

City of Cedar Park
Regular Called Meeting Agenda
City Council Chambers, Cedar Park Public Library
550 Discovery Boulevard
Cedar Park, Texas
Thursday, January 13, 2011
6:30 P.M.

- A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.](#)
- A.2 [Invocation.](#)
- A.3 [Pledges of Allegiance. \(U.S. and Texas\)](#)
- A.4 [Citizens Communications. \(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information\)](#)
- A.5 [Mayor and Council Opening Comments.](#)
- A.6 [City Manager Report: Employee Recognition For Service With The City Of Cedar Park.](#)
 - i. Pauline Lam, Library Director - Thirty Years.
- A.7 [City Manager Report: Bed And Breakfast Establishments In Single Family Districts - Rawls Howard.](#)
- A.8 [City Manager Report: Comparative Review Of Area City Commercial Development Costs. Mark Lewis, Building Inspections, Larry Holt, Economic Development, Amy Link And Emily Barron, Planning.](#)
- B.1 [Approval Of City Council Minutes From The Regular Scheduled Meeting Of December 9, 2010.](#)
- B.2 [Receipt Of Minutes From The Cedar Park Historic And Cultural Preservation Commission Meeting Of August 25, 2010.](#)
- B.3 [Receipt Of Minutes From The Cedar Park Historic And Cultural Preservation Commission Meeting Of September 29, 2010.](#)
- C.1 [Z-10-009 Second Reading And Approval Of An Ordinance To Assign Original Zoning Of Commercial Services \(CS\) To Approximately 3.75 Acres Of Land, Located On The West Side Of Toro Grande Just North Of E. Whitestone Boulevard, In Williamson County, Texas. The Planning And Zoning Commission Voted To Recommend Approval Of Commercial Services \(CS\) For This Tract.](#)
- C.2 [Z-10-014 Second Reading And Approval Of An Ordinance To Rezone Approximately 3.568 Acres Of Land From General Retail \(GR\) To Open Space Greenbelt \(OSG\),](#)

Owned By NEC Hwy 183/Walton Way, Located On The East Side Of US Highway 183 Just North Of Walton Way, In Williamson County, Texas. The Planning And Zoning Commission Voted To Recommend Approval Of Open Space Greenbelt (OSG) For This Tract.

- C.3 Z-10-015 Second Reading To Affirm The Planning And Zoning Commission Recommendation To Deny A Request By Pedro Amaya To Rezone Approximately 1.37 Acres Of Land From Single Family (SF) To Manufactured Home (MH), Located At The Southwest Corner Of East Park Street and South Mustang Avenue, In Williamson County, Texas.
- D.1 A Resolution Authorizing And Directing The City Manager To Execute A Professional Services Agreement With SEC Planning, LLC For The Design Of Gateway and Entryway Signs In The Amount of \$26,500.
- D.2 A Resolution Authorizing The Purchase Of A Playscape For Milburn Park From The Playwell Group In The Amount Of \$145,582.50.
- D.3 A Resolution Authorizing The Purchase Of New and Replacement Civilian Vehicles And Equipment Approved In The FY11 Budget, The Sale Of Existing Civilian Vehicles And Equipment, And Authorize Gaston Sheehan Auctioneers To Represent The City In The Sale Of Retired Civilian Vehicles And Equipment.
- D.4 A Resolution Authorizing And Directing The City Manager To Execute A Possession And Use Agreement Between William Wilson Jr, Lou Loving And The City Of Cedar Park Under The Brushy Creek Road (Parmer Lane To Arrowhead Trail) Reconstruction Project.
- D.5 A Resolution Authorizing And Directing The City Manager To Execute An Additional Services Agreement With Lockwood, Andrews, And Newnam, Inc. Under The Brushy Creek Road (Parmer Lane To Arrowhead Trail) Reconstruction Project In The Amount Of \$28,145.
- D.6 A Resolution Authorizing And Directing The City Manager To Execute A License Agreement With Capital Metro For City Installation And Maintenance Of A New 12-inch Water Line And Roadway Improvements Within Capital Metro Right-Of-Way.
- E.1 First Reading And Public Hearing: No Items For Consideration.
- F.0 Discussion And Possible Action:
- F.1 Update On The Veterans Memorial Project: Fundraising Totals To Date And Recommended Next Steps For The Memorial Project.
- F.2 Consideration To Approve A Resolution Adopting The Cedar Park Fire Department 2011-2013 Strategic Plan.

- F.3 [Update On Communications Plan Related To Timeline For Modification Of Service To Non-Contract Areas Of The City's Extra Territorial Jurisdiction. \(ETJ\)](#)
- F.4 [Consideration Of Appointment To Place Six On The Tourism Advisory Board With A Term To Expire July 31, 2012. \(amendment\)](#)
- G.0 [Executive Session:](#)
- G.1 [Section 551.071 \(1\)\(A\) And \(2\) Consultation With City Attorney Concerning Legal Matters Covered By The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas.](#)
 - a. Legal Issues Concerning The Cedar Park Tax Increment Reinvestment Zone #1 Development Agreement.
 - b. Legal Issues Concerning The Terms And Conditions Of The Proposed Pass-Through Toll Financing Agreement With The Texas Department Of Transportation.
 - c. Legal Issues Concerning The Water Meter Department.
- H.0 [Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session](#)
- H.1 [Mayor And Council Closing Comments.](#)
- H.2 [Adjournment.](#)



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.2
Invocation.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.3
Pledges of Allegiance. (U.S. and Texas)



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.4

Citizens Communications. (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information)

Commentary:



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.5
Mayor and Council Opening Comments.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.6

City Manager Report: Employee Recognition For Service With The City Of Cedar Park.

i. Pauline Lam, Library Director - Thirty Years.

Commentary:



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.7

**City Manager Report: Bed And Breakfast Establishments In Single Family Districts
- Rawls Howard.**

Commentary:

Initiating Dept: Planning and Development Services

Through Councilman Mitchell and private citizen request, staff will present the current state of Bed and Breakfast establishments in the City and seek guidance on moving forward with allowing such establishments in single family districts.

Cedar Park

Bed and Breakfast Establishments



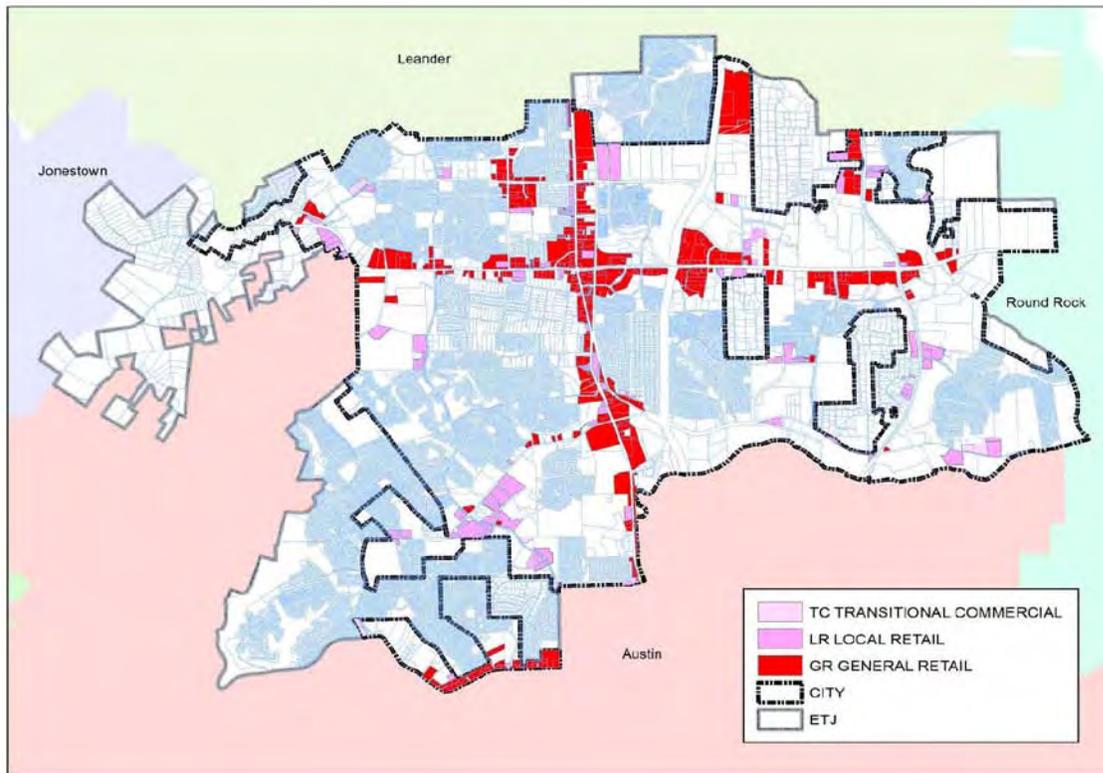
Background

- **Why is this being discussed?**
 - Interest in allowing B&B's in limited single family districts from Convention and Visitor's Bureau
 - Councilman Mitchell forwarded the interested party to Planning Staff
 - Staff seeks Council interest before pursuing further regulatory options
- **Background on B&B's:**
 - Proven, low-cost, grassroots economic development tool; usually involves a residential conversion
 - Broadens hospitality options of a City
 - Lower impact hospitality option than conventional hotel/motel
 - Typically accessed by a very specific niche market; looking for a certain ambiance
 - Common in historic areas/districts or central locations

Regulatory Environment on B&B's in Cedar Park

- Currently have no existing Bed and Breakfast establishments in the City. Have one in development in ETJ (County Road 272).
- Have regulations that allow, by right, in:
 - Transitional Commercial (TC) } <1% land area
 - Limited Retail (LR) }
 - General Retail (GR) } 12.4% land area
- Currently not allowed in single family districts.

Potential B&B Locations -Current



Comparable Cities

- Pflugerville } Treated as home occupation in all single-family districts
- Round Rock }
• Georgetown } Allowed in certain single-family districts w/ special permit or part of
• Grand Prairie } larger development
• Mansfield }
- Leander }
• Flower Mound } Allowed in non, single-family districts; similar to current
• North Richland Hills } Cedar Park standard
- Sugar Land }
• Pearland } Not allowed in SF districts
• Missouri City }

Development Realities for Single-Family Allowances

- Cedar Park is a young city
 - Approximately 76% of housing stock built after 1990
 - No designated historic districts or landmarks
 - Lack of clearly identifiable downtown
 - Any new B&B's would be built instead of conversion
- Private vs. Public Land Use Controls
 - ~95% of housing stock subject to some form of private land use control (HOA, restrictive covenants, etc.)
 - Redevelopment into B&B's would be primarily limited to the older neighborhoods w/o private land use controls (ex. Ranchettes)

Next Steps?



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. A.8

City Manager Report: Comparative Review Of Area City Commercial Development Costs. Mark Lewis, Building Inspections, Larry Holt, Economic Development, Amy Link And Emily Barron, Planning.

Commentary:

The report attached to the Associated Information section of this agenda item provides a comparative overview of development costs in area cities. The data and findings that comprise the report were compiled by Building Inspection, Economic Development, and Planning staff.

Comparative Review of Area City Commercial Development Costs

January 13, 2011

Purpose:

This report is intended to provide a comparative analysis of commercial development costs in the following area cities:

- Austin
- Cedar Park
- Georgetown
- Hutto
- Leander
- Pflugerville
- Round Rock

Methodology:

Choice of comparison cities:

Because of the nature of this analysis, staff has chosen not to use Cedar Park's identified benchmark cities as the basis of comparison. The cities surveyed are among Cedar Park's chief competitors in the area of commercial development.

Categories of Comparison:

For the purpose of this study, staff has focused on the following categories of cost comparison:

- City Development Fees (Site Fees)
 - Zoning Fees
 - Platting Fees
 - Site Plan Fees
- Permitting Fees
 - Plan Review Fees
 - Permit Fees
- Utility Fees
 - Community Impact Fees (CIF)
 - Water Meters and Sewer Taps
- Land Costs

Other factors, because they are highly variable, have not been considered. Examples of excluded factors are street and utility extensions, environmental regulation compliance, and economic development incentives.

Method of Calculation:

This analysis is built on five projects that were chosen as typical examples of Cedar Park’s recent commercial development. Fee information from each project type has been averaged to create unit values.

As example, the unit value for Cedar Park’s “Site Fee” was created by averaging the site fees that were assessed for each of the five example projects. The same method of calculation was used for each city and each category.

Fees:

To ensure accuracy, where possible, fee information was obtained by providing project information to the survey cities and allowing their staffs to calculate the various categories of assessment. Austin and Georgetown information was obtained using information obtained from Austin and Georgetown staff and city websites.

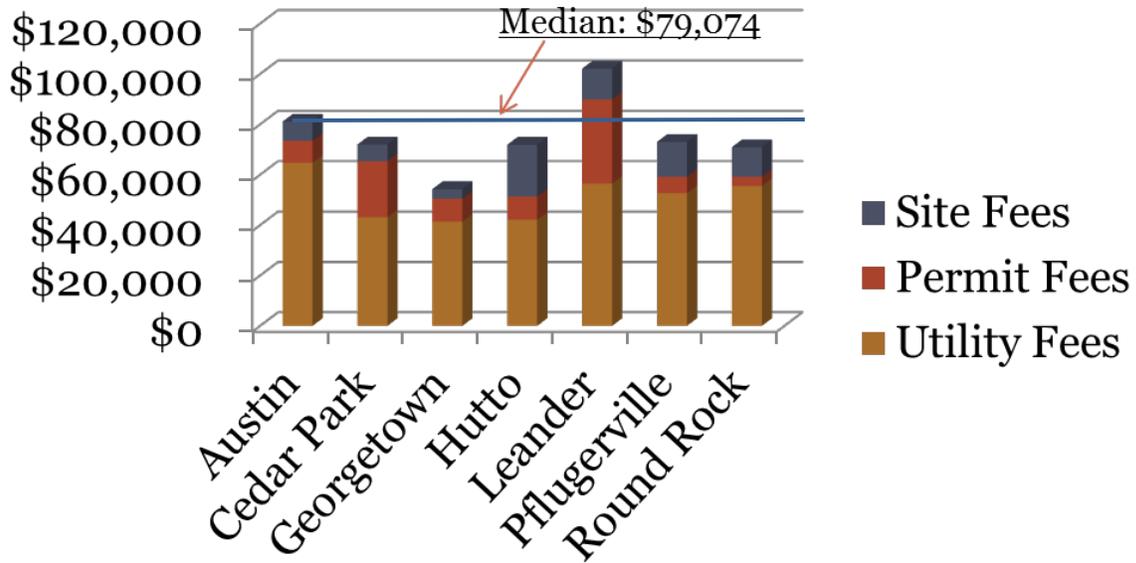
Example Projects:

Project Name	Project Type	Building Size	Total Acreage
Arrow Point Business Park, Phase II	Commercial Business Park	38,200-sq.ft.	7.08-acres
Logan’s Roadhouse	Restaurant	6,533-sq.ft.	1.127-acres
ETS-Lindgren Building Addition	Hi-Tech Manufacturing	44,986-sq.ft.	13.24-acres
New Hope Professional Park	Office Condominium	29,566-sq.ft.	2.6-acres
HEB/Whitestone Market Center	Retail Shopping Center	118,320-sq.ft.	23.311-acres

Fee Analysis by Category

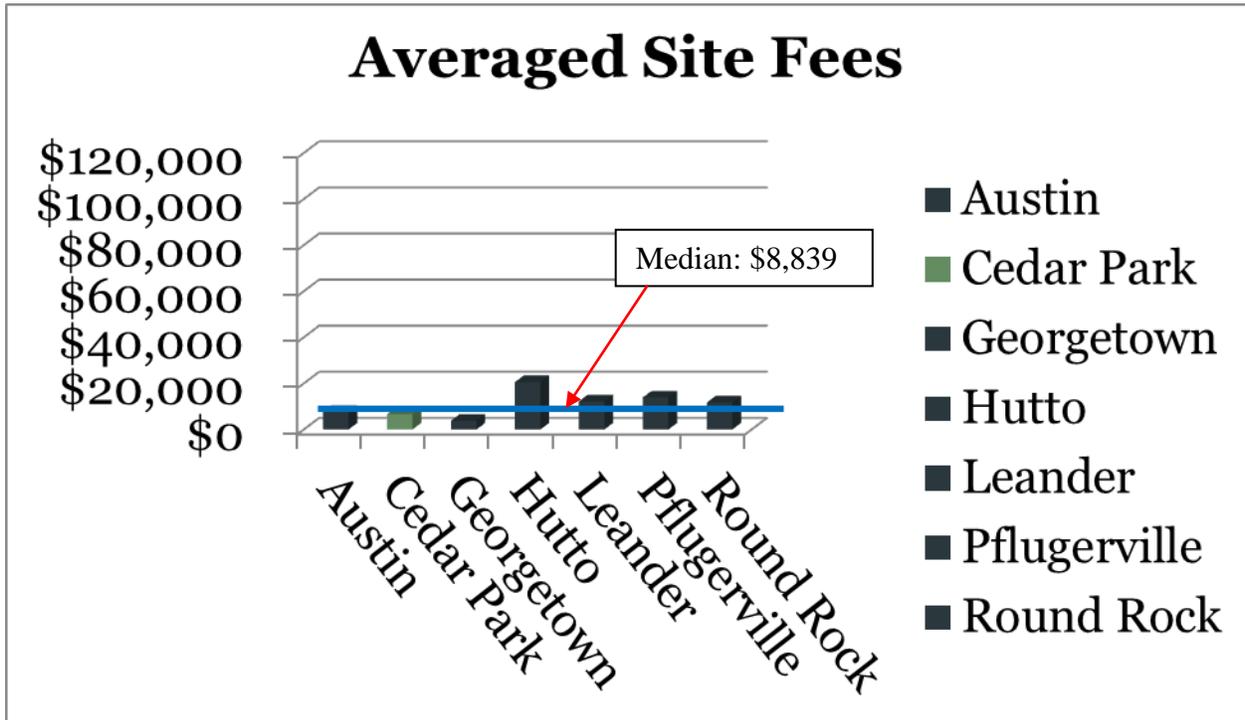
The following analysis is presented as a series of four tables – a summary table followed by a separate table for each fee category analyzed.

COMBINED DEVELOPMENT FEE AVERAGES
(Site, Permitting, Utility)



- | | |
|-----------------------|------------------|
| 1. Leander: | \$102,143 |
| 2. Austin: | \$ 81,087 |
| <i>Median:</i> | \$ 79,074 |
| 3. Pflugerville: | \$ 73,049 |
| 4. Hutto: | \$ 72,908 |
| 5. Cedar Park: | \$ 72,008 |
| 6. Round Rock: | \$ 70,958 |
| 7. Georgetown: | \$ 79,958 |

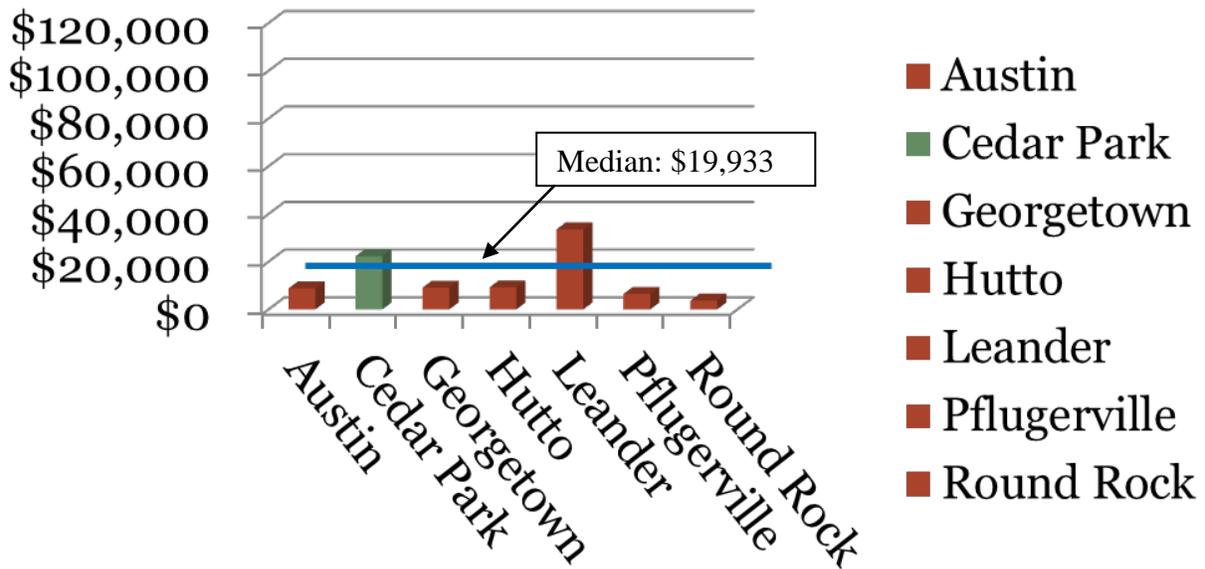
SITE FEES
(Zoning, Platting, & Site Development)



1. Hutto: \$20,527
2. Pflugerville: \$13,874
3. Leander: \$12,168
4. Round Rock: \$11,688
- Median:* \$ 8,839
5. Austin: \$ 7,563
6. **Cedar Park: \$ 6,595**
7. Georgetown: \$ 3,784

PERMIT FEES
(Plan Review and Permitting)

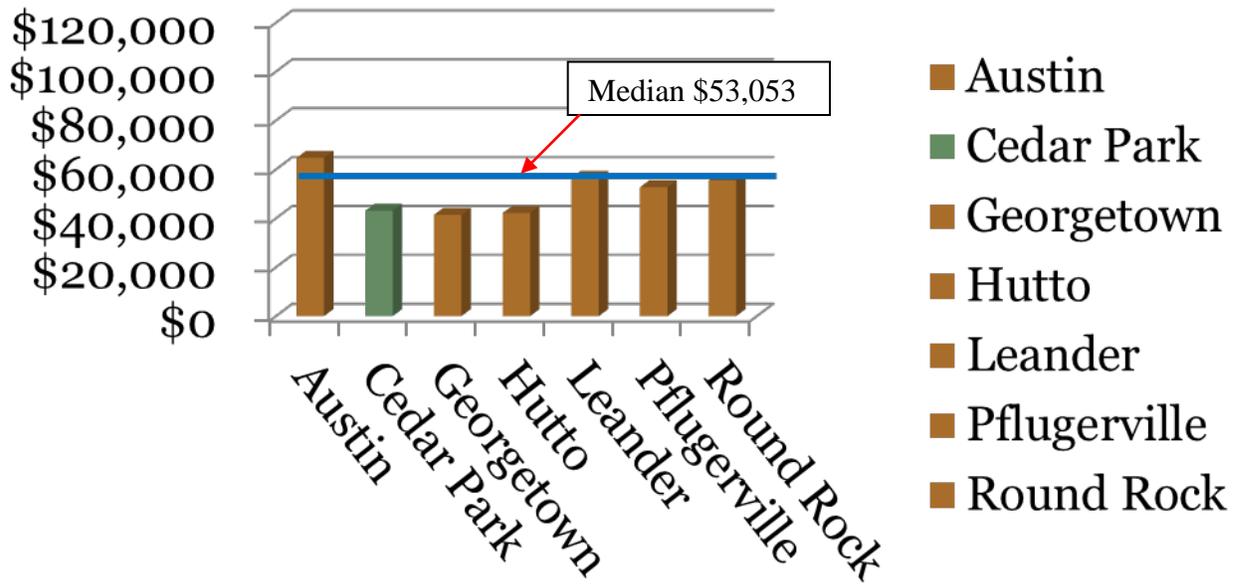
Building Fee Average



1. Leander: \$33,519
2. **Cedar Park: \$22,309**
Median: \$19,933
3. Hutto: \$ 9,232
4. Georgetown: \$ 9,117
5. Austin: \$ 8,815
6. Pflugerville: \$ 6,446
7. Round Rock: \$ 3,720

UTILITY FEES
 (Community Impact Fees/Tap & Meter Fees)

Utility Fee Average



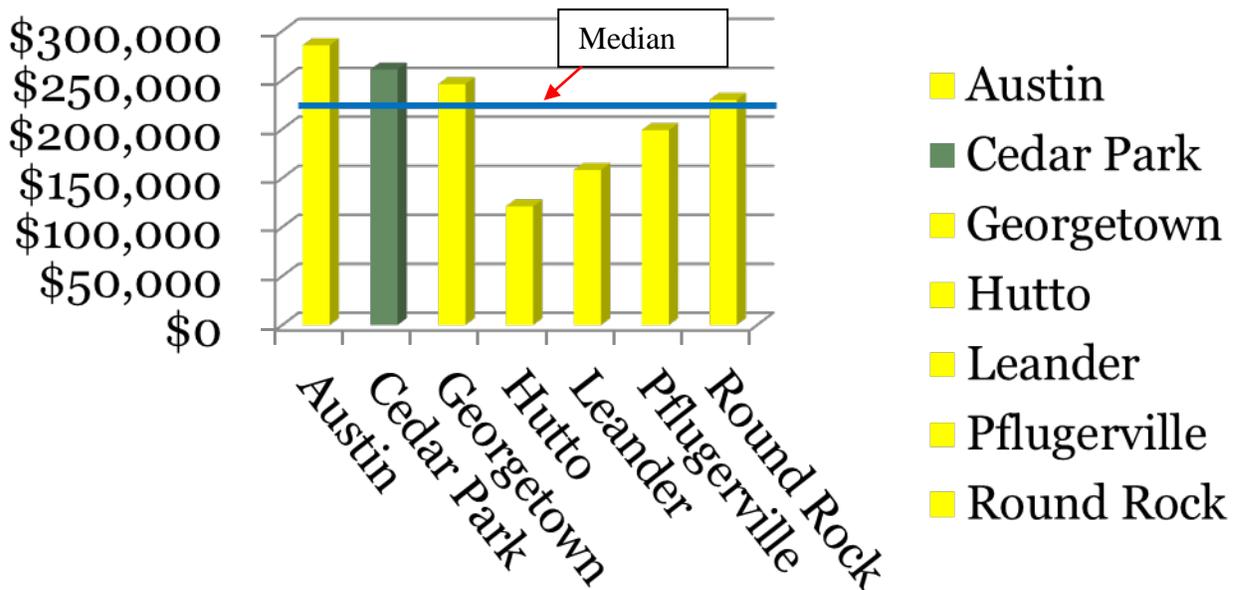
1. Austin:	\$64,704
2. Leander:	\$56,456
3. Round Rock:	\$55,550
<i>Median:</i>	\$53,053
4. Pflugerville:	\$52,729
5. Cedar Park:	\$43,104
6. Hutto:	\$42,149
7. Georgetown:	441,296

LAND

Methodology:

- Within each city, three comparable properties were identified for each project category. All are currently listed properties.
- The three comps were averaged to create a “per-acre” unit cost for each project type.
- Project type units were averaged to create a master unit cost for each city.

Per Acre Average



1. Austin:	\$285,368
2. Cedar Park:	\$260,652
3. Georgetown:	\$245,722
4. Round Rock:	\$229,758
<i>Median:</i>	<i>\$203,758</i>
5. Pflugerville:	\$198,797
6. Leander:	\$158,232
7. Hutto:	\$121,105

CONCLUSIONS

- Cedar Park's site fee assessments are among the lowest of the cities surveyed.
- Utility fee assessments are well below the median assessment rate.
- Permit fees for New Commercial Projects are the second highest of the cities surveyed and are above median.
- Overall fee assessments are below median and not out of line with other cities rates of assessment.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. B.1
**Approval Of City Council Minutes From The Regular Scheduled Meeting Of
December 9, 2010.**

Commentary:



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK PUBLIC LIBRARY, 550 DISCOVERY BOULEVARD**

THURSDAY, DECEMBER 9, 2010 AT 6:30 P.M.

Mayor Bob Lemon
Matt Powell Councilmember Place One
Scott Mitchell, Councilmember Place Three
Lowell Moore, Councilmember Place Four

Mayor Pro Tem Mitch Fuller
Tony Dale, Councilmember Place Five
Don Tracy, Councilmember Place Six
Brenda Eivens, City Manager

MINUTES

A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.

Mayor Lemon called the meeting to order at 6:30 p.m.

Councilmember Moore arrived at 8:35 p.m.

All Council present.

A.2 Invocation: Mayor Lemon.

Invocation given by Mayor Lemon.

A.3 Pledges of Allegiance. (U.S. and Texas)

Council led the audience in the Pledges of Allegiance.

A.4 Presentation: H-E-B Grocery Store And Keep Texas Beautiful For Environmental Education And Recycling Efforts Contribution To The City Of Cedar Park.

Walter Dobravolsky, H-E-B, and Leticia Mendoza presented \$3000 to the City of Cedar Park for the Green Bag Grant program. This is the third year the City has received.

A.5 Presentation: H-E-B Grocery Store Contribution To The Cedar Park Fire Department's Teen Advocates For Community Safety ("TACS") Program, Cedar Park Police Department And The Parks and Recreation Department.

Walter Dobravolsky, H-E-B, presented the Fire Department TACS Program, Police Department and Parks Department with cash donations and gift cards for various

programs including the Santa's Workshop Event/Tree Lighting and the Police Awards Banquet.

- A.6 Presentation: Texas Stars Foundation Contribution Of In-Kind Gifts To The Cedar Park Citizens Police Academy Alumni Association For The Cedar Park Police Department's Blue Santa Program.
Dean Young, President, Cedar Park Citizens Police Academy Alumni Association, addressed the Council regarding the Texas Stars Foundation presentation of \$2000 of in-kind gifts including a certificate for a Suite Night on March 1st, 2011, a team-autographed goalie stick and shirt plus a variety of Stars items and gifts to the CPCPAAA for the Blue Santa Program.
- A.7 Presentation: Recognition Of The Parks And Recreation Department Regional Maintenance Rodeo Awards From The Texas Recreation And Parks Society (TRAPS) - James Hemenes, Parks And Recreation Assistant Director.
James Hemenes, Assistant Director of Parks & Recreation, recognized the Department's participation in the recent Texas, Recreation and Parks Society Region Five and Seven Maintenance Rodeo competition. This event provides an opportunity for Maintenance Staff to display their skills in everyday maintenance practices and compete with other cities parks and recreation staff. The City of Cedar Park team placed third overall, with some staff placing first in their events. The Cedar Park team was comprised of:
- **Joe Flores & James Williams – Trailer Obstacle Course**
 - **Brad Warzon – Mower Obstacle Course**
 - **AJ Hays & Chris Noah – Irrigation Assembly**
 - **Charles Hernandez – Backpack Blower Competition**
 - **Lee Reeves – Nail Driving**
 - **Manuel Perez – Plant/Weed Identification**
 - **Fernando Pinones – Backhoe Competition**
- A.8 Presentation: 40th Anniversary Of The Capital Area Council Of Governments ("CAPCOG") Report: Betty Voights, Executive Director.
Withdrawn from Agenda. Will be on December 16, 2010 Agenda.
- A.9 Citizens Communications. (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information)
None.
- A.10 Mayor and Council Opening Comments.
Mayor Lemon commented on his daughter's recent wedding nuptials and his youngest daughter making the all district volleyball.
- Mayor Pro Tem Fuller commented on the KEYE "My Home Town Series" for Cedar Park, the Williamson County Growth Summit, and a recent interview with KVUE regarding ACC and Capital Metro.**

Councilmember Powell commented on the Williamson County Growth Summit, Cedar Park Center award, CAPCOG meeting, and the Austin Chamber of Commerce meeting pertaining to regional efforts with the upcoming Legislative session.

Councilmember Dale commented on the Williamson County Growth Summit.

Mayor Pro Tem Fuller thanked Councilmember Dale for his efforts with the state-wide K-2 ban and also the Cedar Park Citizen for coverage of the issues.

- A.11 City Manager Report : Introduction Of New Employees:
- i. Jennie Blankenship Huerta - Community & Media Relations Manager.
Jose Madrigal, Assistant City Manager, introduced Jennie Blankenship Huerta who was hired as the Community & Media Relations Manager.
 - ii. Joseph Gonzales - Assistant Finance Director.
Josh Selleck, Finance Director, introduced Joseph Gonzales who was hired for the Assistant Finance Director position.
- A.12 City Manager Report: Water IQ 2010 Campaign: Measuring Effectiveness.
Katherine Woerner, Utility Program Manager, summarized the Water IQ Program for 2010. Ms. Woerner stated the priorities for the 2010 program included (1) informing the public of how water systems work, (2) introduction of Kids Campaign, and (3) measurement of the campaign's success. Ms. Woerner briefly reviewed the three priorities.
- A.13 City Manager Report: FY 2010 Unaudited Year End Financial Update - Josh Selleck, Finance Director.
Josh Selleck, Finance Director, provided Council with an unaudited final report for Fiscal Year 2010. Reviewed were the General Fund Revenues and expenditures, property tax collections, sales tax collections, and summary of the Utility Fund.

CONSENT AGENDA

Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of all matters set forth on Agenda Items B, C, and D.

**Agenda Item D.1 and D.2 removed from the Consent Agenda by Mayor Pro Tem Fuller
Agenda Item D.5 removed from the Consent Agenda by Councilmember Dale.**

Motion to approve all items on the Consent Agenda consisting of Agenda Item B, C and D, excluding Agenda Items D.1, D.2 and D.5.

Movant: Mayor Pro Tem Fuller

Second: Councilmember Mitchell

Vote: 6:0 with Councilmember Moore absent for vote.

- B.1 Approval Of The City Council Minutes From The Regular Scheduled Meeting Of November 18, 2010.
Approved under the Consent Agenda.
- B.2 Receipt Of Minutes From The Cedar Park Community Development Corporation ("4B") Meeting Of October 12, 2010.
Received under the Consent Agenda.
- B.3 Receipt Of Minutes From The Planning And Zoning Commission Meeting Of October 19, 2010.
Received under the Consent Agenda.
- B.4 Receipt Of Minutes From The Planning And Zoning Commission Meeting Of November 1, 2010.
Received under the Consent Agenda.
- C.0 Second Reading Of An Ordinance: No Item For Consideration On Consent Agenda.
- D.1 A Resolution Authorizing And Directing The Mayor To Execute An Agreement With The Cedar Park Community Development (4B) Board For An Economic And Community Enhancement Program In An Amount Not To Exceed \$250,000.00 Consisting Of Activities To Implement A Neighborhood Park Improvement Program Consisting Of The Purchase And Installation Of Materials And Equipment For Various Neighborhood Parks Within The City Of Cedar Park.
Agenda Item D.1 removed from the Consent Agenda by Mayor Pro Tem Fuller.
Agenda Item D.1 and D.2 called together.
Refer to Agenda Item D. 2 for discussion and action taken.

Resolution Number R26-10-12-09-D1

- D.2 A Resolution Authorizing And Directing The Mayor To Execute An Agreement With The Cedar Park Community Development (4B) Board For Funding Of Neighborhood Park Improvements At Elizabeth Milburn Park, 1901 Sun Chase Boulevard In An Amount Not To Exceed \$150,000.
Agenda Item D.2 removed from the Consent Agenda by Mayor Pro Tem Fuller.
Agenda Item D.1 and D.2 called together.

Mayor Pro Tem Fuller stated he asked for these items to be pulled to demonstrate and praise a successful program. These items are related to having a strategic map, taking care of what the City already has, Council retreats, coordination of projects with the 4B Board and long range planning.

Motion to approve Agenda Items D.1 and D.2.

Movant: Mayor Pro Tem Fuller
Second: Councilmember Powell
Vote: 6:0 with Councilmember Moore absent for vote.

Resolution Number R27-10-12-09-D2

- D.3 A Resolution Authorizing And Directing The Mayor To Execute An Agreement With The Cedar Park Community Development (4B) Board For Funding Of An Internally Lighted Street Name Signs (ILSN) Project At Various Street Intersection Locations In The City Of Cedar Park, Texas In An Amount Not To Exceed \$350,000.
Approved under the Consent Agenda.

Resolution Number R28-10-12-09-D3

- D.4 A Resolution Authorizing And Directing The Mayor To Execute An Agreement With The Cedar Park Community Development (4B) Board To Provide For Economic and Community Development Enhancements To Address Safety, Mobility And Aesthetics Through Continuation Of The U.S. 183 Corridor Enhancement Program In An Amount Not To Exceed \$100,000.
Approved under the Consent Agenda.

Resolution Number R29-10-12-09-D4

- D.5 A Resolution Authorizing And Directing The Mayor To Execute An Agreement With The Cedar Park Community Development (4B) Board To Provide Funding For A Community Identification Program To Provide For Continuation Of The Implementation Of The Cedar Park Street Sign Upgrade Projects And Gateway/Entryway Sign Projects in an amount not to exceed \$500,000.
Agenda Item D.5 removed from the Consent Agenda by Councilmember Dale.
Councilmember Dale inquired about the large amount of funds and how they would specifically be used.

Duane Smith, Community Development Manager, stated the overall sum of \$500,000 provides for the continued implementation of the Cedar Park Street Sign Upgrade and the Gateway/Entryway Sign Projects. The subcommittee will meet in January to further discuss and evaluate the gateway signage. The Keep Texas Beautiful Grant is being used for median improvements and beautification on RM 1431.

Motion to approve the Resolution as presented by Staff.

Movant: Councilmember Dale
Second: Mayor Pro Tem Fuller
Vote: 6:0 with Councilmember Moore absent for vote.

Resolution Number R30-10-12-09-D5

D.6 A Resolution Authorizing And Directing The City Manager To Execute Change Order #3 With FTwoods Construction Services Inc. For The Park Street Reconstruction Project In The Amount Of \$139,161.69.

Approved under the Consent Agenda.

Resolution Number R31-10-12-09-D6

D.7 A Resolution Authorizing And Directing The City Manager To Enter Into An Agreement With The Texas Department Of Transportation (TxDOT) To Enable The Cedar Park Police Department To Be A Testing And Evaluation Site For The Proposed State Wide Crash Reporting And Analysis For Safer Highways ("CRASH") System.

Approved under the Consent Agenda.

Resolution Number R32-10-12-09-D7

D.8 A Resolution Authorizing And Directing The City Manager To Sign A Memorandum Of Understanding With The US Department Of Homeland Security For Participation In The E-Verify Program.

Approved under the Consent Agenda.

Resolution Number R33-10-12-09-D8

D.9 A Resolution Authorizing The Release Of A Portion Of A Right Of Way Easement Granted To The Cedar Park Water Supply Corporation Recorded In Vol. 525, Page 145 In The Official Records Of Williamson County, Texas.

Approved under the Consent Agenda.

Resolution Number R34-10-12-09-D9

D.10 A Resolution Authorizing And Directing The Mayor To Execute An Agreement For Tourism Services With The Cedar Park Chamber Of Commerce.

Approved under the Consent Agenda.

Resolution Number R35-10-12-09-D10

PUBLIC HEARINGS

E.1 ANX-10-001 First Reading And Public Hearing On An Ordinance For The Purpose Of Extending The Boundary Limits Of The City Of Cedar Park, Texas, Providing For The Voluntary Annexation Of Approximately 3.75 Acres Of Land Located On The West Side Of Toro Grande Boulevard Just North Of The City Limits, And Otherwise Described By Metes And Bounds In Williamson County, Texas. (ANX-10-001)

Rawls Howard, Director of Planning, stated this is for the voluntary annexation of approximately 3.75 acres of land located on the west side of Toro Grande Boulevard. Nancy Brassfield has petitioned the City for annexation of the 3.75 acres

for development of the site in conjunction with the properties already in the City limits.

Mayor Lemon opened the Public Hearing.

No Public Comment.

Mayor Lemon closed the Public Hearing.

- E.2 Z-10-008 First Reading And Public Hearing On An Ordinance To Rezone Approximately 4.3 Acres Of Land From Light Industrial (LI) To General Industrial (GI), Owned By 950 Brushy Creek Road LLC, Located On The East Side Of 183A Toll Road Just South Of Brushy Creek Road, In Williamson County, Texas. (Z-10-008) **The Planning And Zoning Commission Voted To Recommend Approval Of General Industrial (GI) For This Tract.**

Rawls Howard, Director of Planning, stated this for the rezoning of property currently designated as Light Industrial (LI) to be rezoned to General Industrial (GI) for land located on the east side of 183A Toll Road just south of Brushy Creek Road. The Planning and Zoning Commission voted 7-0 to approve the request.

Mayor Lemon opened the Public Hearing.

No Public Comment.

Mayor Lemon closed the Public Hearing.

Councilmember Powell inquired about the differences between LI and GI.

REGULAR AGENDA (NON-CONSENT)

- F.0 Discussion And Possible Action:

- F.1 Second Reading And Consideration To Approve An Ordinance Amending The City Of Cedar Park Code Of Ordinances, Chapter 8, Article 8.08, Noise Regulations, Section 8.08 (3), Construction Noise For The Purpose Of Amending Allowable Hours Of Construction Activity Within Six-Hundred Feet (600') Of An Occupied Dwelling Or Dwelling Unit.

Rawls Howard, Director of Planning, stated this ordinance amendment is for noise regulations pertaining to construction activities. In preparing the ordinance for final reading, staff has included provisions that reflect the various options proposed by City Council during the ordinance's November 18, 2010 first reading and public hearing. Mr. Howard reviewed the following three options:

***[OPTION 1]:* Within 100-feet of a dwelling or dwelling unit occupied as a residence, construction activity is limited to the hours between 8 a.m. and 8 p.m.**

***[OPTION 2]:* Within 100-feet of a dwelling or dwelling unit that is both occupied as a residence and within 100-feet of the Toll Road 183A right-of-way, construction activity is limited to the hours between 8 a.m. and 8 p.m.**

[OPTION 3]: Within 100-feet of a dwelling or dwelling unit that is both occupied as a residence and within 100-feet of an arterial roadway, construction activity is limited to the hours between 8 a.m. and 8 p.m.

Any amendments will include all current projects unless grandfathering is identified in the ordinance amendment. The effective date for any amendments is scheduled for February 1, 2011.

General Discussion followed:

Councilmember Dale inquired about Option #2 and the impact to the water line project.

Mayor Lemon summarized the Council all appears to be in support of amending the 5am start time to 7am. He would like for the options to be considered at the next meeting, so all Councilmembers will be in attendance to consider all the options and avoid a possible 3:3 vote. Councilmember Moore is not in attendance to discuss the options.

Motion to change the hours for construction to reflect 7:00 am to 8:00 pm.

**Movant: Councilmember Powell
Second: Councilmember Dale**

General discussion continued pertaining to dealing with the one area of town where the construction start times appear to be at an extreme and Option B.

Mayor Lemon offered a friendly amendment to grandfather all current projects. The friendly amendment was not accepted by the movant or second.

Mayor Lemon motioned to amend the ordinance to grandfather in current projects. Thus receiving no second the Mayor withdrew his motions.

Motion called. Vote: 6:0 with Councilmember Moore absent from vote.

Ordinance Number CO10-10-12-09-F1

- F.2 Consideration To Approve A Resolution Authorizing The Filing Of Grant Applications With The Texas Railroad Commission For Participation In The Low Emission Propane Equipment Grant Initiative.

Sam Roberts, Assistant City Manager, addressed the Council regarding the possibility of integrating alternative fuels into the City's fleet. In October, staff attended the national "Green Fleet" conference to learn more about alternative fuels and their potential for use in the City's fleet. Staff has worked with Stacy Neef of the Clean Cities Coalition, a U.S. Department of Energy national program to conduct research on alternative fuels and determine the best fuel choice for the City of Cedar Park's fleet. Integrating alternative fuels into the City's fleet has a variety of benefits including potential reduced fuel and maintenance costs, environmental benefits, and energy independence. Mr. Roberts reviewed the following fuels: Propane (LPG), Natural Gas (CNG), Electric, Plug-In Hybrid, Biodiesel (B20), Ethanol (E85). Staff is recommending the use of propane.

Motion to approve the Resolution authorizing the filing of grant applications with the Texas Railroad Commission for participation in the Low Emission Propane Equipment Grant Initiative.

Movant: Councilmember Powell

Second: Councilmember Tracy

Vote: 6:0 with Councilmember Moore absent from vote.

Resolution Number R36-10-12-09-F2

F.3 Consideration To Approve A Resolution Authorizing A Deadline Of December 31, 2012 To Establish A Contract For Fire Protection Services For Residents In Non-Contracted Areas In The City's Extra-territorial Jurisdiction (ETJ).

Chief Chris Connealy, Fire Department, addressed Council regarding fire protection services by the Cedar Park Fire Department in non-contracted areas. Chief Connealy reviewed the current fire protection structure, the non-contracted areas located in the ETJ, and the issues with equity and fairness to citizens and all areas receiving fire protection services.

Josh Selleck, Finance Director, addressed the Council regarding fire service cost. The approximate cost per rooftop is \$20.55. There are 976 rooftops in the non-contracted areas which equates to an uncompensated approximate cost to the City of \$240,000. Mr. Selleck further reviewed the City's communications efforts with all the citizens in the non-contracted areas. The review included the concerns of citizens in the non-contracted areas and the best possible solution for those areas to from a single entity or mechanism that would enable the ability to contract for services. Mr. Selleck briefly explained the emergency service districts.

General discussion followed pertaining to the tax rate of \$.10 which is set by State statute, emergency service district mechanisms, older areas located in the ETJ, locations being in two counties, and legislative efforts to control ESD's.

Councilmember Moore arrived at the meeting at 8:35 p.m. during the general discussion.

Public Comment:

Dieter Billeck, Leander, addressed the Council regarding fire protection services. He commented on the equity and fairness and inquired about the best way to provide services and how the numbers were derived.

General Discussion continued regarding the impacted areas needed to from the ESD, working with County Commissioners, the need for an election, using HOA's as educational tools, and the packet information covering the steps needed to form an ESD.

Motion to Approve A Resolution Authorizing A Deadline Of December 31, 2012 To Establish A Contract For Fire Protection Services For Residents In Non-Contracted Areas In The City's Extra-territorial Jurisdiction (ETJ) and approve the ancillary schedule as presented by staff.

Movant: Mayor Pro Tem Fuller

Second: Councilmember Dale

Vote: 7:0

Resolution Number R37-10-12-09-F3

- F.4 Consideration Of Appointment To Place One On The Cedar Park Community Development Corporation Board With A Term To Expire October 31, 2012. (Powell)

Motion to appoint Audrey Wernecke to Place One on the 4B Board.

Movant: Councilmember Powell

Second: Mayor Pro Tem Fuller

Vote: 7:0

- F.5 Consideration Of Appointment To Place Two On The Parks And Recreation Advisory Board With A Term To Expire July 31, 2012. (Fuller)

Motion to appoint Scott Rogers to Place Two on the Parks and Recreation Advisory Board.

Movant: Mayor Pro Tem Fuller

Second: Councilmember Moore

Vote: 7:0

- F.6 Consideration Of Appointment To Place Two On The Planning And Zoning Commission With A Term To Expire July 31, 2012. (Fuller)

Motion to appoint Tom Balestiere to Place Two on the Planning and Zoning Commisison..

Movant: Mayor Pro Tem Fuller
Second: Councilmember Dale
Vote: 7:0

- F.7 Consideration Of Appointment To Place Two On The Tourism Advisory Board With A Term To Expire July 31, 2012. (Fuller)

Motion to appoint Matt Olguin to Place Two on the Tourism Advisory Board.

Movant: Mayor Pro Tem Fuller
Second: Councilmember Moore
Vote: 7:0

- F.8 Consideration Related To The Naming Of Three City Council Members To A Legislative Advisory Executive Committee For The 82nd Legislative Session.

Brenda Eivens, City Manager, stated the Council Legislative Advisory Executive Committee was created to assist with City's legislative advisor on municipal affairs and to be available for testifying on pending legislation. The past committee was comprised of the Mayor, Mayor Pro Tem and one Councilmember.

Motion to appoint the Mayor, Mayor Pro Tem and Councilmember Powell to service on the Legislative Advisory Executive Committee.

Movant: Mayor Lemon
Second: Mayor Pro Tem Fuller
Vote: 7:0

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The City Council may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":

Council convened into Executive Session at 9:10 p.m.

G.0 Executive Session:

- G.1 Section 551.071 (1)(B) Consultation With Attorney Concerning Litigation.
i. Settlement Offer In Cedar Park v. Newman Cause #CICV-09-008078 Travis County Court At Law.
- G.2 Section 551.087 Deliberation Regarding Economic Development Negotiations
i. Concerning County Road 180 Improvements.
ii. Concerning Dental Health Services Contractor.

The Council Reconvenes into General Session.

OPEN MEETING

Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.

- H.0 Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session
Mayor Pro tem Fuller reconvened the Council from Executive Session into Open Meeting at 9:31 p.m.

Motion to approve a Resolution authorizing the City Manager to execute a license agreement between Cedar Park and Jadon Newman for the floating intake contingency project upon final approval by the City's condemnation counsel and the City Attorney.

Movant: Councilmember Mitchell

Second: Councilmember Moore

Vote: 6:0 with Mayor Lemon off dais during vote.

Resolution Number R38-10-12-09-G.1i

- H.1 Mayor And Council Closing Comments.
Councilmember Dale requested a future agenda item for a report on how the City's plan and process for notifying the non-contracted areas pertaining to the termination of fire protection services.
- H.2 Adjournment.
Mayor Lemon adjourned the meeting at 9:35 p.m.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY, 2011.

Robert S. Lemon, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. B.2
**Receipt Of Minutes From The Cedar Park Historic And Cultural Preservation
Commission Meeting Of August 25, 2010.**

Commentary:

Minutes
Regular-Called Meeting
Cedar Park Historic and Cultural Preservation Commission
Wednesday, August 25, 2010 at 6:30 P.M.
Cedar Park Library – 550 Discovery Boulevard, Cedar Park, Texas 78613

Leigh Anne Fulcher, Place One, Secretary	Joe Greene, Place Four, Chairman Vacant, Place Five
Gregg Cestaro, Place Two Vacant, Place Three	Yvonne Lane, Historical Preservation Officer

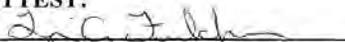
1. **Call to Order/Declaration of Quorum/Meeting Declared Open.**
Chairman Joe Greene called the meeting to order at 6:30PM. A quorum was determined with the following Commissioners present: Commissioners Greene, Fulcher, and Cestaro. The Pledge of Allegiance was led by Commissioner Greene.
2. **Citizen Communications.**
None.
3. **Approval Of Minutes Of The July 25, 2009 Regular-Called Historic And Cultural Preservation Commission Meeting.**
On Motion by Commissioner Fulcher and second by Commissioner Cestaro, the Board voted 3-0 to approve the minutes of the Regular Called Meeting of July 22, 2009.
4. **Welcome of New Commissioner, Gregg Cestaro**
Chairman Greene welcomed Commissioner Cestaro. Commissioner Cestaro relocated to Texas in 1999 and to the Cedar Park area in 2007. He has a Masters Degree in Archaeology and Anthropology from the University of Oklahoma. He has experience with Cultural Resource Management in Texas, Oklahoma, and Missouri.
5. **Photo of Commissioners.**
None.
6. **Reports and Updates (Discussion only)**
 - a. **Preservation Officer's Report – Yvonne Lane.**
City of Cedar Park's Historic and Culture Preservation Officer Yvonne Lane welcomed the Commissioners back and congratulated Commissioner Cestaro on his new appointment.
 1. **Update On Cedar Park History web site, www.cedarparkhistory.com**
The Cedar Park History website phase one was developed using funds from the Certified Local Government (CLG) Grant awarded in 2009. Most of the photos, stories, and content for the website were contributed and coordinated by the Cedar Park Historical Society. Fiddle music was added to the website by suggestion of Commissioner Cestaro and A.C. Bible one of Cedar Park's founders can be heard playing the fiddle at the site. The Cedar Park History website encompasses the follow and more: information about our commission, local landmarks, timeline, photos, videos, local historical organizations, research, and education. The website is very user-friendly and interactive.

2. Update On Cedar Park State Archaeology Landmark Designation at Twin Creek Historical Park for Rutledge Cave Site.
Applied for a State Archaeology Landmark Designation for the Rutledge Cave Site at Twin Creeks Historical Park and it was approved in April 2010 which allows us to move forward and start protecting this site.
3. Update Texas Historical Commission, Trust Fund Grant Applications for John M. King Log House and Rutledge Cave Site at Twin Creek Park.
The Commission applied for the Texas Historical Commission, Trust Fund Grant to help protect the King Log Cabin and the Rutledge Cave site. The application was declined this year; however, our intention is to continue in applying for this grant in support of our preservation efforts of these two sites.
7. **Discussion and Possible Action**
 - a. Consideration of approval for www.cedarparkhistory.com web site to be forwarded to the Texas Historical Commission for State approval as required by the Certified Local Government Grant.
On Motion by Commissioner Fulcher and second by Commissioner Cestaro, the Board voted 3-0 to approve the submission of the Cedar Park History website to the Texas Historical Commission for approval.
 - b. Consideration of information needed for Quarterly Certified Local Government Progress report.
On Motion by Commissioner Fulcher and second by Commissioner Cestaro, the Board voted 3-0 to approve the submission of the meeting minutes from the Regularly Called Meeting of the Cedar Park Historical and Cultural Preservation, on July 22, 2009, for the Quarterly Certified Local Government Progress Report.
8. **Closing comments.**
Commissioner Cestaro commented that the new Cedar Park History website was very well done, expandable, easy to look at, and the content is very well collected. Commissioner Fulcher suggested future agenda items on the development of an action items project management spreadsheet for in progress projects and information on the upcoming Texas Historical Commission's Annual Convention. Chairman Greene again welcomed Commissioner Cestaro. Chairman Greene also noted that Places Three and Five remain vacant and we welcome all qualified applicants. Chairman Greene thanked and acknowledged Duane Smith, past Historical and Cultural Preservation Chairman for the City of Cedar Park, with regard to his work and efforts for the commission. Chairman Greene also welcomed Assistant City Attorney J.P. LeCompte.
9. **Adjournment.**
On Motion by Commissioner Cestaro and second by Commissioner Fulcher, the Board voted 3-0 to adjourn the meeting at 6:55PM

PASSED AND APPROVED THIS 15 DAY OF December, 2010.



Joe Greene, Chair

ATTEST:


Leigh Anne Fulcher, Secretary



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. B.3
**Receipt Of Minutes From The Cedar Park Historic And Cultural Preservation
Commission Meeting Of September 29, 2010.**

Commentary:

MINUTES

Special-Called Meeting

Cedar Park Historic and Cultural Preservation Commission

Wednesday, September 29, 2010 at 6:30 P.M.

Cedar Park Library – 550 Discovery Boulevard, Cedar Park, Texas 78613

Leigh Anne Fulcher, Place One, Secretary	Joe Greene, Place Four, Chairman Vacant, Place Five
Gregg Cestaro, Place Two Vacant, Place Three	Yvonne Lane, Historical Preservation Officer

1. **Call to Order/Declaration of Quorum/Meeting Declared Open.**
Chairman Joe Greene called the meeting to order at 6:33PM. A quorum was determined with the following Commissioners present: Commissioners Greene, Fulcher, and Cestaro. The Pledge of Allegiance was led by Commissioner Greene.
2. **Citizen Communications.**
Kevin Clark, Scout Master Troop 185, and Troop 185 were in attendance to listen to the different opinions expressed at the meeting and then the scouts will report objectively on what they heard. The scouts will also form their own opinions and express them as well. The troop is currently working on their Communication and Citizenship in the Community merit badges.
3. **Approval of Minutes Of The August 25, 2010 Regular-Called Historic And Cultural Preservation Commission Meeting.**
On Motion by Commissioner Cestaro and second by Commissioner Fulcher, the Board voted 3-0 to approve the minutes of the Regular Called Meeting of August 25, 2010, with corrections to update item 5 and item 3.
4. **Reports and Updates (Discussion only)**
 - a. Historic Preservation Officer's Report – Yvonne Lane.
 1. Update on 2010 National Preservation Conference in Austin, Texas, October 27-30, 2010
City of Cedar Park's Historic and Culture Preservation Officer Yvonne Lane presented details of the National Preservation Conference that is being held in Austin this year.
 2. Update on www.cedarparkhistory.com Official Presentation to Cedar Park City Council on October, 21, 2010
Historic and Culture Preservation Officer Lane announced that the commission has been added to the city council agenda of October 21, 2010. During the city council meeting the commission will be presenting the new Cedar Park History website. Preservation Officer Lane invited Chairman Greene to lead the commission's presentation to council. Chair Greene accepted. The closing of the website grant was approved by The Texas Historic Commission (THC) and the THC commented the new website looked fantastic. The final website grant report should be finished by the end of October 2010.
5. **Discussion and Possible Action**
 - a. Consideration of Possible Action to Construct a New Cedar Park Historical Project Management Sheet, Commissioner Fulcher
Commission Fulcher liked the attached project management overview and thought it was a good starting point for current and future projects. On Motion

by Commissioner Fulcher and second by Commissioner Cestaro, the Board voted 3-0 to approve the attached project management sheet as an overview of in progress commission projects. Chair Greene suggested we continue to expand and build upon the current sheet to include action items.

b. Consideration of Possible Scheduled Walking Tour of Twin Creek Historic Park, Historic Preservation Officer, Yvonne Lane

Historic Preservation Officer Lane suggested that the commission schedule an early spring field trip to the historic Twin Creeks Park. On Motion by Commissioner Fulcher and second by Commissioner Cestaro, the Board voted 3-0 to approve and schedule a field trip in the early spring to the park.

c. Consideration of Research of Cedar Park's Archeology History for Written Text to be Included on www.cedarparkhistory.com Web Site, Commissioner Cestaro

Commissioner Cestaro was able to gain professional access to Texas archeological records such as maps and field reports located at the Texas Archeological Research Laboratory (TARL) of the University of Texas at Austin to begin research and writing of a popular narrative of archeological finds on public lands within the Cedar Park area. The popular narrative will be added to the new Cedar Park History website.

d. Consideration on Possible Historic And Cultural Preservation Commissioner Recruitment Plans for Place Three and Five, Yvonne Lane

Preservation Officer Lane included a Board and Commission Application in the agenda packet and asked us to pass the applications out to any one who might be interested in joining the commission.

e. Consideration on Possible Support of Recording Soldier's History at Upcoming Veteran's Memorial Day Event Schedule for November 7, 2010, Yvonne Lane

Historic Preservation Officer Lane talked with the Veterans Memorial group and the Historic website committee and they would like to begin recording and saving oral histories from soldiers in our area. These committees also asked for the commission's support in sponsoring a table at the upcoming Veteran's Memorial Day event schedule November 7, 2010. The commission's presence at the event would demonstrate the commission's support.

6. **Closing comments.**

Commission Fulcher thanked Historic Preservation Officer Lane for putting together the agenda packets and developing the project management sheet. Chairman Greene and Commissioner Cestaro also thanked Preservation Officer Lane for the work she has done in support of the commission.

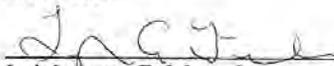
7. **Adjournment.**

On Motion by Commissioner Fulcher and second by Commissioner Cestaro, the Board voted 3-0 to adjourn the meeting at 7:04PM

PASSED AND APPROVED THIS 15 DAY OF December, 2010.


Joe Greene, Chair

ATTEST:


Leigh Anne Fulcher, Secretary



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. C.1

Z-10-009 Second Reading And Approval Of An Ordinance To Assign Original Zoning Of Commercial Services (CS) To Approximately 3.75 Acres Of Land, Located On The West Side Of Toro Grande Just North Of E. Whitestone Boulevard, In Williamson County, Texas. The Planning And Zoning Commission Voted To Recommend Approval Of Commercial Services (CS) For This Tract.

Commentary:

The purpose of this agenda item is to assign original zoning of Commercial Services for property located on the west side of Toro Grande just north of E. Whitestone Boulevard. This item is associated with the voluntary annexation request by Nancy Brassfield (ANX-10-001) that was approved at the December 16, 2010 meeting.

Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 4-0 to approve the request.

In favor: Sandy Trujillo, Nicholas Kauffman, Alan Yore, and Stephen Thomas

Opposed: None

Absent: Lorena Echeverria, Jon Lux and Thomas Balestiere

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on November 16, 2010. No public testimony was received.

City Council Public Hearing:

The City Council held a public hearing on December 16, 2010. No public testimony was received.

Background:

Owner: Nancy Brassfield

Please see attached Planning & Zoning Commission Report for details.

Public Information Plan:

November 4, 2010: Public notice of the Planning and Zoning Commission public hearing published in the Hill Country News.

November 5, 2010: Eleven (11) letter notices for the Planning and Zoning Commission public hearing was sent to property owners within 300 feet of the subject tract
November 16, 2010: Planning and Zoning Commission public hearing
November 25, 2010: Public notice of the City Council public hearing published in the Hill Country News
December 16, 2010: City Council 1st reading and public hearing
January 13, 2010: City Council 2nd reading

City Manager's Remarks

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Legal Certifications

Associated Information:

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO ASSIGN ORIGINAL ZONING OF COMMERCIAL SERVICES (CS) TO APPROXIMATELY 3.75, LOCATED ON THE WEST SIDE OF TORO GRANDE BOULEVARD JUST NORTH OF EAST WHITESTONE BOULEVARD, IN WILLIAMSON COUNTY, TEXAS. (Z-10-009); AUTHORIZING THE CITY SECRETARY TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the zoning district map of the City of Cedar Park adopted in Ordinance No. 75-2 be and the same is hereby amended to assign original zoning on approximately 3.75 acres to Commercial Services (CS) as set forth in the legal description labeled Exhibit "A", and the property location map labeled Exhibit "B".

SECTION 2. That the City Secretary is hereby authorized and directed to officially designate the tract of land zoned herein as such on the official zoning district map of the City of Cedar Park and by proper endorsement indicated the authority for said notation.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 16th day of December, 2010, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 13th day of January, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney



In Re: Tract 5D - 3.750 Acres and
a 30' Wide - 1.019 Acre Easement
Save and Except a 30' Wide -
0.325 Acre Easement
Washington Anderson Survey, A-15
Williamson County, Texas

All of that certain 3.750 acres of land as situated in Williamson County, Texas, being a part of the Washington Anderson Survey, Abstract No. 15 and being a part of a 25.000 acre tract of land as conveyed from Perry L. Moore to Faye Crumley by Deed dated December 30, 1987 and recorded in Vol. 1619, Pages 554 thru 556 of the Deed Records of Williamson County, Texas and being more particularly described by metes and bounds as follows, to wit:

3.750 ACRES

COMMENCING at an iron pin found marking the Northwest corner of said 25.00 acre tract;

THENCE S19°35'E - 1133.48' with the West line of said 25.000 acre tract to an iron pin set for the PLACE OF BEGINNING and for the Northwest corner of this tract;

THENCE N70°25'E - 346.37' to an iron pin set on the East line of said 25.000 acre tract for the Northeast corner of this tract;

THENCE S19°35'E - 471.61' with the East line of said 25.000 acre tract to an iron pin set for the Southeast corner of this tract;

THENCE S70°25'W - 346.37' to an iron pin set on the West line of said 25.000 acre tract for the Southwest corner of this tract;

THENCE N19°35'W - 471.61' with the West line of said 25.000 acre tract to the PLACE OF BEGINNING and containing 3.750 Acres of Land.

30' WIDE - 1.019 ACRE EASEMENT

BEGINNING at an iron pin found on the North ROW line of FM Highway No. 1431 marking the Southeast corner of said 25.000 acre tract and for the Southeast corner of this tract;

THENCE S49°14'12"W - 32.17' with the North ROW line of said Highway, same being the South line of said 25.000 acre tract to a point for the Southwest corner of this tract;

THENCE N19°35'W - 1486.02' to a point on the South line of above described "TRACT 5D - 3.750 ACRES" for the Northwest corner of this tract;

THENCE N70°25'E - 30.00' with the South line of said 3.750 acre tract to an iron pin set on the East line of said 25.000 acre tract for the Southeast corner of said 3.750 acre tract and for the Northeast corner of this tract;

THENCE S19°35'E - 1474.40' with the East line of said 25.000 acre tract to the PLACE OF BEGINNING and containing 1.019 Acre of Land.

SAVE AND EXCEPT A 30' WIDE - 0.325 ACRE EASEMENT

BEGINNING at an iron pin set for the Southeast corner of above described "TRACT 5D - 3.750 ACRES" and for the Southeast corner of this tract;

THENCE S70°25'W - 30.00' with the the South line of said 3.750 acre tract to a point for the Southwest corner of this tract;

THENCE N19°35'W - 471.61' to a point on the North line of said 3.750 acre tract for the Northwest corner of this tract;

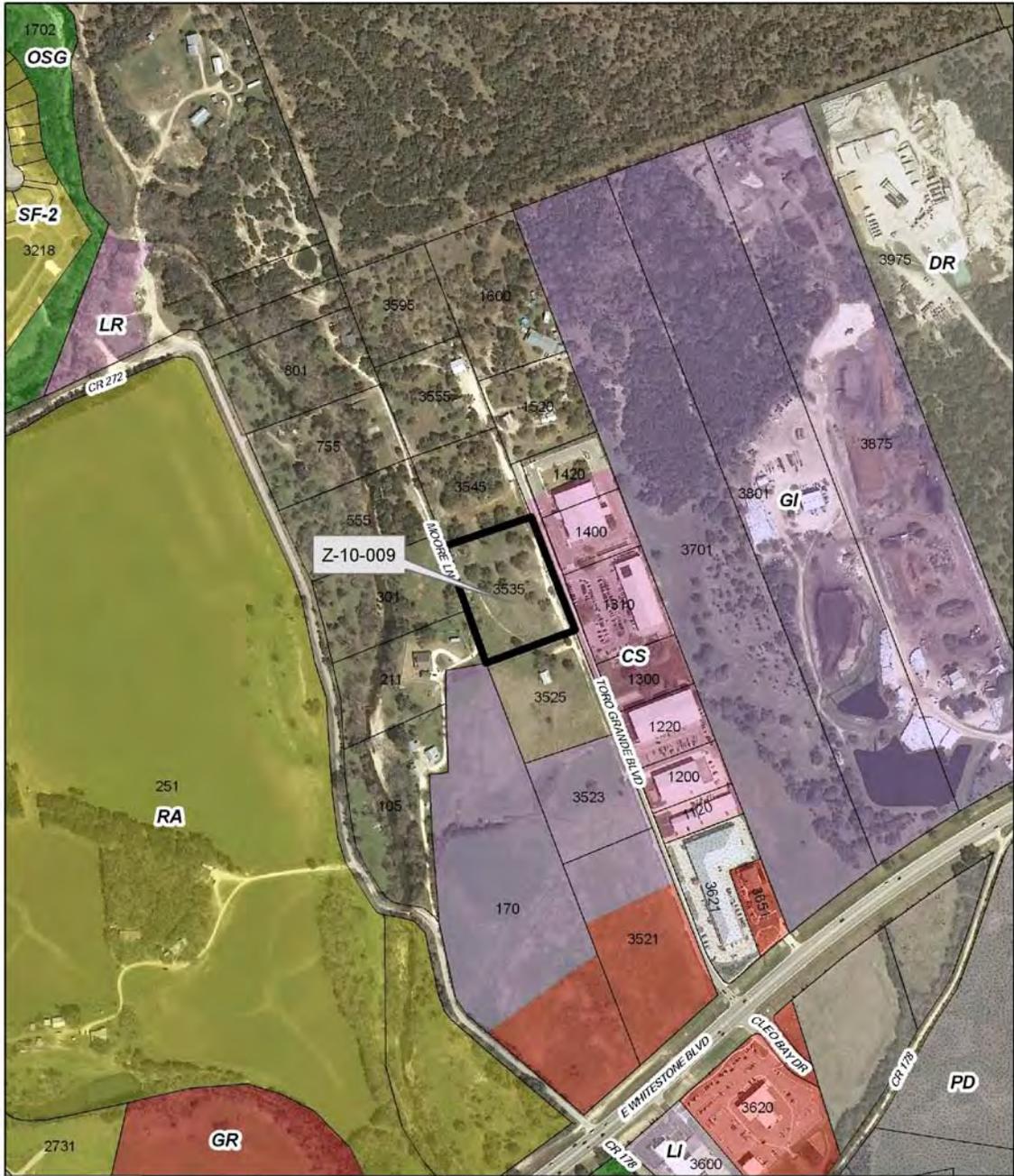
THENCE N70°25'E - 30.00' with the North line of said 3.750 acre tract to an iron pin set for the Northeast corner of said 3.750 acre tract and for the Northeast corner of this tract;

THENCE S19°35'E - 471.61' with the East line of said 3.750 acre tract to the PLACE OF BEGINNING and containing 0.325 Acre of Land.

I, W.L. Ferguson, Registered Professional Land Surveyor No.2547 in the State of Texas, do hereby certify that the above survey was performed on the ground under my supervision and that the field notes hereon are true and correct to the best of my knowledge.

Given under my hand and seal this 19th day of January, 1993.

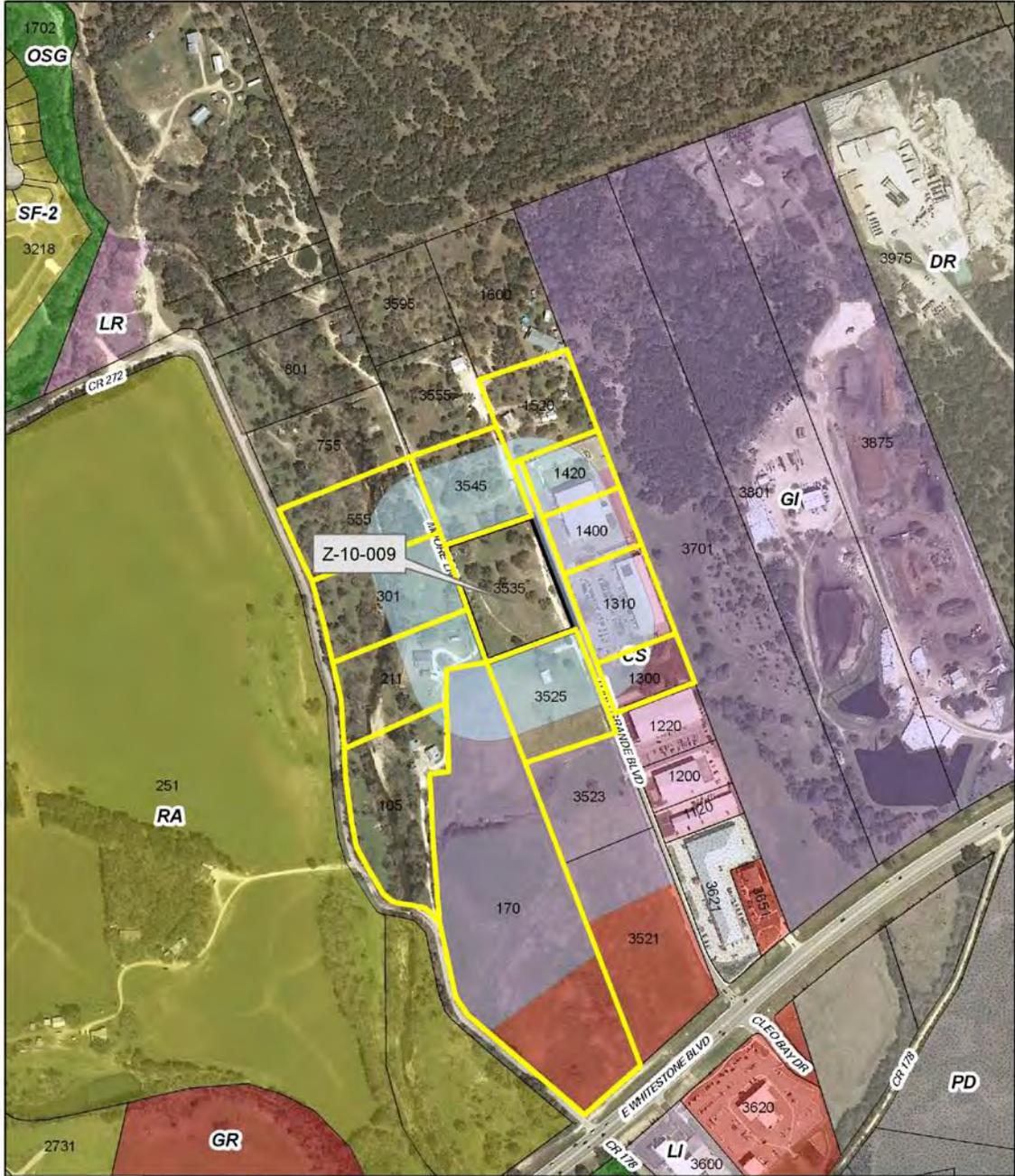
W.L.F.
W.L. Ferguson,

Z-10-009



EXHIBIT B



Z-10-009



NOTIFICATION AREA

November 16,
2010

Planning and Zoning Commission

Zoning

**Nancy Brassfield
(aka Austin Sports Center)**

**Item:
8B and
9B**

Case Number: Z-10-009

OWNER/APPLICANT: Nancy Brassfield/Austin Sports Center

AGENT: Jonathan Neslund, Bury+Partners

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: West side of Toro Grande just north of E. Whitestone Boulevard

SURROUNDING LAND USES:
North: ETJ, Vacant
South: ETJ, Residential
East: Toro Grande Boulevard; Commercial Services (CS)
West: ETJ, Vacant and Residential

COUNTY: Williamson County

AREA: 3.75 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: Commercial Services (CS)

STAFF RECOMMENDATION: Commercial Services (CS)

SUMMARY OF APPLICANT'S REQUEST:

The applicant's request is to assign original zoning of Commercial Services (CS) to approximately 3.75 acres.

PURPOSE OF REQUESTED ZONING DISTRICTS:

The Commercial Services District, CS, is established to provide for business and commercial activities that are typically more intensive than consumer retail enterprises, often larger in scale, and often are designed to serve the region. Since generally they are not fully compatible with office or consumer retail uses, the permitted uses found in this district are combined in order to promote economic development and regional enterprise in a positive and sustainable manner for the City.

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Industrial Development, with compatible zoning districts of Commercial Services (CS), Heavy Commercial (HC), Light Industrial (LI), General Industrial (GI), and Heavy Industrial (HI).

The applicant's request for Commercial Services (CS) District zoning complies with the Future Land Use Plan and is consistent with the goals and purposes set forth in the Comprehensive Plan.

SITE INFORMATION:

Corridor Overlay:

This site is not located within the Corridor Overlay District.

Transportation:

Toro Grande Boulevard is classified as a commercial collector.

Subdivision:

This property has a legal lot.

Setback Requirements:

Front Setback	25'
Side Setback	12'; 20' adjacent to single family
Rear Setback	5'; 20' adjacent to single family

Architectural Requirements:

The CS District requires 25% masonry, which includes but is not limited to: stone, brick, stone or brick veneers, or conventional stucco.

Case History:

This site requested voluntary annexation in association with the zoning request. The annexation of the property is expected to be completed on December 16, 2010.

STAFF ANALYSIS:

The applicant's request to rezone the property to Commercial Services (CS) is consistent with the goals of the Comprehensive Plan as outlined below:

- 4.1.5 Urban Growth and Infrastructure Goals – Develop an appropriate and fiscally sound long term plan for Cedar Park's physical growth while taking a proactive approach to attracting new businesses and industries.
- 4.1.6 Economic Development Goals – 1) Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services; 2) Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment which supports existing businesses. 3) Attract commercial development to Cedar Park in order to reduce tax burden on residential property.

The applicant's request supports the goals of the Comprehensive Plan and is consistent with the Future Land Use Plan as well as the purpose statement of the Commercial Services (CS) District.

STAFF RECOMMENDATION:

Based upon the information provided, staff recommends assigning original zoning of Commercial Services (CS) to this property.

PUBLIC NOTICE: November 4, 2010 Hill Country News; Notices were mailed to the 11 property owners within 300' of the subject tract

PUBLIC INPUT: Staff has received one phone inquiry regarding this request.

PROPOSED CITY COUNCIL HEARINGS: December 16, 2010 ~ 1ST Reading
January 13, 2011 ~ 2ND Reading



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. C.2

Z-10-014 Second Reading And Approval Of An Ordinance To Rezone Approximately 3.568 Acres Of Land From General Retail (GR) To Open Space Greenbelt (OSG), Owned By NEC Hwy 183/Walton Way, Located On The East Side Of US Highway 183 Just North Of Walton Way, In Williamson County, Texas. The Planning And Zoning Commission Voted To Recommend Approval Of Open Space Greenbelt (OSG) For This Tract.

Commentary:

The purpose of this agenda item is for the rezoning of property currently designated as General Retail (GR) to be rezoned to Open Space Greenbelt (OSG) for property located on the east side of US Highway 183 just north of Walton Way.

Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 4-0 to approve the request.

In favor: Sandy Trujillo, Nicholas Kauffman, Alan Yore and Stephen Thomas

Opposed: None

Absent: Lorena Echeverria, Jon Lux and Thomas Balestiere

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on November 16, 2010. No public testimony was received.

City Council Public Hearing:

The City Council held a public hearing on December 16, 2010. No public testimony was received.

Background:

Owner: NEC Hwy 183/Walton Way

Please see attached Planning & Zoning Commission Report for details.

Public Information Plan:

November 4, 2010: Public notice of the Planning and Zoning Commission public hearing published in the Hill Country News.

November 12, 2010: 19 letter notices for the Planning and Zoning Commission and City Council public hearing were sent to property owners within 300 feet of the subject tract

October 19, 2010: Planning and Zoning Commission public hearing

November 25, 2010: Public notice of the City Council public hearing published in the Hill Country News

December 16, 2010: City Council 1st reading and public hearing

January 13, 2011: City Council 2nd reading

City Manager's Remarks

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Legal Certifications

Associated Information:

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO REZONE APPROXIMATELY 3.568 ACRES FROM GENERAL RETAIL (GR) TO OPEN SPACE GREENBELT (OSG), FOR PROPERTY LOCATED ON THE EAST SIDE OF US HIGHWAY 183 JUST NORTH OF WALTON WAY, IN WILLIAMSON COUNTY, TEXAS. (Z-10-014); AUTHORIZING THE CITY SECRETARY TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the zoning district map of the City of Cedar Park adopted in Ordinance No. 75-2 be and the same is hereby amended to rezone approximately 3.568 acres to Open Space Greenbelt (OSG) as set forth in the legal description labeled Exhibit "A", and the property location map labeled Exhibit "B".

SECTION 2. That the City Secretary is hereby authorized and directed to officially designate the tract of land zoned herein as such on the official zoning district map of the City of Cedar Park and by proper endorsement indicated the authority for said notation.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 16th day of December, 2010, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 13th day of January, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

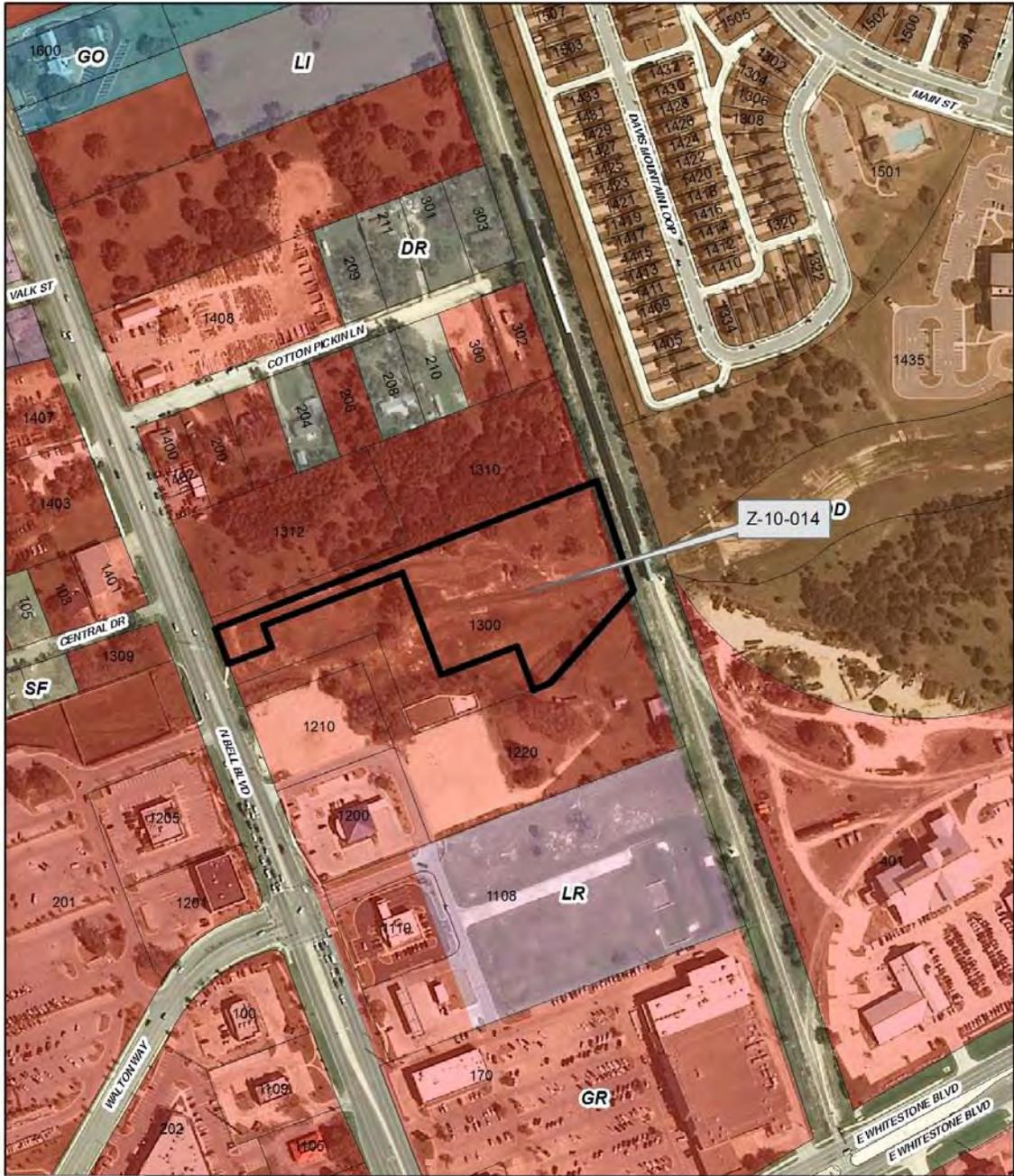
LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney

A portion of Lot 5, Spanish Oak Creek Retail, out of the SJ Dover Survey Abstract Number 168 in Williamson County, Texas document 20007058663.

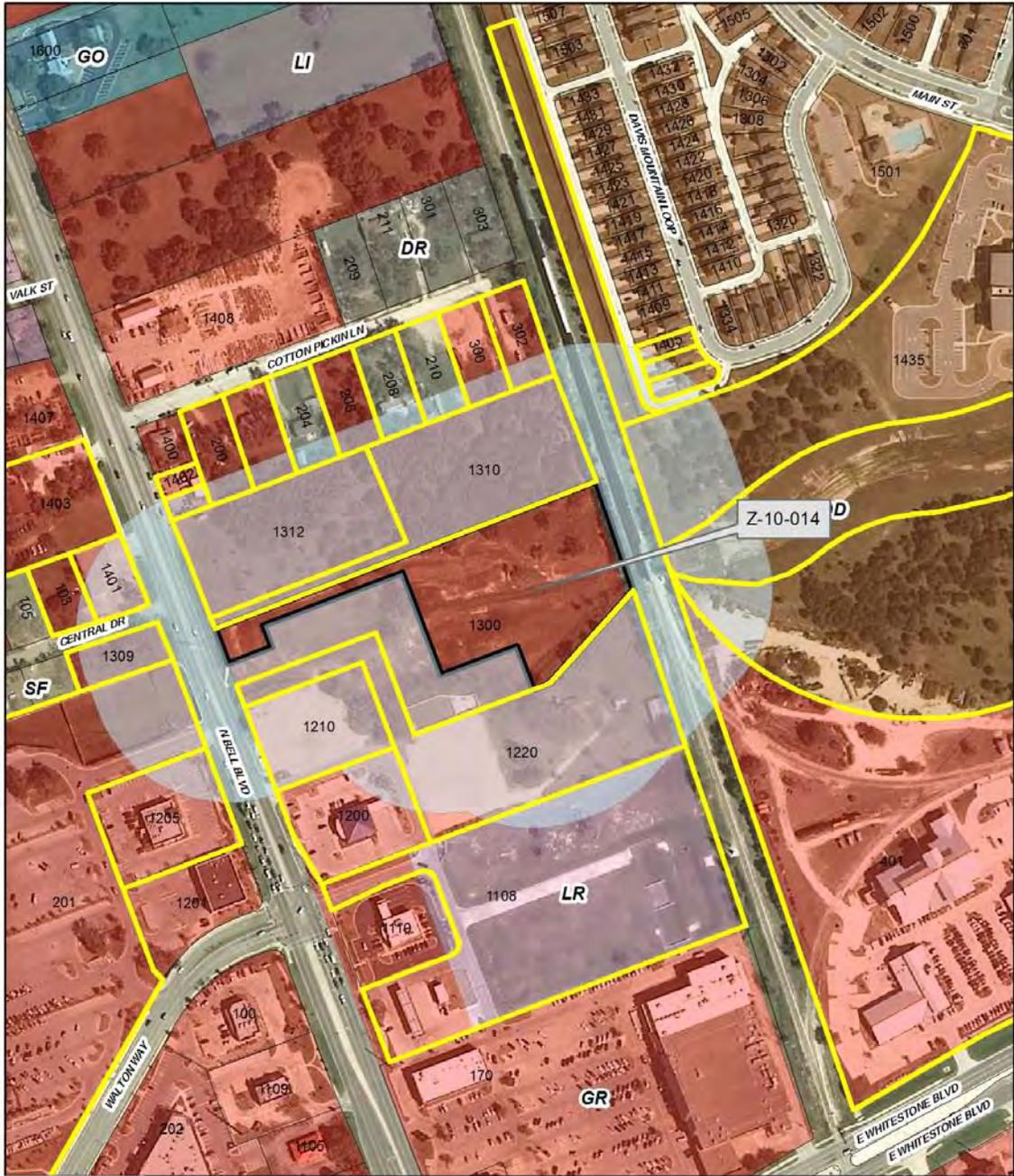
EXHIBIT A



Z-10-014



EXHIBIT B



Z-10-014



NOTIFICATION AREA

SITE INFORMATION:

Corridor Overlay:

This site is located within the Corridor Overlay District.

Transportation:

Bell Boulevard/US Highway 183 is classified as a major arterial.

Subdivision:

This property is currently part of a larger lot and the applicant has requested to resubdivide the property to separate the area to be developed from the subject rezoning tract.

Setback Requirements:

Front Setback 25'
Side Setback 10'
Rear Setback 10'

Architectural Requirements:

None

Case History:

Case	Request	P&Z Recommendation	City Council Action
Z-07-001	Original zoning of General Retail	General Retail	Approved General Retail

STAFF RECOMMENDATION:

The applicant's request is to rezone approximately 3.568 acres from General Retail (GR) to Open Space Greenbelt (OSG). This area links into the greenbelt area established within the Town Center development. This site is also part of a larger 11.973 acre tract composed of four lots. The 3.568acre subject area is wholly contained within an area designated as Floodway. As part of the subdivision for this site, there was an application to FEMA requesting a Letter of Map Revision to redefine the Floodway in this area. That request was ultimately approved by FEMA. In 2009 the applicant worked with City engineers to determine the developability of the area while considering the revised Floodway. Per our engineering staff "although the City's code allows for development within the Floodway, since site work has already been done to redefine the Floodway boundaries within the Spanish Oak Retail Center, the current Floodway zones within the subject tracts' boundaries may be considered as un-developable areas." In addition, this area is located in a dedicated floodplain/drainage easement.

Because this site provides for preservation of Floodway areas and meets the purpose statement of the requested district staff recommends rezoning this property to Open Space Greenbelt (OSG).

PUBLIC NOTICE: November 4, 2010 Hill Country News; Notices were mailed to the 19 property owners within 300' of the subject tract

PUBLIC INPUT: Staff has received no inquiries regarding this request.

PROPOSED CITY COUNCIL HEARINGS: December 16, 2010 ~ 1ST Reading
January 13, 2011 ~ 2ND Reading



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. C.3

Z-10-015 Second Reading To Affirm The Planning And Zoning Commission Recommendation To Deny A Request By Pedro Amaya To Rezone Approximately 1.37 Acres Of Land From Single Family (SF) To Manufactured Home (MH), Located At The Southwest Corner Of East Park Street and South Mustang Avenue, In Williamson County, Texas.

Commentary:

This agenda item is a request by Pedro Amaya to rezone approximately 1.37 acres of property located at the southwest corner of E. Park Street and S. Mustang Avenue from Single Family (SF) to Manufactured Home (MH).

Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 4-0 to deny the applicant's request.

In favor: Sandy Trujillo, Nicholas Kauffman, Alan Yore and Stephen Thomas

Opposed: None

Absent: Lorena Echeverria, Thomas Balestiere, Jon Lux

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on November 16, 2010.

Six (6) citizens spoke in opposition to the applicant's request and ten (10) citizens registered their opposition but chose not to speak. One (1) citizen spoke in favor of the request and one (1) citizen registered support of the request but chose not to speak.

Concerns expressed at the public hearing included: reduction in property values, compatibility with existing single family homes, and the idea that rezoning would go against improvements that are trying to be made to the neighborhood.

A petition was received during the meeting. Staff has validated the petition, finding that 42.45% of the area within 200 feet of the proposed zoning was represented by property owner signature on the petition. Due to the fact that there is a valid petition and the P&Z recommended denial of the applicant's request, an affirmative vote of three-fourths of all members of the City Council (i.e. 6 out of 7) will be required to approve the requested MH zoning.

City Council Public Hearing:

The City Council held a public hearing on December 16, 2010. No public testimony was received.

Background:

Owner: Pedro Amaya

Please see attached Planning & Zoning Commission Report for details.

Public Information Plan:

November 4, 2010: Public notice of the Planning and Zoning Commission public hearing published in the Hill Country News.

November 5, 2010: 37 letter notices for the Planning and Zoning Commission and City Council public hearings were sent to property owners within 300 feet of the subject tract

November 16, 2010: Planning and Zoning Commission public hearing

November 25, 2010: Public notice of the City Council public hearing published in the Hill Country News

December 16, 2010: City Council 1st reading and public hearing

January 13, 2011: City Council 2nd Reading

City Manager's Remarks

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Legal Certifications

Associated Information:

ORDINANCE NO. _____ **APPLICANT'S REQUEST**

AN ORDINANCE AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO REZONE APPROXIMATELY 1.37 ACRES FROM SINGLE FAMILY (SF) TO MANUFACTURED HOME (MH), LOCATED AT THE SOUTHWEST CORNER OF EAST PARK STREET AND SOUTH MUSTANG AVENUE, IN WILLIAMSON COUNTY, TEXAS. (Z-10-015); AUTHORIZING THE CITY SECRETARY TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the zoning district map of the City of Cedar Park adopted in Ordinance No. 75-2 be and the same is hereby amended to rezone approximately 1.37 acres to Manufactured Home (MH) as set forth in the legal description labeled Exhibit "A", and the property location map labeled Exhibit "B".

SECTION 2. That the City Secretary is hereby authorized and directed to officially designate the tract of land zoned herein as such on the official zoning district map of the City of Cedar Park and by proper endorsement indicated the authority for said notation.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 16th day of December, 2010, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 13th day of January, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney

BEING 1.37 ACRES KNOWN AS LOTS 28A, 29A AND 29B OF CEDAR PARK
RANCHETTES UNIT 4, REPLAT OF LOTS 28 AND 29 BLOCK I, RECORDED IN
CABINET CC SLIDE 353 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON
COUNTY.

EXHIBIT A



Z-10-015



EXHIBIT B



Z-10-015



NOTIFICATION AREA



Z-10-015



PETITION MAP

SITE PHOTOS



SITE



EAST OF SITE



EAST OF SITE



SOUTH OF SITE



NORTH OF SITE



NORTH OF SITE



WEST OF SITE

November 16, 2010 Zoning	<i>Planning and Zoning Commission</i> Cedar Park Ranchettes	Item: 8A & 9A
Case Number: # Z-10-015		

Owner: Pedro Amaya

Applicant: Loren Trux

STAFF: Amy Link, 401-5056, amy.link@cedarparktx.us

LOCATION: Southwest corner of E. Park Street and S. Mustang Avenue

SURROUNDING LAND USES:

NORTH: E. Park Street

SOUTH: Single Family (SF)

EAST: Single Family (SF)

WEST: Single Family (SF)

COUNTY: Williamson

AREA: 1.37 acres

EXISTING ZONING: Single Family (SF)

PROPOSED ZONING: Manufactured Home (MH)

STAFF RECOMMENDATION: Denial

SUMMARY OF REQUEST:

The applicant is requesting to rezone the property located at the southwest corner of East Park Street and South Mustang Avenue from Single Family (SF) to Manufactured Home Residential (MH).

PURPOSE OF REQUESTED ZONING DISTRICT:

The Manufactured Home District, MH, is established to provide a single family residential zoning district most appropriate to an established neighborhood that contains predominantly manufactured home residences. This district allows for manufactured homes, modular homes, or other site-built homes on individual lots and provides for a diversity of housing options. Nonresidential uses, such as religious and educational facilities, and open spaces are provided to maintain an orderly, convenient, and attractive residential area. The permitted uses of this district are considered compatible with the residential character of the district to preserve its safety and quality of life.

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for low density residential uses, with compatible districts being Rural Agriculture (RA), Single Family (SF), Single Family Large Suburban Lot (SF-1), Single Family Large Urban Lot (SF-2), Single Family Urban Lot (SF-3), and Manufactured Home (MH).

SITE INFORMATION:

Corridor Overlay:

This tract is not located within the Corridor Overlay.

Transportation:

East Park Street is classified as a two lane minor arterial adjacent to the subject tract. South Mustang Avenue is classified as a local street.

Water and Wastewater Utilities:

Water and wastewater lines are sized adequately for the existing and requested zoning on the site.

Subdivision:

This tract is subdivided.

Setback Requirements:

	Open Space Recreation (OSR)
Front Setback	25'
Side Setback	10'
Side Setback adjacent to street	15'
Rear Setback	25'

Architectural Requirements:

Fifty (50) percent masonry construction is required for modular dwelling units.

STAFF RECOMMENDATION:

Staff recommends denial of the applicant's request to rezone the subject tract from Single Family to Manufactured Home for the following reasons:

- The request is not supported by the purpose statement of the MH district, as the established neighborhood in the vicinity of the subject tract is currently zoned Single Family.
- Park Street acts as a boundary line between the existing Single Family zoning and Manufactured Home zoning to the north.
- There are opportunities in the area to develop on existing Manufactured Home lots.

PUBLIC INPUT: To date, four written responses in opposition have been received. These responses are attached for your information. Staff has also received several phone calls in opposition to the request.

PUBLIC NOTIFICATION: Hill Country News, November 4, 2010
37 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 16, 2010) 1ST Reading
(January 13, 2011) 2ND Reading

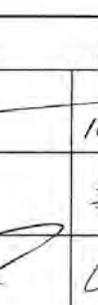
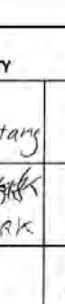
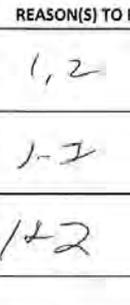
PETITION

I AM SIGNING THIS PETITION TO REQUEST THAT THE CITY OF CEDAR PARK DENY THE APPLICATION TO REZONE LOTS AT CORNER OF EAST PARK STREET AND SOUTH MUSTANG AVENUE FROM SINGLE FAMILY (SF) TO MANUFACTURED HOME (MH).

I AM A PROPERTY OWNER WHO LIVES WITHIN 200 FT OF THE PROPOSED ZONING CHANGE.

I BELIEVE SOME OF THE REASONS TO DENY THE APPLICATION ARE AS FOLLOWS:

1. SF homes will lose property value. This will hurt property owners with home appraisals and the City of Cedar Park with tax collection amounts.
2. SFs dominate the immediate surrounding area of the proposed zoning change. Allowing MHs onto these lots will create a loss in aesthetic appeal of the neighborhood.
3. _____
4. _____
5. _____

PROPERTY OWNER NAME	SIGNATURE	ADDRESS OF PROPERTY	REASON(S) TO DENY
Teresa Zunker		105 South Mustang	1, 2
Roy Bunker	R.B.	503 EAST PARK PARK	1-2
Charles Ferguson		403E. Park	1+2
Elsa Johnson	Els Johnson	102 S. Mustang 104 S Mt.	1+2
Michele Bonkowski	Michele Bonkowski	Rushmore	1+2
James D. Moore	J.D. Moore	104 S. Mustang Dr	1+2
Alan Shoemaker		106 S. MUSTANG Dr.	1+2
Amanda Dwyer		100 W. Mustang	1+2

PLANNING DEPT.
NOV 16 2010
CITY OF CEDAR PARK



Notice of Public Hearings on a Proposed Zoning Change

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:
Z-10-015

The City of Cedar Park shall hold a public hearing on a request by Pedro Amaya to rezone approximately 1.37 acres from Single Family (SF) to Manufactured Home (MH), for property located at the southwest corner of E. Park Street and S. Mustang Avenue, otherwise described by metes and bounds in Williamson County, Texas

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive than that which is requested and which is deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, November 16, 2010 at 6:30pm.

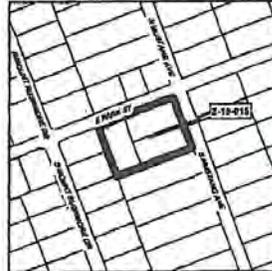
A public hearing will be held by the Cedar Park City Council on Thursday, December 16, 2010, at 6:30pm.

Council action and second reading may be considered at the meeting to follow the public hearing (January 13, 2011).

Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
Phone: 512-796-2212

For more information regarding this application
call the Planning Department
at (512) 401-5056.



PLANNING DEPT.
NOV 16 2010
CITY OF CEDAR PARK

You may send your written comments to the Planning Department, 600 N. Bell Blvd., Cedar Park, Texas 78613 or e-mail: amy.link@cedarparktx.us (attention: Zoning File #: Z-10-015)

Name: Blanca Cole Address: 209 Mesa Verde

- I am in favor, this is why _____
- I am not in favor, and this is why _____
- It will lower our property values
 - It will cause more traffic along Park St.



sydney

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550 Discovery Blvd., Cedar Park, Texas

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PLANNING DEPT.
NOV 16 2010
CITY OF CEDAR PARK

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Name: Amanda L Dewey Address: 100 N Mt Rushmore

I am in favor, this is why _____ I am not in favor, and this is why the lots

_____ in this area need to remain

_____ single family lots. The current

lots that have mfg homes the majority are trashy have

too many vehicles parked in yards on the streets. Park

is a major thoroughfare thru the city? it needs

600 N. Bell Boulevard | Cedar Park, Texas 78613 Office (512) 401-5000 Fax (512) 258-8083 www.cedarparktx.us

continue to improve since it outstrip to schools/stadium office



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Z-10-015

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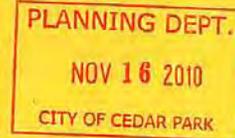
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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
Phone: 512-796-2212

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call the Planning Department
at (512) 401-5056.



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Name: T.M. & Dorothy Pearson Address: 300 E. Park St.

- I am in favor, this is why _____
- I am not in favor, and this is why It will lower value of our property
- _____
- _____



CEDAR PARK

Notice of Public Hearings on a Proposed Zoning Change

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Z-10-015**

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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

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Phone: 512-796-2212

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Name: Nancy Sheppard Address: 202 N. Mt Rushmore Dr.

I am in favor, this is why _____
 I am not in favor, and this is why Park
is a major entry into Cedar
Park - there does not appear
to be any control over it -
usually - by attractive -
what image do we want?



CEDAR PARK

Notice of Public Hearings on a Proposed Zoning Change

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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
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Name: Tonna Miller Address: Forest Oaks 1217 Willowbrook Dr. Cedar Park 78613

I am in favor, this is why _____ • I am not in favor, and this is why _____

Cedar Park is land locked. We must focus on enhancing the value of each piece of property. Allowing mobile homes on these 3 lots will not maximize the property value. This will not benefit the

600 N. Bell Boulevard | Cedar Park, Texas 78613 Office (512) 401.5000 | Fax (512) 258-6083 | www.cedarparktx.us

homeowners in this area or the city in regards to tax appraisals.



CEDAR PARK

Notice of Public Hearings on a Proposed Zoning Change

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Z-10-015

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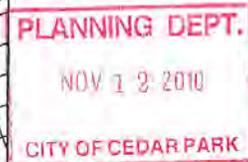
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Council action and second reading may be considered at the meeting to follow the public hearing (January 13, 2011).

Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
Phone: 512-796-2212

For more information regarding this application
call the Planning Department
at (512) 401-5056.



You may send your written comments to the Planning Department, 600 N. Bell Blvd., Cedar Park, Texas 78613 or e-mail: amy.link@cedarparktx.us (attention: Zoning File #: Z-10-015)

Name: moore's Resident Address: 104 S. mustang Ave

- I am in favor, this is why _____
- I am not in favor, and this is why Crime rate
will go ↑, Property value
will go ↓, + it will look
trashy

You may send your written comments to the Planning Department, 600 N. Bell Blvd., Cedar Park, Texas 78613 or e-mail: amy.link@cedarparktx.us (attention: Zoning File #: Z-10-015)

Name: Cheryl Barnett Address: 109 S. Mustang, Cedar Park

I am in favor, this is why _____

PLANNING DEPT.

NOV 12 2010

CITY OF CEDAR PARK

600 N. Bell Boulevard | Cedar Park, Texas 78613

Office (512) 401-5000 | Fax (512) 258-6083 | www.cedarparktx.us

- I am not in favor, and this is why when I purchased my lot and built my house on South Mustang, in Cedar Park Ranchettes I chose a street zoned for houses' only. Other streets nearby can be used for mobile homes. This change in zoning would greatly affect my property values which represent my primary asset. I do not favor a change!



Charles E. Ferguson

403 East Park Street

Cedar Park, TX 78613

carlosdeplaya@austin.rr.com

City of Cedar Park

City Council, Planning Department, City Manager, and Attorney-

11-07-10

It has been recognized that The owner(s) of the property at 101 S. Mustang Ave. (3 lots) have applied for a zoning change from SF (single family) to MH (manufactured home) (Z-10-015)

I, together with a significant amount of residents in the area, would like to voice opposition to this change. It is very clear that the lots (property) indicated is NOT in the originally planned MH zoning and would defame the character of the Ranchettes.

That is to say, in that particular portion of the neighborhood, a MH lot would not lend itself to the homes directly next to, nor adjacent from the premises. Furthermore, even though there are MH lots "nearby" they are out of the ordinary and very nice properties. They do not have the characteristics of design and landscaping similar to what would be put onto these lots. (getting by as inexpensively as possible). This is shown by the past history of this owner on other properties he (they) own. Indicators show, that most likely it will be used as a low valued rental property, or even worse, have inferior homes moved onto them, in order to make a fast sale and devalue the entire area. We do not feel that this is appropriate for the City's image, nor

for the neighborhood as a whole.

Apart from those aspects, the general overall safety of the area would be impacted, and more risks to traffic, and pedestrians be brought about, by having the additional flow there-at by MULTIPLE tenants housed in these residences. And, the inferior type housing (if brought in), could promote more criminal activity (drugs, vandalism, theft), such as other locations further North of the location, where police have made recent arrests, and reports.

Lastly- if, this zoning change were to be approved, it would set a precedent for this or any other owner in the area, to enable the zoning change(from SF to MH). In other words, if this lot is approved for this change, what is to prevent the owners from changing the multitude of other lots they own, in the neighborhood, from single family, to manufactured home? They could be located in the middle of the subdivision, or at the end of the line and across from the manufactured home lots, and would be able to be changed. (whats good for the goose....)

We implore you to deny this zoning change request, as it will significantly change the character of the area, import more dangers, and allow this to happen at other lots as well.

Sincerely,



Charles E. Ferguson, III

Various citizens and residents of the Cedar Park Ranchettes Neighborhood (soon to be Ranchettes Citizens Association)

cc: Leonard Martinez, Attorney
Hector Hernandez, Construction
Projects Plus! Services
Cedar Park Police Department



Notice of Public Hearings on a Proposed Zoning Change

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Z-10-015

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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
Phone: 512-796-2212

For more information regarding this application
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Name: BOY ANDROSIE BUNTIN Address: 503 EAST PARK ST. CEDAR PARK

I am in favor, this is why _____ I am not in favor, and this is why _____

Amy Link

From: carlos [REDACTED]
Sent: Wednesday, November 10, 2010 8:54 AM
To: Amy Link
Subject: notice recieved

Mrs. Link-

We have received your notice regarding the proposed zoning change at 101 S. Mustang. (Z-10-015)

Please be aware we are severely opposed to this, and will be WRITING in the numerous reasons why.

We will also be gaining the opinions and oppositions of many others in the area over the next few weeks, so we may bring this backed-up support with us, to assure this does not happen.

C. Ferguson,
owner 403 E. Park

11/10/2010

Amy Link

From: victor oneill [REDACTED]
Sent: Monday, November 08, 2010 2:46 PM
To: Amy Link
Subject: zoning change for Z-10-015

Amy,

I am strongly opposed to rezoning Z-10-015 property to MH. There are already too many MH's east of South Mt. Rushmore Dr. where I live. It is beginning to look like east Austin on Mustang Ave. and farther east to the toll road. Many illegal aliens are moving into this area. We need less MH's not more. It will lower the property values in our neighborhood and attract more illegal aliens.

Thanks,
Victor O'Neill
108 South Mt. Rushmore Dr.

11/9/2010

Amy Link

From: Teresa Zunker [REDACTED]
Sent: Monday, November 08, 2010 4:53 PM
To: Amy Link
Subject: File Z-10-015
Attachments: File Z-10-015 Written Comments.pdf

Please find attached comments on the proposed zoning change for File Z-10-015 (Corner of East Park and Mustang Avenue).

In summary, my written comments state that I am not in favor of the zoning change for the following reasons:

- My home at 105 South Mustang Avenue is directly next to the site(s), and my single family, 1900 sq. ft, 3-side brick remodeled home will lose property value instantly.

- Neighbors in the immediate area are worried that the landowner in question is the owner of the three lots directly across the street on East Park. This owner already received a zoning change to divide his lots up and as a result squeezed in a Manufactured Home partially-sideways to meet the minimum 10ft side yard requirement. In addition, this same area is best described as a "compound" - complete with an electric fence and a blue tarp covering a secondary large fence. Allowing this owner to add manufactured homes across the street directly next to mine would be a disaster in the making. Because we do not have an HOA, we cannot do anything about this current aesthetically displeasing situation, but we can be assured that he will allow this to continue on the side he wishes to re-zone.

- I will lose potential rental income. I already have to explain to proposed tenants that the manufactured homes visible across the road on East Park are across the dividing line (of East Park). Moving a manufactured home next to my home will have the effect of "scaring away" potential tenants before they even enter the home. I will not be able to negotiate a rental amount equal to the one I have current tenants under contract with. I have discussed the current possibility with the current tenants and they stated that if manufactured homes move in, they will not renew their lease on my property at 105 S Mustang.

- Before I purchased the home at 105 South Mustang, I called your office to ensure that the lots were only zoned for Single Family. I was assured they were. I was not aware that the City would ever consider downgrading in a residential area.

Please do not recommend that the rezoning of these lots take place. The loss in property value to my own and those surrounding me would be extremely detrimental to us.

Thank you,

Teresa M. Zunker, PMP
ECM Director

Homeowner of
105 South Mustang Ave.
Cedar Park, Texas 78613

11/9/2010



CEDAR PARK

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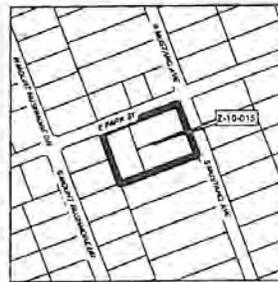
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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
Phone: 512-796-2212



For more information regarding this application call the Planning Department at (512) 401-5056.

You may send your written comments to the Planning Department, 600 N. Bell Blvd., Cedar Park, Texas 78613 or e-mail: amy.link@cedarparktx.us (attention: Zoning File #: Z-10-015)

Name: Teresa Zunker Address: 105 South Mustang Ave
Cedar Park TX 78613

I am in favor, this is why _____
 I am not in favor, and this is why _____

- loss in property value to my home adjacent to proposed change.
 - loss in rental income; proposed tenants already do not rent because of manufactured homes across E Park Street (aesthetically unappealing)
 - We do not have HOA to stop the small issues
- Office (512) 401.5000 | Fax (512) 258-6083 | www.cedarparktx.us
but we must count on city not to allow us to lose property values in these instances.

Amy Link

From: BILLY BLANKENSHIP [REDACTED]
Sent: Monday, November 15, 2010 9:14 AM
To: Amy Link
Subject: park place rezoning

As residents of Park Place, and unable to attend meeting on Tuesday we would like to voice our opposition to the rezoning of property on Park and Mustang to manufactured homes, reference #z-10-015. It will devalue the property in our area not to mention an added eyesore to park street. The existing manufactured homes in that area are not well kept so why add more. It's not fair especially to those single family residences adjacent to and joining the proposed zone change. We do not have a home owners association to fight for us and resent the city railroading us. It is simply not fair. We adamantly oppose the idea. Billy and Susan Blankenship 214 Bryce Canyon Cedar Park 512 249 1779

11/15/2010

Amy Link

From: Carmen Maguire [REDACTED]
Sent: Monday, November 15, 2010 9:10 AM
To: Amy Link
Subject: Altn: Zoning File# Z-10-015

Dear Planning Department,

I live at 500 S. Mustang Ave in Cedar Park and I object to the proposed zoning change for the corner lot at Park and Mustang. I have lived here for 5 years and have tried to improve my property. The neighborhood is growing and trying to better its self. The fact that when 183A was put in and a sound deadening wall was erected on the Forest Oaks side and a chain link on ours proves where we stand. We have no sidewalks, and few streetlights. By changing the zoning on that corner it will further prove how the city views the Ranchetts. I would think after putting a fire station on the other end of the same street that you would want to improve the condition of this neighborhood, not make it worse. Thank you for your consideration on this matter. If you have any questions about my e-mail, please feel free to call me.

Sincerely,

Carmen Maguire
512-554-6663

11/15/2010

Amy Link

From: [REDACTED]
Sent: Friday, November 12, 2010 5:40 PM
To: Amy Link
Subject: Zoning Change - E. Park & South Mustang

Hello Amy,

I would like to formally submit my disagreement with the zoning change at the corner of E. Park St and S. Mustang Ave. My residence is on S. Mustang Ave.

- South Mustang has always been zoned with a restriction to manufactured homes.
- making this change would create a precedent that could affect other vacant lots in the area and cause lower property values.
- The lots across the street from the proposed change already have manufactured homes and would cause a high density manufactured home area which would be bad for property values in the area.
- Because of changes in the home building industry, I could be open to a Modular home if it is indistinguishable from a site built home via roof pitch, material, foundation etc. This also would include one per single family lot.

I appreciate your taking my concerns into consideration during the hearings.

Thanks for keeping my name as confidential as possible.

BTW, the other sign was there, just at the corner and I was expecting it centered along the length on E. Park St..

Thanks so much for your understanding.

[REDACTED]

11/15/2010



CEDAR PARK

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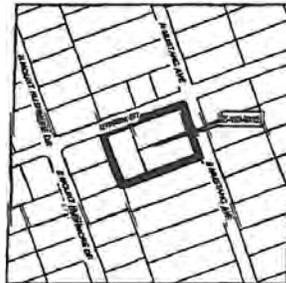
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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: Loren Trux
Phone: 512-796-2212



For more information regarding this application
call the Planning Department
at (512) 401-5056.

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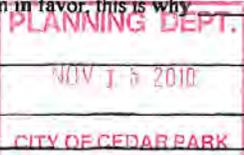
Name: Mara Mucciacciaro Address: 213 Bryce Canyon, Cedar Park

I am in favor, this is why _____
 I am not in favor, and this is why it will
depreciate our property values
and will add to traffic
congestion. Do not like the

600 N. Bell Boulevard | Cedar Park, Texas 78613

Office (512) 401.5000 | Fax (512) 258-6083 | www.cedarparktx.us

"compound look!"





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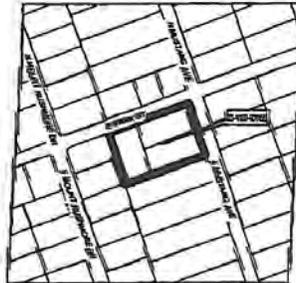
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Cedar Park Library Meeting Room
550 Discovery Blvd., Cedar Park, Texas

Applicant: ~~Loren Thum~~
Phone: 512-796-2212



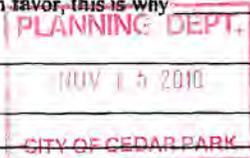
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Name: Ray Mucciacciaro Address: 213 Bryce Canyon

I am in favor, this is why _____ I am not in favor, and this is why _____

appearance, traffic increase,
congestion, and depreciation
of property values





CEDAR PARK

PLANNING DEPT.
NOV 15 2010
CITY OF CEDAR PARK

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Tenant:
Name: David & Michelle Hall Address: 105 S. Mustang Ave

I am in favor, this is why _____ I am not in favor, and this is why Property

values - decrease - provaluefact. Trailer park next door -
drugs / crime - neighborhood has sufficient trailer homes
already. A Yes vote and use will not buy here but move
away.

Amy Link

From: Donna Reeh [REDACTED]
Sent: Monday, November 15, 2010 5:10 PM
To: Amy Link
Cc: Iris Marez
Subject: P & Z re: E. Park St

My name is Donna Reeh, and I live at 402 N. Rainbow Bridge Dr. in the Park Place II Subdivision here in Cedar Park. I travel E. Park St. daily to Vista Ridge Dr, to pick my son up from High School and as a Volunteer with Vista Ridge High School.

As a 15 year resident in this neighborhood, I am very concerned for any issues that could possibly affect my property value or the property values in this area. That being said, one of the biggest problems in the E. Park St. area with the boundaries East to West from Mt. Rushmore to Buffalo Ave. and North to South from Lobo St. to Old Brushy Creek Rd. and the amount of Mobile homes and Manufactured homes. Apparently this Subdivision did not have restrictions when it was founded, which is the obvious reason for the mixed type of Single Family dwellings in the area. Many of these Mobile homes have deteriorated to the point of being absolute eyesores, creating the feeling of a "Shanty village", where I really don't feel comfortable allowing myself or my teenage son ride his bike or walk and I can't help but feel that this has got to bring down property values for the permanent homeowners in and around them.

Some of the lots in the above mentioned area have multiple buildings on them, of which building permits may or may not have been issued and code enforcement is questionable due to the appearance of the structures. One of the main lots in question is located at the NE corner of Park St. @ Mustang, where there are at least two Mobile homes and another two-story structure which appears to be a dwelling or some sort, a carport, a Palapa, and lots of concrete which resembles a parking lot. First of all, I can't understand how the owner of this property was able to obtain permits to place multiple buildings/dwellings on a single lot, unless there is more than one lot, and I am mistaken. Secondly, upon seeing the signage in the vacant lots at the SE and SW corners of Mustang @ E. Park St. considering the change in zoning to "Multifamily housing" I am very concerned that this addition to create this same scenario with even more Manufactured Housing in the area is Absurd! We need to be reducing the number of Manufactured and Mobile structures and building permanent single family dwellings to attract buyers to Cedar Park and to this area. We need MORE building restrictions and code enforcements in the area, not less!

There is also the issue of resident parking and the back-up of traffic on Park St., depending on where the driveways are placed, of residents pulling in and out of this busy thoroughfare. As it stands at the existing "compound" structure at Park St. and Mustang mentioned above presents a problem every time the resident who drives a large, black extended cab pick-up truck backs into or pulls out of the property. Traffic on Park St. comes to a halt while the driver waits for the automatic gate to open, while taking up the entire road to slowly back into the driveway and through the gates into the Compound, with very little, if any regard for the other drivers on the road.

Bottom line is that Cedar Park as a whole needs to be moving forward in stepping up the condition of it's neighborhoods, especially those in which a major thoroughfare runs directly through. There needs to be tougher building regulations and restrictions and code enforcement in place. No more multiple structures on a single lot! Period! We need to concentrate on making our neighborhoods and streets safer, providing better access for drivers, bicyclists and pedestrians. NOWHERE ON PARK STREET SHOULD THERE BE PARKING ALLOWED ON THE STREET... EVER! Once the construction that is taking place between Mustang and Buffalo on E. Park Street is complete I would like to see NO PARKING signs erected and enforced! Parking along Park St. happens occasionally in front of the homes at the wider area, and it still presents problems when having to drive around the parked cars.

Please consider carefully everything that my neighbors and I are presenting to you, and please work with us to build up and maintain the integrity of Park Place and Park Street as our city grows and thrives!

Sincerely,

Donna Reeh
257-7340

[REDACTED]

11/16/2010

Amy Link

From: Bill Warren [REDACTED]
Sent: Monday, November 15, 2010 10:41 PM
To: Amy Link
Subject: Not in favor of Z-10-015

To whom it may concern,

I am **not in favor** of the proposed zoning amendment file #: Z-10-015 for multiple reasons.

- 1) Park Street has already seen a significant increase in traffic since it connected to Vista Ridge. The opening of the elementary school only increased the average traffic.
- 2) The majority of the properties in the area are not Manufactured Homes and have a small home/acreage ratio. I would not want to see the land in question subdivided and multiple Manufactured Homes put on the property, the streets, sewers, etc were not designed for high density housing.
- 3) Of course the addition of more Manufactured Homes may cause a decline in home values for the surrounding area, the net effect could be less revenue for the City of Cedar Park and a negative impact on home sales in the surrounding neighborhood.

I live on N. MT. Rushmore, close to the Park Street intersection. it has become increasingly more difficult to make even a right turn from N. MT. Rushmore onto Park Street and I expect that the average speed of vehicles traveling on Park Street will only increase after the significant dip is removed; honestly, I hate to see the dip removed because it forced drivers to slow down. If the proposed amendment and future development of the property has driveways off of Park Street, the traffic flow on Park Street will become even worse.

In summary, I am against this proposed ammennet in its entirety but if it is to be approved please limit the number of Manufactured Homes to a total of two for this property to keep in line with the average of 1/2 acre lots/single dwelling. I would love to be at the hearing on the 16th but I will still be out of town.

Sincerely,

William Warren
201 N. MT. Rushmore Dr.
Cedar Park, TX 78612

11/16/2010

Amy Link

From: [REDACTED]
Sent: Monday, November 15, 2010 12:57 PM
To: Amy Link
Subject: attention: zoning file #. z-10-015

Dear planning Department,

I live at 106 S. Mustang Ave. in Cedar Park. I would like to express a huge objection to the proposed zoning change for the corner lot at East Park St. and S. Mustang Ave. I have lived here going on 6 years. I have seen the neighborhood improve dramatically and for the better. This would be taking the property/home owners back in the wrong direction. Please do not approve this change. With million being spent on East Park St. and the new fire station at the south end of our neighborhood Mr. Amaya should be able to easily and profitably sell these lots for Single Family homes.

We are one of the last areas in the heart of the city w/out sidewalks and no working street lights. In order to preserve and hopefully increase the property values in the neighborhood, please decline this zoning change. The last zoning change you approved for Mr. Ferguson (directly across the street from Mr. Amay) resulted in a slumlord trailer park on the corner of East Park and N. Mustang. Please help us to protect and increase our investment in our homes and Cedar Park.

Thanks for your help,

Alan Shoemake
512-690-3113
106 S. Mustang Ave.
Cedar Park, TX 78613

11/15/2010

Amy Link

From: Rhonda Warren [REDACTED]
Sent: Tuesday, November 16, 2010 9:48 AM
To: Amy Link
Subject: Zoning File # Z-10-015 DO NOT APPROVE

I do not approve the request made on behalf of Pedro Amaya, Zoning File # Z-10-015.

I have lived at 201 N. Mt. Rushmore for 20 years and have seen many changes over the years. The worst has been the opening to Vista Ridge, with not only increased traffic on Park, but young drivers going down Mt. Rushmore at higher than average speed. I have a 4 year old and do not feel comfortable with him in the front yard (a place where young children should be able to play).

Since Pedro has moved in, he has made E. Park look horrible with a trailer park compound in his area. In addition, he has no respect for others and constantly blocks the road with his vehicle(s). He is not a friendly neighbor and causes problems driving past the neighbors as well as constant problems with his neighbors who live next door. There always seems to be problems on his side of the street - not something I care for my child to see.

The homes E. of Park already look bad and are not kept up. Adding manufactured homes will just add to this "poor" look. Please do not allow this proposal to take place, I want the value of my home to go up, not decrease in value.

Thank you for your time,
Rhonda Gomez

11/16/2010



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. D.1
A Resolution Authorizing And Directing The City Manager To Execute A Professional Services Agreement With SEC Planning, LLC For The Design Of Gateway and Entryway Signs In The Amount of \$26,500.

Commentary:

City Staff issued a Request for Qualifications (RFQ) for the Gateway/Entryway Sign Project on August 26, 2010 with a response date of September 15, 2010.

The City received five (5) SOQs from prospective consultants. These Statements of Qualifications (SOQ) were evaluated by a three-person committee using a numerical grading criteria matrix that rates each firm's qualifications in key areas such as "References", "Capability", and "Project Experience". Evaluation criteria and SOQ rankings of the submitting consultants have been included for your reference. The two top firms were interviewed for this project and City Staff determined that SEC Planning, LLC provides the best value for the City. The 4B Community Development Corporation ("4B Corporation") approved a professional services agreement with SEC Planning, LLC on December 14, 2010.

SEC Planning, LLC, established in 2001, provides land planning, landscape architecture and community branding services nationally from their office in Austin, Texas. The project director, Mark Baker, has over 15 years' national experience and will provide project leadership as the liaison with the City of Cedar Park Gateway Sign Design Steering Committee, 4B Community Development Corporation Board, Cedar Park citizens, and City Council.

The recently created seven-member Gateway Sign Design Steering Committee consists of members from the 4B Corporation, Arts Committee, and City Council. Through interviews and design workshops, SEC Planning will work with the Steering Committee to create two or three preferred designs and several site locations. The preferred designs will be displayed at city facilities and the city website for public comment. The input gathered from the public with the preferred designs/locations and estimated construction budget per location will be presented to 4B Corporation for recommendation to Council. This same information with 4B Corporation recommendation will then be presented to City Council for approval. The 4B Corporation and City Council will prioritize the sign locations based on available budget for SEC Planning to develop construction documents using the approved design.

The \$26,500 design fee for the Concept Design and Design Development Phases of the Gateway/Entry Sign Project will be provided by the 4B Corporation.

Fiscal Impact

Account No.:

Budget

Budget/Expended:

The \$26,500 design fee for the Concept Design and Design Development Phases of the Gateway/Entry Sign Project will be provided by the 4B Corporation.

Associated Information:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SEC PLANNING, LLC FOR THE DESIGN OF GATEWAY AND ENTRYWAY SIGNS IN THE AMOUNT OF \$26,500; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Gateway/Entry Sign Project is the 4B Community Development Corporation Project; and

WHEREAS, SEC Planning has extensive experience in landscape architecture and community branding service; and

WHEREAS, 4B Community Development Corporation approved a Professional Services Agreement for SEC Planning, Inc for the Concept Design and Design Development Phases of the Gateway/Entry Sign Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS THAT:

SECTION 1. The City Council of Cedar Park hereby authorizes and directs the City Manager to execute a Professional Services Agreement with SEC Planning, LLC for the design of the Gateway/Entry Signs in the amount of \$26,500.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 13th day of January, 2010.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney

**Design and Site Location for Gateway/Entryway Signs
Statement of Qualifications
Evaluation Criteria**

Firm

Firm Contact Number



Criteria	Maximum Score	Screeners Score A	Overall Score
The maximum score for sub-group(s) is the bold number The maximum criteria score is the non-bolded number	100.0	0.0	0.0
1. References	25.0	0.0	0.0
Proposed Contact with the Board (email, phone, address)?	5.0		
Resumes of project team?	10.0		
Cover letter including appropriate introductory and contact info for firm?	10.0		
2.Capability	35.0	0.0	0.0
Is there a summary of the project team including roles, involvement of specific staff and who will be working on the project?	15.0		
General description of the proposing firms history, size, qualification, staff experience?	10.0		
Does the firm display adequate presentation/display board skills for all required meetings?	5.0		
Any additional comments or prospectus on the project?	5.0		
3. Project Experience:	40.0	0.0	0.0
Did the firm provide past and current projects that are related to the type of service described with this project?	15.0		
Did the firm list any experience with Texas Department of Transportation or Keep Texas Beautiful Grant?	5.0		
Are there references from at least three client for which the firm provided similar services? Are the contact names, numbers, agency info?	10.0		
Summary of firm's experience in design efforts including gateway signs as well as design activities including other signage that might be applicable in this project?	10.0		

**Design and Site Location for Gateway/Entryway
Statement of Qualifications
Evaluation Criteria Summary**



Firm	Overall Score
SEC Planning, LLC	86.7
Baker-Aicklen	84.5
Mesa	82.7
BWM	77.0
Terra Design Group	74.7



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. D.2

A Resolution Authorizing The Purchase Of A Playscape For Milburn Park From The Playwell Group In The Amount Of \$145,582.50.

Commentary:

In December the City Council authorized an agreement with the Cedar Park Community Development (4B) Board for the funding of park improvements at Elizabeth Milburn Community Park in an amount not to exceed \$150,000. The existing playground facilities are 16 years old and a typical life expectancy for this type of equipment is 12 to 15 years. This project will include the purchase and installation of new playground facilities for the 2-5 age group as well as for the 5-12 year olds. Our recommended vendor, the Playwell Group, has the equipment listed on the Buy Board. The City of Cedar Park is a member of this purchasing cooperative and the items listed have already met the competitive bidding requirements of the City.

The cost of the materials and installation is included in the quoted price of \$145,582.50. The price quote and schematics are included in the packet.

Fiscal Impact

Account No.:

Budget

Budget/Expended:

\$150,000 / \$145,582.50

Associated Information:

The PlayWell Group

Toll free: (800) 726-1816
 New Mexico
 9430 San Mateo., NE, Unit G
 Albuquerque, NM 87113
 (505) 899-1762

Free Fax: (800) 560-9150
 Texas
 4743 Iberia Ave., Suite C
 Dallas, TX 75207
 (972) 488-9355

QUOTATION

SQ-22655

10/5/2010

Customer		Contact		Ship To			
City of Cedar Park 600 N Bell Blvd Cedar Park TX 78613 UNITED STATES		City of Cedar Park Accounts Payable 600 N Bell Blvd CEDAR PARK TX 78613 UNITED STATES		The PlayWell Group, Inc 4904 CR 123/C of Cedar Pk /Milburn Park Walk In The Park chuck Longino HUTTO TX 78634 UNITED STATES Tel: (214)-587-7266			
Account	Terms	Due Date	Account Rep	Schedule Date			
46	50% Down Payment, Net 30	10/5/2010	Carl Simmons	12/6/2010			
Quotation	PO #	Reference	Ship VIA	Page	Printed		
SQ-22655		16819	Default Carrier	2	10/5/2010 9:45:05AM		
I	Item	Description	Qty	Price	UM	Discount	Amount
1	BuyBoard	BUYBOARD	1	\$0.00	EA		\$0.00
2		This is a BuyBoard Purchasing Cooperative Quote. Pricing Reflects BuyBoard Discounts As Listed On Web Site www.buyboard.com Under The Vendor Listing For The PlayWell Group, Inc Contract # 346-10					
3	PWS-301062.2A	Playworld 5-12 Custom Playmaker	1	\$52,208.00	EA	\$9,397.44	\$42,810.56
4	PWS-301060.2A	Playworld 2-5 Playmaker	1	\$26,918.00	EA	\$4,845.24	\$22,072.76
5	PWS-238-0720	Playworld Explorers Button Loop	1	\$2,030.00	EA	\$365.40	\$1,664.60
6	PWS-SWG-SP8	Playworld 8' Single Post Swing	1	\$1,037.00	EA	\$186.66	\$850.34
7	PWS-301062.3A	Playworld Vortex and U Bounce	1	\$4,226.00	EA	\$760.68	\$3,465.32
8	PWS-ZZXX0022	Inground Mount for PlayWeb	1	\$315.00	EA	\$56.70	\$258.30
9	PWS-ZZXX0040	Playworld Med. Playweb for Rope Bridge	1	\$19,785.00	EA	\$3,561.30	\$16,223.70
10	PWS-ZZBD0014	Tower Boulder	1	\$8,159.00	EA	\$1,468.62	\$6,690.38
11	YRC-SHIP	Shipping & Handling	1	\$8,074.72	EA		\$8,074.72
12	SSI-FIBER	Safesurf Engineered Wood Fiber	330	\$16.00	CY	\$422.40	\$4,857.60
13	SSI-GEOFAB	Safesurf Geofabric	6800	\$0.13	SF		\$884.00
14	SH	Shipping & Handling	1	\$3,531.81	EA		\$3,531.81
This Quotation is good for 30 Days from the date listed above. We appreciate the opportunity to quote and look forward to serving your needs. To order, please fax this signed form including your color choices, if necessary, and confirm the shipping address. This ship date is approximate. We reserve the right to change and collect interest in the amount of 1.5% per month if payment is not received in full in accordance with the terms set forth. Play Safely and PlayWell.			Tax Details EXEMPT \$0.000		Taxable \$0.00 Total Tax \$0.00 Exempt \$111,384.09 Total \$111,384.09 Balance \$111,384.09		
Customer PO No. _____			Approved By: _____		Date: _____		

PlayWorks, Inc.

Toll free: (800) 726-1816
 New Mexico
 9430 San Mateo., NE, Unit G
 Albuquerque, NM 87113
 (505) 899-1762

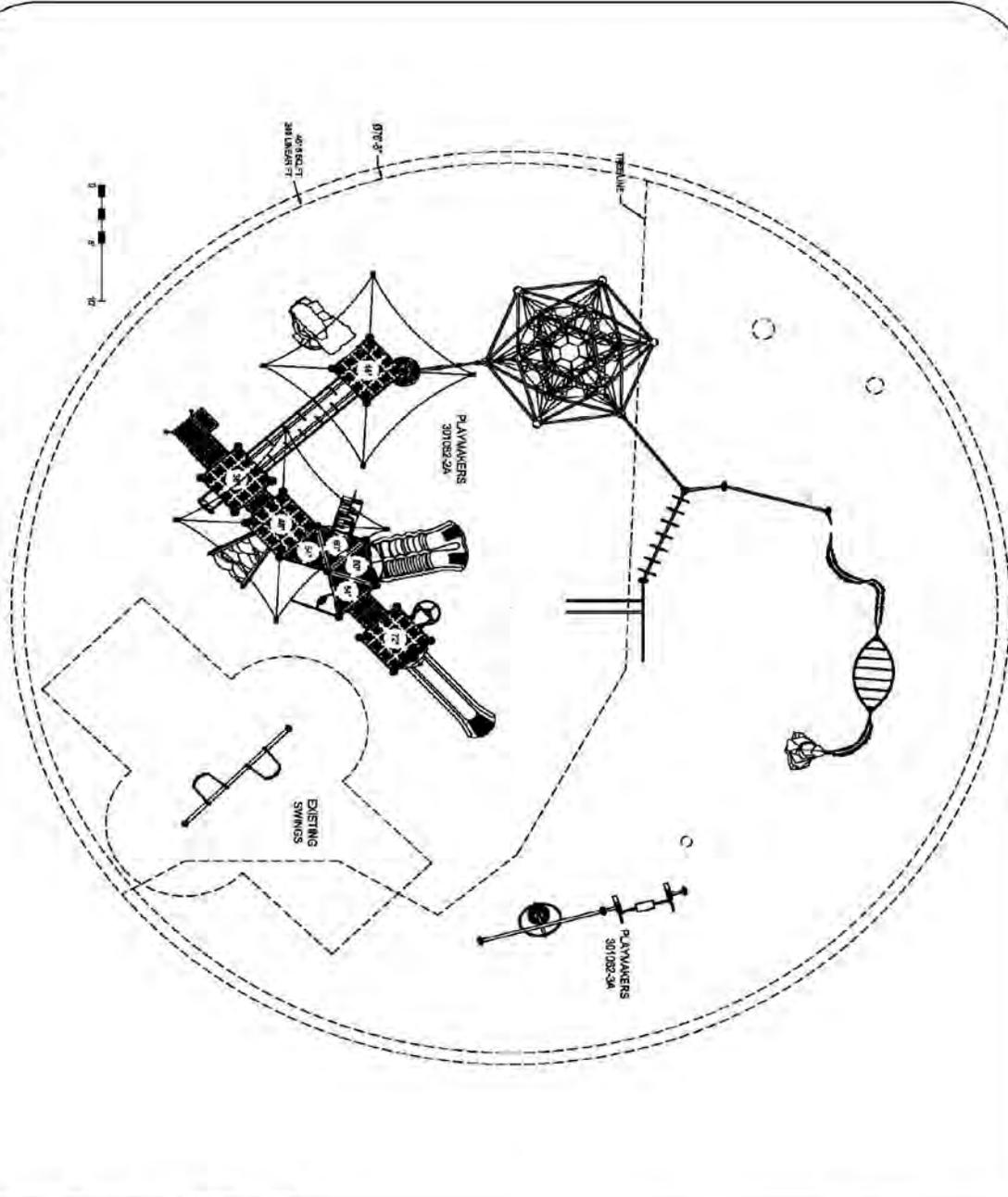
Free Fax: (800) 560-9150
 Texas
 4743 Iberia Ave., Suite C
 Dallas, TX 75207
 (972) 488-9355

INSTALLATION QUOTE	
SQ-16819	10/5/2010

Customer		Contact	Ship To				
City of Cedar Park 600 N Bell CEDAR PARK TX 78613 UNITED STATES		City of Cedar Park Accounts Payable 600 N Bell CEDAR PARK TX 78613 UNITED STATES	City of Cedar Park Milburn Park TBD CEDAR PARK TX 78613 UNITED STATES				
Account	Terms	Due Date	Account Rep	Schedule Date			
157	UPON COMPLETION	10/5/2010	Carl Simmons	10/5/2010			
Quotation	PO #	Reference	Ship VIA	Page	Printed		
SQ-16819		22655	Default Carrier	3	10/6/2010 9:53:05AM		
L	Item	Description	Qty	Price	UM	Discount	Amount
1	BuyBoard	BUYBOARD	1	\$0.00	EA		\$0.00
2		This is a BuyBoard Purchasing Cooperative Quote. Pricing Reflects BuyBoard Discounts as Listed on Web Site www.buyboard.com Under The Vendor Listing For The PlayWell Group, Inc. #346-10					
3	IW-INSTALL	Installation of PWS-301062.2A 5 to 12 Structure	1	\$13,313.04	EA		\$13,313.04
4	IW-INSTALL	Installation of PWS-301060.2A 2-5 Structure	1	\$6,864.09	EA		\$6,864.09
5	IWPWS-238-0720	Installation of Button Loop	1	\$517.65	EA		\$517.65
6	IW-SWING-SP8ADD	Installation of Swing SP8 Add a Bay	1	\$264.44	EA		\$264.44
7	IW-INSTALL	Installation of PWS-301062.3A Vortex & U Bounce	1	\$1,077.63	EA		\$1,077.63
8	IWPWS-ZZXX0022	Installation of Inground Kit	1	\$80.33	EA		\$80.33
9	IWPWS-ZZXX0040	Installation of Med. Playweb for Rope	1	\$5,045.18	EA		\$5,045.18
10	IWPWS-ZZBD0014	Install Tower Boulder	1	\$2,080.55	EA		\$2,080.55
11	IWSSI-FIBER	Installation of Engineered Wood Fiber	330	\$12.75	CY		\$4,207.50
12	IWSSI-GEOFAB	Installation of Geofabric	6800	\$0.11	SF		\$748.00
<p>This Quotation is good for 30 Days from the date listed above. We appreciate the opportunity to quote and look forward to serving your needs. To order, please fax this signed form including color choices, if necessary, and confirm the shipping address. This ship date is approximate. We reserve the right to change and collect interest in the amount of 1.5% per month if payment is not received in full in accordance with the terms set forth. Play Safely and PlayWell.</p> <p>Customer PO No. _____</p> <p>Approved By: _____ Date: _____</p>			<p>Tax Details EXEMPT \$0.000</p>		<p>Taxable</p> <p>Total Tax \$0.00 Exempt \$34,198.41 Total \$34,198.41</p> <p>Balance \$34,198.41</p>		<p>\$0.00</p>

Playground Supervision Required

Formatted for 11" x 17" paper size



PLAYWORLD™

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PROJECT NO: 301062	REV: 1C	DATE: 10/4/2010
SYSTEM: PLAYMAKERS		SCALE: 15/128" = 1'-0"
SITE PLAN		DRAWN BY: Travis Miller

PlayWell

The PlayWell Group, Inc.
<http://playwellgroup.com>
 1-800-726-1816



- Elevated
- Ground

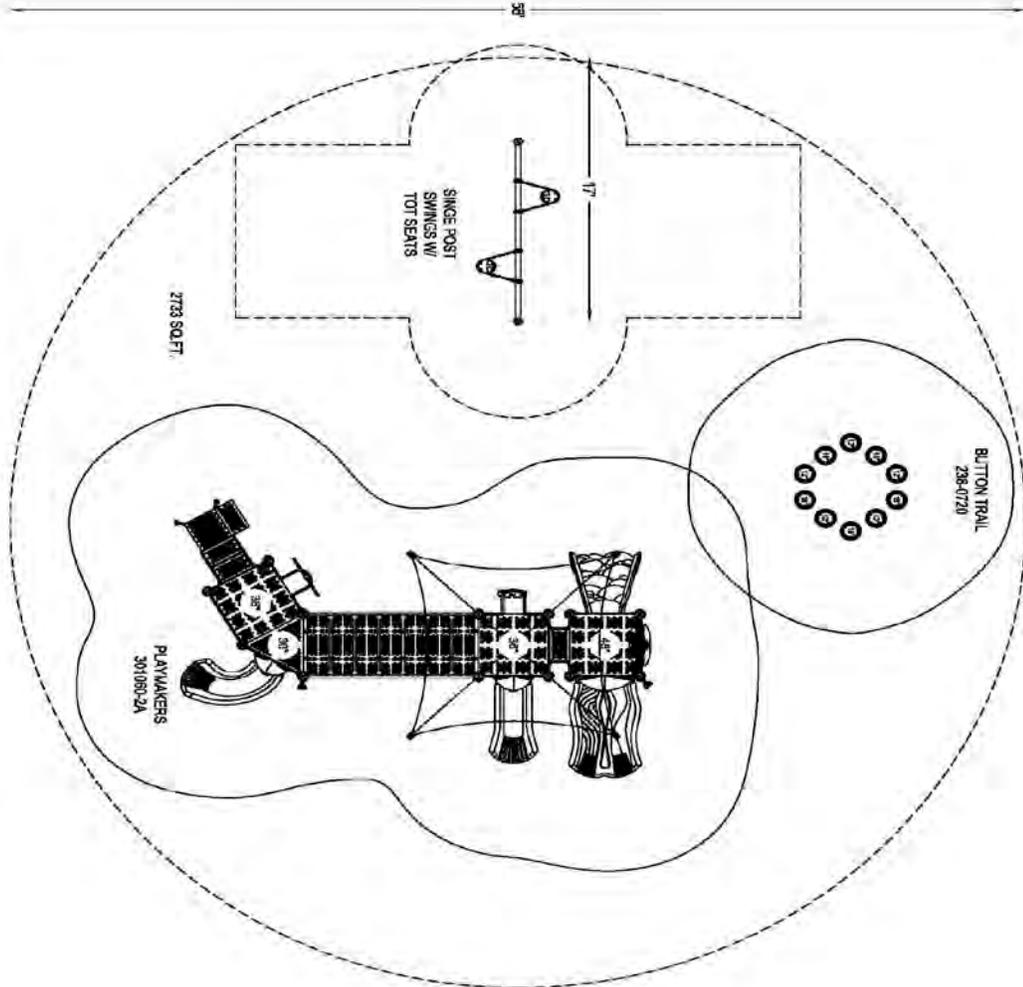
NOTES:

- 1) This site plan should be checked against the actual site area prior to the purchase or installation of equipment.
- 2) This site plan is to scale but is meant for reference purposes only. It should not be used in obtaining accurate measurements for any of the equipment shown unless otherwise noted on the drawing.
- 3) This design configuration is the property of this firm and Playworld Systems and may not be reproduced or used in any manner without the expressed written consent of this firm and Playworld Systems.

MILBURN PARK

Playground Supervision Required

Formatted for 1" x 17" paper size



PLAYWORLD™

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PROJECT NO: 301080	REV: 1A	DATE: 9/16/2010
SYSTEM: PLAYMAKERS		SCALE: 19/128" = 1'-0"
SITE PLAN		DRAWN BY: Travis Miller

PlayWell

The PlayWell Group, Inc.
<http://playwellgroup.com>
 1-800-726-1816



- Elevated
- Ground

NOTES:

- 1) This site plan should be checked against the actual site area prior to the purchase or installation of equipment.
- 2) This site plan is to scale but is meant for reference purposes only. It should not be used in obtaining accurate measurements for any of the equipment shown unless otherwise noted on the drawing.
- 3) This design configuration is the property of this firm and Playworld Systems and may not be reproduced or used in any manner without the expressed written consent of this firm and Playworld Systems.

MILBURN PARK

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE PURCHASE OF PLAYScape FACILITIES FOR MILBURN PARK FROM THE PLAYWELL GROUP IN THE AMOUNT OF \$145,582.50; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, in December, the City Council voted to authorize the expenditure of up to \$150,000 for the Elizabeth Milburn playscape replacement; and

WHEREAS, in October, the Parks Advisory Board and the 4B Board voted to recommend Council approval of the funding for the Milburn playscape project; and

WHEREAS, the purchase of the playscape materials and the installation will utilize the Buy Board purchasing cooperative to meet all competitive procurement requirements of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS THAT:

SECTION 1. That the purchase of the Milburn park playground facilities in the amount of \$145,582.50 is hereby authorized and approved.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 13th day of January, 2011.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. D.3

A Resolution Authorizing The Purchase Of New and Replacement Civilian Vehicles And Equipment Approved In The FY11 Budget, The Sale Of Existing Civilian Vehicles And Equipment, And Authorize Gaston Sheehan Auctioneers To Represent The City In The Sale Of Retired Civilian Vehicles And Equipment.

Commentary:

The VES fund provides for replacement of the City's vehicle and equipment fleet. As new vehicles and equipment are brought into service, older and high-maintenance vehicles are retired and sold from the fleet. Vehicles new to the fleet (those that are not replacement vehicles) are also funded by the approved FY11 budget. The new and replacement civilian vehicles and equipment shown in this resolution will be purchased off cooperative public bidding agencies including: TML's Buy Board, Texas Building and Procurement Commission (TBPC), or the Houston-Galveston Area Council (HGAC). Currently, HGAC is anticipated to receive the bulk of the City's order due to current bid prices and lower administrative fees.

This resolution authorizes the following:

- The purchase of new vehicles and equipment listed in the approved FY11 budget.
 - The vehicles and equipment in the new budget total a purchase not to exceed the amounts shown in the approved budget – totaling \$231,000
 - The actual amount will be adjusted when the bid prices are received.
 - New civilian vehicle purchases include:

Department	Vehicle
City Manager- Emergency Management Coordinator	F-150 Extended Cab
Parks and Recreation	F-150 Extended Cab
Water Distribution	F-150 Regular Cab 4x4
Water Distribution	F-150 Regular Cab 4x4
Wastewater Collections	Mini-Excavator, 6-yard dump truck, trailer

- The purchase of replacement vehicles and equipment listed in the approved FY11 VES fund includes:
 - The VES fund purchase for vehicles and equipment will not exceed \$291,236.
 - The actual amount will be adjusted when the bid prices are received.
 - Replacement vehicle purchases include:

Department	Vehicle
Fire	Tahoe
Streets	Crack Sealer
Pump and Motor	Crane Truck
Parks and Recreation	F-150 Regular Cab
Equipment Maintenance	F-150 Regular Cab
Meters	F-150 Regular Cab
Meters	F-150 Regular Cab
Water Reclamation	F-150 Regular Cab
Industrial Pre-Treatment	F-150 Regular Cab

- The sale of existing vehicles and equipment:
 - The sale of existing vehicles and equipment will be completed by either trade-in or by auction by Gaston-Sheehan Auctioneers.
 - The method chosen for each vehicle will be determined by fleet maintenance, based on what will bring the greatest value.
 - Revenue received from auction will be placed in the VES fund account.

A resolution authorizing the purchase of four trucks fueled by Propane (LPG) will be brought to Council at a later date and is not included in the information above. Staff is currently coordinating the details of the Low Emission Propane Equipment Grant Initiative with the Texas Railroad Commission.

Fiscal Impact

The funds needed for the purchase of all new vehicles and equipment are within budget and approved in the FY11 budget.

The revenues generated from the sale of vehicles and equipment will be deposited to the VES fund account.

Gaston Sheehan fees are 10% of the sale of each item.

Account No.: VES Budget/Expended: n/a

Budget

Budget/Expended:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS AUTHORIZING THE PURCHASE OF NEW AND REPLACEMENT CIVILIAN VEHICLES AND EQUIPMENT APPROVED IN THE FY11 BUDGET, THE SALE OF EXISTING CIVILIAN VEHICLES AND EQUIPMENT, AND AUTHORIZE GASTON SHEEHAN AUCTIONEERS TO REPRESENT THE CITY IN THE SALE OF RETIRED CIVILIAN VEHICLES AND EQUIPMENT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, new vehicles and equipment are needed for City use and funded by the FY11 budget; and

WHEREAS, the FY11 VES fund is approved in the City budget; and

WHEREAS, the VES fund replaces older & higher maintenance vehicles and equipment from the City fleet; and

WHEREAS, the City Manager is authorized to sell retired vehicles replaced by the VES fund; and

WHEREAS, Gaston Sheehan Auctioneers may conduct auctions on the City's behalf, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, THAT:

SECTION 1. The City Manager may cause the purchase of new vehicles and equipment as listed in the approved FY11 budget.

SECTION 2. The City Manager may sell City vehicles and equipment when they are replaced by those vehicles listed in the VES fund.

SECTION 3. The City Manager may enter into an agreement to auction the City's retired fleet with Gaston Sheehan Auctioneers.

SECTION 4: The City Manager may authorize the fleet manager to obtain & take delivery of civilian vehicle titles, trailer titles and equipment titles, and determine the appropriate method of civilian vehicle registration, assign registration, and act on the City's behalf regarding these matters to the Texas Department of Transportation, Travis County and Williamson County as necessary.

SECTION 5. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required by law.

PASSED AND APPROVED this the 13th day of January, 2011.

Robert S. Lemon, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles Rowland, City Attorney



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. D.4

A Resolution Authorizing And Directing The City Manager To Execute A Possession And Use Agreement Between William Wilson Jr, Lou Loving And The City Of Cedar Park Under The Brushy Creek Road (Parmer Lane To Arrowhead Trail) Reconstruction Project.

Initiating Dept: Engineering

Commentary

In order to construct the Brushy Creek Road (Parmer Lane to Arrowhead Trail) reconstruction project, one right-of-way and two easement parcels must be acquired from a tract of land owned by William Wilson Jr. and Lou Loving, collectively known as Wilson Land and Cattle Company. Since this is a jointly funded project through a cost share agreement between the City and Williamson County, the County agreed to take the lead in the acquisition of these parcels. The County's right-of-way acquisition attorney has negotiated a possession and use agreement with the owners of the property. This agreement is between the property owner and the City of Cedar Park which allows access and construction on the right-of-way and easement parcels while the acquisition of these parcels are being finalized, either by a negotiated agreement or Special Commissioners hearing. The County's attorney will continue to negotiate with the property owner during construction until such time that it is evident that an agreement can't be reached. At that time, the County's attorney will request a Special Commissioner's hearing to finalize the acquisition.

Director

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Finance Director Review

Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

Associated Information:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A POSSESSION AND USE AGREEMENT BETWEEN WILLIAM WILSON JR., LOU LOVING, AND THE CITY OF CEDAR PARK UNDER THE BRUSHY CREEK ROAD (PARMER LANE TO ARROWHEAD TRAIL) RECONSTRUCTION PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, in order to construct the Brushy Creek Road (Parmer Lane to Arrowhead) reconstruction project, one right-of-way and two easement parcels must be acquired from a tract of land owned by William Wilson Jr. and Lou Loving, collectively referred to as Wilson Land and Cattle Company; and

WHEREAS, prior to finalizing the acquisition of these parcels, the property owners have agreed to a Possession and Use Agreement which will allow access and construction on the right-of-way and easement parcels while negotiations regarding the acquisition of these parcels continue; and

WHEREAS, this Possession and Use Agreement must be executed by the City prior to construction of the Brushy Creek Road (Parmer Lane to Arrowhead Trail) reconstruction project.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Manager is authorized and directed to execute a Possession and Use Agreement between William Wilson Jr., Lou Loving and the City of Cedar Park under the Brushy Creek Road (Parmer Lane to Arrowhead Trail) reconstruction project.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 13th day of January, 2011.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. D.5

A Resolution Authorizing And Directing The City Manager To Execute An Additional Services Agreement With Lockwood, Andrews, And Newnam, Inc. Under The Brushy Creek Road (Parmer Lane To Arrowhead Trail) Reconstruction Project In The Amount Of \$28,145.

Initiating Dept: Engineering

Commentary

When the design of the Brushy Creek Road (Parmer Lane to Arrowhead Trail) project began, the construction start date of the Brushy Creek Road (183A to Parmer Lane) reconstruction project was unknown due to the review period by TxDOT, Texas Parks and Wildlife, and the Federal Highway Administration. At the time, staff and the design consultant had to assume that the Brushy Creek Road (183A to Parmer Lane) section would still be under review and the lane configurations would be in the existing conditions when the section of Brushy Creek Road on the east side of Parmer Lane went to construction. The design of the east section of roadway was based on the existing conditions and design was completed with construction waiting on the acquisition of several right-of-way parcels.

While right-of-way acquisition was underway on the east section of Brushy Creek Road, the City obtained approval from TxDOT for the west section of Brushy Creek Road and construction started at the intersection with Parmer Lane. The lane configurations are now different at the intersection of Parmer Lane from what the east section was designed for. The design plans for the east section of Brushy Creek Road must now be modified to account for the new lane configurations and construction phasing on the west side of Parmer Lane. Design revisions include extensive modifications to the traffic control plan, the construction phasing, and signal modifications at the Brushy Creek Road / Parmer Lane intersection.

This supplemental agreement will be funded out of the design fund for the Brushy Creek Road (Parmer Lane to Arrowhead Trail) project under a cost share agreement between the City and Williamson County. The cost share agreement allocates \$728,500 for design services under the project. Current contract allocations under the design fund total \$631,960 and with the addition of the \$28,145.00 under this supplemental agreement, the design phase of the project will remain under budget.

Director

Fiscal Impact

Budget

Account No.: 506-56-35-6324-344

Budget/Expended: \$728,500 / \$660,105

Budget amount only represents the budget for the design phase of this project.

Finance Director Review

Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

Associated Information:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT LOCKWOOD, ANDREWS, AND NEWNAM INC. UNDER THE BRUSHY CREEK ROAD (PARMER LANE TO ARROWHEAD TRAIL) RECONSTRUCTION PROJECT IN THE AMOUNT OF \$28,145.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, due to the start of construction on the Brushy Creek Road (183A to Parmer Lane) reconstruction project, the design of the Brushy Creek Road (Parmer Lane to Arrowhead Trail) reconstruction project must be modified at the Brushy Creek Road / Parmer Lane intersection; and

WHEREAS, design modifications include a modified traffic control plan, construction phasing plan, and traffic signal modifications at the Brushy Creek Road / Parmer Lane intersection; and

WHEREAS, Lockwood, Andrews, and Newnam, Inc. proposes to perform the additional design services under a supplemental agreement in the amount of \$28,145.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Manager is authorized and directed to execute a supplemental agreement with Lockwood, Andrews, and Newnam, Inc. under the Brushy Creek Road (Parmer Lane to Arrowhead Trail) reconstruction project in the amount of \$28,145.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 13th day of January, 2011.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. D.6
A Resolution Authorizing And Directing The City Manager To Execute A License Agreement With Capital Metro For City Installation And Maintenance Of A New 12-inch Water Line And Roadway Improvements Within Capital Metro Right-Of-Way.

Initiating Dept: Engineering, Field Operations

Commentary

Capital Metro requires a license agreement with any entity that constructs improvements within their right of way. The attached license agreement will permit the City of Cedar Park to install a new 12-inch PVC water main and construct the subsequent roadway improvements as part of the Park Street reconstruction project within Capital Metro right of way. Under the terms of the Agreement, the City is responsible for maintenance and operation of the improvements installed within Capital Metro right of way and the City must pay a \$2,500 annual license fee to Capital Metro with a biannual increase of 7% for all subsequent years. The existing license agreement required the city to pay an annual fee of \$200 per year.

Director

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Finance Director Review

Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

Associated Information:

RESOLUTION NO. _____

A RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH CAPITAL METRO FOR CITY INSTALLATION AND MAINTENANCE OF A NEW 12-INCH WATER LINE AND ROADWAY IMPROVEMENTS WITHIN CAPITAL METRO RIGHT OF WAY; PROVIDING FOR EFFECTIVE DATE AND ORDAINING OTHER RELATED MATTERS.

WHEREAS, The City of Cedar Park is constructing a new 12-inch water line and roadway improvements as part of the Park Street reconstruction project within Capital Metro right of way; and

WHEREAS, The Capital Metro requires the City of Cedar Park assume responsibility for maintenance, repair, and replacement of all such City improvements made in Capital Metro Right of Way and pay an annual licensee fee of \$2,500 with a biannual increase of 7%.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, THAT

SECTION 1. That the City Manager hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a license agreement with Capital Metro for installation and maintenance of utility and roadway improvements within portions of the Capital Metro Right-of-Way associated with the Park Street reconstruction project.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 13th day of January, 2011.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. E.1
First Reading And Public Hearing: No Items For Consideration.

Commentary:

City Manager's Remarks

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Legal Certifications

Associated Information:



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. F.0

Discussion And Possible Action:

Commentary:



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. F.1

Update On The Veterans Memorial Project: Fundraising Totals To Date And Recommended Next Steps For The Memorial Project.

Commentary:

At the October 21, 2010 City Council meeting, the Council directed the Veterans Memorial Group to continue fundraising efforts. The Council also directed staff to negotiate a contract with the Memorial's artist, Gregory Beck, for his artistic services and for the creation of a bronze sculpture. Additionally, staff was directed to issue a Request for Proposals (RFP) for the construction services related to the monument.

The City has a contract ready for execution with the artist, Gregory Beck, for his artistic services and for the creation of a bronze sculpture in the amount of \$37,200. In December staff issued a RFP for construction and installation services for the stone monument. Although ten firms were contacted about the RFP, the City received one response from Southwest Monument in the amount of \$130,148. The firms that did not bid were contacted and indicated that they chose not to submit proposals due to the highly specialized nature of the project, geographic location (many of the firms were out-of-state) and existing workloads. Southwest Monument's bid amount is within the projected cost.

The total estimated cost for the memorial is below:

Artistic Design & Creation of Bronze Sculpture Component	\$37,200
Construction and Installation Services for Monument	\$130,148
Fundraising Expenses	\$12,000 ¹
Structural Engineering Peer Review for Construction Submittals	\$750
Total Estimated Cost	\$180,098

¹ These are expenses related to the Group's efforts at fundraising including the purchase of dog tags, banners, cash box, etc.

The table below summarizes the Group's fundraising efforts and current funding status as of January 6, 2011.

Donations Received	\$76,366
Tourism Board Funding Commitment	\$25,000
4B Board Funding Commitment	\$36,000
Donations Pledged (not Received) ²	\$24,089
Total Donations and Pledges	\$161,455³
Less Total Estimated Cost	-\$180,098
Funding Shortfall	\$18,643

Recommended Next Steps for the Memorial Project:

In order for the Veterans Memorial monument to be unveiled on Veterans Day 2011, the contracts with the artist (Gregory Beck) and with the contractor that will construct the memorial need to be executed shortly. In light of the shortfall between funds needed and funds committed, there are several options for the Council:

1. **Use the City's Fund Balance to close the gap.** It is estimated that this would be \$18,643. The existing agreement between the Veterans Memorial Group and CERT 501c3 does require the Veterans Memorial Group to turn over all funds raised to a designated City of Cedar Park account. Therefore, the City would potentially be reimbursed for a portion or all of the funds it provides for the monument, if continued fundraising is successful.
2. **Amend the Grand Opening date** of the monument to Memorial Day 2012 or Veterans Day 2012. This would allow for a longer period of time for the group to raise funds. It should be noted that extending the opening date will void any price estimates we have received for the Memorial components. Future costs related to the project including granite, bronze, steel, transportation costs, etc. may increase over time.
3. **Amend the design of the monument to fit within the current funds available.** The foundation at the Veterans Memorial Park is being constructed in conjunction with Phase II park construction; therefore, construction is currently underway based on the previously approved design. The process to amend the design and re-bid construction costs would delay the project beyond the Veterans Day 2011 opening date. The current design of the monument has previously been value engineered from its original price of \$225,000. Staff expects that any additional design changes will result in cost increases related to possible foundation changes, artistic design fees, and potential increases in

² The Texas Stars have a donation commitment of \$25,000. This line reflects the remainder of the pledged donation that is anticipated to be received in March 2011.

³ This figure includes the Texas Stars pledged donation commitment of \$24,089. Actual cash on hand is \$137,366.

materials cost for construction; therefore, any cost savings from value engineering may be voided.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. F.2
**Consideration To Approve A Resolution Adopting The Cedar Park Fire
Department 2011-2013 Strategic Plan.**

Commentary:

The Fire Department utilizes a three-year strategic planning process to have goals and objectives related to various issues/programs to guide the organization towards continual improvement.

City Manager's Remarks

Fiscal Impact

Account No.:

Budget

Budget/Expended:

Legal Certifications

Associated Information:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, ADOPTING THE CEDAR PARK FIRE DEPARTMENT 2011-2013 STRATEGIC PLAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council established a goal of accreditation for the public safety departments; and

WHEREAS, a strategic plan is a required document in the accreditation process; and

WHEREAS, the Cedar Park Fire Department utilizes strategic planning to guide the organization towards continual improvement to maximize effectiveness and efficiencies in delivering services to the community

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS THAT:

SECTION 1. The City Council hereby adopts the Fire Department's 2011-2013 Strategic Plan.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 16th day of December, 2010.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Robert S. Lemon, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Charles W. Rowland, City Attorney



DRAFT

**CEDAR PARK
FIRE DEPARTMENT
STRATEGIC PLAN
2011 – 2013**

**CHRIS CONNEALY
FIRE CHIEF**

Table of Contents

Guide to the Future	3
Organizational Health	5
Training	7
Customer Service	11
Standards of Response Coverage Report	13
Fire Safety Education	14
Accreditation	15
National Fire Protection Association 1710 Standard for The Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments	16
Emergency Management	16
Fire Marshal Office	17
Fire Protection in the ETJ	19
Staffing Analysis	20
Apparatus Replacement, Repair, Preventative Maintenance	21
Occupational Health & Safety - Risk Management Plan	22
External Agency Relationships	23

CEDAR PARK FIRE DEPARTMENT

OUR GUIDE TO THE FUTURE

Environmental Assessment

Today's modern fire service is undergoing a transition. It is critical that the Cedar Park Fire Department has a vision that guides the organization toward excellence. This can only be achieved through deliberate planning and action. There is a familiar quote that states, "Those that fail to plan – plan to fail." The fire service is operating in a dynamic environment requiring adaptability to a future that rewards those courageous enough to embrace challenges and opportunities. It is also said that, "Some see problems in every opportunity, and others see opportunities in every problem." The Cedar Park Fire Department sees opportunities in every problem and is proactively creating its own future of great success.

Major Factors Affecting the Future

- Firefighters continue to die nationally in the line of duty at an alarming rate
- Staffing and apparatus needs to assessed and develop a plan for the future
- Need to improve training and career development opportunities
- Review fire protection contracts and present service to non-contracted areas in the ETJ
- Lack of formal credentials among members in the workforce
- Continue to improve organizational health
- Lack of experience requiring an aggressive training program in the organization
- Increased service demands challenging budget allocations
- Need to enhance leadership and managerial capabilities in the workforce
- Threat of terrorism is always present requiring training and resources
- Continue to focus on customer service initiatives

Vision

The Cedar Park Fire Department will be the best fire department in the American fire service.

Mission

The Cedar Park Fire Department will pursue excellence in every aspect of public safety related to the fire service and seek opportunities to serve our community.

Slogan

Service through Excellence

Philosophy of Firefighting

The Cedar Park Fire Department will take significant risk in firefighting where there are occupants that can be saved. The Department will take some risk to save property that can be salvaged, but firefighters will take no risk for people and property already lost.

Organizational Values

We believe and are committed to...

Professionalism

Respect

Accountability

Integrity

Safety

Excellence

Service

Trust

Services provided by the Cedar Park Fire Department:

- Fire Prevention
- EMS First Responder
- Structural Fire Suppression
- Wildland Firefighting
- Hazardous Materials Response
- Technical Rescue
- Swift Water and Dive Rescue
- Weapons of Mass Destruction Mitigation
- Emergency Management
- Public Fire Education
- Fire Investigation
- Fire Code Enforcement
- Fire Code Plan Reviews
- Environmental Investigations
- CPR/AED Training
- Community Service Outreach

STRATEGIC STATEMENT
Organizational Health

The organizational health of any organization must be robust to foster excellence in all facets of its operations. It is critical that the CPFDD constantly works to have a healthy Department. Great communication, being respectful of others, not spreading rumors, and all parties working with a unified approach to be the best fire department in the American fire service, necessitates constant attention and focus. Just as we work to have good health in our minds and body, an organization must have an appropriate diet of positive relationships among its members, exercise organizational improvement initiatives, and get checkups periodically to search for dysfunctional activities infiltrating the organizational body. The CPFDD will pursue organizational health aggressively each day.

GOALS

Be constantly aware of the human relation dynamics of the organization

Seek out remedies that keep the CPFDD a high performance organization

Be nice to all

Constantly look for opportunities to improve the health (human relations and physical) of the organization

Be recognized by our peers and other organizations as a model of organizational health to be emulated by others

OBJECTIVES

2011 - 2013

Continually improve the Relationship by Objective (RBO) process that facilitates excellent relations between labor and management by meeting at least four times a year

Conduct three AIM exercises that assesses work relationships each year to monitor and improve organizational health.

Hold an annual valor and service award ceremony to honor firefighters each year.

Partner with Local 4233 and Local 4233 Women's Auxiliary on the annual fire department picnic to facilitate getting all members' families together to foster good relations within the organization.

Conduct new hire and promotion ceremonies during the year as needed.

Create a semi-annual Department newsletter to be sent to families of employees to foster better communications with these important stakeholders.

The Department will organize an honor guard to enhance Department events by purchasing a third of the uniforms in each fiscal year 2011, 2012, 2013.

Conduct annual medical physicals of all firefighters assigned to Station 4 to be in compliance with Federal regulations. Perform, at a minimum, bi-annual physicals on all other firefighters during present difficult economic conditions.

Hold Officer and Battalion Chief Meetings four times a year to ensure good communication.

Conduct annual 360 performance reviews of all supervisors and managers in the Department to further enhance leadership and management skills/practices.

Discuss budget conditions of the City and Department twice a year to ensure that the members are updated on fiscal impacts to the organization.

Fire Administration needs to seek out opportunities to ensure they stay in contact with emergency operations personnel working in four fire stations and three shifts by doing station visits at least six days of the month for a approximately three hours each of those days.

The Fire Chief will continue to send birthday/anniversary cards to all members and their immediate family to note these occasions.

Participate in the Cedar Park Organizational Development (CPOD) program managed through the Human Resource Department.

2011

Participate in the Austin American Statesman Top Workplaces in the Austin Region by having CPFD employees surveyed.

2012

Institute a Fire Officer Academy that focuses on further enhancing leadership, management, team-building, and administrative practices of officers in the Department. Outside departments will be invited as well. Quarterly classes will be offered.

2013

Partner with City Management in developing a formal customer service survey document that provides data on the Fire Department's customer service to internal and external stakeholders.

Continue the Fire Officer Academy that focuses on further enhancing leadership, management, team-building, and administrative practices of officers in the Department. Outside departments will be invited as well. Quarterly classes will be offered.

STRATEGIC STATEMENT

Training

The Cedar Park Fire Department is fortunate to have a workforce that is highly motivated to further improve their level of professionalism through an enhanced training program. This Department is comprised primarily with firefighters that have less than five years of experience and an aggressively expanded training program is required to place the organization in an excellent position to meet the demands of a rapidly growing community.

GOALS

Improve the competencies of every member of the CFPD through an aggressive training program within available resources

All aspects of emergency operations' training will be enhanced

Maximize the resources of the CFPD by having identified fire stations focus on a segment of special operations responses such as hazardous materials mitigation, weapons of mass destruction, technical rescue, dive and swift water operations

Enhance and develop new partnerships with Williamson and Travis County fire departments to further maximize emergency operation responses in the region

Develop a training program for the Fire Marshal Office

Develop a comprehensive officer training program to provide educational opportunities related to leadership and management competencies

Develop an education/career development program that assists all members in their personal career goals through counseling and facilitation

OBJECTIVES

2011 - 2013

EMS training for the CFPD's Emergency Medical Technicians required to meet the standards of care established by the Williamson County Medical Director, will continue throughout the year to ensure that required training is in compliance with directives from the Williamson County Medical Director. Each member is responsible to keep up with their continuing education hours required by the State and completed online.

Each member will complete a minimum of 20 hours of training each month unless they are off for an extended period of time. This meets the ISO requirement, but more importantly needs to be done to maintain/enhance education and/or skill sets.

The Department will conduct monthly multi-company drills on various topics that emphasize Firefighter 101 drills that typically show up as issues in line of duty death investigative reports across the nation. Four of these drills will be conducted at night each year. Automatic aid departments will be invited to participate.

Station 4 is identified as the station specializing in hazardous materials and weapons of mass destruction response. All members of Station 4 will meet the requirements established by the Chief of the Williamson County Hazardous Materials Response Team. County-wide drills for the team are conducted 10 times a year.

All members in the CPFDP that are certified as hazardous material technicians will maintain the annual continuing education requirements set by the Chief of the Williamson County Hazardous Materials Response Team.

The Fire Chief and Assistant Fire Chief will work with RESET (Williamson, Travis, and Hays County regional group) to maintain a tri-county-wide technical rescue and swift water response teams similar in operation to the present region-wide hazardous materials team.

Station 1 has been identified to specialize in technical rescue responses. Training requirements have been established through RESET and incorporated within the Department. Members at Station 1 and 3 will complete the General Rescuer curriculum. Station 1 will continue to higher levels of certification through RESET.

Station 3 has been identified to be the primary response to dive and swift water rescue incidents. The CPFDP in partnership with Williamson County completed a basic curriculum for swift water rescues and county-wide training was conducted since 2009. This curriculum is now being discussed with RESET to establish a regional curriculum for coordinated responses to swift water operations and will be ongoing.

All Engineer Operators and Firefighters will complete the Texas Commission on Fire Protection Driver/Operator course and pass the certification examination. A minimum of one Driver/Operator courses will be offered by the Department each year.

All officers, Engineer Operators, and the Fire Marshal will acquire the Fire Officer I certification. A minimum of one class will be held each year.

All officers will have the Fire Officer II certification.

All Officers and Drivers that do not have the Instructor I course will complete it by the end of the year.

A Lieutenant and Battalion Chief Nuts and Bolts class going over administrative duties will be held quarterly to further improve knowledge, skills, and abilities.

A training calendar will be developed annually that defines monthly, quarterly, and semi-annual training classes.

An inventory of all training equipment and resources will be completed in June and December each year.

The Fire Marshal will establish training goals for each member assigned to the Fire Marshal Office and have this approved by the Fire Chief. Training requirements will be identified for 2012 and 2013.

The Fire Chief, Assistant Fire Chief, Fire Marshal, and Training Chief will identify career development courses to be taken in each year of this strategic plan to further improve their competencies.

The Training Chief will maintain all required documentation for the CPFDD related to all certifications and continuing education required by the Texas Commission on Fire Protection, Texas Department State Health Services, ISO, EPA, NFPA, and other regulatory/recommended national standards agencies.

The Training Chief will monitor all required training for Emergency Operations personnel and make sure documentation is always current in the Firehouse software program on a monthly basis.

The Fire Marshal will develop training objectives for each calendar year and monitor for Fire Marshal Office personnel and make sure documentation is always current in the Firehouse software program on a monthly basis.

2011

A 4-hour Courage to be Safe training course offered through the National Fallen Firefighter Foundation will be completed every firefighter.

A building construction course will be offered to each member of Emergency Operations in 2011. This is a significant issue impacting firefighter deaths in combat operations.

The Assistant Chief and Battalion Chiefs will complete the Fire Officer IV course by the end of the year.

The remaining officers will complete the Fire Inspector and Plan Reviewer course by the end of the year.

The Training Chief will develop a checklist of required competencies for the rank of Driver/Engineer. All members in these ranks will be evaluated on an annual basis starting in 2011.

In order to further evaluate reflex time as part of the overall response time sequence, data will be collected to evaluate how long various evolutions take on typical incidents. This will be completed this year.

An elevator rescue class will be taught to all members in Emergency Operations by the end of the year.

A fire protection systems class will be taught by Driver/Engineer Bucur to all members in Emergency Operations by the end of the year.

All officers will complete the 16-hour Fire Ground Safety Officer course.

2012

A Rapid Intervention Team (RIT) training course will be completed again to train every member in Emergency Operations.

A building construction course will be offered to each member of Emergency Operations. This is a significant issue impacting firefighter deaths in combat operations.

New officers that need to complete the 16-hour fire ground safety officer certification course will do this by the end of the year.

The Training Chief will develop a checklist of required competencies for the rank of Lieutenant. All members in these ranks will be evaluated on an annual basis starting in 2012.

An elevator rescue refresher class will be completed for all Emergency Operations personnel by the end of the year.

A fire alarm system class will be given to all Emergency Operations personnel.

2013

Incorporate wildland interface training in 2013 to deal with the increasing dangers of significant residential development in these areas

A Rapid Intervention Team (RIT) training course will be completed again to train every member in Emergency Operations. This class will continue to be offered on a fee basis for area fire departments.

A refresher fire alarm system class will be given to all Emergency Operations personnel.

A refresher elevator rescue class will be given to all Emergency Operations personnel.

A building construction course will be offered to each member of Emergency Operations in 2012. This is a significant issue impacting firefighter deaths in combat operations.

The Training Chief will develop four additional comprehensive training classes that will be conducted during the year based on current fire service trends.

STRATEGIC STATEMENT

Customer Service

The Cedar Park Fire Department has a strong desire to be more involved in the community through various external customer service initiatives. This outreach from the CPFDF will improve the quality of life for all citizens in Cedar Park.

GOALS

Raise the CPFDF's level of involvement in the community

Seek opportunities to fill needs in the community

Create a customer-driven focus in all aspects of operations to the community, elected officials, city staff, and to each other within the CPFDF

Never settle for mediocre service, always strive for a WOW! response to our service

OBJECTIVES

2011 - 2013

Conduct one CERT - Citizen Fire Academy and Teen Advocates for Community Safety (TACS) – Citizen Fire Academy class each year.

Continue continuing education training for all CERT and TACS members throughout the year.

Conduct annual open houses at each fire station to invite the community to visit their neighborhood station and get familiar with the firefighters and the equipment at that facility.

Each fire station is encouraged to regularly be present at various neighborhood activities and document these occurrences in the Firehouse software program. The focus is to have a presence in the community. This also includes going to birthday parties for children when requested by citizens.

Participate in the City festivals throughout the year by serving as first responders, showing fire equipment to adults and children, and handing out safety literature. Conduct presentations to civic and community groups about the CPFDD

The CPFDD will work with LISD to mentor children in elementary schools, continue the HEATS program in all elementary schools, take the fire safety trailer to area high schools, participate in the Shattered Dreams program in the high schools, and host COOL week students from area high schools. Implement an evaluative tool that determines the effectiveness of these programs.

Continue the partnership with the Cedar Park Chamber of Commerce by participating in Leadership Cedar Park and other activities.

Seek opportunities to partner with all media sources concerning fire safety and happenings in the CPFDD. Conduct a media fire academy to expose the media to firefighting and special operations activities so they better understand these essential community services.

Provide a minimum of four CPR/AED classes for the community.

Honor all City of Cedar Park employees that are veterans by hosting an annual luncheon in November.

2011

Partner with the corporate and civic community to establish the “Get Alarmed Cedar Park” smoke detector installation program in strategic areas in the community to further improve fire safety. This program will be in place and one area of the City will have an installation by December 2011.

Look at the feasibility of the CPFDD adopting a roadway through the TXDOT program of removing litter.

2012

Continue with the “Get Alarmed Cedar Park” smoke detector installation program in strategic areas in the community to further improve fire safety by doing an installation event.

2013

Continue with the “Get Alarmed Cedar Park” smoke detector installation program in strategic areas in the community to further improve fire safety by doing an annual installation event.

STRATEGIC STATEMENT
Standards of Response Coverage Report

The CPFDD will complete a Standards of Response Coverage report that includes a risk assessment of the community, time and on-scene performance expectations, evaluating the response force for various types of incidents, concentration of resources analysis, response reliability and evaluate historical response data to evaluate performance.

GOALS

Assess needed fire flow, probability, consequences, occupancy risk, establish fire management zones and determine an overall community risk profile

Review response time goals to evaluate time and on-scene performance expectations

Review response force resources to reflect community standards

Review the concentration of resources in responding to incidents that facilitate meeting established benchmarks

Determine the response reliability that ensures that adequate resources are available when a 911 call is received for help

Evaluate results from the Firehouse software program that collects historical data on how the organization is doing meeting performance criteria

Enhance service performance and reduce fire losses in the community through study of resources and improving fire safety education to residents in residential properties

OBJECTIVES

2011

Complete two-thirds of the Standards of Response Coverage report.

Acquire land for new Fire Station 5 on the north side of the City.

2012

Complete the Standards of Response Coverage report.

Analyze each planning zone and evaluate risk factors in order to establish standard response coverage. This includes looking at demographics, economic indicators, fire loss data, water supply and automatic fire protection system information in each zone.

Evaluate non-fire risks in each planning zone and incorporate this information in the standards of response coverage report.

2013

Continue to update the Standards of Coverage report each year and issue a report on the analysis of the data in the document

STRATEGIC STATEMENT

Fire Safety Education

Fire safety education and injury prevention have proven to be effective in pro-actively reducing fire-related deaths and injuries, property loss, and minimizing risk associated with various human behaviors. The CPFD wants to be actively involved in educating the community to minimize overall risk.

GOAL

Create programs that help to eliminate/reduce fire-related deaths and injuries, property loss, and minimizing risk associated with various human behaviors

OBJECTIVES

2011 – 2013

Continue the H.E.A.T.S. program to K – 3rd grades on various fire safety topics and additional topics related to minimizing risk for children in all elementary schools in Cedar Park.

Continue the Fire Safety Trailer Program to 4th and 5th graders in all elementary schools in Cedar Park that review fire safety, injury prevention, and what to do in weather emergencies.

Continue the Get Alarmed Cedar Park program by doing an annual smoke detector installation event in residences needing these life-saving devices.

Train CERT and TACS members in fire safety and risk avoidance and utilize them to help educate the community.

Host an annual Fire Safety Fest at the Department's Training Facility and invite the community to gain knowledge with a number of activities to minimize risk.

STRATEGIC STATEMENT

Accreditation

The CPFDP will become accredited by the Commission on Fire Accreditation International. This accreditation by an independent third party, based on established criteria on how fire departments should operate, will allow the CPFDP to be recognized as an excellent fire department among our peers in the international fire service. This is a very difficult accreditation to acquire and will require a significant amount of work by all members in this organization.

GOALS

Accreditation will help to reaffirm the excellence of the CPFDP to our citizens through an independent third party evaluation

Place the CPFDP into a very elite group of fire departments in the world

Performance criteria incorporated into the accreditation process will improve public safety related to services provided by the CPFDP

OBJECTIVES

2011

Complete two-thirds of the accreditation project.

Submit documentation to the Commission on Fire Accreditation International to be an “Applicant Agency” that starts the 18-month timeframe to request a peer review team to audit the CPFDP by the end of 2011

2012

Complete the accreditation project.

2013

The Commission on Fire Accreditation International will complete a peer review of the CPFDP and determine if accreditation will be awarded.

STRATEGIC STATEMENT

Deployment

The CFPD will review the National Fire Protection Association (NFPA) 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments as a benchmark for comparative analysis.

GOALS

Analyze the safety of our citizens and firefighters

Enhance the operations of the CFPD to better serve our community and firefighters

Review this standard to determine if it is applicable to the CFPD in meeting expectations for fire department operations in our community

OBJECTIVE

2011 - 2013

Compare relevant data in the Department against this Standard and incorporate this information in the annual report and make appropriate changes in operations and budgetary planning to ultimately meet service area expectations for service.

SRATEGIC STATEMENT

Emergency Management

Emergency management has grown significantly since the events of 9-11 and continually expanded after the response to Hurricane Katrina. This has placed great demands on the City of Cedar Park since there are limited resources to attend to the demands of emergency management administration. A city should prepare for disasters by planning and exercising plans to deal with these significant events. The City Council has approved a full-time Emergency Management Coordinator (EMC) position, effective Fiscal Year 2011.

GOALS

Prepare for disasters that will impact the city and region.

Coordinate with the EMC; other city departments; and local, state, and national agencies for emergency preparedness.

OBJECTIVES

2011 - 2013

Participate with the City's EMC with two annual tabletop/drills each year.

Make recommendations to the EMC for acquiring equipment to make operations in the Emergency Operations Center more efficient and effective.

Participate in the Texas Intrastate Fire Mutual Aid System (TIFMAS) tabletop exercise at the Austin/Travis County CTECC.

Participate in the TIFMAS task force drill.

2011

Assist in hiring a full-time Emergency Management Coordinator.

Assist with initiating a formal vulnerability assessment of Cedar Park.

2012

Continue assisting with the vulnerability assessment of the City.

2013

Provide input into the development of SOGs for response to a domestic terrorism attack, major disaster, or other major emergency operational activities.

STRATEGIC STATEMENT

Fire Marshal Office

Fire prevention is at the core of what a fire department should be focusing on in its operations. National data supports that investment in this area has the largest return in positive outcomes. The proactive prevention of a fire is much preferred to all the dangers involved with fire suppression. An effective and efficient Fire Marshal Office coordinates all activities that prevents fires, protects the community's health, and addresses quality of life concerns through code enforcement and code enhancements and when fires do occur, investigate the causes of the fire to prevent similar occurrences. This also includes investigation of suspicious fires that may be related to the crime of arson.

Mission Statement: The Cedar Park Fire Marshal's Office is a dedicated team, committed to ensuring a safer community and fire department family through effective and fair fire code enforcement and thorough fire investigations.

GOALS

Maintain a proactive approach to prevent fires in Cedar Park

Provide information to customers on issues related to the fire code

Ensure compliance with the fire code through inspections, plan reviews, and administrative meetings that facilitate a positive atmosphere to meet the overall intent of the code

Seek to keep customers informed by providing helpful documents and seek regular meetings to make sure a building project is moving forward in an appropriate manner

Stay in compliance with applicable City ordinances

Investigate all fires that occur in Cedar Park

OBJECTIVES

2011 -2013

Obtain a 14-day turn-around on initial plan reviews.

Obtain a 7-day turn-around on all re-submittals.

Provide in-house documents to owners, tenants, and contractors for site plan submittal and new construction inspections to assist in their planning requirements for a project.

Attend pre-development meetings with representatives of the project to answer questions and provide documents mentioned above.

Arrange a pre-construction meeting with the owner/tenant and general contractor to answer questions and provide an overview of Fire Marshal Office needs during the course of the project. Provide an information packet that answers typical questions from customers. Equally, the FM Office will try to meet the needs of these customers.

Increase the number of annual inspections by 10% to proactively prevent fires and avoid a loss for that commercial/public entity.

Develop SOGs for the Fire Marshal Office.

Utilize electronic tablets in the field to conduct inspections and increase efficiency.

Assist with accreditation project by completing one-third of assigned performance criteria.

Evaluate the fire hazard risk against the fire suppression capabilities of the department annually and make recommendations to reduce risk.

Maintain continuing education for fire investigator certification.

Obtain and maintain memberships in area Fire Investigator associations to obtain benefits of additional training and peer assistance.

Train identified staff to be certified as a fire investigator to assist with being on call and help with fire investigations.

Assist Travis County as part of a task force with juvenile fire-setting counseling that facilitate additional resources for Cedar Park by having trained counselors work with juveniles needing this assistance in Cedar Park.

STRATEGIC STATEMENT

Fire Protection in the ETJ

The Cedar Park Fire Department has areas in the City's Extra-Territorial Jurisdiction (ETJ) that receive fire protection services, but do not have a governmental entity the City can contract with to pay for this service. This causes inequity with customers that reside in the city and pay through their property taxes or live in the ETJ and pay through fire protection contracts with municipal utility districts or emergency service districts. This is not equitable and needs to be resolved.

GOALS

All customers of the CPFDD need to pay for this service

There will be equity established for residents that do not pay for fire protection and receive the service with those residents in the ETJ that are represented by a governmental entity and contract with the City for this service

OBJECTIVES

2011-2013

The City held informational meetings on this issue with affected residents in 2007 and 2010 and encouraged them to create a governmental entity to facilitate contracting for fire protection services.

In 2010, City Council set a deadline of December 31, 2012, to discontinue delivering free fire protection services to these non-contracted areas in the City's ETJ. This timeline is reasonable to allow for impacted residents to create a governmental entity to contract for fire protection services.

The City will provide assistance to these residents during this process where it can legally provide help.

STRATEGIC STATEMENT

Staffing Analysis

The Department has to plan for the long-term staffing needs of the organization and provide proactive human resource management. This necessitates research, comparative analysis, anticipating future trends in the City related to population, demographics, zoning, infrastructure plans, and other factors that impact the services of the Fire Department. The Fire Department is service-driven that necessitates personnel to meet the anticipated needs of citizens, elected officials, city management, firefighter safety, and administrative needs.

GOALS

Job descriptions need to be current and representative of actual duties

Pursue recruiting efforts with the goal of having a fire department reflective of the demographics of the community

Analyze and develop a long-term staffing plan that provides for the functions and needs of the fire department serving and protecting the community

Maintain progressive hiring and promotional systems

Career development and succession planning are in place to assist employee goals and organizational needs

OBJECTIVES

2011 – 2013

Review all job descriptions annually.

Review rules and regulations and standard operating guidelines that impact personnel functions/duties/requirements/hiring/promotional systems annually.

Based on current demographic data, pursue opportunities to recruit applicants for the Cedar Park Fire Department so it ultimately reflects the community it serves.

Implement the phases of the long-term staffing plan recommended during this time period as allowed by resources.

Career development and succession planning are part of a human resource program and reviewed annually.

2011

Develop a long-term staffing plan that provides for the needs of the department.

Seek approval of the staffing plan by City Management and City Council.

STRATEGIC STATEMENT

Apparatus

The Fire Department will develop a fire apparatus replacement program and schedule. The fire department also depends on having properly maintained fire apparatus by mechanics to repair and conduct preventative maintenance of these units to be ready for service. Firefighters shall conduct daily apparatus checks and cleanliness to ensure operational readiness.

GOALS

Replace fire apparatus based on replacement schedule as permitted by resources

Conduct preventative maintenance on apparatus and equipment that meets or exceeds manufacturer recommendations

Apparatus and equipment requiring repairs shall be completed in an appropriate and systematic manner

CPFD and Fleet Maintenance will work in a collaborative manner to have well maintained apparatus and equipment

OBJECTIVES

2011 – 2013

CPFD and Fleet Maintenance will meet weekly to coordinate needed repairs and preventative maintenance.

A system will be developed and continually evaluated that ensures a correct database of outstanding repairs needed, repairs done, and scheduled preventative maintenance.

Preventative maintenance schedules will be developed and updated that meet or exceed manufacturer recommendations.

Fire will enter daily apparatus checks into the Firehouse software system plus update spreadsheets of needed repairs-repairs completed on each apparatus.

Mechanics working on fire apparatus will acquire the Emergency Vehicle Technician certification and maintain associated continuing education.
Seek third party validation of fleet operations periodically by utilizing consultants to evaluate operations and practices.

2011

The CFPD, working in collaboration with the Fleet Maintenance, will develop a fire apparatus replacement program and present it to City Management and by City Council by the end of the year.

STRATEGIC STATEMENT *Risk Management*

Occupational health and safety and risk management plans are developed for the fire department to enhance safety in the workplace and limit unacceptable risk.

GOAL

Plan for and maintain a safe workplace and minimize risk to employees

OBJECTIVES

2011-2013

Review procedures for reporting, evaluating, addressing, and communicating workplace hazards as well as unsafe/unhealthy conditions and work practices annually.

Documentation is maintained to implement risk reduction and address workplace hazards. A report issued annually.

Guidelines are developed and communicated to minimize occupational exposure to communicable diseases and a report issued annually.

An occupational health and safety training program is established to instruct the workforce in general safe work practices from initial employment through each job assignment and/or whenever new substances, new processes, procedures, or equipment

are introduced. It provides specific instructions on operations and hazards specific to the department. This program is reviewed annually.

The department uses the national near-miss reporting system to reinforce a culture of safety and lessons learned.

All accidents, injuries, legal actions, and other associated items are maintained in the department's information management system and investigation outcomes are completed and incorporated into an annual report.

STRATEGIC STATEMENT

External Agency Relationships

No agency is an island unto itself. It must interact with other organizations, becoming stronger due to these relationships. The Cedar Park Fire Department chooses to develop close working relationships with external entities to provide a synergistic effect that maximizes services to Cedar Park, our firefighters, and the metropolitan region. This will logically come about by the Department looking beyond its boundaries to determine what opportunities are available to create this synergy.

GOALS

Develop good working relationships with external agencies

Look for opportunities to develop new relationships beyond the CFPD

Constantly improve the Department through these relationships

Assure great communication internally and externally to the organization

Maintain a macro-vision towards the region, state, and national levels

OBJECTIVES

2011 - 2013

Conduct annual meetings with other City Departments to determine how each organization can better meet the needs of each other.

Conduct three drills each year with all fire departments that border Cedar Park, along with Williamson County EMS, to further enhance operational and collegial relationships.

Meet annually with PEC and other utilities to make sure both parties are meeting each other's needs.

Work with the Williamson County Fire Chiefs Association, Capital Area Fire Chiefs Association, CAPCOG, and RESET to manage a swift water response team, hazardous materials team, and technical rescue team for the region and continually improve technical competencies through training and SOGs.

Work with Texas Forest Service to participate in the Texas Intrastate Fire Mutual Aid System (TIFMAS) by participating in the CAPCOG Task Force for disasters around the state.

Utilize automatic aid contracts with fire departments that we share a border to enhance service delivery and audit these contracts each year for compliance and being current.

Utilize mutual aid contracts with fire departments in Williamson and Travis counties to enhance service delivery and audit these contracts each year for compliance and ensuring equitable services between parties.

Continually work on compliance issues with all applicable regulatory agencies. Examples include: Texas Commission on Fire Protection, Texas Department of State Health Services, EPA, and others.

Conduct an annual audit to ensure the process for developing, implementing, and revising interagency policies and agreements is in line with the strategic plan.

Create a conflict resolution policy between CFPD and appropriate external agencies to maintain positive and productive relationships and continually review it each year subsequently to keep the policy updated.

Encourage our members to give presentations to regional, state, and national organizations on best practices of the CFPD. These opportunities will be documented in the annual report.

Encourage our members to write for national fire service related periodicals on best practices of the CFPD. These opportunities will be documented in the annual report.

Forge an excellent working relationship with all media sources and seek opportunities to get the message out of good things occurring in the CFPD. These opportunities will be documented in the annual report.

Host a media/elected officials day at the Training Field to educate the media on CFPD operations.

Look for opportunities to assist community social agencies and document these occurrences in the annual report.

Work closely with LISD to find opportunities to help with children in the community on many fronts.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. F.3

Update On Communications Plan Related To Timeline For Modification Of Service To Non-Contract Areas Of The City's Extra Territorial Jurisdiction. (ETJ)

Commentary:

At the City Council meeting held on December 9, 2010, the City Council voted to establish a timeline which is intended to encourage residents of several areas in the City's ETJ to create an Emergency Services District (ESD). The purpose of this district would be to serve as a funding mechanism to provide fire services to these areas. Currently, the City provides fire service in these areas, but because they lack a single legal authority capable of entering into a contract, they are unable to contract with the City or any other entity for service.

This presentation will detail the City's communications plan which illustrates how the City will communicate this information to the residents of these areas.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. F.4
**Consideration Of Appointment To Place Six On The Tourism Advisory Board With
 A Term To Expire July 31, 2012. (amendment)**

Commentary:

Tourism Advisory Board

NAME	PLACE	TERM	APPOINTED	TERM EXPIRES
Kirkland, Mel Citizen	1	2 years	August 24, 2006 Reappt 8-9-07 Reappt 7-9-09	7-31-11
Olguin, Matthew Citizen	2	2 years	November 13, 2008 Reapptd 12-9-10	July 31,2012
O'Tool, Alain - Chair Citizen	3	2 years	December 10, 2009	7-31-11 (unexpired term)
Brooks, Wayne Citizen	4	2 years	October 7, 2010	7-31-12
McLaughlin, Rick Texas Stars	5	2 years	September 23, 2010	7-31-11 Unexpired Term
VACANT	6	2 years		Term July 31,2012
Schoen, Robert Austin Steam Train	7	2 years	July 14, 2005 Reappt 8-9-07 Reappt 7-9-09	7-31-11



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. G.0
Executive Session:



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. G.1

Section 551.071 (1)(A) And (2) Consultation With City Attorney Concerning Legal Matters Covered By The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas.

- a. Legal Issues Concerning The Cedar Park Tax Increment Reinvestment Zone #1 Development Agreement.**
- b. Legal Issues Concerning The Terms And Conditions Of The Proposed Pass-Through Toll Financing Agreement With The Texas Department Of Transportation.**
- c. Legal Issues Concerning The Water Meter Department.**



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. H.0

Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. H.1
Mayor And Council Closing Comments.



CITY COUNCIL AGENDA

Date:1-13-2011

Subject: Agenda Item No. H.2
Adjournment.