Stillhouse Hollow Lake.

2.2 Surface Water Protection

The TS has been designed to achieve the following goals.

1. Prevent a discharge of solid wastes or pollutants adjacent to or into waters of the state.
2. Prevent a discharge of pollutants into waters of the United States.
3. Prevent a discharge of dredged or fill material to waters of the United States.
4. Prevent a discharge of nonpoint source pollution to waters of the United States.
5. Avoid adverse alteration of existing drainage patterns.

The TS facility consists of a building with a reinforced concrete slab foundation with a transfer truck tunnel located below the grade of the slab. Drainage from the facility is designed to maintain the existing drainage patterns at the permit boundary and will prevent the offsite discharge of waste and feedstock material, including, but not limited to, in-process and/or processed materials. Surface water drainage in and around the facility will be controlled to prevent surface water running onto, into, and off the processing area. For example:

- Uncontaminated stormwater run-on and runoff will be directed away from the transfer station building entrances by site grading. The inside of the transfer station building will not result in any storm-generated contaminated water since the transfer station building is completely covered. Stormwater

will be managed by maintaining the existing stormwater patterns in areas outside of the transfer station building footprint.

- ~~There are six discharge points along the southwest side of the permit boundary (DP1, DP2, DP3, DP4, DP5, and DP6). All runoff originating from east and northeast of the facility generally flows to the south and southwest offsite.~~
- No runoff enters the Transfer Station building.

2.3 Drainage System Layout

The general drainage pattern of the existing TS site is from the east and northeast to the south and southwest. The existing transfer station area generally drains south and southwest via sheet flow. An existing tributary of Clear Creek located immediately west of the TS site receives the majority of on-site runoff and conveys it to Clear Creek and ultimately, the Lampasas River.

After the development of the proposed TS is complete, drainage patterns will remain similar to the existing drainage patterns at the TS site. Runoff within the permit boundary is conveyed mainly by sheet flow to discharge locations on the south and southwest sides of the permit boundary. An existing culvert on the south side of the site will detain and attenuate the runoff generated within the permit boundary due to the site development. A proposed detention pond on the southwest side of the site will be constructed to mitigate the impact of adding pavement to the site and increasing runoff volume. Both ponds discharge southwest, into an existing drainage ditch that flows towards a tributary of Clear Creek.

2.4 TPDES Compliance

The TS will operate in such a manner as to prevent discharge of pollutants into waters of the state or United States as defined by the Texas Water Code and the Federal Clean Water Act. The site is subject to the TCEQ's stormwater permit requirements and will operate under the TPDES multi-sector General Permit for Stormwater Discharges, under SIC 4212 (Transportation and Warehousing). Construction is subject to the TCEQ's stormwater permit requirements and will operate under the current TPDES MSGP Authorization Number TXR05AV48. The City of Copperas Cove will maintain the current Notice of Intent (NOI) for the Copperas Cove TS. The facility Stormwater Pollution Prevention Plan (SWPPP) will be revised and implemented prior to operating the improved facility.

2.5 Erosion and Sedimentation Control Plan

Erosion and sedimentation control will be provided, as necessary, during construction activities through the use of temporary diversion berms, silt fences, and hay bales. These measures will be developed to provide for control of erosion and sediment prior to stormwater flows leaving the site. The temporary erosion control measures will be documented in the SWPPP that will be developed prior to construction of the facilities, consistent with TPDES requirements. Permanent erosion control features have been included in the final site design. These features include the establishment of vegetation or other landscaping on the non-paved portion of the site. In addition, site grading is designed to convey runoff without causing erosion (i.e., runoff velocities are less than 5 ft/sec during a 25-year, 24-hour storm event).

3—DRAINAGE SYSTEM DESIGN

3.1 Methodology

Drainage calculations for the TS are based on the peak flow rates resulting from the 25-year, 24-hour rainfall event for the area. The USACE HEC-HMS computer program was used to compute peak flow rates produced from the design storm. The hydraulic methods employed in this study are consistent with those presented in the *Drainage Criteria Manual* (City of Copperas Cove, August 2019). Manning's n values for culverts, pavement, and vegetated areas were also taken from the City of Copperas Cove's *Drainage Criteria Manual*.

3.2 Hydrologic Analysis

3.2.1 Description of Computer Program

HEC-HMS was used to model the existing and post-development conditions to determine peak flows entering and leaving the TS site. HEC-HMS was developed by the USACE Hydrologic Engineering Center to simulate the surface runoff response of a watershed. The HEC-HMS model represents a watershed as a network of hydrologic and hydraulic components. The modeling process results in the computation of stream-flow hydrographs at desired locations in the watershed. The hydrologic analysis for the post-development conditions are included in Appendix IIB-A and the existing conditions are included in Appendix IIB-C.

3.2.2 Watershed Subareas and Schematization

The TS site was delineated to derive a peak flow leaving the TS site. The drainage areas for the post-development and existing conditions are discussed in Appendix IIB-A and Appendix IIB-C, respectively.

3.2.3 Time Step

The time step, or the program computation interval, is the time interval that the flow rates for the hydrographs are generated by the program. The time step used for a design storm event is 1 minute.

3.2.4 Hypothetical Precipitation

The hypothetical precipitation of the storm was obtained from the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 for the project area. For this analysis, the design storm utilized was the 25-year, 24-hour storm event. The precipitation is assumed to be evenly distributed over the TS site for each time interval.

3.2.5 Precipitation Losses

Precipitation losses (the precipitation that does not contribute to the runoff) are calculated using the Soil Conservation Service (SCS) Curve Number (CN) method. CN is a function of soil cover, land use, and antecedent moisture conditions. A CN of 98 was selected to represent the post-development concrete paved areas at the site, and 84 for natural (existing) ground or vegetated areas. A CN of 99 was used for the low lying storm water storage areas upstream of the culverts. Further discussion on selection of CN values is provided in Appendices IIB-A and IIB-C for post-development and existing conditions.

3.2.6 Hydrograph Information

The Soil Conservation Service Unit Hydrograph Method of hydrograph generation was used in this hydrologic analysis. Reservoir storage-discharge methods were used for hydrograph routings. Information for the model parameters used for this project is included in Appendix IIB-C (existing) and Appendix IIB-A (post-development).

Soil Conservation Service Unit Hydrograph Method

The SCS unit hydrograph method has been used for the offsite and overland flow drainage areas. The method is applicable to basins with a wide range of basin area watershed length, slope, impervious and conveyance characteristics. The SCS model is based upon averages of unit hydrograph derived from gaged rainfall and runoff for a large number of small agricultural watersheds throughout the U.S. Parameters that are required to utilize the SCS method include a Peaking Rate Factor (PRF) and a lag time. Research has shown that log time (t_p) can be related to the watershed time of concentration, (T_c).

Hydrograph Routing

The hydrograph at the culvert was generated by routing the inflow through the available volume for the culvert storage.

~~4—SITE DRAINAGE PATTERNS~~

~~This section provides a demonstration that the TS development will not adversely alter the existing drainage patterns. A summary of drainage patterns and stormwater flows produced by the 25-year, 24-hour storm event are presented on the following Appendices.~~

- ~~• Appendix IIB-A—Post-development Condition Hydrologic Calculations~~
- ~~• Appendix IIB-C—Existing Condition Hydrologic Calculations~~

~~The following two sections discuss: (1) site drainage patterns and (2) the effect of the proposed development on peak flows, volumes, and velocities discharged from the site.~~

~~4.1 Site Drainage Patterns~~

~~The post-development drainage patterns are consistent with the existing drainage patterns. Runoff exits the permit boundary in both analyzed conditions from discharge locations DP1, DP2, DP3, DP4, DP5 and DP6. The total drainage area to each of the outfalls is approximately the same for the existing and post-development conditions. Runoff exiting the permit boundary discharges mainly via sheet flow across the permit boundary towards existing drainage features that convey runoff to a tributary of Clear Creek.~~

~~4.2 Effect of Site Development on Drainage from the Site~~

~~4.2.1 Peak Flow Rates~~

~~As shown on Table 4-1, the comparison of existing and post-development drainage conditions at the site shows that the peak flows generated by a 25-year storm event and discharging off the permit boundary of the site are not adversely altered by the proposed TS development. Additionally, the TS site design will not change the direction at which stormwater runoff leaves the site. Drainage analyses for post-development conditions and existing conditions at the site are presented in Appendices IIB-A and IIB-C, respectively.~~

Peak flow rates entering the permit boundary (DP01 through DP04) are unchanged between the existing and post-development conditions. Stormwater exiting the permit boundary discharges at six main locations, south (DP1 and DP2), and southwest (DP3, DP4, DP5, and DP6). The proposed development includes adding paved areas to the site, and results in no increase in the peak discharge rate at all discharge points. The increased runoff generated by paved areas is mitigated by the proposed detention pond such that there is no increase in peak flow discharging from the permit boundary.

4.2.2 Volumes

Post-development runoff volume generated at the southwest discharge point (DP4) is slightly increased due to minor revisions to offsite area 03 (to match proposed conditions) and the addition of more paved areas relative to the existing condition. However, the increased volume is discharged at a lower peak flow rate, as shown on Table 4-1. This increase in volume is not an adverse alteration.

4.2.3 Velocities

A summary of the 25-year frequency storm peak flow velocities that exit the site are shown on Table 4-1 and Figure 4.3. Flow velocity at DP4 increases due to flow exiting the permit boundary in a culvert rather than overland flow. However, rip rap will be installed downstream of the culvert to mitigate erosion. At DP6 the flow velocity is slightly increases due to the narrower bottom width and steeper side slopes. At no other location are the velocities increased in the post-development condition. Velocity calculations are provided in Appendices IIIB-A and IIIB-C for the post-development and existing conditions, respectively.

4.2.4 Floodplain

As discussed in Section 11 of Parts I/II, no portion of the site is located within the 100-year floodplain.

4.3 Summary

From the hydrologic and hydraulic evaluations of the existing and post-development conditions, the existing drainage conditions at the permit boundary will not be adversely altered by the proposed development. Given that: (1) drainage patterns are not adversely altered, (2) the post development peak discharge rates compared to the existing condition are not adversely altered at the permit boundary, (3) the hydrograph times to peak at the permit boundary are not altered by the proposed development, (4) total volume of stormwater leaving the permit boundary is not significantly altered for the existing and post development conditions, (5) there is no significant increase in velocity at discharge points from

~~the permit boundary and erosion protection will be installed for velocities greater than 5 fps, (6) the stormwater discharge outfall locations are consistent with the existing configuration, and (7) the floodplain is not impacted, it is concluded that the proposed development will not adversely alter existing drainage patterns.~~

Table 4-1
Flow Rates, Drainage Areas, Hydrograph Time to Peak Values, Runoff Volumes, and Velocities
for the 25-Year Design Storm Event

Stormwater Discharge Point ¹	Existing Conditions					Post-development Conditions				
	Flow Rate (cfs)	Drainage Area (acres)	Time to Peak (hrs)	Runoff Volume (ac-ft)	Velocity at Permit Boundary ² (ft/sec)	Flow Rate (cfs)	Drainage Area (acres)	Time to Peak (hrs)	Runoff Volume (ac-ft)	Velocity at Permit Boundary ² (ft/sec)
01	8.83	1.20	13.07	0.57	1.90	8.83	1.20	13.07	0.57	1.90
02	18.90	2.69	13.07	1.22	2.58	16.65	2.39	13.07	1.08	2.46
03	9.90	1.39	13.07	0.63	1.98	11.70	1.69	13.07	0.76	2.11
04	24.14	3.45	13.07	1.56	2.04	24.14	3.45	13.07	1.56	2.04
DP1	19.38	2.69	13.07	1.31	13.51	19.38	2.69	13.07	1.31	11.73
DP2	36.06	7.73	13.14	3.80	7.31	32.96	7.21	13.14	3.60	7.08
DP3	6.87	0.92	13.07	0.47	1.53	6.87	0.87	13.07	0.44	1.53
DP4	33.36	4.70	13.08	2.42	2.19	29.76	5.26	13.13	2.77	11.84
DP5	12.14	1.56	13.07	0.84	1.79	11.63	1.56	13.07	0.78	1.77
DP6	38.96	5.78	13.08	2.64	3.23	31.60	5.81	13.11	2.75	3.33

¹ Stormwater discharge points are shown on Figure 4.3. The volume shown is the total volume of runoff for the hydrograph duration.

² Runoff volume and velocity calculations are provided in Appendix IIIB-A and IIIB-C.

~~APPENDIX III B-A~~

~~POST-DEVELOPMENT CONDITION DRAINAGE ANALYSIS~~

~~Includes pages III B-A-1 through III B-A-54~~

APPENDIX III-B

CULVERT CALCULATION

Includes pages III-B-1 through III-B-9

~~APPENDIX III B-C~~

**~~EXISTING CONDITION
DRAINAGE ANALYSIS~~**

~~Includes pages III B-C 1 through III B-C 48~~

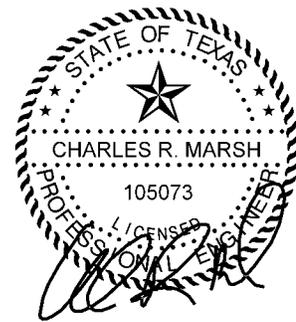
**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TCEQ PERMIT NO. MSW-2422
TYPE V PERMIT APPLICATION**

**PART IV
SITE OPERATING PLAN**

Prepared for
The City of Copperas Cove

April 2024
Revised June 2024

Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Boulevard, Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00-05

This document is issued for permitting purposes only.



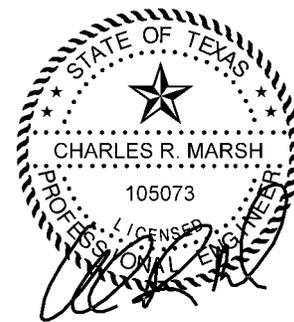
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08-12-2024

2 WASTE ACCEPTANCE AND ANALYSIS (30 TAC §330.203 AND §330.205)

2.1 Properties and Characteristics of Waste (§330.203(a))

The transfer station may receive household waste, brush, yard waste, commercial solid waste, Class 2 and Class 3 industrial waste (nonhazardous), special waste, and construction-demolition waste. No industrial hazardous wastes or Class 1 industrial waste will be accepted at the facility. No special wastes other than those mentioned in the following section will be accepted at the facility. Small quantities of special wastes may inadvertently be received if they are unidentified and included as part of the mixed municipal waste stream. These wastes, if identified, will be separated and will not be accepted.

The City of Copperas Cove TS may receive waste from third party haulers and from any of the Central Texas Solid Waste System Member Cities (that currently consist of City of Copperas Cove, Killeen, Fort Hood, and Lampasas). This service area is based on economic conditions. As economic conditions and existing landfill disposal capacities change, the facility may accept waste from areas other than those identified above. Based on the type of wastes currently received and expected to be received, there are no constituents or characteristics that would impact or influence the design and operation of the facility.

Waste received at the site is transferred to a permitted landfill for disposal.

Special Wastes Received

- * Used cooking oil (for recycling only);
- * Whole used or scrap tires or tire pieces (for recycling only); and
- * White goods.

Receipt of Special Wastes

Used oil will be temporarily stored in a container inside the Recycling Center building until transported off-site by an authorized hauler to an approved oil recycling facility. The container shall be made of steel, HDPE, or other material compatible with the storage of used oil, be double-walled or have sufficient secondary containment to contain the entire volume of the container and have a maximum capacity of 1,000 gallons. The container will be located in a corner or adjacent to a wall of the recycling center building to protect it from facility

operations. Additionally, floor paint, cones, barricades, or other traffic control devices will be used as necessary around the container to make it more visible to vehicles and heavy machinery. The used oil will be removed as needed.

Used oil will be temporarily stored in a container inside the Recycling Center building and will be managed in accordance with TCEQ regulation Texas Administrative Code 30 (TAC) §324, Subchapter A and TCEQ Registration C81092, until full, then transported.

Large, heavy, or bulky items including white goods (household appliances), air conditioning units, metal tanks, large metal pieces, etc., may be accepted, however, they may be segregated for recycling at the discretion of the City. If segregated for recycling, these items will be placed in the Recycling Center. When sufficient quantities are accumulated, the large items will be transported off-site to an authorized facility for recycling. The large items will be stored onsite for a maximum of 90 days. They will be removed as needed to prevent nuisance conditions.

Whole used or scrap tires or tire pieces will be accepted at a designated used/scrap tire drop off location within the recycling center. When sufficient quantities are accumulated, tires and tire pieces will be transported off-site to an authorized recycling facility.

stored on the tipping floor in an emergency. Under normal operations, the tipping floor will be cleared at the end of the work day and all waste will be loaded into the two trailers which are picked up within twenty four hours. This tonnage refers to the waste stored on the tipping floor and does not include recyclables. The maximum length of time MSW will remain within the TS building is 72 hours and the average length of time is 24 hours or less. Solid waste will not be stored overnight at the facility except for extenuating emergency situations such as inclement weather or mechanical breakdown.

The intended destination of the solid waste generated by the facility is a permitted MSW landfill. The destination of the liquids generated by the facility (e.g., washdown water) is to the City of Copperas Cove sanitary sewer system.

2.3 Facility-Generated Wastes (§330.205 (b), (c), (d), and §330.203(c)(2))

Wastes generated by the transfer station will be processed or disposed at an authorized solid waste management facility. The only solid wastes generated onsite are typical office wastes. It is not anticipated that any solid wastes will be generated at the facility that cannot be properly handled.

Wastewater generated by the transfer station from managing the waste, cleaning and washing, and bathroom facilities will be managed in accordance with §330.207, Contaminated Water Management. The intended destination of the liquid wastes generated by the facility is the City of Copperas Cove sanitary sewer system.

Sludges, grit or wastes from the grease traps will not be accepted by the transfer station.

2.4 Recover Materials

An estimated 10-15% of the total incoming waste is currently diverted for recovery during transfer station operations. The following table provides a general estimate of recovered materials by type.

Material	Amount (tons)
Yard Waste	1500
Scrap Metal	125
HDPE	5
OCC	15
Tires	25
Single Stream Recycling	1500

Once the proposed Recycling Center is constructed, the estimated amount of recyclable material is anticipated to increase to 20% to 25% of the total incoming waste stream.

4 STORAGE REQUIREMENTS (30 TAC §330.209, §330.211 AND §330.213)

4.1 Solid Waste Storage (§330.209(a) and (b))

All solid waste will be stored in such a manner that it does not constitute a fire, safety, or health hazard or provide food or harborage for animals and vectors and (except for white goods and tires) shall be contained within the tipping area. The tipping area is located inside the building and sized to contain the solid wastes delivered and transferred daily.

Except in emergencies, all solid waste will be removed from the tipping floor by the end of the workday and stored in covered trailers specifically designed for transporting solid waste until transported to the permitted disposal site by the hauler. Empty trailers being stored on site will be maintained in a clean condition so that they do not constitute a nuisance and to retard the harborage, feeding, and propagation of vectors. All material storage areas will be inspected weekly for ponding water and the harborage of vectors. Any ponded water will be promptly removed. Vectors will be discouraged by maintaining a clean and neat area, and by removal of items once sufficient quantities are accumulated to warrant off-site transport.

Recyclable materials will be stored in a segregated area of the transfer station floor until construction of the recycling center is completed. Upon completion, recyclable materials will be stored within the recycling center.

4.2 Approved Containers (§330.211)

Solid waste that is received containing food wastes will be placed in the transfer building. The receiving area and transfer trailers will be maintained in a clean condition so as to not constitute a nuisance and retards the harborage, feeding, and propagation of vectors.

No food waste will be stored outside the building.

The transfer trailers are designed to prevent spillage or leakage during storage, handling, or transport.

4.3 Self-Haul Area (§§330.209(b) and 330.213)

There is not a MSW citizen collection station proposed, therefore there are no separate container requirements. The recycling center and TS building have locations for self-haul vehicles to safely unload waste and recyclables for processing.

5 RECORDKEEPING AND REPORTING REQUIREMENTS (30 TAC §330.219)

5.1 Documents (§330.219(a) and (b))

A copy of the permit and the approved permit application will be maintained at the facility. In addition, a copy of the permit, the approved permit application, and all other related or required plans or documents will be maintained for five years at the scale house or at the City of Copperas Cove Public Works office located at 1601 N. 1st Street, Copperas Cove, Texas and shall be considered a part of the site operating record of this facility. Consistent with Title 30 TAC §330.219(a), copies of documents that are part of the approved permitting process that are considered part of the operating record for the facility are listed below.

Upon completion of construction at the facility, an as-built set of construction plans and specifications and any other required plan or other related document will be maintained at the scalehouse or Public Works office. These documents will be made available for inspection by TCEQ representatives or other interested parties. These plans and documents are part of the facility operating record. All information contained within the operating record and the different required plans will be retained during the active life of the facility until after certification of closure. The following records will be kept, maintained, and filed as part of the facility operating record. Logbooks, schedules, and an electronic file document storage system may be used.

- Access Control Inspection and Maintenance
- Daily Litter Pickup
- Windblown Waste and Litter Control Operations
- Dust Nuisance Control Efforts
- Access Roadway Regrading
- Salvaged Material Storage Nuisance Control Efforts
- Special Waste Acceptance Plan Compliance, if applicable
- Class I Industrial Waste Acceptance Plan Compliance, if applicable
- Fire Occurrence Notices, if applicable
- Documentation of Compliance with Approved Odor Management Plan

Records to be Maintained	Rule Citation
1. All location restriction demonstrations	§330.219(b)(1)
2. Inspection records and training procedures	§330.219(b)(2)
3. Closure plans and any monitoring, testing, or analytical data relating to closure requirements	§330.219(b)(3)
4. All cost estimates and financial assurance documentation relating to financial assurance for closure	§330.219(b)(4)
5. Copies of all correspondence and responses relating to the operation of the facility, modifications to the permit/registration, approvals, and other matters pertaining to technical assistance	§330.219(b)(5)
6. All documents, manifests, shipping documents, trip tickets, etc., involving special waste	§330.219(b)(6) and (8)
7. Any All other document(s) as specified required by the approved permit/registration or by the executive director	§330.219(b)(7) §330.675
8. Trip Tickets	§312.145, §330.219(b)(8)
9. Alternative schedules and notification requirements if possible	§330.219(g)
10. Records on a quarterly basis to document the relevant recycling percentage of incoming processed waste, quarterly solid waste summary reports and the annual solid waste summary reports by March 1 st summarizing recycling activities and percent of recycled incoming waste for past calendar year	§330.219(b)(9)
11. Inspection records and training procedures relating to fire prevention and facility safety	§330.221
12. Access control breach and repair notices	§330.223
13. Waste unloading/prohibited waste discovery	§330.225
14. Record of alternative operating hours if applicable	§330.229(b)

5.2 Report Signatories

The City of Copperas Cove TS will assign responsibility for the overall operations of the facility to the Public Works Director, Solid Waste Director or Transfer Station Manager, and this position, or someone in the chain of command above this position, will be the responsible signatory for any reports, information, or applications. If the authorization to sign is no longer accurate, a new authorization shall be submitted by this position. Any person signing a report shall make the certification in §305.44(b).

5.3 Notification (§330.219(e))

The City of Copperas Cove TS, in accordance with Title 30 TAC §330.219(e), will furnish the operating record to the Executive Director upon request and it will be made available at all reasonable times at the facility for inspection by the Executive Director.

6 FIRE PROTECTION PLAN (30 TAC §330.221)

Burning is not permitted at the site. Fire extinguishers will be located throughout the transfer station building and the facility is equipped with a fire alarm system and a standpipe. There is an adequate supply of pressurized water to fight fires and the City of Copperas Cove Fire Department is available to assist with firefighting, if needed. Existing fire hydrants also serve the TS facility. All personnel will be trained annually in the contents and use of the following Fire Prevention Plan. The training will include the use and operation of onsite firefighting equipment.

6.1 Fire Prevention Plan

This plan will be updated during the building permit process so as to keep in compliance with local fire codes.

The following steps will be taken regularly by designated site personnel to prevent fires.

- Operators will be alert for signs of burning waste such as smoke, steam or heat being released from incoming waste loads.
- Equipment used to move waste will be routinely cleaned through the use of water or steam cleaners. The water or steam cleaning will remove combustible waste and caked material which can cause equipment overheating and increase fire potential.
- Smoking is only permitted in designated areas away from the waste management areas.

6.2 Specific Fire-Fighting Procedures

The following procedures will be followed in the event of a fire.

- Alert other facility personnel.
- Contact City of Copperas Cove Fire Department, as appropriate.
- If a fire occurs on a vehicle or piece of equipment, the operators will bring the vehicle or equipment to a safe stop. If safety of personnel will allow, the vehicle must be parked away from fuel supplies, solid wastes, and other vehicles. The vehicle will be directed to park on a paved area at least 40 feet from any building. The engine will be shut off and the brake engaged to prevent movement of the vehicle. Fire extinguishers will be used to extinguish fire if possible, without risk to operators.

7 OPERATIONAL PROCEDURES (30 TAC §330.223 THROUGH §330.249)

7.1 Access Control (§330.223)

Public access to the facility will be limited to the gated facility entrance. The site staff controls access and monitors vehicles entering and exiting the site. The site will be fenced to prevent unauthorized public access.

7.1.1 Facility Security

Public access will be controlled to minimize unauthorized vehicular traffic, unauthorized and illegal dumping, and public exposure to hazards associated with waste management. Access to Copperas Cove TS will be via the existing gated entrance road extending off FM 116 and two proposed driveways off of Commerce Street, as shown in the Site Development Plan. This entrance will only be used by employees, visitors, and city-owned waste hauling trucks. Two new driveways are proposed to be constructed off of Commerce Street as a part of this project. The entire site is secured with a chain link fence. A checkpoint is located at the Scale House which will be manned at all times that the facility is open. The gate across the entrance road will be closed and locked to prevent unauthorized access when the transfer station is not open. Vehicular access to the site at points other than the entry gate will be prevented. Transfer station traffic will not be allowed to stand or park on FM 116 and Commerce Street.

7.1.2 Traffic Control

Public access roads to the Transfer Station are paved, all-weather roads. All interior roads are paved with asphalt to avoid dust problems and separate unloading areas are provide for the public and commercial vehicles for safety. The access road from the public road has two lanes, with the inbound lane widening into two queuing lanes. Approximately 300 feet of queuing space is provided to accommodate an estimated 13 waste hauling vehicles. Only vehicles authorized by the manager, personnel vehicles, and authorized haul vehicles will have access beyond the facility entrance. Signage will provide direction to customers and the public to the public entrances of the facility. Additional signage within the facility will provide direction to public unloading areas.

Vehicles transporting solid waste arriving at the facility will be directed to an unloading area by an on-site personnel or signage. Operations will be conducted in a manner that allows the prompt and efficient unloading of waste.

The facility will comply with the following schedule and notification requirements for any access breach:

Requirements	Access Breach Repaired within 8 Hours	Access Breach Not Permanently Repaired in 8 Hours
Notify region office of breach and repair schedule	Not required	Within 24 hours
Make temporary repairs	Not required	Within 24 hours
Make permanent repairs	Within 24 hours	Within schedule submitted to regional office in initial notice
Notify regional office when permanent repair completed	Not required	Within schedule submitted to regional office in initial notice

7.1.3 Vehicle Parking

There exists one paved parking lot to the immediate east of the existing TS entrance, with 44 standard parking spaces and 4 accessible parking spaces. There is a second lot near the eastern perimeter of the facility, with 15 spaces for truck parking. An additional 22-vehicle parking lot will be constructed at the northeast corner of the facility, and 6 parking spaces will be located outside the office building, near the recycling center entrance.

7.2 Unloading of Waste (§330.225)

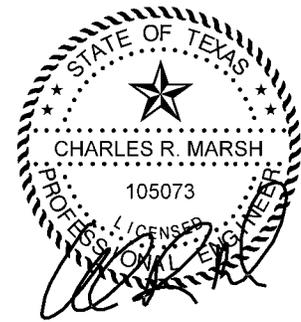
7.2.1 Waste and Recyclable Unloading Procedures

- (1) Incoming waste collection traffic will be directed to the tipping areas of the transfer station by the scale attendant once the incoming vehicle weight has been recorded. The scale attendant will inform the customer that the waste is only to be unloaded in the area where the customer is directed to unload by site operating personnel. Signs directing traffic from the Scale House to the Transfer Building will be located as needed along the route to the Transfer Building. Equipment operators and other personnel will be on duty during operating hours to direct traffic to the tipping area.
- (2) Unloading of waste in unauthorized areas will be prohibited. Any waste which is identified as having been deposited in an unauthorized area will be immediately moved to the tipping area. A trained employee will be present at the entrance at all times during operating hours to monitor all the incoming loads of waste and will direct traffic to the appropriate unloading area.
- (3) Prohibited waste will not be allowed to enter the site. The scale attendant will be the first point of contact with the hauler. The hauler will be asked to inform the scale attendant of the content of the load. The scale attendant will visually inspect open containers to verify contents. The personnel will also have basic understanding of both industrial and hazardous waste and their transportation and management requirements. In the event prohibited waste are identified in the load, the entire load will be turned away from the gate and not be allowed entrance to the transfer station. The facility is not required to accept any solid waste that may cause problems in maintaining full an continuous compliance with the permit/registration.
- (4) This transfer station is authorized to accept municipal solid waste. Class 2 and 3 waste may be accepted at the facility provided the wastes are properly

ATTACHMENT 3
REVISION PAGES
(CLEAN FORMAT)

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TCEQ PERMIT NO. MSW-40145
TYPE V PERMIT APPLICATION
PARTS I/II
GENERAL APPLICATION REQUIREMENTS**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

This document is issued for permitting purposes only.

Permit or Approval	Received	Pending	Not Applicable
Ocean Dumping Permits under Marine Protection Research and Sanctuaries Act			x
Dredge or Fill Permits under Clean Water Act			x
Licenses under the Texas Radiation Control Act			x
Other (describe):			
Other (describe):			

12. Facility General Information

Facility Name: City of Copperas Cove Transfer Station

Contact Name: Larry Scott Title: Director of Solid Waste

MSW Authorization Number (if existing): 2422

Regulated Entity Reference Number: **RN** 102668464

Physical or Street Address (if available): 2605 S. FM116

City: Copperas Cove County: Coryell State: TX Zip Code: 76522

Phone Number: 254-547-5245

Latitude (Degrees, Minutes Seconds): 31° 05' 38" N

Longitude (Degrees, Minutes Seconds): 97° 54' 06" W

Benchmark Elevation (above mean sea level): 1073.54 feet

Description of facility location with respect to known or easily identifiable landmarks:

Facility is located north of Crestview Christian Church on FM 116 Road, approximately 0.25 miles southeast of U.S. Highway 190.

Access routes from the nearest United States or state highway to the facility:

From U.S. Highway 190, exit FM 116 and go approximately 0.25 miles to the south and proceed to TS entrance.

Coastal Management Program

Is the facility within the Coastal Management Program boundary?

Yes No

Signature Page

Site Operator or Authorized Signatory

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Ryan D. Haverlah Title: City Manager

Email Address: [REDACTED]

Signature: [Signature] Date: 08/08/2024

Operator or Principal Executive Officer Designation of Authorized Signatory

To be completed by the operator if the application is signed by an authorized representative for the operator.

I hereby designate _____ as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Operator or Principal Executive Officer Name: _____

Email Address: _____

Signature: _____ Date: _____

Notary

SUBSCRIBED AND SWORN to before me by the said Ryan Haverlah

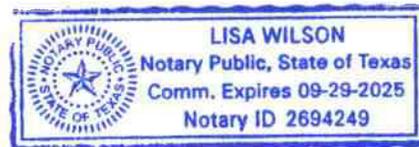
On this 8th day of August, 2024

My commission expires on the 29th day of September, 2025

[Signature]

Notary Public in and for

Coryell County, Texas



Note: Application Must Bear Signature & Seal of Notary Public

- Incinerator ash;
- Sludges.

2.1.2 Projected Transfer Rate

The City of Copperas Cove TS will serve residences and businesses, including those in the Service Area. The TS received approximately 30,838 tons during the 2021 fiscal year beginning September 1, 2020 and ending August 31, 2021.

Waste will be transferred to a permitted facility on a daily basis except for extenuating circumstances such as inclement weather or mechanical breakdown. As economic conditions, population growth, and waste generation rates change, the volume of incoming waste may vary.

An estimated 10-15% of incoming waste is currently diverted for recycling. Once the proposed recycling center is constructed, the estimated amount of recyclable material is anticipated to increase to 20% to 25% of the total incoming waste stream.

The estimated maximum annual waste acceptance rate for the facility for five years is shown in the following table.

NTMWD Fiscal Year ¹	Waste Acceptance Rate	
	Daily ² (tons per day)	Annually (tons per year)
2021	84.5	30,838
2022	85.8	31,319
2023	87.1	31,808
2024	88.5	32,304
2025	89.9	32,808

¹ The fiscal year runs from September to August.

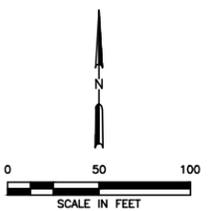
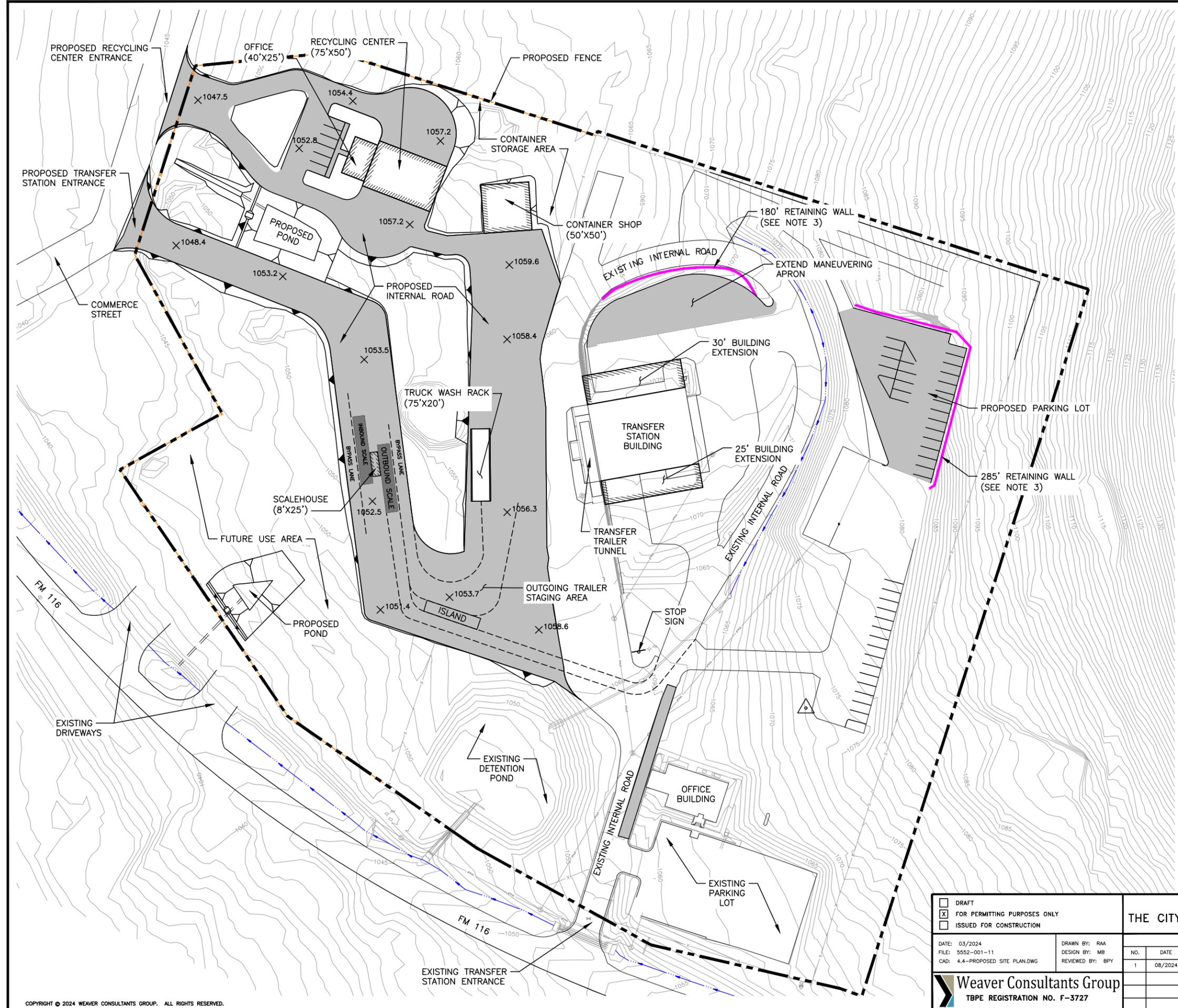
² Averaged over 365 days per year.

As shown below, the average population equivalent using the above projected maximum waste acceptance rates varies from 33,800 persons to 35,960 persons. As the transfer station Service Area conditions change, adjustments to the service area population may occur. The population equivalent of the areas served was calculated as follows:

$$\frac{(84.5 \text{ tons/day})(2,000 \text{ lbs/ton})}{(5 \text{ lbs/person/day})} = 33,800 \text{ persons}$$

$$\frac{(89.9 \text{ tons/day})(2,000 \text{ lbs/ton})}{(5 \text{ lbs/person/day})} = 35,960 \text{ persons}$$

A maximum of 1,100 tons of waste can be processed, transferred, and stored at the facility within the enclosed building. The maximum and average lengths of time that solid waste will remain at the facility are 72 hours and 24 hours, respectively. Solid waste will not be stored overnight at the facility except for extenuating circumstances such as inclement weather or mechanical breakdown. Non-stored wastes will be transported daily to a permitted landfill.



LEGEND

	PERMIT BOUNDARY
	EXISTING CONTOUR (SEE NOTE 1)
	PROPOSED RETAINING WALL (SEE NOTE 2)
	PROPOSED PAVEMENT SURFACING
	CHANNEL
	SPOT ELEVATION
	SITE BENCHMARK

- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.
 - THE PROPOSED RETAINING WALLS VARIES FROM 2 TO 15 FEET IN HEIGHT.

BENCHMARK INFORMATION		
NORTHING	EASTING	ELEVATION (FT-MSL)
10370871.91	3058064.70	1073.54



08-12-2024

<input type="checkbox"/> DRAFT	PREPARED FOR THE CITY OF COPPERAS COVE
<input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY	
<input type="checkbox"/> ISSUED FOR CONSTRUCTION	
DATE: 03/2024 FILE: 5552-001-11 CAD: 4.4-PROPOSED SITE PLAN.DWG	DRAWN BY: RAA DESIGN BY: MB REVIEWED BY: BPY
Weaver Consultants Group TBPE REGISTRATION NO. F-3727	

REVISIONS		
NO.	DATE	DESCRIPTION
1	08/2024	PERMIT MODIFICATION

**TYPE V PERMIT APPLICATION
PROPOSED SITE PLAN**

CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS

WWW.WCGRP.COM **FIGURE 1/II-4.4**

CHARTER

Footnotes:

--- (1) ---

Editor's note— Printed herein is the Charter of the City of Copperas Cove, as adopted by the city council on May 18, 2010, by section 3 of Ordinance No. 2010-21. Amendments to the charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headlines, catchlines and citations to state statutes has been used, and capitalization has been conformed for consistency. Additions made for clarity are indicated by brackets, and footnotes have been inserted by the editor.

ARTICLE I. - INCORPORATION: FORM OF GOVERNMENT: CORPORATE POWERS

Sec. 1.01. - Incorporation.

The inhabitants of the City of Copperas Cove, within the corporate limits as now established or to be established in the future by law as directed by this charter, shall be a municipal body politic and corporate in continued growth under the name of the City of Copperas Cove.

Sec. 1.02. - Form of government.

The municipal government provided by this charter shall be of the type known as the council-manager government. The municipal government provided by this charter shall consist of a mayor and council members, elected by the people and responsible to the people, and a city manager, appointed by and responsible to the council for proper administration of the affairs of the city.

Sec. 1.03. - Home rule.

- (a) The City of Copperas Cove shall have the power of local self government to the fullest extent permitted by law. The city shall have all the powers granted to cities by the Constitution and Laws of the State of Texas together with all of the implied powers necessary to carry into execution those powers and those express and implied powers necessary for the government, interests, health, welfare and good order of the city and its inhabitants. All powers shall be exercised and enforced in the manner prescribed by the laws of the State of Texas, in this charter and the city's ordinances.
- (b) All powers of the city shall be vested in the city council, except as otherwise provided by law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.
- (c)

The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted by the state or this charter.

Sec. 1.04. - Change of boundaries.

- (a) *Annexation.* The boundaries of the City of Copperas Cove may be enlarged and extended by the annexation of additional territory in any of the methods and in any manner and by any procedure that may now be provided by state law, or that may be hereafter provided by such law. Any territory annexed shall become a part of the city, and said land and its residents and future residents shall be entitled to all the rights and privileges of other citizens of the city subject to federal, state and local laws and regulations.
- (b) *Disannexation.* Whenever there exists within the corporate limits of the City of Copperas Cove any territory not suitable or necessary for city purposes, or for the purpose of effectuating common boundary line agreements between the City of Copperas Cove and adjoining cities, the city council may, by ordinance duly passed, disannex said territory as a part of the city; said ordinance shall accurately describe the territory sought to be eliminated from the city and shall contain a plat designating such territory so that the same can be definitely ascertained, and when said ordinance has been duly passed the territory shall cease to be a part of said city, but said territory shall remain liable for its pro rata share of any debts incurred while said area was a part of the city, and the city shall continue to levy, assess and collect taxes on the property within said territory to pay the indebtedness incurred while said area was a part of the city as though the same had not been excluded from the boundaries of the city.
- (c) *Agreement.* Upon mutual agreement between the City of Copperas Cove and any other adjacent municipality may, by ordinance duly passed, exchange territory with the other adjoining municipality for the purpose of effectuating a common boundary line agreement.

Sec. 1.05. - Eminent domain.

The city shall have the full authority to exercise the right of eminent domain for public use when necessary or desirable to carry out any of the powers conferred upon it by this charter, or by the constitution or laws of the State of Texas.

ARTICLE II. - THE COUNCIL

Sec. 2.01. - Composition and terms of office.

- (a) *Composition.* The council shall be composed of a mayor and seven (7) council members. The mayor and all council members shall be elected from the city at large, and each council member shall occupy a position on the council, such positions being numbered one (1) through seven (7) consecutively. The mayor will not be designated as a numbered position on the ballot but shall be designated as "MAYOR."
- (b) *Terms of office.* At the first general election held under this charter, and each three (3) years thereafter, the mayor and two (2) council members shall be elected, with the mayor filling the office of mayor and the two (2) council members filling the office of numbered positions one (1) and two (2). The following year, and each three (3) years thereafter, three (3) council members shall be elected, to fill the office of numbered positions three (3), four (4) and five (5). The following year, and each three (3) years thereafter, two (2) council members shall be elected to fill the office of numbered positions six (6) and seven (7). A council member, unless sooner removed from office under the provisions of this charter, shall serve for a term of three (3) years, and shall serve not more than two (2) terms in succession in the office to which elected. Section 2.07(c) also applies.

Sec. 2.02. - Restrictions.

If any member of the city council desires to run for a different council office other than that which he/she holds, he/she must resign and vacate his/her present office at least sixty (60) days prior to the next election for the desired office. The resignation shall be effective on the date of such resignation. For the purposes of this provision there shall be only two (2) offices; the office of mayor and the office of numbered council member.

Sec. 2.03. - Presiding officer: mayor and mayor pro tempore.

- (a) The mayor shall be elected in the manner provided by this charter to serve for a term of three (3) years and shall not serve more than two (2) terms in succession. The mayor shall preside at all meetings of the city council and shall be recognized as head of the city government for all ceremonial purposes, by the governor for purposes of martial law, and shall serve as the emergency management director in times of an emergency as provided by state law, but shall have no day-to-day administrative duties other than signatory duties where the mayor signs a variety of documents to give them official legal effect. The mayor shall vote at council meetings only to break a tie.
- (b) At the city council's second regular meeting following each yearly regular election of council members, or runoff election if required, the council shall elect one (1) of its members as mayor pro tem, for a period of one (1) year. The mayor pro tem shall act as mayor during the absence or

disability of the mayor and, when so acting, shall have the same powers, duties, and restrictions as set forth for the office of mayor, except that he/she shall not lose the right to vote.

- (c) In the event that both the mayor and mayor pro tem are absent from a council meeting, if there be a quorum as elsewhere stated in this charter, the council members present shall elect a chairperson who shall have the authority to conduct the meeting as if he/she were the mayor except that he/she shall not lose the right to vote.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 2.04. - Qualifications.

A candidate for office must:

- (1) Be a United States citizen;
- (2) Be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- (3) Be registered to vote by the regular filing deadline for a candidate's application for a place on the ballot or on the date of appointment, as applicable;
- (4) Have resided continuously in the corporate limits of the city for twelve (12) months immediately preceding the regular filing deadline for a candidate's application for a place on the ballot or on the date of appointment, as applicable;
- (5) Not have been convicted of a felony for which he or she has not been pardoned or otherwise released from the resulting disabilities;
- (6) Not have been determined by a final judgment of a court exercising probate jurisdiction to be:
 - (a) Totally mentally incapacitated; or
 - (b) Partially mentally incapacitated without the right to vote;
- (7) Not be disqualified by reason of any section of this charter or by state or federal law; and
- (8) Satisfy any other eligibility requirements prescribed by law for the office.

(Amd. of 11-2-21(A), approved 11-10-21)

Sec. 2.05. - Judge of qualifications.

The city council is the final judge of all elections and the qualifications of its members and of any other elected officials of the city.

Sec. 2.06. - Compensation of council members and mayor.

The mayor shall receive [fifty dollars] (\$50.00) and all other council members shall receive [twenty-five dollars] (\$25.00) for each regular and specially called meeting attended. No council member shall receive any compensation for attendance at any workshop meeting, except for any workshop meeting that is conducted on a date separate from a regular or special called meeting. In addition, city council shall establish by ordinance methods of reimbursement for all actual and necessary expenses incurred by the mayor and council members in the performance of their duties.

Sec. 2.07. - Vacancies, forfeitures, filling of vacancies.

- (a) *Vacancies.* The office of a council member or office of the mayor shall become vacant upon death, resignation, removal from office by recall, or forfeiture of his/her office.
- (b) *Forfeiture.*
1. A council member or the mayor shall forfeit his/her office if he/she:
 - (1) Lacks at any time during the term of office any qualification for the office prescribed by this charter or by law,
 - (2) Violates any express prohibition of this charter,
 - (3) Is convicted of a misdemeanor involving moral turpitude, felony or is assessed a deferred adjudication or probation for a felony,
 - (4) Fails to attend two (2) consecutive regular meetings unless excused by city council (said excusal may be obtained before or after the absence occurs) caused by sickness or emergency, or
 - (5) Moves his/her permanent residence outside the city limits.
 2. If a council member is alleged to have violated any provision of this section and does not immediately resign, the council and mayor may conduct a hearing to determine if the office holder has forfeited and should vacate his/her office. The hearing shall be held within 30 days of the council, as a body, learning of the alleged forfeiture. The council may, by an affirmative vote of five (5) members, declare the office of said office holder to be forfeited and vacant. Disposition of the matter under this charter is final. Further relief may be sought in a court of law. The office holder subject to the forfeiture shall not have a vote. The mayor shall vote unless he/she is the office holder subject to the forfeiture.
- (c) [*Filling of vacancies.*] Any city council member or mayoral vacancy shall be filled as follows:
1. If the vacancy(s) results in an unexpired term of greater than twelve (12) months and within 120 days of the city's general election then the vacancy(s) shall be filled at the general election consistent with state law. Said term of office to be for the unexpired term of the office vacated.
 - 2.

If the vacancy(s) results in an unexpired term of greater than twelve (12) months and outside of 120 days of the city's general election then the vacancy(s) shall be filled at a special election within one hundred and twenty (120) days after such vacancy(s) occur consistent with state law. Said term of office to be for the unexpired term of the office vacated.

3. If the vacancy(s) results in an unexpired term of twelve (12) months or less and outside of 350 days of the city's general election then the vacancy(s) shall be filled by appointment of the city council upon a two-thirds vote of all city council members. Said term of office to be for the unexpired term of the office vacated.
4. If the vacancy(s) results in an unexpired term of twelve (12) months or less and within 68 days of the city's general election then the vacancy(s) shall be filled at the general election consistent with state law. Said term of office to be for the unexpired term of the office vacated.

After a vacancy in office is filled by election, if the unexpired term is one (1) year or less, that council member may seek re-election for two (2) additional consecutive terms. If the unexpired term exceeds one (1) year that council member may succeed himself/herself only once. For the purposes of this section the period from one [(1)] annual general election to the next annual general election shall be considered as one [(1)] year or less regardless of the number of calendar days involved.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14; Res. No. 2018-45, 11-13-18, approved 11-6-18; Amd. of 11-2-21(C), (G) approved 11-10-21)

Sec. 2.08. - Prohibitions.

- (a) *Holding other office.* Except where authorized by law, no mayor or council member shall hold any other city office or city employment during his/her term as mayor or council member, and no former mayor or council member shall hold any compensated appointive city office or city employment until two (2) years after the expiration of his/her term as mayor or council member.
- (b) *Reserved.*
- (c) *Appointments and removals.* Neither the council nor any of its individual members, including the mayor, shall in any manner dictate the appointment or removal of any city administrative officer or employee whom the city manager or any of his/her subordinates are empowered to appoint, however, the council may express its views and fully and freely discuss with the city manager anything pertaining to appointment and removal of such officers and employees.
- (d) *Interference with administration.* Neither the council nor its individual members, including the mayor, shall give any orders or direction, public or private, to any officer or employee who is subject to the direction and supervision of the city manager. Council members, including the mayor, shall not give orders or direction to the city secretary, city judge, city attorney or city manager unless acting as a council as a whole. This is not to preclude the council or its individual

members, including the mayor, from conducting a dialog with city staff where the spirit and intent is not to interfere with the management and administration of the city. The mayor is not prohibited from performing administrative duties under a Declaration of Emergency Disaster per section 2.13 or when performing administrative duties as the Emergency Management Director per section 2.15.

(Ord. No. 2012-34, § 1, 8-14-12, approved 11-6-12; Ord. No. 2023-33, § 2(B), 8-15-23, approved 11-7-23)

Sec. 2.09. - Meetings of council.

The council shall hold at least two (2) regular meetings each month with the exception of December, which shall have a minimum of one (1) regular meeting, and as many additional meetings as it deems necessary to transact the business of the city and its citizens. The council shall fix, by ordinance, the days, time and place of the regular meetings. Special meetings of the council may be held at any time during the year.

(Amd. of 11-2-21(D), approved 11-10-21)

Sec. 2.10. - Rules of procedure.

The council shall, by ordinance, determine its own rules and order of business and the rules shall provide that citizens of the city shall have a reasonable opportunity to be heard at all regular and special council meetings in regard to any matter under consideration. The council shall provide for minutes being taken and recorded of all meetings, and such minutes shall be a public record. Voting, except on unanimous votes, shall be by roll call and the yeas, nays, and abstentions shall be recorded in the minutes. Four (4) council members shall constitute a quorum for the purpose of transaction of business. Unless otherwise required by law, no actions of council shall be valid and binding unless adopted by the affirmative vote of four (4) or more members of the council.

(Ord. No. 2012-34, § 2, 8-14-12, approved 11-6-12)

Sec. 2.11. - Investigative power of the council.

The council shall have the power to inquire into or investigate the official conduct of any department, agency, office, officer, employee, council members and mayor of the city and for that purpose shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers, records or other evidence, and as it shall provide by ordinance, to punish and fix penalties for contempt for failure or refusal to obey any such subpoena or to produce any such books, papers, records, or other evidence, unless otherwise stated by state law.

Sec. 2.12. - Reserved.

Editor's note— Ord. No. 2014-48, § 2, adopted Nov. 17, 2014, ratifying the results of a special election held on Nov. 4, 2014, repealed § 2.12, which pertained to city secretary and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010. The user's attention is directed to § 4.05 of this charter for relevant provisions.

ARTICLE III. - ELECTIONS, INITIATIVE, REFERENDUM AND RECALL

Sec. 3.01. - Municipal elections.

- (a) *Schedule*. The general municipal election shall be held annually on a day established by the city council and compliant with state law. The runoff election date will be held in accordance with state election law. The city council shall be responsible to specify places for holding all elections.
- (b) *Special elections*. The city council may order a special election for ordinances, bond issues, charter amendments, recall or other purposes deemed appropriate. Special elections must be held on a uniform election date in accordance with state election law.

(Ord. No. 2012-34, § 3, 8-14-12, approved 11-6-12)

Sec. 3.02. - Filing for office.

Any qualified person may have his or her name placed on the official ballot as a candidate for mayor or council member at any election held for such purpose and in accordance with state law.

(Ord. No. 2012-34, § 4, 8-14-12, approved 11-6-12)

Sec. 3.03. - Official ballots.

Official ballots shall be prepared consistent with the requirements of state law.

(Amd. of 11-2-21(E), approved 11-10-21)

Sec. 3.04. - Elections.

- (a) To be elected for the office of council member or mayor, the candidate must receive a majority vote of qualified voters who voted in the general election. If no candidate receives a majority vote, the two (2) candidates with the highest number of votes will participate in a runoff election.
- (b) *Canvassing elections*. Returns of elections shall be accomplished according to state law.
- (c) *Notification and taking office*. It shall be the duty of the city secretary to notify all persons elected. Those elected shall take office and enter upon their duties after qualifying by taking and subscribing to their oath of office at a time an[d] in the manner as required by state law.

(Amd. of 11-2-21(E), approved 11-10-21)

Sec. 3.05. - Oath of office.

Every officer of the city, whether elected or appointed, before entering upon the duties of office, shall take and subscribe to the appropriate oath or affirmation prescribed by the secretary of state of the State of Texas. The oath shall also contain a statement affirming that the officer will uphold and comply with the Charter of the City of Copperas Cove, Texas. Oaths of office shall be kept in the office of the city secretary.

Sec. 3.06. - Power of initiative.

The voters of this city shall have the power to propose any ordinance, or reject the same at the polls. An initiated ordinance may be submitted to the council by a petition signed by qualified voters of the city, equal in number to two and one-half percent (2.50%) of qualified voters registered to vote at the last general city election.

Sec. 3.07. - Power of referendum.

The voters of this city shall have the power to repeal at the polls any ordinance enacted by the city council which is subject to the initiative process under this charter, except for bonds and all other property tax backed debt obligations that have been legally awarded to a successful bidder or other legal obligations. The petition for referendum shall require the same number and qualification of signers as required by this charter for an initiative petition.

(Ord. No. 2012-34, § 5, 8-14-12, approved 11-6-12)

Sec. 3.08. - Requirements of petition.

Any five (5) qualified voters may begin initiative or referendum proceedings by filing with the city secretary an affidavit stating they constitute the petitioners committee and will be responsible for circulating the petition and filing it in proper form, stating their names and addresses, and setting out in full the proposed initiative ordinance or the ordinance sought to be considered. Petitions shall contain, or have attached to them, the full texts of the ordinance proposed or sought to be considered. The signatures to the initiative or referendum need not all be appended to one paper, but each signer shall sign his/her name in ink, shall add his/her place of residence by street and number, shall include his/her date of birth or voter registration number, and shall state his/her county of residence. The circulators of each petition page shall make an affidavit that he/she, and he/she only, personally circulated that page of the petition, and that each signature is the genuine signature of the person as is written, and further, that no signatures shall have been placed there more than forty-five (45) days prior to the filing of such petition. Petitions shall be returned to the city secretary for filing within forty-five (45) days after filing of the affidavit of petitioners committee.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14; Amd. of 11-2-21(F), approved 11-10-21)

Sec. 3.09. - Filing, examination and certification of petition.

Within twenty (20) business days after an initiative, referendum or recall petition is filed, the city secretary shall determine whether such petition is signed by a sufficient number of qualified voters and has proper affidavit(s). After completing examination of the petition, the city secretary shall certify the results to the city council at its next regular meeting. If such petition is insufficient, the city secretary shall set forth in a certificate the particulars in which it is insufficient, and an additional ten (10) days shall be allowed in which to file an amendment or supplement which will correct the deficiency. No petition, once amended, may be amended again.

Sec. 3.10. - Effect of certification of referendum petition.

When a referendum petition or amended petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or further action shall be suspended if it shall have gone into effect, until and unless it is approved by the voters.

Sec. 3.11. - Council consideration and submission to voters.

- (a) When the council receives a petition for initiative which has been certified by the city secretary to be sufficient, the council shall either enact the proposed ordinance within thirty (30) days, or after certification the proposed ordinance shall be submitted to a vote of the qualified voters of the city on the city's first next general election in accordance with state election law.
- (b) When the council receives a referendum petition certified by the city secretary to be sufficient, the council shall reconsider the referred ordinance within thirty (30) days; and if not repealed, it shall submit that ordinance to the qualified voters of the on the city's next general election in accordance with state election law.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 3.12. - Ballot form and results of elections.

- (a) The ballot used in voting upon an initiated or referred ordinance shall state the caption of the ordinance and below the caption shall set forth on separate lines the words: "For the Ordinance" "Against the Ordinance." Any number of ordinances may be voted upon at the same election in accordance with the provisions of this charter. An ordinance submitted, and receiving an affirmative majority of the votes cast, shall then become effective as an ordinance of the city. An ordinance so adopted may be repealed or amended at any time after the expiration of two (2) years by a majority vote of the entire city council.
- (b)

If conflicting ordinances are approved at the same election, the ordinance receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Sec. 3.13. - Power to recall.

- (a) *Power to recall.* The voters of the City of Copperas Cove shall have the power to recall any elected officer of this city for the reasons of incompetency and official misconduct and upon conviction of a crime of moral turpitude.
- (1) Incompetency means gross ignorance of official duties; gross carelessness in the discharge of official duties; or inability or unfitness to promptly and properly discharge official duties because of a serious mental or physical defect that did not exist at the time of the officer's election.
 - (2) Official misconduct means intentional unlawful behavior relating to official duties and includes intentional or corrupt failure, refusal, or neglect to perform a duty imposed on the officer by law.
- (b) *Requirements of a recall petition.*
- (1) A petition for recall shall specifically state the grounds alleged for the removal of the officer in plain and intelligible language and must cite the time and place of the occurrence of each act alleged as a ground for removal with as much certainty as the nature of the case permits.
 - (2) The petition shall be signed by qualified voters of the city equal in number two and one-half percent (2.50%) of the number of qualified voters registered to vote at the last general city election. The petition shall be verified by the same number of signers, with the same qualifications, and in the same manner required in the charter for an initiative petition.
- (c) *Ordering of an election.* If the petition is certified by the city secretary to be sufficient, the council shall order and hold, or cause to be held, on the next feasible date for such, an election as specified under state law, to determine whether such officer shall be recalled.
- (d) *Limitation for removal.* An officer may not be removed for an act the officer committed before election to office.

Sec. 3.14. - Results of recall election.

If the majority of the votes cast at a recall election shall be for the removal from office of the elected officer named on the petition and ballot, upon the canvas of said election, his/her office shall immediately be declared vacant and shall be filled as vacancies in the city council are filled, as provided in this charter. An elected officer who has been so removed from office shall not be eligible to succeed himself/herself.

Sec. 3.15. - Limitation on recall.

No petition shall be filed against an elected officer within [one hundred eighty] (180) days after he/she has taken office. A recall election need not be ordered by the council if the term of office of the elected officer against whom a petition is filed is to expire within [one hundred eighty] (180) days after the petition is filed with the city secretary. An elected officer previously the subject of a recall election, shall not be listed on a recall petition within [three hundred sixty-five] (365) days of the previous recall election.

Sec. 3.16. - [Public hearing.]

The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the council, request that a public hearing be held to permit him/her to present facts pertinent to the charges specified in the recall petition. In this event, the council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such requests for a public hearing.

Sec. 3.17. - Ballots in recall election.

Ballots used at recall elections shall conform to the following requirements:

- (1) With respect to each person whose removal is sought, the question shall be submitted "Shall (name of person) be removed from the office of (mayor) (council member) by recall?"
- (2) Immediately below the question, there shall be printed the two (2) following propositions, one above the other, in the order indicated: "YES." "NO".

Sec. 3.18. - Reserved.

Editor's note— Ord. No. 2023-33, § 2, adopted August 15, 2023, approved November 7, 2023, repealed § 3.18, which pertained to failure of council to call a recall election and derived from Ord. No. 2010-21, § 3 May 18, 2010.

ARTICLE IV. - ADMINISTRATIVE SERVICES

Sec. 4.01. - City manager.

(a) *Appointment and qualifications.*

- (1) The council shall appoint a city manager, who shall be the chief administrative and executive officer of the city. He/she shall be chosen solely on the basis of his/her executive and administrative training, experience and ability. He/she need not be a resident of the city when appointed; however, during his/her tenure of office he/she shall reside in the city.

(2)

No mayor or council member shall receive such appointment during the term for which he/she shall have been elected or within two (2) years after the expiration of his/her term.

- (b) *Term and salary.* The city manager shall serve at the discretion of the city council and shall receive such salary as may be fixed by the council.
- (c) *Powers and duties.* The city manager shall be responsible to the council for the administration of all the affairs of the city. The powers and duties conferred upon the city manager shall include, but shall not be limited by the following:
- (1) He/she shall see that all laws, provisions of this charter, and acts of the city council, subject to enforcement by him/her, or by officers subject to his/her direction and supervision, are faithfully executed.
 - (2) Appoint, suspend or remove any employee of the city, including department heads, not appointed by council.
 - (3) Attend all meetings of the council unless an approved absence is authorized by council.
 - (4) Prepare the annual budget and submit it to the council and be responsible for its administration after its adoption.
 - (5) Prepare and submit to council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
 - (6) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem necessary.
 - (7) Perform such other duties as may be prescribed by this charter or required of him/her by the council.
 - (8) Manage, as administrative head, all employees of the city. However, the city manager may not lower, change or alter in any manner the salary and/or the compensation package of personnel directly responsible to the city council.
 - (9) The city council, including the mayor, shall evaluate the city manager annually in accordance with the city's personnel policies manual, and each council member shall sign the evaluation.
 - (10) Prescribe the forms of receipts, vouchers, bills or claims to be used by all the offices, departments or agencies of the city government.
 - (11) Examine and sign all contracts, orders and other documents by which the city government incurs financial obligations, having previously ascertained that monies have been appropriated and allotted and will be available when the obligations shall become due and payable.
 - (12) Audit and approve, before payment, all bills, invoices, payrolls, and other evidence of claims, demands or charges against the city government and with the advice of the city attorney determine the regularity, legality and correctness of such claims, demands or charges.

(13) Inspect and audit any accounts or records of financial transactions which may be maintained in any office, department or agency of the city government apart from or subsidiary to the accounts kept in his/her office.

(Ord. No. 2012-34, §§ 6, 7, 8-14-12, approved 11-6-12; Amd. of 11-2-21(H), approved 11-10-21)

Sec. 4.02. - Acting city manager.

The city manager within sixty (60) days after taking office, shall designate by letter filed with the city secretary, a qualified administrative officer of the city to perform the duties of the city manager in his/her absence or disability. Such designation shall be approved by council.

Sec. 4.03. - Department heads.

The head of each department, except those specifically mentioned in this charter, shall be appointed by, responsible to, and removed by the city manager, and shall be directly responsible for the administration of his or her department. The city manager shall determine the salary of the head of each department under his or her supervision.

No department or office established by this charter shall be discontinued by the city council, and no duties of any such departments shall be transferred therefrom or added thereto.

Sec. 4.04. - Participation of city manager and other department heads in meetings.

The city manager shall have the right to participate in the discussion of all matters coming before the council. Other department heads shall take part in all discussions of the council relating to their respective offices, departments or agencies, subject to the provisions of the Open Meetings Act.

Sec. 4.05. - City secretary.

- (a) The city manager shall appoint a city secretary.
- (b) The city secretary shall be responsible for giving notices of city council meetings, keeping a record of city council proceedings, authenticating by signature and recording, in full in a book kept and indexed for that purpose, all ordinances and resolutions, be responsible for all city elections, and shall perform such other duties as the city manager may assign.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

ARTICLE V. - LEGAL DEPARTMENTS AND MUNICIPAL COURT

Sec. 5.01. - City attorney.

The city council shall appoint a competent attorney, licensed by the State of Texas, who shall be its "city attorney". The city attorney shall serve at the discretion of the city council. The city attorney shall designate assistant(s) city attorney and submit the name(s) to the city council for concurrence, if the council appropriates sufficient funds for that position. The city attorney shall receive for his/her services such compensation as may be fixed by the council. The city attorney shall appear, in any court, on behalf of the city.

The city attorney, such designated assistant city attorney or other authorized attorney shall represent the city in all litigation. He/she, such designated assistant city attorney or other authorized attorney shall be the legal advisor, counsel for the city, and counsel for the departments of the city.

The city attorney shall review any and all ordinances considered suspect for change or deletion and cause said ordinance to be brought before the city council with his/her recommendations. The city council and the mayor shall evaluate the city attorney annually, and each council member and the mayor shall sign the evaluation.

The city attorney shall review all contracts as to legal sufficiency prior to their approval and execution. (Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14; Ord. No. 2023-33, § 2(C), 8-15-23, approved 11-7-23)

Sec. 5.02. - Municipal court.

There shall be a court for the trial of misdemeanor offenses known as the "Municipal Court of Copperas Cove, Texas," with such powers and duties as are given and prescribed by laws of the State of Texas and this charter.

The municipal court shall be presided over by a magistrate, who shall be known as "the judge of the municipal court."

The court shall be served by a clerk, to be known as the "municipal court administrator", who shall be a city employee.

All fines imposed by the municipal court, or by any court in cases appealed from judgments of the municipal court, shall be paid into the city treasury for the use and benefit of the city.

(Amd. of 11-2-21(G), approved 11-10-21)

Sec. 5.03. - Municipal judge.

There shall be a magistrate of the municipal court known as the "judge of the municipal court", appointed and removed by the city council in accordance with state law. He/she shall receive such compensation as may be fixed by the city council.

The city council and the mayor shall evaluate the municipal judge annually, and each council member and the mayor shall sign the evaluation.

Further, the city council may appoint an associate municipal judge to serve in the absence of the municipal judge. The associate judge shall serve at the discretion of the city council, who shall fix his/her compensation.

(Ord. No. 2012-34, § 8, 8-14-12, approved 11-6-12)

ARTICLE VI. - THE BUDGET

Footnotes:

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Editor's note— Ord. No. 2012-34, § 9, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed sections 6.02—6.11, which pertained to preparation and submission of proposed budget; anticipated revenue compared with other years in budget; proposed expenditures compared with other years; proposed budget: a public record; public hearing amending or supplementing proposed budget; vote required for adoption; date of final adoption; effective date and distribution of budget; contingent appropriations and amending the budget, respectively, which derived from Ord. No. 2010-21, § 3, adopted May 18, 2010 and included new provisions as herein set out.

Sec. 6.01. - Fiscal year.

The fiscal year of the City of Copperas Cove shall begin the first day of October and shall end on the last day of September of each calendar year. Such fiscal year shall also constitute the budget and accounting year.

Sec. 6.02. - Preparation and submission of proposed operating budget.

The city manager shall submit to the city council annually a proposed operating budget in accordance with state law and supporting the qualifying budget application criteria of the Government Finance Officers Association.

(Ord. No. 2012-34, § 9, 8-14-12, approved 11-6-12)

Sec. 6.02.1. - Amending the operating budget.

The Cities operating budget shall be amended as provided for in state law and the rules and policies adopted by City Council.

(Ord. No. 2023-33, § 2(D), 8-15-23, approved 11-7-23)

Sec. 6.02.2.—6.05.1. - Reserved.

Editor's note— Ord. No. 2023-33, § 2(D), adopted August 15, 2023, approved November 7, 2023, repealed §§ 6.02.2—6.05.1, which pertained to transfers of appropriations, preparation and submission of the capital improvement plan, amending the capital improvement plan, preparation and submission of the capital outlay plan, amending the capital outlay plan, preparation and submission of the personnel plan, amending the personnel plan and derived from Ord. No. 2012-34, §§ 1, 13, August 14, 2012, approved November 6, 2012; Amd. of November 2, 2021(G)—(K), approved November 10, 2021.

ARTICLE VII. - ISSUANCE AND SALE OF BONDS

Sec. 7.01. - Power to borrow.

The City of Copperas Cove shall have the right and power to issue its general obligation bonds on the full faith and credit of the city, payable from ad valorem taxes not to exceed the maximum rate permitted by the Texas constitution, for the purpose of providing permanent public improvements or for any other public purpose. The city shall also have the right and power to issue its revenue bonds payable from the revenues of any municipally owned utility or utilities, and may secure such revenue bonds by a mortgage or deed of trust on the physical properties of such utility or utilities. The city shall also have the right and power to issue interest bearing time warrants pursuant to Article 2368a., Vernon's Annotated Civil Statutes as amended, may be amended or disposed of in the future and interest bearing certificates of obligation pursuant to Acquisition, Sale or Lease of Property, V.T.C.A., Local Government Code, Chap. 271, Subchapter C, as amended, may be amended or disposed of in the future.

Sec. 7.02. - Reserved.

Editor's note— Ord. No. 2012-34, § 10, adopted Aug. 14, 2012 and approved at a special election on Nov. 6, 2012, repealed § 7.02, which pertained to issuance of bonds, time warrants and certificates of obligation and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

ARTICLE VIII. - FINANCE ADMINISTRATION

Sec. 8.01. - Director of finance.

- (a) *Appointment.* The council may set up a department of finance, the head of which shall be the director of finance, who shall be appointed by the city manager.
- (b) *Qualifications.* The director of finance shall have the proper knowledge of municipal accounting and sufficient experience in budgeting and financial control to properly perform the duties of the office.

- (c) *Power and duties.* Under the direction of the city manager, the director of finance shall have charge of the administration of the financial affairs of the city, and to that end he/she shall have the authority and shall be required to:
- (1) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to ensure that budget appropriations as established or changed by the city council are not exceeded.
 - (2) Maintain a general accounting system for the city government each of its offices, departments, and agencies; keep books for and exercise financial budgetary control over each office, department and agency; keep separate accounts for the items of appropriation contained in the city budget, each of which accounts shall show the amount of the appropriation, the amounts paid therefrom, the unpaid obligations against it and the unencumbered balance; require reports of receipts and disbursements from each receiving and spending agency of the city government to be made daily or at such intervals as may be deemed expedient.
 - (3) Submit to the council through the city manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the city.
 - (4) Collect license fees and other revenues of the city, or for whose collection the city is responsible, and receive all money receivable by the city from state or federal government, or from any court, or from any office, department or agency of this city.
 - (5) Supervise and be responsible for the purchase, storage and distribution of all supplies, materials, equipment and other articles used by any office, department or agency of the city government.
 - (6) Approve all proposed expenditures; provided that there is an unencumbered balance of appropriated and available funds.
 - (7) Supervise and be responsible for the sale or disposal of surplus or obsolete supplies, materials and equipment belonging to the city.
- (d) *Acting.* In the absence of a director of finance, the city manager's designee will serve in the capacity of director of finance.

(Ord. No. 2012-34, §§ 11, 12, 8-14-12, approved 11-6-12)

Sec. 8.02. - Reserved.

Editor's note— Amd. of 11-2-21(G), approved November 10, 2021, renumbered former § 8.02 as § 6.02.2.

Sec. 8.03. - Reserved.

Editor's note— Amd. of 11-2-21(G), approved November 10, 2021, repealed § 8.03, which pertained to

accounting supervision and control and derived from the Prior Code.

Sec. 8.04. - Lapse of appropriations.

All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered. The finance director shall transfer such lapsed appropriations to the reserve account of the fund to which the lapsed appropriation belongs.

Sec. 8.05. - Fees shall be paid to city.

All fees received by any officer or employee shall belong to the city government and shall be paid to the department of finance at such times as required by the director of finance.

Sec. 8.06. - Sale of city property.

Any sale, gift, or contract for the sale of any real property belonging to the city, either in form of land, real estate or other real properties, shall be in accordance with the Texas Constitution, Texas Local Government Code, Chapters 253 and 263, and the acts amendatory thereof and supplementary thereto, now or hereafter enacted, and all other applicable state law. Personal property shall be disposed of according to ordinance.

Sec. 8.07. - Purchase procedure.

The director of finance shall have authority to make expenditures from one [(1)] or more municipal funds without the approval of the city council for all budgeted items up to that amount which, under state law, triggers the competitive procurement process. Within sixty (60) days from the date this section becomes effective, city council shall adopt an ordinance to provide all contracts, purchases and other procurements comply with the statutory competitive procurement process and other relevant laws. Said ordinance shall be reviewed within sixty (60) days from the date each legislative session ends, and shall be amended as necessary to comply with any changes to the statutory competitive procurement process, or other relevant laws adopted in that legislative session. Said ordinance may be reviewed and amended at any other times, as deemed expedient and necessary by city council or if required by amendment to the Texas Constitution.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 8.08. - Contract for improvements.

Any city contract requiring an expenditure by, or imposing an obligation or liability on the city shall be made in accordance with the requirements of the Constitution and statutes of the State of Texas. These contracts shall include, but are not limited to, contracts for the construction of public works or the purchase of materials, equipment, supplies, or machinery. Within sixty (60) days from the date this section becomes effective city council shall adopt an ordinance to provide all expenditures falling under the purview of this

section comply with the requirements of the Constitution and statutes of the State of Texas. Said ordinance shall be reviewed within sixty (60) days from the date each legislative session ends, and shall be amended as necessary to comply with any changes to the statutory requirements adopted in that legislative session. Said ordinance may be reviewed and amended at any other times, as deemed expedient and necessary by city council or if required by amendment to the Texas Constitution.

(Ord. No. 2014-48, § 2, 11-17-14, approved 11-4-14)

Sec. 8.09. - Disbursement of funds.

All checks, vouchers or warrants for the withdrawal of money from the city depository shall be signed by the director of finance, or his/her deputy, and countersigned by the city manager. In the event the city manager is the director of finance, all checks signed by him/her shall be countersigned by the director of budget.

(Amd. of 11-2-21(L), approved 11-10-21)

Sec. 8.10. - Accounting control of purchases.

All purchases made shall be pursuant to a written requisition from the head of the office, department or agency whose appropriation will be charged, and no contract or order shall be issued to any seller unless and until the director of finance certifies that there is to the credit of such office, department or agency a sufficient unencumbered balance to pay for the supplies, materials, equipment or contractual services for which the contract or order is to be issued.

Sec. 8.11. - Reserved.

Editor's note— Ord. No. 2012-34, § 14, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 8.11, which pertained to borrowing in anticipation of property taxes and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 8.12. - Reserved.

Editor's note— Ord. No. 2012-34, § 15, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 8.12, which pertained to sale of notes: report of sale and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 8.13. - Surety bonds.

The directors of all administrative departments whose duties include the handling of monies and all employees whose duties include the handling of monies belonging to the City of Copperas Cove shall, before entering upon the duties of this office or employment, be bonded with a responsible surety company

acceptable to the city council for such amount as the council may prescribe, the premium of which bond shall be paid by the city; and the city council may also require any such surety bond to be further conditioned that the principal thereon will faithfully perform and/or discharge the duties of his/her office, and if there are provisions of state law bearing upon the functions of his/her office under which the execution of a surety bond is required, it shall be further conditioned to comply therewith.

ARTICLE IX. - TAX ADMINISTRATION

Sec. 9.01. - Power to tax.

The city shall have all the same powers of taxation granted by the constitution and the general laws of the State of Texas governing cities with a population in excess of five thousand (5,000) inhabitants and by virtue of this charter shall have the power to:

- (a) Authorize the granting and issuance of licenses and direct the manner of issuing and registering the same and fix the fees therefor; but no license shall be issued for a longer period than one (1) year and shall not be assignable except by permission of the governing authority of the city; and may adopt such measures as may be deemed necessary to enforce the registration requirements;
- (b) Assessing the penalty and interest rate and the method of determining the amount of collector's cost to be charged to delinquent tax accounts;

(Ord. No. 2023-33, § 2(B), 8-15-23, approved 11-7-23)

ARTICLE X. - FRANCHISES AND PUBLIC UTILITIES

Sec. 10.01. - Powers of the city.

The city shall have the power to buy, construct, lease, maintain, operate and regulate public utilities and to manufacture, distribute and sell the output of such utility operations. In addition, the city shall have additional powers as granted by the constitution and the laws of the State of Texas. The city shall not provide any utility services outside the city limits except by a written contract with the prospective customer requesting such services.

Sec. 10.02. - Power to grant franchise.

The council shall have the power, by ordinance, to grant, renew, extend and amend by mutual agreement, all franchises of all public utilities operating within the city. To the extent authorized by law no franchise shall be granted, renewed or extended for an indeterminate period or for a term of more than

twenty (20) years.

(Ord. No. 2023-33, § 2(E), 8-15-23, approved 11-7-23)

Secs. 10.03—10.09. - Reserved.

Editor's note— Ord. No. 2023-33, § 2(E), adopted August 15, 2023, approved November 7, 2023, repealed §§ 10.03—10.08, which pertained to ordinance granting franchise, grant not to be exclusive, transfer of franchise, franchise value not to be allowed, right of regulation, regulation of rates and derived from Ord. No. 2010-21, § 3 May 18, 2010. Section 10.09 was repealed by Amendment of 11-2-21(E) approved November 10, 2021, which pertained to submission of annual reports and derived from the Prior Code.

Sec. 10.10. - Municipally owned utilities.

An account will be maintained by the city manager for each public utility owned or operated. Each account will show the true and complete financial results of the city ownership and operation including assets and liabilities by classes, depreciation reserve, other reserves and surplus, revenues, operating expenses, depreciation, interest payments, rental and disposition of annual income, capital cost of each city-owned utility, cost of and service rendered to any city department, and other information required by the council. Annually, a certified public accountant will prepare, and the council will cause to be published, a financial report for each public utility owned or operated by the city. Each report will contain the information specified in this section and such other information as required by the council. The council will establish, by ordinance, the submission and inclusive dates of each report.

Sec. 10.11. - Records.

The city shall compile and maintain a public record of city-owned and operated public utilities, public utility franchises and related annual reports.

ARTICLE XI. - GENERAL PROVISIONS

Sec. 11.01. - Publicity of records.

All records of the city shall be open for inspection by any citizen or by any representative of a citizen's organization or the press during normal business hours subject only to the provisions and limitations of the Texas Public Information Act as now exists or hereafter amended.

Sec. 11.02. - Conflict of interest.

For purposes of this section the term "City Official" means any individual subject to the requirements of Texas Local Government Code, Chapter 171.

It is hereby prohibited for members of city council or a city official to violate the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171.

(Amd. of 11-2-21(M), approved 11-10-21)

Sec. 11.03. - Reserved.

Editor's note— Ord. No. 2012-34, § 16, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 11.03, which pertained to gratuities and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 11.04. - Reserved.

Editor's note— Ord. No. 2012-34, § 17, adopted Aug. 14, 2012 and approved at a special election held on Nov. 6, 2012, repealed § 11.04, which pertained to equal employment opportunities and derived from Ord. No. 2010-21, § 3, adopted May 18, 2010.

Sec. 11.05. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.05, which pertained to employee relations and derived from the Prior Code.

Sec. 11.06. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.06, which pertained to damage suits and derived from the Prior Code.

Sec. 11.07. - Power to settle claims.

The city council, and only the city council, shall have the power to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the city, including suits by the city to recover delinquent taxes.

Sec. 11.08. - Service of process against the city.

All legal process against the city shall be served upon the mayor or city secretary.

Sec. 11.09. - City not required to give security or execute bond.

It shall not be necessary in any action, suit or proceeding in which the City of Copperas Cove is a party, for any bond, undertaking or security to be demanded, executed by or on behalf of said city in any of the state courts, but in all such actions, suits, appeals or proceedings, same shall be conducted in the same manner

as if such bond, undertaking or security had been given as required by law, and said city shall be just as liable as if security of bond had been duly executed.

Sec. 11.10. - Liens against city property.

No lien of any kind shall ever exist against any property, real or personal, owned by the city except that the same be created by this charter.

Sec. 11.11. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.11, which pertained to provisions relating to assignment, execution and garnishment and derived from the Prior Code.

Sec. 11.12. - Reserved.

Editor's note— Amd. of 11-2-21(D), approved November 10, 2021, repealed § 11.12, which pertained to power to remit penalties and derived from the Prior Code.

Sec. 11.13. - Churches and school property not exempt from special assessments.

No property of any kind, church, school, or otherwise, in the City of Copperas Cove shall be exempt from any of the special taxes and assessments authorized by this charter for local improvements unless the exemption is required by state law.

Sec. 11.14. - Sale or lease of property other than public utilities or acquired by tax sale.

Any real property owned by the City of Copperas Cove may be sold or leased by the city council when in its judgment such sale or lease will be for the best interests of the city; provided, however, a sale or a lease for more than five (5) years shall never become effective until thirty (30) days after passage of the ordinance or resolution affecting same. If, during such thirty (30) day period, a referendum petition is presented to the city secretary which in all respects conforms to the referendum provisions of article II of this charter, and same is found sufficient, then the secretary shall certify the sufficiency of same to the city council, and an election shall be called submitting the question of whether or not the sale or lease shall be consummated. Provided, further, however, the provisions of this section shall not apply to public utilities nor to property purchased by the city at tax sales.

Sec. 11.15. - Effect of this charter on existing law.

All ordinances, resolutions, rules and regulations now in force under the city government of Copperas Cove, and not in conflict with the provisions of this charter, shall remain in force under this charter until altered, amended or repealed by the council after this charter takes effect; and all rights of the City of

Copperas Cove under existing franchises and contracts are preserved in full force and effect to the City of Copperas Cove. Upon adoption of this charter, it shall constitute the charter of the City of Copperas Cove.

Sec. 11.16. - Continuance of contracts and succession of rights.

All contracts entered into by the city or for its benefit, prior to the taking effect of this charter, shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws or ordinances existing at the time this charter takes effect may be carried to completion in accordance with the provisions of such existing laws or ordinances. All suits, taxes, penalties, forfeitures and all other rights, claims and demands, which have accrued under the laws heretofore in force governing the City of Copperas Cove, shall belong to and be vested in and shall be prosecuted by and for the use and benefit of the corporation hereby created, and shall not in any way be diminished, effected or prejudiced by the adoption and taking effect of this charter.

Sec. 11.17. - Construction and separability clause.

The charter shall be liberally construed to carry out its intents and purposes. If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter nor the context in which such section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 11.18. - Amending the charter.

Amendments to this charter may be framed and submitted to the qualified electors of the city by a charter commission in the manner provided by law for framing and submitting a new charter.

Amendments may also be proposed and submitted by ordinance, passed by a majority vote of the full membership of the council, or by a petition signed by not less than two and one-half percent (2.50%) of the number of qualified voters registered to vote at the last general city election.

When a charter amendment petition shall have been filed with the council in conformity with the provisions of this charter as to petitions for initiated ordinances, the council shall forth with provide by ordinance for submitting such proposed amendment to a vote of the qualified electors. Any ordinance for submitting a charter amendment to the qualified electors shall provide that such amendment be submitted at the next general municipal election if one shall occur not less than thirty (30) days nor more than ninety (90) days after the passage of the ordinance; otherwise it shall provide for the submission of the amendment at a special election held on a uniform election date in accordance with state law.

Notice of the election for the submission of said amendment or amendments shall be given by publication thereof, in some newspaper of general circulation in said city, on the same day in each of two (2) successive weeks; the date of the first publication to be not less than fourteen (14) days prior to the date set

for said election. If a proposed amendment be approved by a majority of the qualified electors voting thereon, it shall become a part of the charter at the time fixed therein. Each amendment shall be confined to one subject; and when more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the qualified electors to vote on each amendment separately.

(Ord. No. 2012-34, § 18, 8-14-12, approved 11-6-12)

Sec. 11.19. - Rules of construction.

As used in this charter, a word importing the masculine gender only shall extend to, and be applied to, females as well as males. A word importing the singular number shall include the plural, and a word importing the plural number shall include the singular.

Sec. 11.20. - Regulation of alcohol.

The sale of liquor and beer is prohibited in all residential sections or areas of the city, as designated by any zoning ordinance or Comprehensive Plan of the city. The city council may enact any and all other regulations regarding the sale, consumption, distribution, etc. of alcoholic beverages, as permitted by law.

Section 11.21. - Rearrangement and renumbering.

The city council shall have the power, by ordinance, to renumber and rearrange all articles, sections and paragraphs of this charter or any amendments thereto, as it deems appropriate, and upon the passage of such ordinance, a copy thereof certified by the city secretary shall be forwarded to the Secretary of State for filing.

CHARTER COMPARATIVE TABLE

Home Rule Charter Section	Disposition this Charter
<u>1.01—1.15</u>	<u>1.01—1.15</u>
<u>2.01—2.12</u>	<u>2.01—2.12</u>
<u>3.01—3.18</u>	<u>3.01—3.18</u>
<u>4.01—4.06</u>	<u>4.01—4.06</u>
<u>5.01—5.03</u>	<u>5.01—5.03</u>
<u>6.01—6.16</u>	<u>6.01—6.16</u>
<u>7.01, 7.02</u>	<u>7.01, 7.02</u>
<u>8.01—8.13</u>	<u>8.01—8.13</u>
<u>9.01</u>	<u>9.01</u>
<u>10.01—10.11</u>	<u>10.01—10.11</u>
<u>11.01—11.20</u>	<u>11.01—11.20</u>

Date	Amendment Number	Disposition
4- <u>2-83</u>	1	<u>2.06</u>
	2	<u>2.12</u>
	3	<u>4.01(c)(8)</u>
	4	<u>4.02</u>
	5	<u>5.03</u>
	6	6.09
	7	6.14
4- <u>5-88</u>	2	<u>3.01(a)</u>
	3	<u>3.04(a)</u>
	6	<u>9.01[1], [2]</u>
	7	10.08
5- <u>1-93</u>	1	See Note*
	2	<u>1.03</u>
	3	<u>1.04</u>
	4	<u>1.05</u>
	5	1.07
	6	1.16
	7	<u>2.01</u>
	8	<u>2.02</u>
	9—11	<u>2.03</u>
	12	<u>2.05</u>
	14, 15	<u>2.07</u>
	16	<u>2.08</u>
	17	<u>2.10</u>
	18	<u>2.12</u>
	19, 20	<u>3.02</u>
	21	<u>3.03</u>
	22	<u>3.05</u>
	23	<u>3.06</u>
	24—26	<u>3.13</u>
	27, 28	<u>4.01</u>
	29	<u>4.04</u>
	30	<u>5.01</u>
	31	<u>5.02</u>
	32	<u>5.03</u>
	33	<u>6.02</u>
	34	<u>6.02</u> , 6.05, 6.06, 6.07, 6.08
	35	6.11
	36	6.14

	37	6.16
	38	<u>7.02</u>
	39	<u>8.02</u>
	40	<u>8.04</u>
	41, 42	<u>8.06</u>
	43	<u>8.09</u>
	44	10.07
	45	<u>11.02</u>
	46	<u>11.04</u>
	47, 48	<u>11.05</u>
	49	<u>11.07</u>
	50	<u>11.08</u>
5- 3-97	1	<u>1.04</u>
	2	<u>2.03</u>
	3	<u>2.05</u>
	4	<u>2.07</u>
	5	<u>2.08</u>
	6	<u>2.12</u>
	7	<u>4.01</u>
	8	<u>5.01</u>
	9	<u>5.03</u>
	10	<u>8.06</u>
	11	<u>8.07</u>
	12	<u>8.08</u>
5- 8-01 (Res.)	1—3	<u>1.04</u>
	4	<u>2.07</u>
	5	<u>2.08(c)</u>
	6	<u>2.06</u>
	7	<u>2.10</u>
	8—11	<u>2.13—2.16</u>
4- <u>2-83</u>	1	<u>2.06</u>
	12	<u>3.03(d)</u>
	13	<u>3.04(b)</u>
	14, 15	<u>3.13</u>
	16, 17	<u>4.01</u>
	18	<u>4.03</u>
	19, 20	<u>4.04</u>
	21	<u>4.05</u>
	22	4.06
	23	<u>2.12</u>
	24, 25	<u>8.07, 8.08</u>
	26	<u>8.12</u>

	27	10.03
	28	10.07
	29, 30	<u>11.01, 11.02</u>
	31	<u>11.04</u>
	32	11.22

Ord. No.	Adoption Date	Election Date	Section	Charter Section
2003-03	2- 4-03	5- 3-03	1	Art. II, <u>§ 2.12</u>
				art. IV, <u>§ 4.01</u>
				Art. V, <u>§§ 5.01, 5.03</u>
				Art. VIII, <u>§ 8.06</u>
2003-09	5- 6-03	5- 3-03	1—3	Art. II, <u>§ 2.12</u>
				Art. IV, <u>§ 4.01</u>
				Art. V, <u>§§ 5.01, 5.03</u>
				Art. VIII, <u>§ 8.06</u>
2005-08	6-21-05	9-10-05	1	Art. II, <u>§ 2.07</u>
				Art. III, <u>§ 3.04</u>
2005-15	9-20-05	9-10-05	2(Prop. 5)	Art. II, <u>§ 2.07</u>
			(Prop. 7)	Art. III, <u>§ 3.04</u>
2008-17	5-20-08	5-10-08	3	Arts. I—XI, <u>§§ 1.01—11.21</u>
2010-21	5-18-10	5- 8-10	3	Arts. I—XI, <u>§§ 1.01—11.21</u>
2012-34	8-14-12	11- 6-12	1	Art. II, <u>§ 2.08(a)</u>
			2	Art. II, <u>§ 2.10</u>
			3	Art. III, <u>§ 3.01(a)</u>
			4	Art. III, <u>§ 3.02</u>
			5	Art. III, <u>§ 3.07</u>
			6	Art. IV, <u>§ 4.01(a)(2)</u>
			7 Added	Art. IV, <u>§ 4.01(c)(10)—(c)(13)</u>
			8	Art. V, <u>§ 5.03</u>
			9 Rpld	Art. VI, <u>§§ 6.02—6.11</u>
			Added	Art. VI, <u>§§ 6.02—6.05.1</u>
			10 Rpld	Art. VII, <u>§ 7.02</u>
			11 Rpld	Art. VIII, <u>§ 8.01(c)(4), (c)(6), (c)(7)</u>
			Rnbd	Art. VIII, <u>§ 8.01(c)(5)</u>
			as	Art. VIII, <u>§ 8.01(c)(4)</u>

			Rnbd	Art. VIII, <u>§ 8.01(c)(8)</u> —(c)(10)
			as	Art. VIII, <u>§ 8.01(c)(5)</u> —(c)(7)
			12	Art. VIII, <u>§ 8.01(d)</u>
			13	Art. VIII, <u>§ 8.02</u>
			14, 15 Rpld	Art. VIII, <u>§§ 8.11, 8.12</u>
			16, 17 Rpld	Art. XI, <u>§§ 11.03, 11.04</u>
			18	Art. XI, <u>§ 11.18</u>
2014-48	11-17-14	11- 4-14	2	Art. II, <u>§§ 2.03(c), 2.07(c)</u>
			Rpld	Art. II, <u>§ 2.12</u>
				Art. III, <u>§§ 3.08, 3.11</u>
			Added	Art. IV, <u>§ 4.05</u>
				Art. V, <u>§ 5.01</u>
				Art. VIII, <u>§§ 8.07, 8.08</u>
2018-45(Res.)	11-13-18	11- 6-18		Art. II, <u>§ 2.07(b)</u>
Amd. of	11-10-21	11-2-21	(A)	<u>2.04</u>
			(C)	<u>2.07(b)2.</u>
			(D)	<u>2.09</u>
			Rpld	<u>11.05, 11.06</u>
			Rpld	<u>11.11, 11.12</u>
			(E)	<u>3.03</u>
				<u>3.04(c)</u>
			Rpld	10.09
			(F)	<u>3.08</u>
			(G)	<u>2.07(b)2.</u>
				<u>5.02</u>
			Rnbd	<u>8.02</u>
			as	6.02.2
			Rpld	<u>8.03</u>
			(H)	<u>4.01(c)(3)</u>

			(I)	6.03
			(J)	6.04
			(K)	6.05
			(L)	<u>8.09</u>
			(M)	<u>11.02</u>
2023-33	8-15-23	11- <u>7-23</u>	2(B) Rpld	<u>2.08(b)</u>
			Rpld	<u>3.18</u>
				<u>9.01</u>
			(C)	<u>5.01</u>
			(D)	<u>6.02.1</u>
			Rpld	6.02.2—6.05.1
			(E)	<u>10.02</u>
			Rpld	10.03—10.08

Footnotes:

--- (1) ---

Note— Charter Amendment No. 1 of 5-1-93 amended the charter by correcting spelling, punctuation, grammatical errors; by correcting legal references; and by changing masculine pronouns to masculine/feminine or gender free forms.

**COORDINATION WITH
CENTRAL TEXAS COUNCIL OF GOVERNMENTS**



July 31, 2024

TO:

Mr. Charles Marsh
Project Director
Weaver Consultants Group
6420 Southwest Blvd
Suite 206
Fort Worth, TX 76109

Mr. Larry Scott
Solid Waste Director
City of Copperas Cove
2605 S FM 116
Copperas Cove, TX 76522

RE: PERMIT APPLICATION MSW 2422, COPPERAS COVE TRANSFER STATION

Mr. Marsh & Mr. Scott,

Thank you for submitting the preliminary Permit Application No. MSW-2422 for the Copperas Cove Transfer Station, in Coryell County, Texas. As you know, the Central Texas Council of Governments (CTCOG) has been directed by the Texas Commission on Environmental Quality (TCEQ) to determine the consistency of solid waste permit applications and amendments, and registration applications with the Regional Plan.

This letter is to confirm that the City of Copperas Cove and Weaver Consultants Group have officially coordinated with CTCOG. The Solid Waste Advisory Committee and CTCOG staff have both had the opportunity to review the application and found it to be consistent with the goals of the 2022-2042 CTCOG Regional Solid Waste Management Plan. Unless there are significant changes to the final permit application from those in the draft version, this determination should not change.

If you have any questions regarding CTCOG's consistency review procedures, please contact James McGill by phone at 254-770-2366 or by email at james.mcgill@ctcog.org.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Jim Reed".

9A28DF6BB025443...

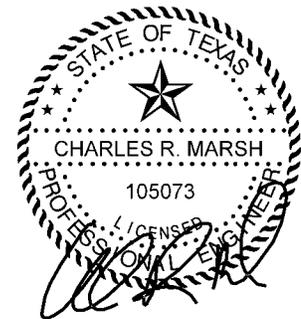
Jim Reed, AICP
Executive Director
Central Texas Council of Governments (CTCOG)

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS**

TYPE V PERMIT AMENDMENT APPLICATION

**PART III
SITE DEVELOPMENT PLAN**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

This document is issued for permitting purposes only.

2 GENERAL FACILITY DESIGN

2.1 Facility Access

2.1.1 Adequacy of Access Roads and Highways §330.63(a)

Vehicles bound for the City of Copperas Cove TS will access the TS facility via an existing entrance from FM 116 and two driveways on Commerce Street. The FM 116 entrance will only be used by employees, visitors, and city-owned waste hauling trucks. The two new driveways proposed to be constructed off of Commerce Street as a part of this project will be used by MSW and recyclable material haulers, including private citizens. U.S. Highway 190, FM 116, FM 3048, and Commerce Street are other access roads within one mile of the site. U.S. Highway 190, FM 116, FM 3048 and Commerce Street are public roads maintained by the City of Copperas Cove and TxDOT.

As noted in Parts I/II, in Section 8, and in the Traffic Study included in Appendix I/IIA, the site access roads will provide adequate access to the site throughout the life of the facility.

In accordance with §330.61(i)(4), TxDOT was contacted to determine if any traffic or location restrictions apply to the facility. Improvements to FM 116 will be constructed and accepted by TxDOT before any proposed improvements to the facility can accept waste.

2.1.2 Fences and Access Control §330.63(b)(1)

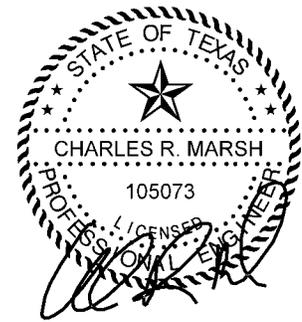
Vehicle access to the TS facility will be controlled by the scalehouse attendant during operating hours. Outside operating hours, the inbound access will be controlled by gates located at the facility entrance. As shown on Figures IIIA-1 and IIIA-2 in Appendix IIIA, access to the site at points other than the entry gate is prevented by a 6-foot high chain link or barbed wire fence and natural barriers (including tree lines along the west, east, and north boundaries) located around the perimeter of the TS site in a manner so as to prevent the entry of livestock, to protect the public from exposure to potential health and safety hazards, and to discourage unauthorized entry or uncontrolled disposal of solid waste or hazardous materials.

City of Copperas Cove's policy will restrict entry to the site only to designated site operations personnel, solid waste haulers authorized to use the facility, TCEQ personnel, and properly identified persons whose entry is authorized by City of Copperas Cove's Solid Waste employees. City of Copperas Cove's reserves the right

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS**

**PART III
SITE DEVELOPMENT PLAN
APPENDIX IIIA
GENERAL FACILITY DESIGN DRAWINGS**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

Prepared by
Weaver Consultants Group, LLC
TBPE Registration No. F-3727
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
817-735-9770

WCG Project No. 5552-001-11-00

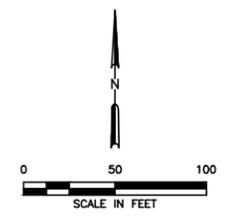
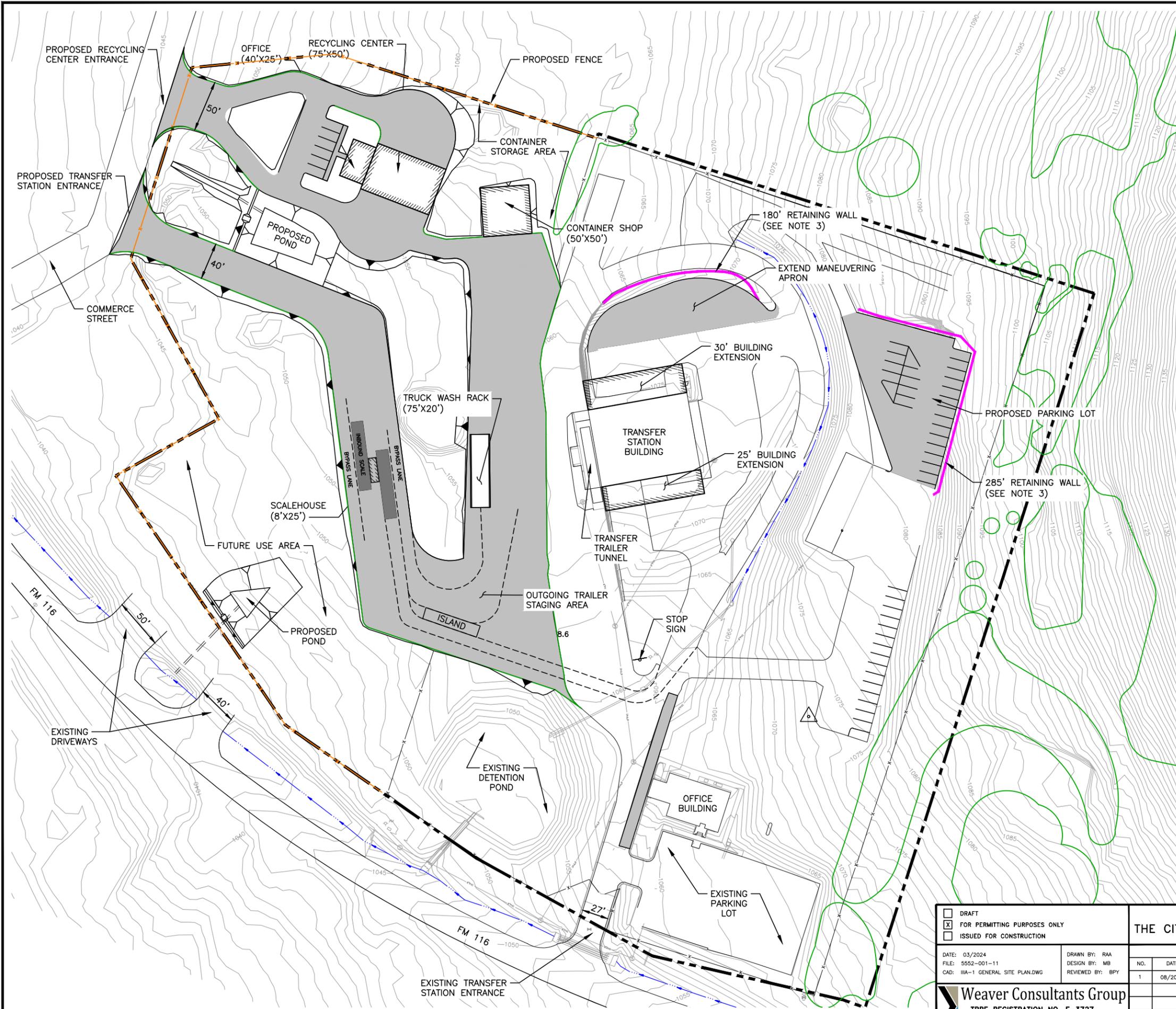
This document is issued for permitting purposes only.

CONTENTS

- FIGURE IIIA-1 – General Site Plan
- FIGURE IIIA-2 – Transfer Area Site Plan
- FIGURE IIIA-3 – Transfer Station Floor Plan
- FIGURE IIIA-4 – Transfer Station Building Elevations
- FIGURE IIIA-5 – Transfer Station Building Elevations
- FIGURE IIIA-6 – Recycling Center Building Plan
- FIGURE IIIA-7 – Recycling Center Building Elevations
- FIGURE IIIA-8 – Recycling Center Building Elevations



08-12-2024

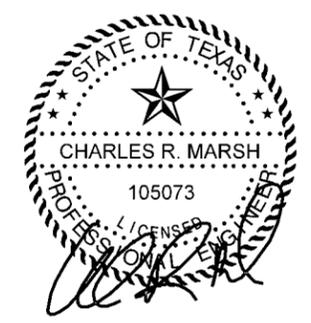


LEGEND

	PERMIT BOUNDARY
	EXISTING CONTOUR (SEE NOTE 1)
	PROPOSED RETAINING WALL (SEE NOTE 2)
	PROPOSED PAVEMENT SURFACING
	CHANNEL
	SPOT ELEVATION
	EXISTING FENCE
	PROPOSED FENCE
	SITE BENCHMARK
	EXISTING TREES

- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.
 - THE PROPOSED RETAINING WALLS VARIES FROM 2 TO 15 FEET IN HEIGHT.

BENCHMARK INFORMATION		
NORTHING	EASTING	ELEVATION (FT-MSL)
10370871.91	3058064.70	1073.54

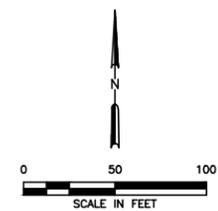
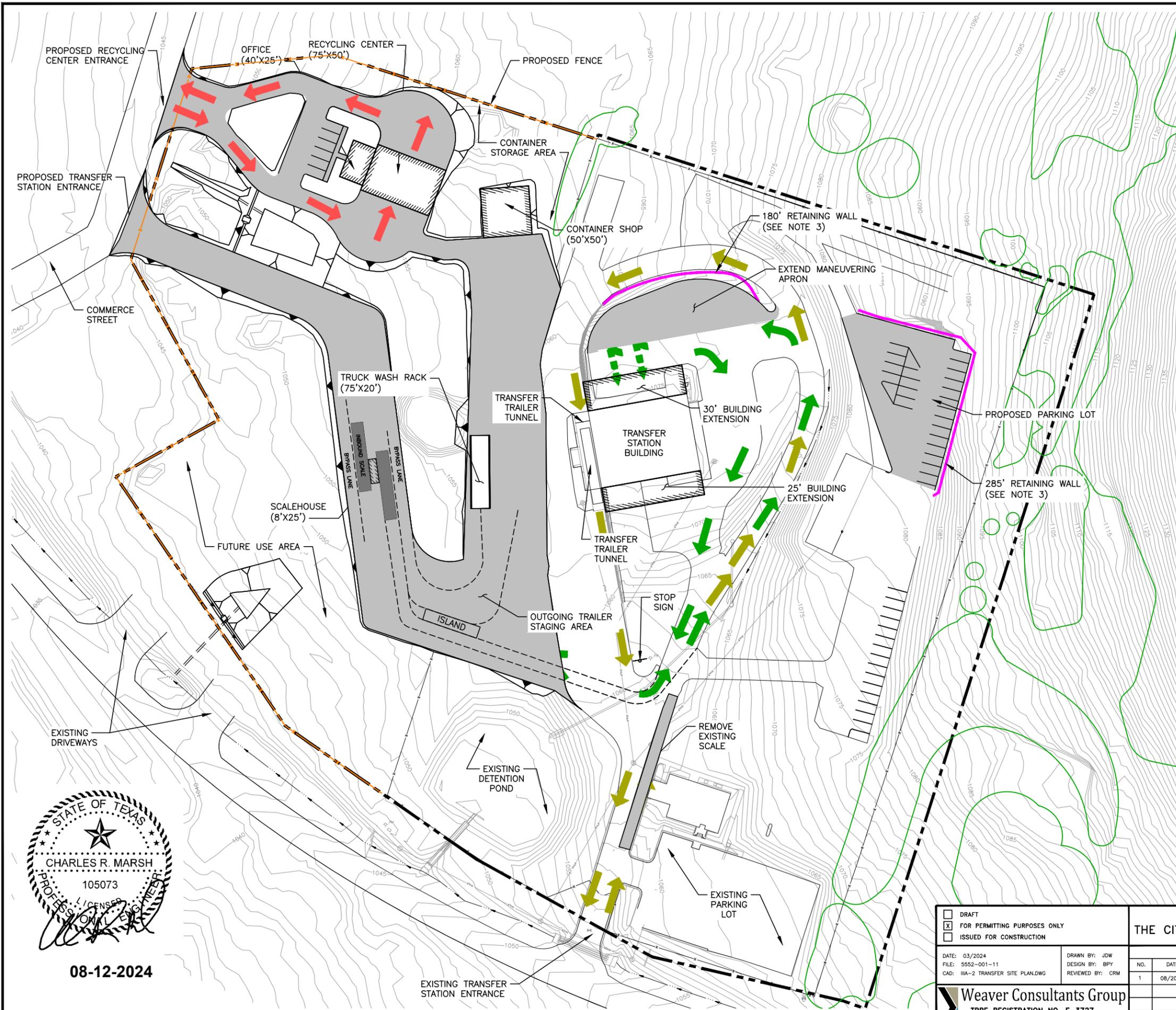


08-12-2024

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<input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY	
<input type="checkbox"/> ISSUED FOR CONSTRUCTION	
DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-1 GENERAL SITE PLAN.DWG	DRAWN BY: RAA DESIGN BY: MB REVIEWED BY: BPY
Weaver Consultants Group TBPE REGISTRATION NO. F-3727	

REVISIONS		
NO.	DATE	DESCRIPTION
1	06/2024	PERMIT MODIFICATION

TYPE V PERMIT APPLICATION GENERAL SITE PLAN	
CITY OF COPPERAS COVE TRANSFER STATION CORYELL COUNTY, TEXAS	
WWW.WCGRP.COM	FIGURE IIIA-1



- LEGEND**
- PERMIT BOUNDARY (SEE NOTE 1)
 - EXISTING CONTOUR (SEE NOTE 2)
 - PROPOSED RETAINING WALL (SEE NOTE 3)
 - PROPOSED PAVEMENT SURFACING
 - CHANNEL
 - TRANSFER TRAILER ROUTE
 - ROUTE TRUCK/UNLOADING ROUTE
 - RECYCLING CENTER ROUTE
 - EXISTING SEWER LINE AND MANHOLE
 - EXISTING FENCE
 - PROPOSED FENCE
 - EXISTING TREES

- NOTES:**
1. THE PERMIT BOUNDARY IS REPRODUCED FROM A LEGAL DESCRIPTION PROVIDED BY WEAVER CONSULTANTS GROUP AND QUINTERO ENGINEERING ON JUNE 19, 2023 AND MARCH 10, 2023 RESPECTIVELY.
 2. EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.
 3. THE PROPOSED RETAINING WALLS VARY FROM 2 TO 15 FEET IN HEIGHT.
 4. ALL WASTE ACCEPTED AT THE FACILITY WILL BE STORED AND PROCESSED IN THE TRANSFER STATION BUILDING.
 5. NO SOLID WASTE OPERATIONS WILL OCCUR WITHIN ANY EASEMENT, BUFFER ZONE, OR RIGHT-OF-WAY.
 6. WASTE TRANSFER OPERATIONS WILL OCCUR INSIDE THE TRANSFER STATION. WATER THAT COMES INTO CONTACT WITH OPERATIONS INSIDE THE BUILDING WILL BE DISCHARGED TO THE CITY OF COPPERAS COVER SANITARY SEWER SYSTEM. STORMWATER THAT DOES NOT COME INTO CONTACT WITH WASTE TRANSFER OPERATIONS WILL BE DISCHARGED IN ACCORDANCE WITH THE SITES SWPPP.

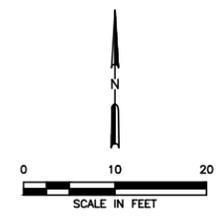
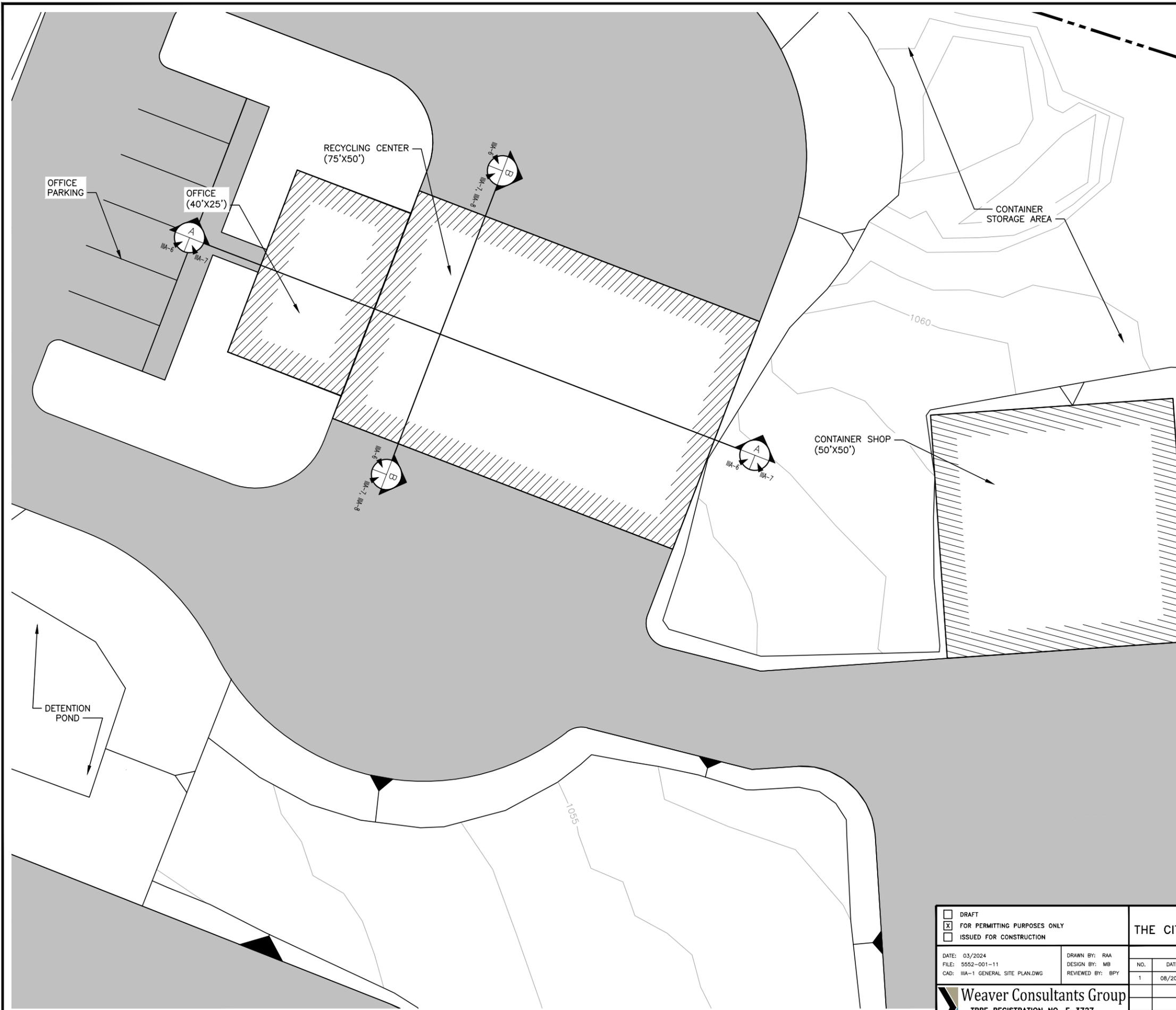


08-12-2024

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FILE: 5552-001-11		
CAD: IIIA-2 TRANSFER SITE PLAN.DWG		
Weaver Consultants Group		
TBPE REGISTRATION NO. F-3727		

PREPARED FOR		
THE CITY OF COPPERAS COVE		
REVISIONS		
NO.	DATE	DESCRIPTION
1	06/2024	PERMIT MODIFICATION

TYPE V PERMIT APPLICATION	
TRANSFER AREA SITE PLAN	
CITY OF COPPERAS COVE TRANSFER STATION	
CORYELL, TEXAS	
WWW.WCGRP.COM	FIGURE IIIA-2



LEGEND

	PERMIT BOUNDARY
	EXISTING CONTOUR (SEE NOTE 1)
	PROPOSED PAVEMENT SURFACING

- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS BASED ON A FIELD SURVEY PERFORMED BY WEAVER CONSULTANTS GROUP, LLC ON JULY 5, 2022 TO JULY 8, 2022 AND GIS DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM, DATED 2020.



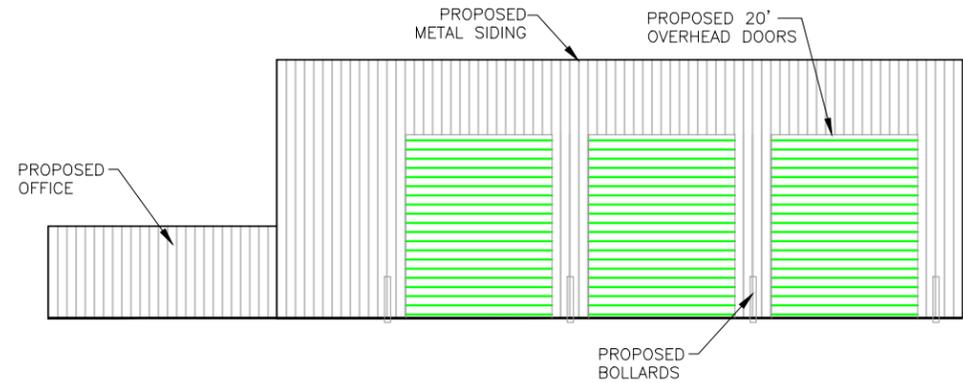
08-12-2024

<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR THE CITY OF COPPERAS COVE	TYPE V PERMIT APPLICATION GENERAL SITE PLAN CITY OF COPPERAS COVE TRANSFER STATION CORYELL COUNTY, TEXAS					
	DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-1 GENERAL SITE PLAN.DWG		REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/2024</td> <td>PERMIT MODIFICATION</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1
NO.	DATE	DESCRIPTION					
1	06/2024	PERMIT MODIFICATION					
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM FIGURE IIIA-6					

O:\5552\TYPE V TS APPLICATION\PART III\IIIA\CLEAN\IIIA-6-RECYCLING CENTER.dwg - Necessary

0:\5552\TYPE V TS APPLICATION\PART III\IIIA\CLEAN\IIIA-7 RECYCLING CENTER ELEVATIONS.dwg, knecessary

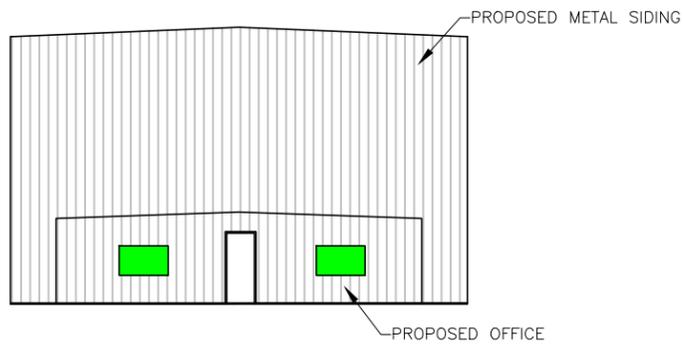
- APPROXIMATE EAVE HEIGHT
1088 FT-MSL
- APPROXIMATE DOOR HEIGHT
1078 FT-MSL
- APPROXIMATE BUILDING HEIGHT
1068 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL



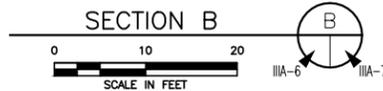
RECYCLING CENTER ELEVATION LOOKING NORTH



- APPROXIMATE EAVE HEIGHT
1088 FT-MSL
- APPROXIMATE BUILDING HEIGHT
1068 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL



RECYCLING CENTER ELEVATION LOOKING EAST



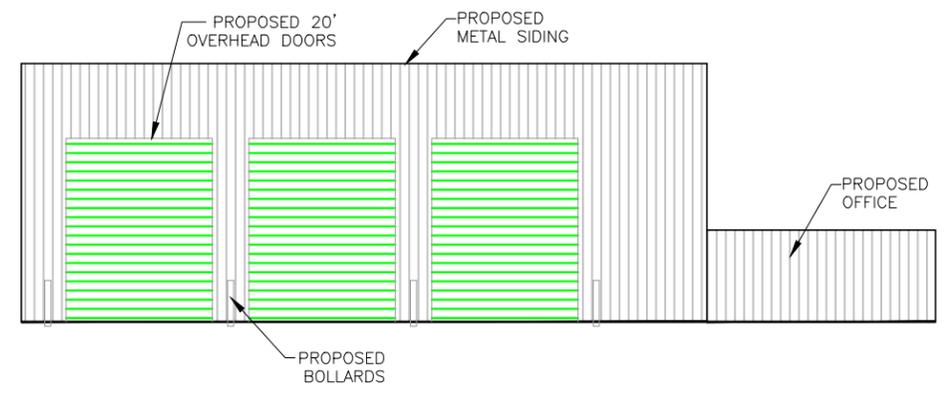
08-12-2024

NOTE:
ELEVATIONS LISTED ARE APPROXIMATE.

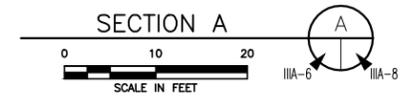
<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR THE CITY OF COPPERAS COVE	TYPE V PERMIT AMENDMENT APPLICATION RECYCLING CENTER BUILDING ELEVATIONS CITY OF COPPERAS COVE TRANSFER STATION CORYELL, TEXAS							
DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-7-BUILDING ELEVATIONS.DWG	DRAWN BY: RAA DESIGN BY: MB REVIEWED BY: CRM	REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 10%;">DATE</th> <th style="width: 85%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">06/2024</td> <td style="text-align: center;">PERMIT MODIFICATION</td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	06/2024	PERMIT MODIFICATION
NO.	DATE	DESCRIPTION							
1	06/2024	PERMIT MODIFICATION							
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM	FIGURE IIIA-7						

0:\5552\TYPE V TS APPLICATION\PART III\IIIA\CLEAN\IIIA-8 RECYCLING CENTER ELEVATIONS.dwg, knecessary

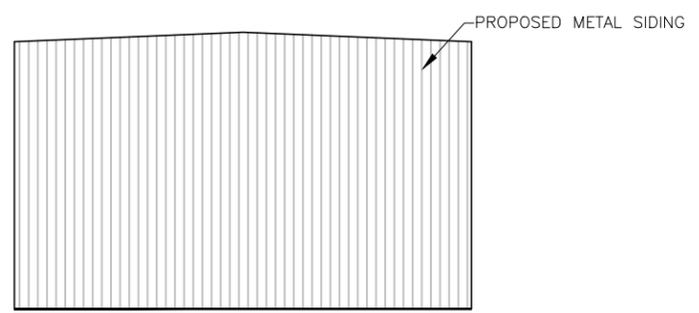
- APPROXIMATE EAVE HEIGHT
1088 FT-MSL
- APPROXIMATE DOOR HEIGHT
1078 FT-MSL
- APPROXIMATE BUILDING HEIGHT
1068 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL



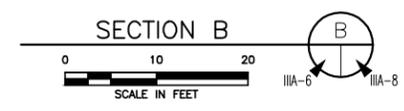
RECYCLING CENTER ELEVATION LOOKING SOUTH



- APPROXIMATE EAVE HEIGHT
1088 FT-MSL
- APPROXIMATE FINISH FLOOR
1057.5 FT-MSL



RECYCLING CENTER ELEVATION LOOKING WEST



08-12-2024

NOTE:
ELEVATIONS LISTED ARE APPROXIMATE.

<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR THE CITY OF COPPERAS COVE	TYPE V PERMIT AMENDMENT APPLICATION RECYCLING CENTER BUILDING ELEVATIONS CITY OF COPPERAS COVE TRANSFER STATION CORYELL, TEXAS									
DATE: 03/2024 FILE: 5552-001-11 CAD: IIIA-8-BUILDING ELEVATIONS.DWG	DRAWN BY: JDW DESIGN BY: BPY REVIEWED BY: CRM	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/2024</td> <td>PERMIT MODIFICATION</td> </tr> </tbody> </table>	REVISIONS			NO.	DATE	DESCRIPTION	1	06/2024	PERMIT MODIFICATION
REVISIONS											
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1	06/2024	PERMIT MODIFICATION									
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM FIGURE IIIA-8									

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TYPE V PERMIT APPLICATION**

**PART III
SITE PLAN AND DESIGN CRITERIA
APPENDIX IIIB
FACILITY SURFACE WATER DRAINAGE REPORT**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

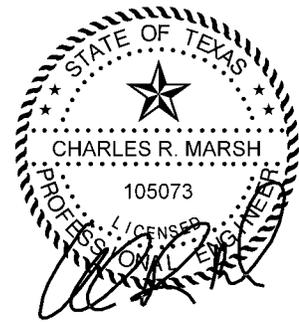
Prepared by
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817-735-9770

WCG Project No. 5552-001-11-00

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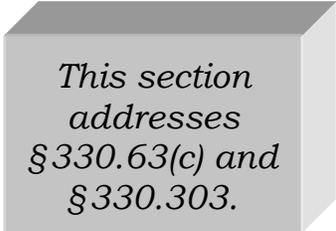
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08-12-2024

1 INTRODUCTION

This Facility Surface Water Drainage Report is prepared as part of the Municipal Solid Waste (MSW) Type V Permit Application for the City of Copperas Cove Transfer Station (TS) consistent with Title 30 Texas Administrative Code (TAC) §330.63(c) and §330.303. This plan addresses surface water drainage design and erosion control.



*This section
addresses
§330.63(c) and
§330.303.*

Consistent with Title 30 TAC §330.63(c) and §330.303, the facility will be constructed, maintained, and operated to manage run-on and runoff during the peak discharge of a 25-year, 24-hour rainfall event and will prevent the off-site discharge of waste and in-process and/or processed materials. Surface water drainage in and around a facility shall be controlled to prevent surface water running onto, into, and off the transfer station processing area

As shown on Parts I/II, Figure I/II-11.1 and discussed in Parts I/II, Section 11 – Floodplain and Wetlands Statement, no portion of the site is located within the 100-year floodplain. The TS is located over 900 feet from the nearest 100-year floodplain, as defined by the Federal Emergency Management Administration (FEMA).

will be managed by maintaining the existing stormwater patterns in areas outside of the transfer station building footprint.

- No runoff enters the Transfer Station building.

2.3 Drainage System Layout

The general drainage pattern of the existing TS site is from the east and northeast to the south and southwest. The existing transfer station area generally drains south and southwest via sheet flow. An existing tributary of Clear Creek located immediately west of the TS site receives the majority of on-site runoff and conveys it to Clear Creek and ultimately, the Lampasas River.

After the development of the proposed TS is complete, drainage patterns will remain similar to the existing drainage patterns at the TS site. Runoff within the permit boundary is conveyed mainly by sheet flow to discharge locations on the south and southwest sides of the permit boundary. An existing culvert on the south side of the site will detain and attenuate the runoff generated within the permit boundary due to the site development. A proposed detention pond on the southwest side of the site will be constructed to mitigate the impact of adding pavement to the site and increasing runoff volume. Both ponds discharge southwest, into an existing drainage ditch that flows towards a tributary of Clear Creek.

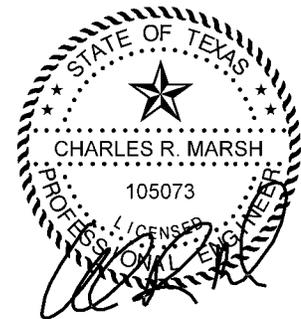
2.4 TPDES Compliance

The TS will operate in such a manner as to prevent discharge of pollutants into waters of the state or United States as defined by the Texas Water Code and the Federal Clean Water Act. The site is subject to the TCEQ's stormwater permit requirements and will operate under the TPDES multi-sector General Permit for Stormwater Discharges, under SIC 4212 (Transportation and Warehousing). Construction is subject to the TCEQ's stormwater permit requirements and will operate under the current TPDES MSGP Authorization Number TXR05AV48. The City of Copperas Cove will maintain the current Notice of Intent (NOI) for the Copperas Cove TS. The facility Stormwater Pollution Prevention Plan (SWPPP) will be revised and implemented prior to operating the improved facility.

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TYPE V PERMIT APPLICATION**

**PART III
FACILITY DESIGN REPORT
APPENDIX IIIC
CLOSURE PLAN**

Prepared for
The City of Copperas Cove
April 2024
Revised July 2024



08-12-2024

Prepared by
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Project No. 5552-001-11-00

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2 CLOSURE REQUIREMENTS

2.1 Title 30 TAC §330.459 and 30 TAC §330.457 Closure Requirements

At the time of closure, the site will remove all waste, waste residues, and any recovered materials. The transfer station structure, pad, walls, and associated units will be decontaminated. All material on-site, whether in process or processed, will be evacuated to an authorized facility, and the tipping floors, processing areas, and post-processing areas will be disinfected by washing down with industrial cleaners. The operator shall begin closure activities no later than 30 days after final receipt of waste. The operator shall then complete the closure activities for the unit in accordance with the approved plan within 180 days of initiation of closure activities.

2.2 Title 30 TAC §330.461 Certification of Final Facility Closure

No later than 90 days prior to the initiation of final closure, the site will, through a public notice in the newspaper(s) of largest circulation in the vicinity of the facility, provide public notice for final facility closure. This notice will include the name, address, and physical location of the facility, the permit number, and the last day of intended receipt of materials for processing at the facility. The site will also make available an adequate number of copies of the approved Closure Plan for public review. The owner/operator will also provide written notification to the TCEQ of the intent to close the facility and place this Notice of Intent in the site operating record.

Initiation of closure activities for the facility will begin after the date on which the facility receives the known final receipt of waste to be processed.

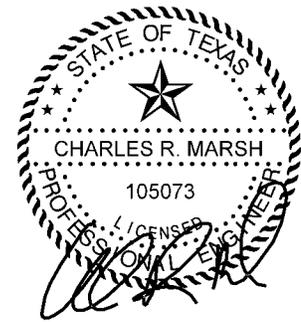
The following steps will be taken:

- Notify the TCEQ of when closure will be initiated.
- Post a minimum of one sign at the main entrance and all other frequently used points of access for the facility notifying all persons who may utilize the facility of the date of closing for the facility and the prohibition against further receipt of waste materials after the stated date.

**CITY OF COPPERAS COVE TRANSFER STATION
CORYELL COUNTY, TEXAS
TCEQ PERMIT NO. MSW-2422
TYPE V PERMIT APPLICATION**

**PART IV
SITE OPERATING PLAN**

Prepared for
The City of Copperas Cove
April 2024
Revised June 2024
Revised July 2024



08-12-2024

Prepared by
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WCG Project No. 5552-001-11-00-05

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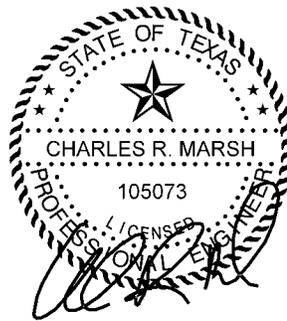
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08-12-2024

2 WASTE ACCEPTANCE AND ANALYSIS (30 TAC §330.203 AND §330.205)

2.1 Properties and Characteristics of Waste (§330.203(a))

The transfer station may receive household waste, brush, yard waste, commercial solid waste, Class 2 and Class 3 industrial waste (nonhazardous), special waste, and construction-demolition waste. No industrial hazardous wastes or Class 1 industrial waste will be accepted at the facility. No special wastes other than those mentioned in the following section will be accepted at the facility. Small quantities of special wastes may inadvertently be received if they are unidentified and included as part of the mixed municipal waste stream. These wastes, if identified, will be separated and will not be accepted.

The City of Copperas Cove TS may receive waste from third party haulers and from any of the Central Texas Solid Waste System Member Cities (that currently consist of City of Copperas Cove, Killeen, Fort Hood, and Lampasas). This service area is based on economic conditions. As economic conditions and existing landfill disposal capacities change, the facility may accept waste from areas other than those identified above. Based on the type of wastes currently received and expected to be received, there are no constituents or characteristics that would impact or influence the design and operation of the facility.

Waste received at the site is transferred to a permitted landfill for disposal.

Special Wastes Received

- * Used cooking oil (for recycling only);
- * Whole used or scrap tires or tire pieces (for recycling only); and
- * White goods.

Receipt of Special Wastes

Used oil will be temporarily stored in a container inside the Recycling Center building until transported off-site by an authorized hauler to an approved oil recycling facility. The container shall be made of steel, HDPE, or other material compatible with the storage of used oil, be double-walled or have sufficient secondary containment to contain the entire volume of the container and have a maximum capacity of 1,000 gallons. The container will be located in a corner or adjacent to a wall of the recycling center building to protect it from facility

operations. Additionally, floor paint, cones, barricades, or other traffic control devices will be used as necessary around the container to make it more visible to vehicles and heavy machinery. The used oil will be removed as needed.

Used oil will be temporarily stored in a container inside the Recycling Center building and will be managed in accordance with TCEQ regulation Texas Administrative Code 30 (TAC) §324, Subchapter A and TCEQ Registration C81092, until full, then transported.

Large, heavy, or bulky items including white goods (household appliances), air conditioning units, metal tanks, large metal pieces, etc., may be accepted, however, they may be segregated for recycling at the discretion of the City. If segregated for recycling, these items will be placed in the Recycling Center. When sufficient quantities are accumulated, the large items will be transported off-site to an authorized facility for recycling. The large items will be stored onsite for a maximum of 90 days. They will be removed as needed to prevent nuisance conditions.

Whole used or scrap tires or tire pieces will be accepted at a designated used/scrap tire drop off location within the recycling center. When sufficient quantities are accumulated, tires and tire pieces will be transported off-site to an authorized recycling facility.

stored on the tipping floor in an emergency. Under normal operations, the tipping floor will be cleared at the end of the work day and all waste will be loaded into the two trailers which are picked up within twenty four hours. This tonnage refers to the waste stored on the tipping floor and does not include recyclables. The maximum length of time MSW will remain within the TS building is 72 hours and the average length of time is 24 hours or less. Solid waste will not be stored overnight at the facility except for extenuating emergency situations such as inclement weather or mechanical breakdown.

The intended destination of the solid waste generated by the facility is a permitted MSW landfill. The destination of the liquids generated by the facility (e.g., washdown water) is to the City of Copperas Cove sanitary sewer system.

2.3 Facility-Generated Wastes (§330.205 (b), (c), (d), and §330.203(c)(2))

Wastes generated by the transfer station will be processed or disposed at an authorized solid waste management facility. The only solid wastes generated onsite are typical office wastes. It is not anticipated that any solid wastes will be generated at the facility that cannot be properly handled.

Wastewater generated by the transfer station from managing the waste, cleaning and washing, and bathroom facilities will be managed in accordance with §330.207, Contaminated Water Management. The intended destination of the liquid wastes generated by the facility is the City of Copperas Cove sanitary sewer system.

Sludges, grit or wastes from the grease traps will not be accepted by the transfer station.

2.4 Recover Materials

An estimated 10-15% of the total incoming waste is currently diverted for recovery during transfer station operations. The following table provides a general estimate of recovered materials by type.

Material	Amount (tons)
Yard Waste	1500
Scrap Metal	125
HDPE	5
OCC	15
Tires	25
Single Stream Recycling	1500

Once the proposed Recycling Center is constructed, the estimated amount of recyclable material is anticipated to increase to 20% to 25% of the total incoming waste stream.

4 STORAGE REQUIREMENTS (30 TAC §330.209, §330.211 AND §330.213)

4.1 Solid Waste Storage (§330.209(a) and (b))

All solid waste will be stored in such a manner that it does not constitute a fire, safety, or health hazard or provide food or harborage for animals and vectors and (except for white goods and tires) shall be contained within the tipping area. The tipping area is located inside the building and sized to contain the solid wastes delivered and transferred daily.

Except in emergencies, all solid waste will be removed from the tipping floor by the end of the workday and stored in covered trailers specifically designed for transporting solid waste until transported to the permitted disposal site by the hauler. Empty trailers being stored on site will be maintained in a clean condition so that they do not constitute a nuisance and to retard the harborage, feeding, and propagation of vectors. All material storage areas will be inspected weekly for ponding water and the harborage of vectors. Any ponded water will be promptly removed. Vectors will be discouraged by maintaining a clean and neat area, and by removal of items once sufficient quantities are accumulated to warrant off-site transport.

Recyclable materials will be stored in a segregated area of the transfer station floor until construction of the recycling center is completed. Upon completion, recyclable materials will be stored within the recycling center.

4.2 Approved Containers (§330.211)

Solid waste that is received containing food wastes will be placed in the transfer building. The receiving area and transfer trailers will be maintained in a clean condition so as to not constitute a nuisance and retards the harborage, feeding, and propagation of vectors.

No food waste will be stored outside the building.

The transfer trailers are designed to prevent spillage or leakage during storage, handling, or transport.

4.3 Self-Haul Area (§§330.209(b) and 330.213)

There is not a MSW citizen collection station proposed, therefore there are no separate container requirements. The recycling center and TS building have locations for self-haul vehicles to safely unload waste and recyclables for processing.

5 RECORDKEEPING AND REPORTING REQUIREMENTS (30 TAC §330.219)

5.1 Documents (§330.219(a) and (b))

A copy of the permit and the approved permit application will be maintained at the facility. In addition, a copy of the permit, the approved permit application, and all other related or required plans or documents will be maintained for five years at the scale house or at the City of Copperas Cove Public Works office located at 1601 N. 1st Street, Copperas Cove, Texas and shall be considered a part of the site operating record of this facility. Consistent with Title 30 TAC §330.219(a), copies of documents that are part of the approved permitting process that are considered part of the operating record for the facility are listed below.

Upon completion of construction at the facility, an as-built set of construction plans and specifications and any other required plan or other related document will be maintained at the scalehouse or Public Works office. These documents will be made available for inspection by TCEQ representatives or other interested parties. These plans and documents are part of the facility operating record. All information contained within the operating record and the different required plans will be retained during the active life of the facility until after certification of closure. The following records will be kept, maintained, and filed as part of the facility operating record. Logbooks, schedules, and an electronic file document storage system may be used.

- Access Control Inspection and Maintenance
- Daily Litter Pickup
- Windblown Waste and Litter Control Operations
- Dust Nuisance Control Efforts
- Access Roadway Regrading
- Salvaged Material Storage Nuisance Control Efforts
- Special Waste Acceptance Plan Compliance, if applicable
- Class I Industrial Waste Acceptance Plan Compliance, if applicable
- Fire Occurrence Notices, if applicable
- Documentation of Compliance with Approved Odor Management Plan

Records to be Maintained	Rule Citation
1. All location restriction demonstrations	§330.219(b)(1)
2. Inspection records and training procedures	§330.219(b)(2)
3. Closure plans and any monitoring, testing, or analytical data relating to closure requirements	§330.219(b)(3)
4. All cost estimates and financial assurance documentation relating to financial assurance for closure	§330.219(b)(4)
5. Copies of all correspondence and responses relating to the operation of the facility, modifications to the permit/registration, approvals, and other matters pertaining to technical assistance	§330.219(b)(5)
6. All documents, manifests, shipping documents, trip tickets, etc., involving special waste	§330.219(b)(6) and (8)
7. All other document(s) as required by the approved permit/registration or by the executive director	§330.219(b)(7) §330.675
8. Trip Tickets	§312.145, §330.219(b)(8)
9. Alternative schedules and notification requirements if possible	§330.219(g)
10. Records on a quarterly basis to document the relevant recycling percentage of incoming processed waste, quarterly solid waste summary reports and the annual solid waste summary reports by March 1 st summarizing recycling activities and percent of recycled incoming waste for past calendar year	§330.219(b)(9)
11. Inspection records and training procedures relating to fire prevention and facility safety	§330.221
12. Access control breach and repair notices	§330.223
13. Waste unloading/prohibited waste discovery	§330.225
14. Record of alternative operating hours if applicable	§330.229(b)

5.2 Report Signatories

The City of Copperas Cove TS will assign responsibility for the overall operations of the facility to the Public Works Director, Solid Waste Director or Transfer Station Manager, and this position, or someone in the chain of command above this position, will be the responsible signatory for any reports, information, or applications. If the authorization to sign is no longer accurate, a new authorization shall be submitted by this position. Any person signing a report shall make the certification in §305.44(b).

5.3 Notification (§330.219(e))

The City of Copperas Cove TS, in accordance with Title 30 TAC §330.219(e), will furnish the operating record to the Executive Director upon request and it will be made available at all reasonable times at the facility for inspection by the Executive Director.

6 FIRE PROTECTION PLAN (30 TAC §330.221)

Burning is not permitted at the site. Fire extinguishers will be located throughout the transfer station building and the facility is equipped with a fire alarm system and a standpipe. There is an adequate supply of pressurized water to fight fires and the City of Copperas Cove Fire Department is available to assist with firefighting, if needed. Existing fire hydrants also serve the TS facility. All personnel will be trained annually in the contents and use of the following Fire Prevention Plan. The training will include the use and operation of onsite firefighting equipment.

6.1 Fire Prevention Plan

This plan will be updated during the building permit process so as to keep in compliance with local fire codes.

The following steps will be taken regularly by designated site personnel to prevent fires.

- Operators will be alert for signs of burning waste such as smoke, steam or heat being released from incoming waste loads.
- Equipment used to move waste will be routinely cleaned through the use of water or steam cleaners. The water or steam cleaning will remove combustible waste and caked material which can cause equipment overheating and increase fire potential.
- Smoking is only permitted in designated areas away from the waste management areas.

6.2 Specific Fire-Fighting Procedures

The following procedures will be followed in the event of a fire.

- Alert other facility personnel.
- Contact City of Copperas Cove Fire Department, as appropriate.
- If a fire occurs on a vehicle or piece of equipment, the operators will bring the vehicle or equipment to a safe stop. If safety of personnel will allow, the vehicle must be parked away from fuel supplies, solid wastes, and other vehicles. The vehicle will be directed to park on a paved area at least 40 feet from any building. The engine will be shut off and the brake engaged to prevent movement of the vehicle. Fire extinguishers will be used to extinguish fire if possible, without risk to operators.

7 OPERATIONAL PROCEDURES (30 TAC §330.223 THROUGH §330.249)

7.1 Access Control (§330.223)

Public access to the facility will be limited to the gated facility entrance. The site staff controls access and monitors vehicles entering and exiting the site. The site will be fenced to prevent unauthorized public access.

7.1.1 Facility Security

Public access will be controlled to minimize unauthorized vehicular traffic, unauthorized and illegal dumping, and public exposure to hazards associated with waste management. Access to Copperas Cove TS will be via the existing gated entrance road extending off FM 116 and two proposed driveways off of Commerce Street, as shown in the Site Development Plan. This entrance will only be used by employees, visitors, and city-owned waste hauling trucks. Two new driveways are proposed to be constructed off of Commerce Street as a part of this project. The entire site is secured with a chain link fence. A checkpoint is located at the Scale House which will be manned at all times that the facility is open. The gate across the entrance road will be closed and locked to prevent unauthorized access when the transfer station is not open. Vehicular access to the site at points other than the entry gate will be prevented. Transfer station traffic will not be allowed to stand or park on FM 116 and Commerce Street.

7.1.2 Traffic Control

Public access roads to the Transfer Station are paved, all-weather roads. All interior roads are paved with asphalt to avoid dust problems and separate unloading areas are provide for the public and commercial vehicles for safety. The access road from the public road has two lanes, with the inbound lane widening into two queuing lanes. Approximately 300 feet of queuing space is provided to accommodate an estimated 13 waste hauling vehicles. Only vehicles authorized by the manager, personnel vehicles, and authorized haul vehicles will have access beyond the facility entrance. Signage will provide direction to customers and the public to the public entrances of the facility. Additional signage within the facility will provide direction to public unloading areas.

Vehicles transporting solid waste arriving at the facility will be directed to an unloading area by an on-site personnel or signage. Operations will be conducted in a manner that allows the prompt and efficient unloading of waste.

The facility will comply with the following schedule and notification requirements for any access breach:

Requirements	Access Breach Repaired within 8 Hours	Access Breach Not Permanently Repaired in 8 Hours
Notify region office of breach and repair schedule	Not required	Within 24 hours
Make temporary repairs	Not required	Within 24 hours
Make permanent repairs	Within 24 hours	Within schedule submitted to regional office in initial notice
Notify regional office when permanent repair completed	Not required	Within schedule submitted to regional office in initial notice

7.1.3 Vehicle Parking

There exists one paved parking lot to the immediate east of the existing TS entrance, with 44 standard parking spaces and 4 accessible parking spaces. There is a second lot near the eastern perimeter of the facility, with 15 spaces for truck parking. An additional 22-vehicle parking lot will be constructed at the northeast corner of the facility, and 6 parking spaces will be located outside the office building, near the recycling center entrance.

7.2 Unloading of Waste (§330.225)

7.2.1 Waste and Recyclable Unloading Procedures

- (1) Incoming waste collection traffic will be directed to the tipping areas of the transfer station by the scale attendant once the incoming vehicle weight has been recorded. The scale attendant will inform the customer that the waste is only to be unloaded in the area where the customer is directed to unload by site operating personnel. Signs directing traffic from the Scale House to the Transfer Building will be located as needed along the route to the Transfer Building. Equipment operators and other personnel will be on duty during operating hours to direct traffic to the tipping area.
- (2) Unloading of waste in unauthorized areas will be prohibited. Any waste which is identified as having been deposited in an unauthorized area will be immediately moved to the tipping area. A trained employee will be present at the entrance at all times during operating hours to monitor all the incoming loads of waste and will direct traffic to the appropriate unloading area.
- (3) Prohibited waste will not be allowed to enter the site. The scale attendant will be the first point of contact with the hauler. The hauler will be asked to inform the scale attendant of the content of the load. The scale attendant will visually inspect open containers to verify contents. The personnel will also have basic understanding of both industrial and hazardous waste and their transportation and management requirements. In the event prohibited waste are identified in the load, the entire load will be turned away from the gate and not be allowed entrance to the transfer station. The facility is not required to accept any solid waste that may cause problems in maintaining full an continuous compliance with the permit/registration.
- (4) This transfer station is authorized to accept municipal solid waste. Class 2 and 3 waste may be accepted at the facility provided the wastes are properly