

**City of Cedar Park**  
**Regular Called Meeting Agenda**  
**City Council Chambers, Cedar Park Public Library**  
**550 Discovery Boulevard**  
**Cedar Park, Texas**  
**Thursday, January 26, 2012**  
**6:30 P.M.**

- A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.](#)
- A.2 [Invocation. \(Mayor\)](#)
- A.3 [Pledges of Allegiance. \(U.S. and Texas\)](#)
- A.4 [Presentation: Introduction Of International Students - Commissioner Cynthia Long, Williamson County.](#)
- A.5 [Citizens Communications. \(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information\)](#)
- A.6 [Mayor And Council Opening Comments.](#)
- A.7 [City Manager Report: Quarterly Permit Activity And Revenue Summary - Mark Lewis, Building Inspections.](#)
- A.8 [City Manager Report: Monthly Financial Update For The Period Ending November 30, 2011 - Josh Selleck, Finance Director.](#)
- A.9 [City Manager Report: Update And Report On The Williamson County Transportation Summit Meeting. \(Fuller\)](#)
- B.1 [Approval Of Council Minutes: No Items For Consideration.](#)
- C.1 [\(OA-11-008\) Second Reading And Approval Of An Ordinance Amending Chapter 11 Zoning Ordinance, Section 11.12, Chapter 12 Subdivision Ordinance, Section 12.23.001 And Chapter 12 Sign Ordinance Section 13.01.004 Regarding The Definitions Or References To Building Official.](#)
- C.2 [\(OA-11-013\) Second Reading And Approval Of An Ordinance Amending Chapter 12, Subdivision Ordinance, Section 12.12.010 Lot Arrangements Regarding Flag Lot Regulations.](#)
- D.1 [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 Quest Village Park Located at 614 Stallion Drive In An Amount Not To Exceed \\$75,000.](#)
- D.2 [A Resolution Authorizing A Special Permit To Hold A 5K Run At Elizabeth Milburn Park.](#)

- D.3 [A Resolution Authorizing A Special Permit To Hold A Marathon Relay Run At Brushy Creek Lake Park.](#)
- D.4 [A Resolution Authorizing A Special Permit To Hold A 5K Fun Run At Brushy Creek Lake Park.](#)
- D.5 [A Resolution Authorizing And Directing The City Manager To Execute Change Order #1 With Harvey-Cleary Builders Under The City Hall Finish Out Improvement Project In The Amount Of \\$86,971.](#)
- D.6 [A Resolution Authorizing And Directing The City Manager To Apply For A Capital Area Council Of Government Regional Homeland Security Grant Associated With The Fire Department For Equipment And Training For The Cedar Park Community Emergency Response Team, Teen Advocates For Community Safety Program, And On Behalf Of Expanding Cert Programs In Williamson County.](#)
- E.1 [\(Z-11-046\) First Reading And Public Hearing Of An Ordinance To Assign Original Zoning Of General Retail \(GR\) To Approximately 7.1 acres For Property Located Along The East Side Of 1150 South Bell Boulevard. The Planning And Zoning Commission Voted 6-0 To Approve The Request.](#)
- E.2 [\(Z-11-047\) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 14.66 Acres From Planned Development \(PD\) To General Retail \(GR\) For Property Located At The Northeast Corner Of South Lakeline Boulevard and Cypress Creek Road, In Williamson County, Texas. The Planning and Zoning Commission voted 6-0 to approve the request.](#)
- E.3 [\(Z-11-048 City Initiated\) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 1.424 Acres From Planned Development \(PD\) To General Retail \(GR\) For Property Located At 1801 South Lakeline Boulevard, In Williamson County, Texas. The Planning And Zoning Commission Voted 6-0 To Approve The Request.](#)
- E.4 [\(Z-11-050\) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 2.83 Acres From General Office \(GO\) To Local Retail-Conditional Overlay \(LR-CO\) For Property Located On Old Mill Road, West Of Lakeline Boulevard. The Planning And Zoning Commission Voted 6-0 To Approve The Request.](#)
- F.0 [Discussion And Possible Action:](#)
- F.1 [Update And Report On The Proposed City Of Cedar Park Charter Amendments.](#)
- F.2 [Consideration To Approve A Resolution To Join The Capital Area Council Of Governments \("CAPCOG"\) Central Texas Clean Air Coalition.](#)
- F.3 [Consideration To Approve A Resolution Adopting The 8-Hour Ozone Flex Program And Three Clean Air Measures.](#)

- F.4 [Consideration To Appoint A Council Representative And Alternate To The Capital Area Council of Governments \("CAPCOG"\) Central Texas Clean Air Coalition.](#)
- F.5 [Consideration To Approve Continued Participation By The City Of Cedar Park In The Adopt-Unit Program. \(Fuller\)](#)
- G.0 [Executive Session](#)
- G.1 [Section 551.071\(2\) Of The Texas Local Government Code Consultation With City Attorney Concerning Legal Matters For Which He Has A Duty to Discuss As Covered By The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas.](#)
  - a. Legal Issues Concerning Agreements For The Water Park Project.
- G.2 [Section 551.087 Deliberation Regarding Economic Development Negotiations](#)
  - a. Legal Issues Regarding An Economic Development Infrastructure Reimbursement Agreement For A Major Retail Development.
  - b. Legal Issues Regarding An Economic Development Agreement Between The City Of Cedar Park And DR Horton.
- 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:1-26-2012

Subject: Agenda Item No. A.1  
**CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.**



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.2  
**Invocation. (Mayor)**



**CITY COUNCIL AGENDA**

Date:1-26-2012

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



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.4

**Presentation: Introduction Of International Students - Commissioner Cynthia Long,  
Williamson County.**

**Commentary:**



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.5  
**Citizens Communications. (Not For Items Listed On This Agenda. Three Minutes Each.  
No Deliberations With Council. Council May Respond With Factual Information)**



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.6  
**Mayor And Council Opening Comments.**



## **CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.7  
**City Manager Report: Quarterly Permit Activity And Revenue Summary - Mark Lewis,  
Building Inspections.**

### **Commentary:**

The FY' 12, quarterly Permit/Revenue Summary is attached to the Associated Information section of this report. The summary is comprised of the following components:

- Permit Activity Summaries
- Permit Revenue Summary
- Permit Revenue by Category Analysis
- FY '12 Permit Revenue Overview
- Active Commercial Projects Summary

Due to size and format, the maps prepared in support of the Active Projects Summary are not included as part of this agenda packet. Copies of the maps will be provided at City Council's January 26 meeting. Electronic copies of the maps are available upon request.

### **Fiscal Impact**

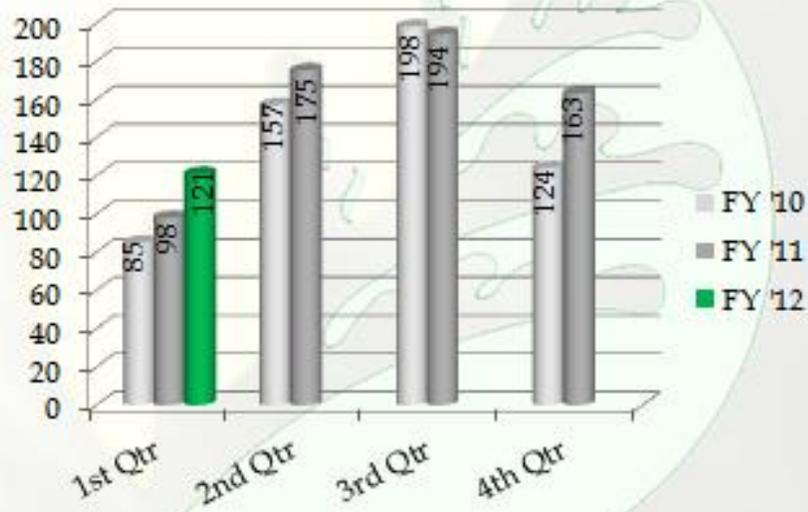
Account No.:

### **Budget**

Budget/Expended:

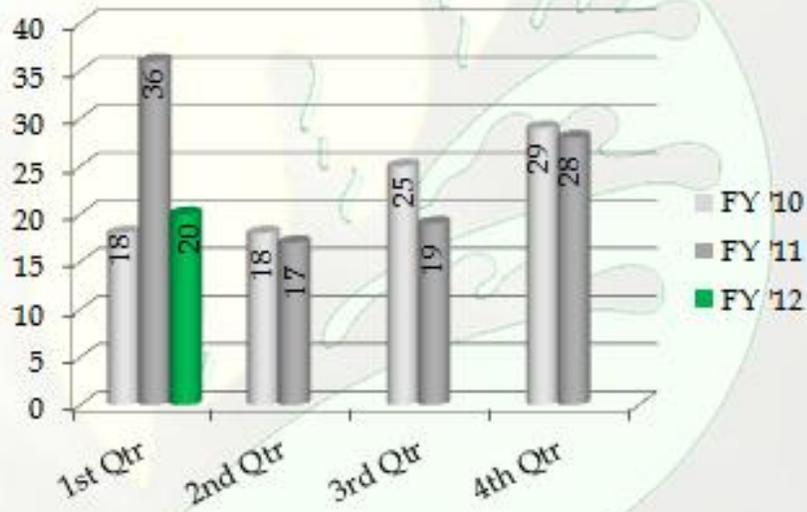
### **Associated Information:**

# SINGLE-FAMILY PERMITS



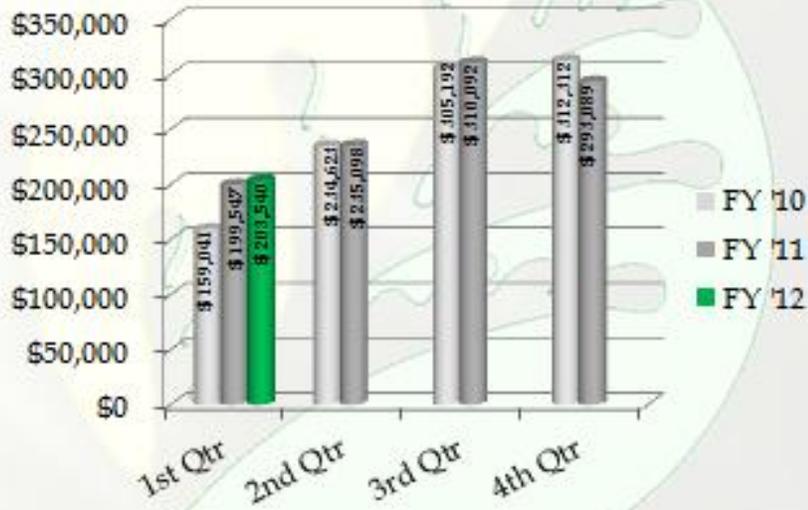
Oct - Dec 2011

# COMMERCIAL PERMITS



Oct - Dec 2011

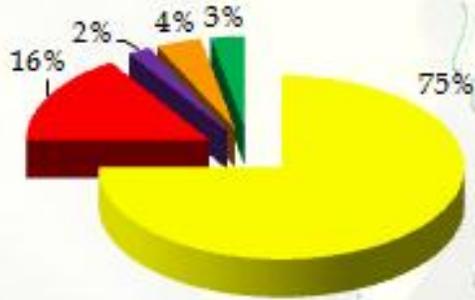
# REVENUE COLLECTED



Oct - Dec 2011

# REVENUE BY CATEGORY

## By Percent



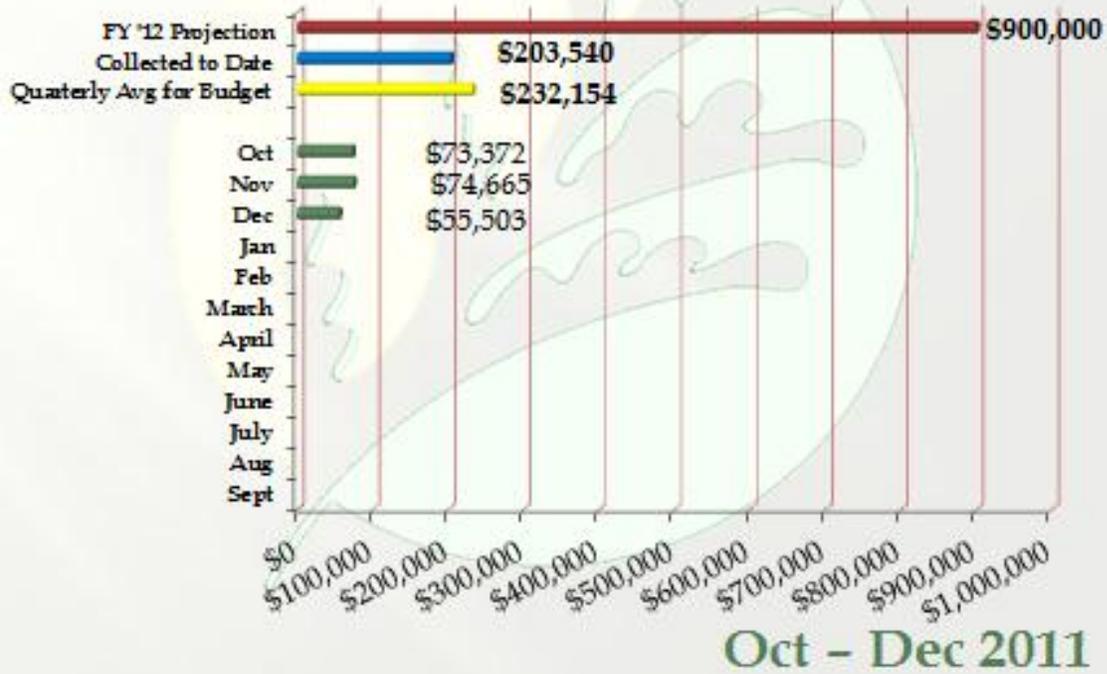
■ Res ■ Com ■ Acc ■ Misc ■ Reinspect

## By Total

□ Residential: (SF & Trade Permits)	\$ 153,291
□ Commercial: (Com & Trade Permits)	\$ 32,690
□ Accessory: (Pool, Patio, Out-building)	\$ 3,504
□ Miscellaneous: (Signs, Irrigation, Demo, Certificates of Occupancy)	\$ 4,305
□ Re-Inspection:	<u>\$ 9,750</u>
<b>TOTAL:</b>	<b>\$203,540</b>

Oct - Dec 2011

# YEAR TO DATE SUMMARY



# ACTIVE PROJECTS

## New Projects:

Site Development Plans Under Review:	9
Building Plans Under Review:	6
Permits Approved But Not Yet Issued:	2
Projects Under Construction:	<u>10</u>
TOTAL:	27

## Finish-Out/Remodel Projects:

Building Plans Under Review:	14
Permits Approved But Not Yet Issued:	6
Projects Under Construction:	<u>18</u>
TOTAL:	38

## Certificates of Occupancy:

Certificates of Occupancy Issued:	39
Temporary Certificates of Occupancy Issued:	1
Certificates of Occupancy Pending:	<u>15</u>
TOTAL:	55

Oct - Dec 2011



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.8  
**City Manager Report: Monthly Financial Update For The Period Ending November 30,  
2011 - Josh Selleck, Finance Director.**

**Commentary:**

A monthly financial report will be presented to the City Council illustrating financial activity through month end.

**GENERAL FUND**

**STATEMENT OF REVENUES AND EXPENDITURES AT NOVEMBER**

OBJECT CATEGORIES	FY 2010-2011 Budget	FY 2010-2011 Y-T-D	FY 2010-2011 Actual	FY 2011-2012 Budget	FY 2011-2012 Y-T-D	% of Budget	Budget Balance
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**REVENUE SUMMARY**

<b>Ad Valorem Taxes</b>							
Current	\$ 9,766,772	\$ 290,370	\$ 9,892,841	\$ 10,538,890	\$ 421,437	4.0%	\$ 10,117,453
<b>Total Ad Valorem Taxes</b>	<b>\$ 9,766,772</b>	<b>\$ 290,370</b>	<b>\$ 9,892,841</b>	<b>\$ 10,538,890</b>	<b>\$ 421,437</b>	<b>4.0%</b>	<b>\$ 10,117,453</b>
<b>Sales Tax*</b>	<b>\$ 6,718,368</b>	<b>\$ 997,517</b>	<b>\$ 5,767,505</b>	<b>\$ 6,886,327</b>	<b>\$ 1,070,020</b>	<b>15.5%</b>	<b>\$ 5,816,307</b>
<b>Development Related Fees</b>							
Building Permits	\$ 925,000	\$ 134,656	\$ 1,027,592	\$ 900,000	\$ 44,824	5.0%	\$ 855,176
Construction Inspection Fees	135,000	43,593	155,652	99,000	34,836	35.2%	64,164
Engineer Review Fees	18,000	5,190	27,637	18,000	7,504	41.7%	10,496
Planning and Zoning Fees	29,546	7,068	64,657	49,135	19,939	40.6%	29,196
Professional Fee Recovery	19,875	4,200	26,873	11,796	3,212	27.2%	8,584
Site Review/Dev. Permit Fees	22,500	4,814	43,356	23,770	5,104	21.5%	18,666
Fire Code Compliance Fees	20,000	5,955	28,125	20,000	3,420	17.1%	16,580
Other - Permits & Fees	2,025	-	200	-	-	#DIV/0!	-
<b>Total Development Related Fees</b>	<b>\$ 1,171,946</b>	<b>\$ 205,476</b>	<b>\$ 1,374,092</b>	<b>\$ 1,121,701</b>	<b>\$ 118,839</b>	<b>10.6%</b>	<b>\$ 1,002,862</b>
<b>Franchise Fees</b>	<b>\$ 3,351,803</b>	<b>\$ 99,513</b>	<b>\$ 2,949,116</b>	<b>\$ 3,412,161</b>	<b>\$ 38,392</b>	<b>1.1%</b>	<b>\$ 3,373,769</b>
<b>Administrative and Contract Svcs</b>							
LISD Resource Officer Reimb.	\$ 226,368	\$ 56,591	\$ 226,367	\$ 118,587	\$ 9,882	8.3%	\$ 108,705
Utility Fund	2,575,913	-	2,575,913	2,749,242	-	0.0%	2,749,242
WCID Admin. Services Fee	104,750	9,085	108,655	69,150	10,424	15.1%	58,726
CTRMA INTERLOCAL	239,358	-	179,514	229,521	-	0.0%	229,521
Bond Fund	225,000	-	-	225,000	-	0.0%	225,000
Hotel Occupancy Fund	25,000	-	-	94,770	-	0.0%	94,770
4A & 4B	512,990	-	424,512	497,290	-	0.0%	497,290
Transfer In - Unreserved Fund Balan	-	-	-	-	-	0.0%	-
<b>Total Administrative and Contract S</b>	<b>\$ 3,909,379</b>	<b>\$ 65,676</b>	<b>\$ 3,514,961</b>	<b>\$ 3,983,560</b>	<b>\$ 20,306</b>	<b>0.5%</b>	<b>\$ 3,963,254</b>
<b>Fines and Forfeitures</b>	<b>\$ 925,000</b>	<b>\$ 170,008</b>	<b>\$ 971,808</b>	<b>\$ 882,500</b>	<b>\$ 157,214</b>	<b>17.8%</b>	<b>\$ 725,286</b>

**GENERAL FUND**

**STATEMENT OF REVENUES AND EXPENDITURES AT NOVEMBER**

OBJECT CATEGORIES	FY 2010-2011 Budget	FY 2010-2011 Y-T-D	FY 2010-2011 Actual	FY 2011-2012 Budget	FY 2011-2012 Y-T-D	% of Budget	Budget Balance
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**REVENUE SUMMARY**

**Fees for Service**

Fire Protection Fees	\$ 1,409,756	\$ 58,011	\$ 1,318,869	\$ 1,089,513	\$ 27,169	2.5%	\$ 1,062,344
Fire Protection - Ins. Rec.	62,500	10,528	83,279	62,500	14,341	22.9%	48,159
Parks and Recreation Fees	850,000	74,995	993,558	853,600	103,891	12.2%	749,709
Library Fines and Fees	110,000	17,370	112,537	100,000	14,770	14.8%	85,230
Animal Control Fees	6,450	1,309	10,290	9,000	881	9.8%	8,119
Justice Administration Fees	2,000	660	3,225	2,000	626	31.3%	1,374
Teaching Fees - Fire	1,500	-	-	1,500	-	0.0%	1,500
Detention & Dispatch Services	4,132	820	4,717	4,132	763	18.5%	3,369
<b>Total Fees for Service</b>	<b>\$ 2,446,338</b>	<b>\$ 163,693</b>	<b>\$ 2,526,475</b>	<b>\$ 2,122,245</b>	<b>\$ 162,441</b>	<b>7.7%</b>	<b>\$ 1,959,804</b>

**Miscellaneous Fees**

Interest	\$ 66,000	\$ 11,370	\$ 63,667	\$ 66,000	\$ 5,450	8.3%	\$ 60,550
Credit Card Fees	2,100	99	667	2,100	148	7.0%	1,952
Beverage Tax	55,000	-	64,514	50,000	-	0.0%	50,000
Delinquent/Penalty and Int.	90,000	27,373	169,151	105,000	-	0.0%	105,000
Other	185,009	3,758	213,162	34,366	1,297	3.8%	33,069
<b>Total Miscellaneous Fees</b>	<b>\$ 398,109</b>	<b>\$ 42,600</b>	<b>\$ 511,161</b>	<b>\$ 257,466</b>	<b>\$ 6,895</b>	<b>2.7%</b>	<b>\$ 250,571</b>

<b>Total Revenue</b>	<b>\$ 28,687,715</b>	<b>\$ 2,034,853</b>	<b>\$ 27,507,959</b>	<b>\$ 29,204,850</b>	<b>\$ 1,995,544</b>	<b>6.8%</b>	<b>\$ 27,209,306</b>
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\* - Includes sales tax thru November, which was collected in January

**GENERAL FUND**

**STATEMENT OF REVENUES AND EXPENDITURES AT NOVEMBER**

OBJECT CATEGORIES	FY 2010-2011 Budget	FY 2010-2011 Y-T-D	FY 2010-2011 Actual	FY 2011-2012 Budget	FY 2011-2012 Y-T-D	% of Budget	Budget Balance
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**EXPENDITURE SUMMARY**

Expenditures by Category

Personnel Services	\$ 19,481,901	\$ 2,133,926	\$ 18,850,630	\$ 20,199,612	\$ 2,383,691	11.8%	\$ 17,815,921
Materials & Supplies	1,436,404	312,330	312,330	1,623,064	344,676	21.2%	1,278,388
Repairs & Maintenance	890,887	122,322	122,322	923,146	127,818	13.8%	795,328
Occupancy	1,406,347	83,633	83,633	1,373,842	139,572	10.2%	1,234,270
Contractual Services	3,798,968	469,374	469,374	3,483,575	486,415	14.0%	2,997,160
Other Charges	1,854,847	170,226	170,226	1,955,917	212,244	10.9%	1,743,673
Capital Outlay	922,434	7,783	7,783	109,400	42,254	38.6%	67,146
Transfers Out	5,600,307	-	-	847,057	3,574	0.4%	843,483
Contingency	80,000	-	-	115,500	-	0.0%	115,500
<b>TOTAL</b>	<b>\$ 35,472,095</b>	<b>\$ 3,299,594</b>	<b>\$ 20,016,298</b>	<b>\$ 30,631,113</b>	<b>\$ 3,740,244</b>	<b>12.2%</b>	<b>\$ 26,890,869</b>

Expenditures by Function

**General Government**

General Administration	6,460,529	254,313	7,210,904	1,543,642	232,948	15.1%	1,310,694
Council	36,200	5,503	59,626	53,745	4,955	9.2%	48,790
City Manager	479,672	62,736	486,403	498,258	41,042	8.2%	457,216
City Secretary	163,427	8,689	82,377	163,211	9,630	5.9%	153,581
Finance	838,512	69,897	807,718	785,279	112,040	14.3%	673,239
Information Technology	864,152	100,511	801,952	905,476	134,265	14.8%	771,211
Human Resources	428,813	46,342	423,102	369,035	55,638	15.1%	313,397
Public Information Office	199,438	13,830	166,358	208,978	30,024	14.4%	178,954
Economic Development	1,238,706	57,354	885,007	1,249,151	60,232	4.8%	1,188,919
Legal Services	469,196	33,601	466,657	499,689	80,427	16.1%	419,262
Tourism	-	-	-	69,700	12,840	18.4%	56,860
<b>General Government</b>	<b>\$ 11,178,645</b>	<b>\$ 652,776</b>	<b>\$ 11,390,104</b>	<b>\$ 6,346,164</b>	<b>\$ 774,041</b>	<b>12.2%</b>	<b>\$ 5,572,123</b>

**Public Safety**

Municipal Court	484,657	56,402	462,794	506,783	61,438	12.1%	445,345
Police	7,971,223	894,814	7,584,077	8,283,720	946,638	11.4%	7,337,082
Animal Services	289,749	16,458	248,739	286,385	11,018	3.8%	275,367
Fire	6,097,415	657,249	6,163,335	6,255,256	742,850	11.9%	5,512,406
Emergency Management	100,427	-	72,330	107,550	7,659	7.1%	99,891
<b>Public Safety</b>	<b>\$ 14,943,471</b>	<b>\$ 1,624,923</b>	<b>\$ 14,531,275</b>	<b>\$ 15,439,694</b>	<b>\$ 1,769,603</b>	<b>11.5%</b>	<b>\$ 13,670,091</b>

**Public Works and Development**

Engineering	791,565	71,756	693,632	791,179	82,687	10.5%	708,492
Building Inspection	571,146	55,376	514,885	549,167	59,947	10.9%	489,220
Planning and Transportation	442,521	85,860	446,927	483,168	53,749	11.1%	429,419
Code Enforcement	164,756	879	125,917	167,274	16,603	9.9%	150,671
Streets	1,975,811	347,552	1,690,627	2,103,216	387,943	18.4%	1,715,273
Signal Maintenance	262,851	18,430	276,130	404,087	49,279	12.2%	354,808
Equipment Maintenance	355,877	49,041	325,898	412,927	40,674	9.9%	372,253
<b>Public Works and Development</b>	<b>\$ 4,564,527</b>	<b>\$ 628,894</b>	<b>\$ 4,074,016</b>	<b>\$ 4,911,018</b>	<b>\$ 690,882</b>	<b>14.1%</b>	<b>\$ 4,220,136</b>

**Culture and Recreation**

Parks and Recreation	2,819,300	265,954	2,672,373	2,820,612	330,834	11.7%	2,489,778
Library	1,043,718	127,047	974,404	1,004,225	132,630	13.2%	871,595
<b>Culture and Recreation</b>	<b>\$ 3,863,018</b>	<b>\$ 393,001</b>	<b>\$ 3,646,777</b>	<b>\$ 3,824,837</b>	<b>\$ 463,464</b>	<b>12.1%</b>	<b>\$ 3,361,373</b>

**Capital Outlay**

<b>Capital Outlay</b>	<b>\$ 922,434</b>	<b>\$ -</b>	<b>\$ 889,210</b>	<b>\$ 109,400</b>	<b>\$ 42,254</b>	<b>38.6%</b>	<b>\$ 67,146</b>
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**TOTAL BY FUNCTION**

<b>TOTAL BY FUNCTION</b>	<b>\$ 35,472,095</b>	<b>\$ 3,299,594</b>	<b>\$ 34,531,382</b>	<b>\$ 30,631,113</b>	<b>\$ 3,740,244</b>	<b>12.2%</b>	<b>\$ 26,890,869</b>
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**UTILITY FUND**

**STATEMENT OF REVENUES AND EXPENDITURES AT NOVEMBER**

OBJECT CATEGORIES	FY 2010-2011	FY 2010-2011	FY 2010-2011	FY 2011-2012	FY 2011-2012	% of Budget	Budget Balance
	Budget	Y-T-D	Actual	Budget	Y-T-D		

**REVENUE SUMMARY**

**Water Sales**

Water Sales	\$ 14,436,057	\$ 1,466,695	\$ 18,181,355	\$ 15,278,040	\$ 1,817,147	11.9%	\$ 13,460,893
Water Sales - Blockhouse	744,044	45,276	811,828	744,044	54,623	7.3%	689,421
Water Sales - WTC Mud	743,869	73,789	799,545	743,869	100,598	13.5%	643,271
Twin Creeks	144,621	6,638	80,202	70,000	5,048	7.2%	64,952
Avery Ranch	73,168	2,934	84,255	75,000	6,683	8.9%	68,317
LCRA	371,000	79,740	425,711	315,000	-	0.0%	315,000
<b>Total Water Sales</b>	<b>\$ 16,512,759</b>	<b>\$ 1,675,072</b>	<b>\$ 20,382,896</b>	<b>\$ 17,225,953</b>	<b>\$ 1,984,099</b>	<b>11.5%</b>	<b>\$ 15,241,854</b>

**Sewer Billings**

Sewer Billings	\$ 8,687,687	\$ 819,142	\$ 9,374,621	\$ 9,313,369	\$ 1,020,703	11.0%	\$ 8,292,666
Mayfield Ranch	51,191	4,233	65,043	92,144	8,215	8.9%	83,929
Blockhouse	336,828	23,917	355,516	336,828	22,670	6.7%	314,158
WTC Mud	292,060	30,877	253,513	292,060	31,763	10.9%	260,297
<b>Total Sewer Billings</b>	<b>\$ 9,367,766</b>	<b>\$ 878,169</b>	<b>\$ 10,048,693</b>	<b>\$ 10,034,401</b>	<b>\$ 1,083,351</b>	<b>10.8%</b>	<b>\$ 8,951,050</b>

**Transfer-Impact Fees**

<b>Transfer-Impact Fees</b>	<b>\$ 1,505,000</b>	<b>\$ -</b>	<b>\$ 1,505,000</b>	<b>\$ 1,543,288</b>	<b>\$ -</b>	<b>0.0%</b>	<b>\$ 1,543,288</b>
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**Other Charges**

UB Account Transfer Fee	\$ 5,539	\$ 650	\$ 5,360	\$ 5,300	\$ 725	13.7%	\$ 4,575
Temp Water Service Fee	554	70	70	550	70	12.7%	480
Late Charges	393,761	64,379	405,977	403,605	83,311	20.6%	320,294
Reconnect Fee	80,349	12,550	86,800	82,358	18,200	22.1%	64,158
Water Tap Fee	7,500	1,775	12,250	7,500	-	0.0%	7,500
Sewer Tap Fee	2,500	750	4,450	2,500	-	0.0%	2,500
Water Connection Fee	55,299	5,750	61,550	56,681	6,625	11.7%	50,056
Meter Readings	-	-	-	-	-	N/A	-
Water Meter Insp Fee	-	2,800	266	-	-	N/A	-
Sewer Insp Fee	25,728	550	29,400	26,371	2,900	11.0%	23,471
Industrial PreTreat Rev	3,323	850	2,900	3,200	400	12.5%	2,800
Misc Revenues	39,307	-	4,625	3,500	3,050	87.1%	450
Interest Income	100,000	13,814	76,130	75,000	9,230	12.3%	65,770
Transfer - CIP Project	-	-	-	-	-	N/A	-
Transfer - Reserve Fund	-	-	-	-	-	N/A	-
Other Charges	3,000	-	11,419	3,000	-	0.0%	3,000
Credit Card Fees	20,000	2,462	15,572	19,100	2,694	14.1%	16,406
<b>Total Other Charges</b>	<b>\$ 736,860</b>	<b>\$ 106,400</b>	<b>\$ 716,769</b>	<b>\$ 688,665</b>	<b>\$ 127,205</b>	<b>18.5%</b>	<b>\$ 561,460</b>

**Total Revenue**

<b>Total Revenue</b>	<b>\$ 28,122,385</b>	<b>\$ 2,659,641</b>	<b>\$ 32,653,358</b>	<b>\$ 29,492,307</b>	<b>\$ 3,194,655</b>	<b>10.8%</b>	<b>\$ 26,297,652</b>
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**EXPENDITURE SUMMARY**

**Expenditures by Category**

Personnel Services	\$ 4,239,210	\$ 437,900	\$ 3,742,780	\$ 4,344,640	\$ 473,999	10.9%	\$ 3,870,641
Materials & Supplies	833,295	128,152	889,476	851,050	116,148	13.6%	734,902
Repairs & Maintenance	487,351	91,408	457,235	507,150	42,478	8.4%	464,672
Occupancy	1,943,920	101,292	1,770,020	1,880,200	215,935	11.5%	1,664,265
Contractual Services	10,720,014	1,008,462	9,710,373	12,049,902	1,244,161	10.3%	10,805,741
Other Charges	477,301	104,608	468,687	459,090	131,430	28.6%	327,660
Capital Outlay	254,585	2,995	262,679	1,696,500	31,757	1.9%	1,664,743
Transfers Out	13,125,477	312,644	13,675,697	14,998,831	1,113,064	7.4%	13,885,767
<b>TOTAL</b>	<b>\$ 32,081,153</b>	<b>\$ 2,187,461</b>	<b>\$ 30,976,947</b>	<b>\$ 36,787,363</b>	<b>\$ 3,368,972</b>	<b>9.2%</b>	<b>\$ 33,418,391</b>



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. A.9  
**City Manager Report: Update And Report On The Williamson County Transportation Summit Meeting. (Fuller)**

**Commentary:**

The City of Cedar Park hosted a Williamson County Transportation meeting on November 16, 2011 at the Recreation Center. Attendees included representatives from the cities of Cedar Park, Round Rock, Georgetown, Leander, Pflugerville and Hutto, Williamson County and the Texas Department of Transportation (TxDOT) District Office.

The meeting began with presentations by staff from each agency regarding major transportation projects and issues in their jurisdictions. Environmental clearance continues to be a major hurdle for projects and is usually the critical path to when a project gets started. TxDOT indicated there is a need for more “shovel ready” projects and Bob Daigh of Williamson County suggested formation of a blue ribbon committee for the next county bond election.

The majority of the remainder of the meeting centered on discussions concerning the process which the Capital Area Metropolitan Planning Organization CAMPO was going through at the time to allocate the \$63 million in Surface Transportation Program Metropolitan Mobility (STPMM) funds which had been allocated to the region.

Williamson County and city representatives were in disagreement with a funding scenario being discussed by CAMPO at the time which generally favored projects not in Williamson County. An alternate funding allocation plan was discussed and endorsed by the group at the meeting which distributed the funds more equitably to the Williamson County area. This alternate plan was subsequently presented to the CAMPO Technical Advisory Committee (TAC) who voted 7-7 to forward to the CAMPO Board for consideration.

The CAMPO Board subsequently approved variations of the proposal including a distribution of the remaining funds to each county based on a \$1 million starting base and the rest based on population. Based on this vote, Williamson County was allocated approximately \$8.7 million in STPMM funds of which Cedar Park will receive \$3M for the Bagdad Road reconstruction project.



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. B.1  
**Approval Of Council Minutes: No Items For Consideration.**



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. C.1  
**(OA-11-008) Second Reading And Approval Of An Ordinance Amending Chapter 11 Zoning Ordinance, Section 11.12, Chapter 12 Subdivision Ordinance, Section 12.23.001 And Chapter 12 Sign Ordinance Section 13.01.004 Regarding The Definitions Or References To Building Official.**

### Commentary:

Staff is proposing changes to the zoning ordinance to provide consistency in the designation for the Planning Director. The proposed changes are minor in nature and provide for more consistency throughout the Zoning and Subdivision Chapters.

### Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on December 20, 2011. No public testimony was received.

### Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission voted 6-0 to recommend approval of the proposed amendments.

In Favor: Lorena Echeverria de Misi, Nicholas Kauffman, Stephen Thomas, and Thomas Balestiere, Holly Hogue and Alain O'Tool

Opposed: None

Absent: Jon Lux

### City Council Public Hearing:

The City Council held a public hearing on January 12, 2012. No public testimony was received.

### Public Information Plan:

*November 3, 2011:* Notice appears in the Cedar Park Citizen  
*November 15, 2011:* Planning and Zoning Commission Meeting and Public Hearing  
*December 20, 2011:* Planning and Zoning Commission Meeting and Public Hearing  
*December 22, 2011:* Notice appears in the Cedar Park Citizen  
*January 12, 2012:* Public Hearing and 1<sup>st</sup> Reading at City Council  
*January 26, 2012:* 2<sup>nd</sup> Reading of the ordinance at City Council

Director

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City Manager's Remarks

**City Manager**

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Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

**Associated Information:** Ordinance

ORDINANCE NO \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING A PORTION OF CHAPTER 11, ZONING, SECTION 11.12.002 TERMS FOR BUILDING OFFICIAL; SECTION 12.23.001 DEFINITIONS, CHAPTER 12, SUBDIVISIONS SECTION 12.23.001 DEFINITIONS PURPOSE FOR BUILDING OFFICIAL AND CHAPTER 13, SIGNS, SECTION 13.01.004 COMPLIANCE REQUIRED; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

SECTION 1. That Chapter 11 Zoning Ordinance, Chapter 12 Subdivision Ordinance and Chapter 13 Sign Ordinance of the Cedar Park Code of Ordinances be amended as provided hereto in Exhibit A.

SECTION 2. 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 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of approval.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 12<sup>th</sup> day of January, 2012, 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 26<sup>th</sup> day of January, 2012, 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

\_\_\_\_\_  
Robert S. Lemon, Mayor

ATTEST:

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LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

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Charles W. Rowland, City Attorney

## **EXHIBIT A**

### Sec. 11.12.002 Terms

Building official – The Director of Planning or his/her designee

### Sec. 12.23.001 Definitions Purpose

Building official - The Director of Planning or his/her designee

### Sec. 13.01.004 Compliance required

(a) It shall be unlawful for any person to erect, construct, enlarge, move or convert any sign within the city or its extraterritorial jurisdiction (ETJ) without first obtaining a sign permit from and paying a permit fee to the Director of Planning or his/her designee unless specifically noted otherwise in this article. A change of business requires a new sign permit.



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. C.2  
**(OA-11-013) Second Reading And Approval Of An Ordinance Amending Chapter 12, Subdivision Ordinance, Section 12.12.010 Lot Arrangements Regarding Flag Lot Regulations.**

### Commentary:

At the request of the City Council and per discussion at the December 8<sup>th</sup> Planning and Zoning Commission Workshop and December 20<sup>th</sup> Planning and Zoning Commission regular meeting, the following amendment is proposed to Chapter 12, Subdivision Ordinance, Section 12.12.010, Lot Arrangements regarding flag lots. This amendment makes available the general variance procedure outlined in Section 12.12.019 of the Subdivision Ordinance where the stated flag lot requirements are not met, but it further preserves the fundamental policy objectives of (a) providing for public and emergency access, and (b) preserving future development opportunities.

Sec. 12.12.010 Lot Arrangements

(A)(7) Flag lots are ~~expressly prohibited, unless~~ only allowed where:

~~(i)A.~~ (i)A. The proposed lot configuration is needed to abate an acute topographical condition or other unusual property accessibility constraint not created by the applicant; or

~~(ii)The property has acute topographical conditions and constraints; or~~

~~(iii)B.~~ (iii)B. The proposed lot is located within the RA Rural Agricultural District or the ES Estate Lot Residential District or for lots under two (2) acres within the city's ETJ; or

~~(iv)C.~~ (iv)C. The unusual adjacent property boundary configuration constrains the arrangement of an otherwise standard lot configuration. ~~Where any of the above items are present, the Planning and Zoning Commission may grant a variance to allow such configuration, provided the following conditions are met:~~

D. Where any of the above items are present, the Planning and Zoning Commission may allow the proposed lot configuration, provided the following conditions are met:

(i) The ~~variance proposed lot~~ does not circumvent the normal platting of streets for public and emergency access;

(ii) The ~~variance proposed lot~~ does not prevent the extensions of streets to adjacent property;

(iii) The proposed lot width is not less than fifty (50) feet in width at its frontage connection with the adjacent public or approved private street; and

(iv) The narrow or elongated part of the proposed lot 'pole' does not exceed one hundred (100) ft. in length, measured from the connecting street frontage to where the lot widens into a 'flag' shape to receive a suitable building area where a building setback line shall be established; nor shall more than two (2) adjacent neck lots be connected.

E. Where the foregoing requirements are not met, but the proposed lot configuration does not circumvent the normal platting of streets for public and emergency access and the proposed lot does not prevent the extensions of streets to adjacent property, the Planning and Zoning Commission may authorize a variance from these regulations pursuant to Sec. 12.12.019 of this chapter.

For reference, Section 12.12.019 of the Subdivision Ordinance is provided below.

#### **Sec. 12.12.019 Variances for design standards**

(a) The planning and zoning commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the planning and zoning commission shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings herein below required, the planning and zoning commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, and expected type and volume of traffic.

(b) No variance shall be granted unless the planning and zoning commission finds that all of the following are met:

(1) That there are special circumstances or conditions affecting the land involved such that the strict application at the provisions of this chapter would deprive the applicant of the reasonable use of his land; and

(2) That the variance is necessary for the preservation and enjoyment of substantial property rights of the applicants; and

(3) That the granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property or public facilities in the area (an area encompassing approximately a 200-foot radius); and

(4) That the granting of the variance will not have the effect of preventing the orderly development of the applicant's land and/or land in the vicinity in accordance with the provisions of this chapter.

(5) Pecuniary hardship to the applicant, standing alone, shall not be deemed to constitute undue hardship.

(c) Such findings of the planning and zoning commission, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the planning and zoning commission meeting at which

such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done.

(d) All requested variances from this chapter shall be made in writing at least thirty (30) working days prior to the date on which consideration is to be given by the planning and zoning commission. Submittal shall be made to the planning department.

(e) Planning and zoning commission shall hold at least one public hearing on each application:

(1) Written notice of all public hearings on proposed variances shall be sent to all owners of property, or to the person rendering the same for city taxes, located within the area of application and within two hundred feet (200') of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail.

(2) Notice of all public hearings on proposed variances shall also appear in the local newspaper of general circulation within not less than ten (10) days before such hearing is held.

(f) Positive action by the planning and zoning commission or city council shall be recorded in the county clerk's office.

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on December 20, 2011. No public testimony was received.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission voted 6-0 to recommend approval of the proposed amendment.

In Favor: Lorena Echeverria de Misi, Nicholas Kauffman, Stephen Thomas, and Thomas Balestiere, Holly Hogue and Alain O'Tool

Opposed: None

Absent: Jon Lux

City Council Public Hearing:

The City Council held a public hearing on January 12, 2012. No public testimony was received.

Public Information Plan:

*December 8, 2011:* Notice of the Planning and Zoning Commission public hearing appears in the Cedar Park Citizen

*December 20, 2011:* Planning and Zoning Commission Meeting and Public Hearing

*December 22, 2011:* Notice of the City Council public hearing appears in the Cedar Park Citizen

*January 12, 2012:* Public Hearing and 1<sup>st</sup> Reading at City Council

*January 26, 2012:* Second reading of the ordinance

**Director**

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City Manager's Remarks

**City Manager**

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Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

**Associated Information:** Ordinance

ORDINANCE NO \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING CHAPTER 12, SUBDIVISION ORDINANCE, SECTION 12.12.010 LOT ARRANGEMENTS REGARDING FLAG LOT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

SECTION 1. That Chapter 12 Subdivision Ordinance of the Cedar Park Code of Ordinances be amended as provided hereto in Exhibit A.

SECTION 2. 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 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of approval.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 12<sup>th</sup> day of January, 2012, 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 26<sup>th</sup> day of January, 2012, 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

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Robert S. Lemon, Mayor

ATTEST:

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LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

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Charles W. Rowland, City Attorney

## EXHIBIT A

### Sec. 12.12.010 Lot Arrangements

(A)(7) Flag lots are only allowed where:

A. The proposed lot configuration is needed to abate an acute topographical condition or other unusual property accessibility constraint not created by the applicant; or

B.-The proposed lot is located within the RA Rural Agricultural District or the ES Estate Lot Residential District or for lots under two (2) acres within the city's ETJ; or

C. The unusual adjacent property boundary configuration constrains the arrangement of an otherwise standard lot configuration.

D. Where any of the above items are present, the Planning and Zoning Commission may allow the proposed lot configuration, provided the following conditions are met:

(i) The proposed lot does not circumvent the normal platting of streets for public and emergency access;

(ii) The proposed lot does not prevent the extensions of streets to adjacent property;

(iii) The proposed lot width is not less than fifty (50) feet in width at its frontage connection with the adjacent public or approved private street; and

(iv) The narrow or elongated part of the proposed lot 'pole' does not exceed one hundred (100) ft. in length, measured from the connecting street frontage to where the lot widens into a 'flag' shape to receive a suitable building area where a building setback line shall be established; nor shall more than two (2) adjacent neck lots be connected.

E. Where the foregoing requirements are not met, but the proposed lot configuration does not circumvent the normal platting of streets for public and emergency access and the proposed lot does not prevent the extensions of streets to adjacent property, the Planning and Zoning Commission may authorize a variance from these regulations pursuant to Sec. 12.12.019 of this chapter.



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. D.1

**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 Quest Village Park Located at 614 Stallion Drive In An Amount Not To Exceed \$75,000.**

### **Commentary:**

The purpose of this Resolution is to authorize the Mayor to execute an Agreement with the Community Development (4B) Board. The Agreement provides funding for park improvements at Quest Village Park as part of the Neighborhood Park Improvement Program. This project consists of materials, equipment and a replacement playscape by acquiring and installing a new structure that would fit within the existing fall zone.

On December 13, 2011 the 4B Board approved the funding on this project in the amount of \$75,000.00. At that time, the Board also authorized staff to proceed with Publication of a Notice of Community Development Project. The Public Hearing notice was published in the Hill Country News on December 29, 2011 per authorization of the Board. The Project Notice was also published in the Hill Country News on December 29, 2011.

The 4B Board conducted a Public Hearing on the Project on January 10, 2012. No public comment was received.

Following the public hearing, the 4B Board voted 7-0 to approve the 4B Resolution to authorize the President of the Board to execute the Agreement for the Neighborhood Park Improvements at Quest Village Park under terms as set forth within the agreement and submit the Agreement to City Council with a recommendation for approval.

Copies of the Board Resolution (4B-R-11-003) and the Agreement are attached for reference.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CEDAR PARK COMMUNITY DEVELOPMENT (4B) CORPORATION FOR FUNDING OF NEIGHBORHOOD PARK IMPROVEMENTS AT QUEST VILLAGE PARK AT 614 STALLION DRIVE. IN AN AMOUNT NOT TO EXCEED \$75,000.00

WHEREAS, the City of Cedar Park, in cooperation with the Cedar Park Community Development (4B) Corporation desires to participate in a program to fund additions, renovations, and improvements to neighborhood parks which have been evaluated with the highest need, which may include, but are not limited to, the purchase of materials and equipment and installation of a replacement playscape; and

WHEREAS, the 4B Corporation Board of Directors has approved and authorized the expenditure of 4B funds to provide for project expenditures in an amount for improvements at Quest Village Park in an amount not to exceed \$75,000.00 with such funds coming from the Corporation's budget for the Neighborhood Park Improvement Program; and

WHEREAS, the 4B Corporation Board of Directors has authorized the President of the Corporation to execute an Agreement for the expenditure of said funds and to recommend the Agreement to the City Council of the City of Cedar Park for concurrence so that funds can be expended as set forth in the Agreement.

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

SECTION 1. The Cedar Park City Council hereby authorizes and directs the Mayor to execute an Agreement with the Cedar Park Community Development (4B) Corporation for the expenditure of 4B funds in an amount not to exceed \$75,000.00 to provide for Park Improvements at Quest Village Park, located at 614 Stallion Drive as part of the Neighborhood Park Improvement Program.

SECTION 2. 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 26<sup>th</sup> day of January, 2012.

CITY OF CEDAR PARK, TEXAS

\_\_\_\_\_  
Robert S. Lemon, Mayor

ATTEST:

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LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

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Charles W. Rowland, City Attorney

Resolution No. 4B-R-12-003

State of Texas           §  
                                  §  
County of Williamson   §

WHEREAS, the City of Cedar Park Community Development Corporation (the "4B Corporation") seeks to undertake a project in an amount not to exceed \$75,000 for the Quest Village Park Playscape and Installation Project to be located at 614 Stallion Drive, Cedar Park, Texas, which would include a new structure that would fit within the existing fall zone, additional free standing elements and a fabric shade canopy, which will provide for multiple civic uses in Cedar Park, in conformity with The Development Corporation Act, as amended.

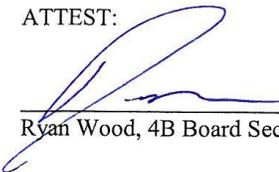
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CEDAR PARK COMMUNITY DEVELOPMENT CORPORATION:

THAT the Cedar Park Community Development Corporation hereby recommends that the City Council for the City of Cedar Park approve funding for the Quest Village Park Playscape and Installation Project to be located at 614 Stallion Drive, Cedar Park, Texas, in an amount not to exceed \$75,000.

CONSIDERED AND APPROVED on the 10<sup>th</sup> day of January, 2012 at which a quorum was present and for which due notice was given pursuant to Section 551.001, et seq., of the Government Code.

  
\_\_\_\_\_  
Brian Rice, 4B Board President

ATTEST:

  
\_\_\_\_\_  
Ryan Wood, 4B Board Secretary

**AGREEMENT BETWEEN THE CITY OF CEDAR PARK COMMUNITY  
DEVELOPMENT (4B) CORPORATION AND THE CITY OF CEDAR PARK**

This Agreement is to memorialize the general terms and conditions of a request for funding assistance made by the City of Cedar Park, Texas (the "City") to the City of Cedar Park Community Development Corporation (the "4B Corporation") to provide funding for the Quest Village Park Playscape and Installation Project (the "Project") as a part of the Neighborhood Park Improvement Program. The Project will include purchase of materials and equipment and installation of a replacement playscape located at Quest Village Park, 614 Stallion Drive, Cedar Park, Texas. The 4B Corporation's estimated expenditure for the Project is an amount not to exceed \$75,000, although this amount is subject to future revision.

WHEREAS, the City is considering funding the Project as proposed by the City's Parks and Recreation Department;

WHEREAS, the 4B Corporation has stated that it has the necessary funds for the Project and will make those funds available to the City;

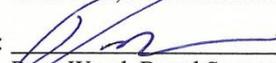
WHEREAS, the City has requested that the 4B Corporation provide funding for the cost of acquisition and construction for the Project in an amount not to exceed \$75,000; and

WHEREAS, on December 13, 2011 the Board of Directors for the 4B Corporation recommended approval of the proposed Project and provided funding in an amount not to exceed \$75,000 to the City for the Project.

NOW, THEREFORE, BE IT AGREED, by and between the City and the 4B Corporation, that the 4B Corporation shall provide an amount up to, but not to exceed, \$75,000 to the City to fund the Quest Village Park Playscape and Installation Project as part of the Neighborhood Park Improvement Program, with such funds to be drawn upon at the discretion of the City.

**City of Cedar Park Community Development  
(4B) Corporation**

By:   
Brian Rice, Board President

Attest:   
Ryan Wood, Board Secretary

Date: January 10, 2012

**City of Cedar Park, Texas**

By: \_\_\_\_\_  
Robert S. Lemon, Mayor

Attest: \_\_\_\_\_  
LeAnn Quinn, City Secretary

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



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. D.2  
**A Resolution Authorizing A Special Permit To Hold A 5K Run At Elizabeth Milburn Park.**

### **Commentary:**

Ernie Beltz Jr., congressional candidate for District 10, is requesting a special permit to allow a 5K Run at Milburn Park on Sunday, March 4, 2012. The race will utilize the park trails and they have rented the pavilion for this fundraising event. The race will take place from 7:00 am to noon on that date and will include approximately 300 entrants.

Article 8.03 of the City regulations pertaining to conduct in parks and playgrounds requires a special permit for this type of activity. Staff respectfully requests Council approval of a special permit for this event.

The permit application is attached.

### **Fiscal Impact**

Account No.:

### **Budget**

Budget/Expended:

### **Associated Information:**



**CEDAR  
PARK**

Application for Special Use in Parks  
City of Cedar Park – Parks & Recreation Department  
1435 Main Street ♦ Cedar Park, TX 78613  
(512) 401-5500 ♦ Fax (512)260-1661

**APPLICANT INFORMATION**

Applicant's Name ERNIE BELTZ JR  
Address 3304 SWEETWATER TRACE City & Zip CEDAR PARK, TX 78613  
Home Phone 512 773 9182 Work Phone 512 348 7016 E-mail Address ERNIE.C.BELTZ.FOR@CONCRETE.COM  
Organization's Name (if applicable) Ernie Beltz Jr For US Congress Phone Number 512 348 7000  
Organization's Address 13552 Research Blvd, Suite A City & Zip AUSTIN, TX 78750

**EVENT INFORMATION**

Type of Event 5K Run Date of Event 3/4/2012  
Name of Park Millburn <sup>②</sup> Brushy Creek Location in Park track/walking area  
Time Event Begins 7AM Time Event Ends 12PM Number of Participants TBD Approx 300  
Will participants be charged?  Yes  No If so, how much? \$20 - \$30 each  
Describe in detail all activities planned (please attach another sheet of paper, if necessary). 5K run with  
BIBS after run with activities for children.

Will any type of sound amplifying equipment be used at the event (other than personal radios, tape players, etc.)?  Yes  No  
If so, please explain what type of equipment will be used. System will mic to announce winners  
and give speech. Will play music throughout

Will the event include live musical entertainment?  Yes  No If yes, please explain what type of live music. TBD  
live music, it will be after the run for a short time

List any variances required from Park Rules & Regulations that have not been addressed on this application. \_\_\_\_\_

- Will the event interfere with or detract from the general public's enjoyment?  Yes  No
  - Will the event interfere with or detract from the promotion of public health, welfare, safety and recreation?  Yes  No
  - Is violence, crime or disorderly conduct anticipated as part of the event?  Yes  No
  - Will the event entail extraordinary or burdensome expense or police operation by the City?  Yes  No
  - Is there a conflict with another scheduled activity?  Yes  No
- \* If you replied "Yes" to any of the above questions, please explain. \_\_\_\_\_

Applicant's Signature [Signature] Date 1/6/12

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE APPROVAL OF A SPECIAL PERMIT FOR A 5K RUN AT ELIZABETH MILBURN PARK; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the special permit for the 5K Run at Milburn Park on March 4, 2012, is hereby 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 26th day of January, 2012.

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:1-26-2012

Subject: Agenda Item No. D.3  
**A Resolution Authorizing A Special Permit To Hold A Marathon Relay Run At Brushy Creek Lake Park.**

### **Commentary:**

Michael Horton from Highpoint Fellowship Church is requesting a special permit to allow a Marathon Relay Run at Brushy Creek Lake Park on Saturday, April 21, 2012. Teams will run laps within the park until they reach 26.2 miles. The fundraising event will support Highpoint's youth mission trips. The relay run will utilize the park trails and they have rented two pavilions for the event. The race will take place from 8:00 a.m. to noon on that date and will include approximately 125 entrants.

Article 8.03 of the City regulations pertaining to conduct in parks and playgrounds requires a special permit for this type of activity. Staff respectfully requests Council approval of a special permit for this event.

The permit application is attached.

### **Fiscal Impact**

Account No.:

### **Budget**

Budget/Expended:

### **Associated Information:**



# CEDAR PARK

Application for Special Use in Parks  
City of Cedar Park – Parks & Recreation Department  
1435 Main Street ♦ Cedar Park, TX 78613  
(512) 401-5500 ♦ Fax (512)260-1661

### APPLICANT INFORMATION

Applicant's Name Michael Horton  
Address 1605 Churchill Cove City & Zip Cedar Park, 78613  
Home Phone 512-731-0064 Work Phone 512-260-5449 E-mail Address mph@texas@y2koo.com  
Organization's Name (if applicable) High Point Fellowship Phone Number 512-260-5449  
Organization's Address 600 W. New Hope City & Zip Cedar Park, 78613

### EVENT INFORMATION

Type of Event Marathon Relay Fundraiser Date of Event 4/21/12  
Name of Park Brushy Creek Park Location in Park Cypress/Cedar Pavilions  
Time Event Begins 8 AM Time Event Ends 12 noon Number of Participants ~125  
Will participants be charged?  Yes  No If so, how much? \$ 26  
Describe in detail all activities planned (please attach another sheet of paper, if necessary). Team marathon (run concurrently to complete), snacks, music, water.

Will any type of sound amplifying equipment be used at the event (other than personal radios, tape players, etc.)?  Yes  No  
If so, please explain what type of equipment will be used. Either a portable stereo playing music + perhaps a guitar (acoustic plugin) player or two ... or the combination of the two.

Will the event include live musical entertainment?  Yes  No If yes, please explain what type of live music. Perhaps. See above.

List any variances required from Park Rules & Regulations that have not been addressed on this application. None.

Will the event interfere with or detract from the general public's enjoyment?  Yes  No  
Will the event interfere with or detract from the promotion of public health, welfare, safety and recreation?  Yes  No  
Is violence, crime or disorderly conduct anticipated as part of the event?  Yes  No  
Will the event entail extraordinary or burdensome expense or police operation by the City?  Yes  No  
Is there a conflict with another scheduled activity?  Yes  No  
\* If you replied "Yes" to any of the above questions, please explain.

Applicant's Signature [Signature] Date 1/31/12

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE APPROVAL OF A SPECIAL PERMIT FOR A MARATHON RELAY RUN AT BRUSHY CREEK LAKE PARK; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the special permit for the Marathon Relay Run at Brushy Creek Lake Park on April 21, 2012, is hereby 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 26th day of January, 2012.

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:1-26-2012

Subject: Agenda Item No. D.4  
**A Resolution Authorizing A Special Permit To Hold A 5K Fun Run At Brushy Creek Lake Park.**

### **Commentary:**

Mary Ward from the Central Texas Dachshund Rescue (CTDR) is requesting a special permit to allow a 5K Family Fun Run at Brushy Creek Lake Park on Sunday, April 22nd, 2012. The race will be a fundraiser for CTDR and will utilize the county regional trail and lake loop trail. They have rented two pavilions for the event. The race will take place from 7:30 a.m. to 1:00 p.m. on that date and will include approximately 100 entrants.

Article 8.03 of the City regulations pertaining to conduct in parks and playgrounds requires a special permit for this type of activity. Staff respectfully requests Council approval of a special permit for this event.

The permit application is attached.

### **Fiscal Impact**

Account No.:

### **Budget**

Budget/Expended:

### **Associated Information:**



## CEDAR PARK

Application for Special Use in Parks  
 City of Cedar Park – Parks & Recreation Department  
 1435 Main Street ♦ Cedar Park, TX 78613  
 (512) 401-5500 ♦ Fax (512)260-1661

### APPLICANT INFORMATION

Applicant's Name Mary Ward on behalf of Central Texas Dachshund Rescue (CTDR)  
 Address 9701 Rias Way City & Zip Austin TX 78717  
 Home Phone 512-906-1067 Work Phone 512-728-5809 E-mail Address mjward\_shanghia@yahoo.com  
 Organization's Name (if applicable) Central Texas Dachshund Rescue (CTDR) Phone Number 512-965-3796  
 Organization's Address 7301 RR 620 N Ste 155 #136 City & Zip Austin TX 78726

### EVENT INFORMATION

Type of Event 5K- 1M Fun Run/Walk Date of Event April 22, 2012  
 Name of Park Brushy Creek Regional Park Location in Park Lake loop trail  
 Time Event Begins 7:30 AM Time Event Ends 1:00 PM Number of Participants ~100

Will participants be charged?  Yes  No If so, how much? \$25/participant - \$20/participant w/ dog

Describe in detail all activities planned (please attach another sheet of paper, if necessary). Activity setup from 7:30 AM to 8:30AM when the event begins. Runners/Walkers of 5K event will begin first-run around lake, under bridge @ Parmer, along West-side of Sports field, onto the trail for about a mile or so, back to Sports field along East-side of Sports field, under Parmer Bridge, around lake, back to Pavilion area. Walkers will start later and have 1 Mile option around lake, under bridge & back.

Will any type of sound amplifying equipment be used at the event (other than personal radios, tape players, etc.)?  Yes  No  
 If so, please explain what type of equipment will be used. A small amplifier with microphone, but depends on size of event and if we can rent the equipment.

Will the event include live musical entertainment?  Yes  No If yes, please explain what type of live music. Probably Not, but may have a singer for the national anthem at the start.

List any variances required from Park Rules & Regulations that have not been addressed on this application. We will have Volunteers providing scoop bags & ensuring the trail remains clean; includes water handout and picking up trash along route.

Will the event interfere with or detract from the general public's enjoyment?  Yes  No  
 Will the event interfere with or detract from the promotion of public health, welfare, safety and recreation?  Yes  No  
 Is violence, crime or disorderly conduct anticipated as part of the event?  Yes  No

Will the event entail extraordinary or burdensome expense or police operation by the City?  Yes  No

Is there a conflict with another scheduled activity?  Yes  No

\* If you replied "Yes" to any of the above questions, please explain. It will increase the activity along the trail from ~8:30 To 9:30 AM. We will be requesting the participants be aware of the residents and respect their use of the trail as well.

Mary Ward, CTDR Fundraising Committee

11 Dec 2011

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE APPROVAL OF A SPECIAL PERMIT FOR A 5K RUN AT BRUSHY CREEK LAKE PARK; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the special permit for the 5K Run at Brushy Creek Lake Park on April 22, 2012, is hereby 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 26th day of January, 2012.

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:1-26-2012

Subject: Agenda Item No. D.5  
**A Resolution Authorizing And Directing The City Manager To Execute Change Order #1 With Harvey-Cleary Builders Under The City Hall Finish Out Improvement Project In The Amount Of \$86,971.**

### **Commentary:**

Change Order #1 includes the following items:

- Glass Door for Main Lobby – This modification is to install Glass Doors in lieu of Wood Doors in order to upgrade the entrance to the main lobby located in Building 1 2<sup>nd</sup> Floor and also provide visibility to the elevator for the receptionist without compromising the conditioned space of the lobby area. (\$21,448)
- Pre-Action Fire Sprinkler System for Data Center – This modification is to installing a dry Pre-Action Fire Sprinkler system in the Data Center Building 1 Floor 3 in lieu of a wet sprinkler system in order to prevent expensive technology equipment getting damaged in the event of a leak or false alarm. (\$20,995)
- Ornamentation of Main Stair Railing – This modification is to install ornamental inserts on the existing steel stair railing on all levels in Building 1 Stair Tower. The entire railing also gets repainted. (\$24,285)
- Automatic Flush Valves and Faucets – This modification is to install automatic fixtures on all lavatories and urinals in all buildings. It also includes installing automatic flush valves on the toilets in the City Council Chamber building (Building 4). (\$20,243)

Staff recommends authorizing the City Manager to execute Change Order #1 with Harvey-Cleary Builders in the amount of \$86,971. Funding for this change order will come from the Owner's Contingency currently at \$183,626 which is built into the project budget. Incorporating Change Order #1, the new balance for the Owner's Contingency will be \$96,655. The revised GMP will be \$4,058,863. No additional time is added to the schedule for Change Order #1.

**Director**

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### **Fiscal Impact**

**Account No.:**

### **Budget**

**Budget/Expended: \$4,979,223/4,892,252 (under contract)**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 WITH HARVEY-CLEARY BUILDERS UNDER THE CITY HALL FINISH OUT IMPROVEMENT PROJECT IN THE AMOUNT OF \$86,971; 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, Harvey-Cleary Builders proposes to install a dry pre-action sprinkler system, glass doors in Lobby, ornamental inserts on stair railing, and automatic flush valves/faucets under Change Order #1 in the amount of \$86,971 on the City Hall Finish Out Improvement project; and

WHEREAS, the revised GMP is \$4,058,863.

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 Change Order #1 with Harvey-Cleary Builders under the City Hall Finish Out Improvement project in the amount of \$86,971.

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 26<sup>th</sup> day of January, 2012.

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:1-26-2012

Subject: Agenda Item No. D.6  
**A Resolution Authorizing And Directing The City Manager To Apply For A Capital Area Council Of Government Regional Homeland Security Grant Associated With The Fire Department For Equipment And Training For The Cedar Park Community Emergency Response Team, Teen Advocates For Community Safety Program, And On Behalf Of Expanding Cert Programs In Williamson County.**

### **Commentary:**

The Cedar Park Fire Department is coordinating a regional application for the 2012 Homeland Security Grant that is coordinated through Capital Area Council of Government (CAPCOG) for the purchase of equipment and training for the Cedar Park Community Emergency Response Teams (CERT) and for the Cedar Park Teen Advocates for Community Safety (TACS) programs. These successful programs have trained over 320 citizens to date and serve as a model for how these programs should run. Therefore, Cedar Park has been asked to assist in the establishment and training of additional CERT teams in Williamson County. By coordinating the proposed grant, Cedar Park can facilitate the training and equipment needed for the Williamson County community. Cedar Park is applying for \$32,312 which will provide training and equipment for 175 volunteers, two emergency drills, and printing needs. By further developing the Williamson County CERT program, properly trained and equipped volunteers will be able to assist first responders during incidents to maximize our response capabilities and minimize the effects of the incident.

### **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, AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR A CAPITAL AREA COUNCIL OF GOVERNMENT (“CAPCOG”) HOMELAND SECURITY GRANT FOR THE REQUEST OF EQUIPMENT AND TRAINING FOR THE CEDAR PARK AND WILLIAMSON COUNTY COMMUNITY EMERGENCY RESPONSE TEAMS AND TEEN ADVOCATES FOR COMMUNITY SAFETY PROGRAMS; 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 desires to apply for the Capital Area Council of Governments (CAPCOG) Homeland Security Grant in hopes of securing funds for the Citizen Emergency Response Teams; and

WHEREAS, the City of Cedar Park recognizes the importance of increasing the number of citizens trained and prepared for emergency incidents that would affect the community.

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

SECTION 1. That the City Manager is authorized and directed to apply for the CAPCOG Homeland Security Grant and pursue project request associated with the CERT/TACS programs capability.

SECTION 2. That the City Grant Coordinator, or designee, is hereby designated and authorized to act as administrator of this grant, if awarded.

SECTION 3. 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 26<sup>th</sup> 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:1-26-2012

Subject: Agenda Item No. E.1  
**(Z-11-046) First Reading And Public Hearing Of An Ordinance To Assign Original Zoning Of General Retail (GR) To Approximately 7.1acres For Property Located Along The East Side Of 1150 South Bell Boulevard. The Planning And Zoning Commission Voted 6-0 To Approve The Request.**

### Commentary:

The purpose of this agenda item is to consider a City initiated request to assign original zoning of General Retail for property located along the east side of 1150 South Bell Boulevard.

### Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 6-0 to approve the request.

In favor: Nicholas Kauffman, Thomas Balestiere, Stephen Thomas, Holly Hogue, Lorena Echeverria de Misi and Alain O'Tool

Opposed: None

Absent: Jon Lux

### Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on December 20, 2011. No public input was received.

### Background:

Owner: Hilltop Baptist Temple

Please see attached Planning & Zoning Commission Report for details.

### Public Information Plan:

- December 8, 2011:* Public notice of the Planning and Zoning Commission public hearing published in the Cedar Park Citizen
- December 9, 2011:* 6 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
- December 20, 2011:* Planning and Zoning Commission public hearing
- January 5, 2012:* Public notice of the City Council public hearing published in the Cedar Park Citizen
- January 26, 2012:* City Council 1<sup>st</sup> reading and public hearing

**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 GENERAL RETAIL (GR) TO APPROXIMATELY 7.1 ACRES LOCATED ALONG THE EAST SIDE OF 1150 SOUTH BELL BOULEVARD, IN WILLIAMSON COUNTY, TEXAS. (Z-11-046); 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 to approximately 7.1 acres of General Retail (GR) 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 26<sup>th</sup> day of January, 2012, 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 \_\_\_ day of \_\_\_\_\_, 2012, 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

**Fiscal Impact**

Account No.:

**Budget**

Budget/Expended:

**Associated Information:**

7.1 ACRES OF CLUCK CREEK ESTATES (AMENDED LTS 1 AND 3) IN WILLIAMSON  
COUNTY, TEXAS.

**EXHIBIT A**



**Z-11-046**



**EXHIBIT B**



December 20, 2011	<i>Planning and Zoning Commission</i>	<b>Item:</b>
Zoning	<b>City Initiated Zoning Remainder of 1150 S Bell &amp; Future Land Use Plan Amendment</b>	<b>7E/8E 9A</b>
<b>Case Number: # Z-11-046</b>		

**OWNER:** Hilltop Baptist Temple

**STAFF:** Emily Barron, 401-5054, [emily.barron@cedarparktx.us](mailto:emily.barron@cedarparktx.us)

**LOCATION:** 1150 S. Bell

**COUNTY:** Williamson

**AREA:** 7.1 acres

**EXISTING ZONING:** Development Reserve (DR)

**PROPOSED ZONING:** General Retail (GR)

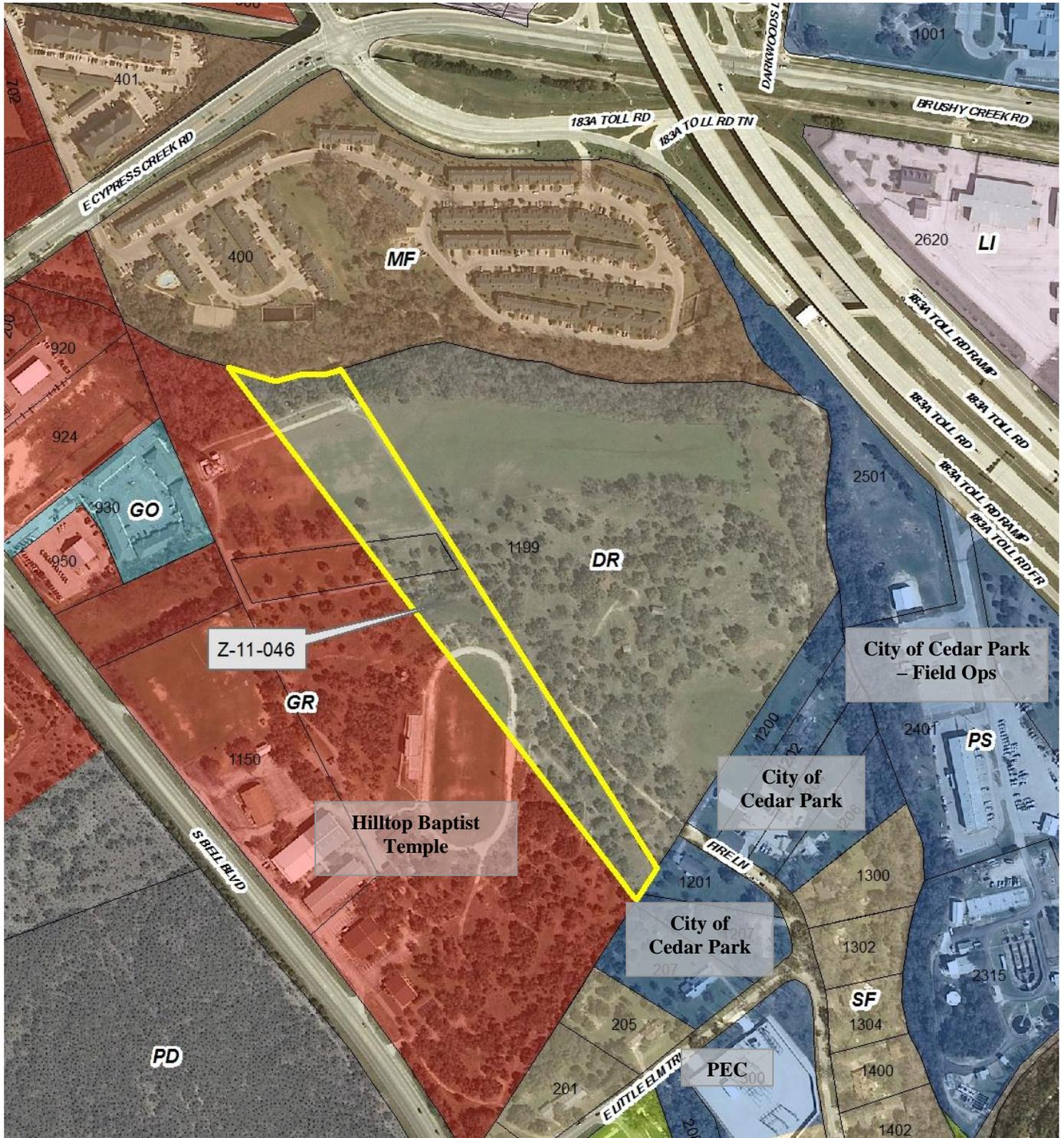
**STAFF RECOMMENDATION:** General Retail (GR)

**FUTURE LAND USE PLAN EXISTING:** Employment Center

**FUTURE LAND USE PLAN PROPOSED:** Institutional

This zoning is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item, along with many others, are being brought forward as a request by the City Council to reflect actual land uses on properties, promote economic development of areas, and to indicate the highest and best use of property as designated on the Future Land Use Plan.

This site is located at 1150 S. Bell Boulevard and is owned by Hilltop Baptist Temple. Hilltop is an existing church and school. The portion of the Hilltop Baptist Temple's property that fronts on S. Bell Boulevard has a permanent zoning designation of General Retail (GR), the remainder of the site has the Development Reserve (DR) designation and is the subject of this zoning request.



**PURPOSE OF REQUESTED ZONING DISTRICT:**

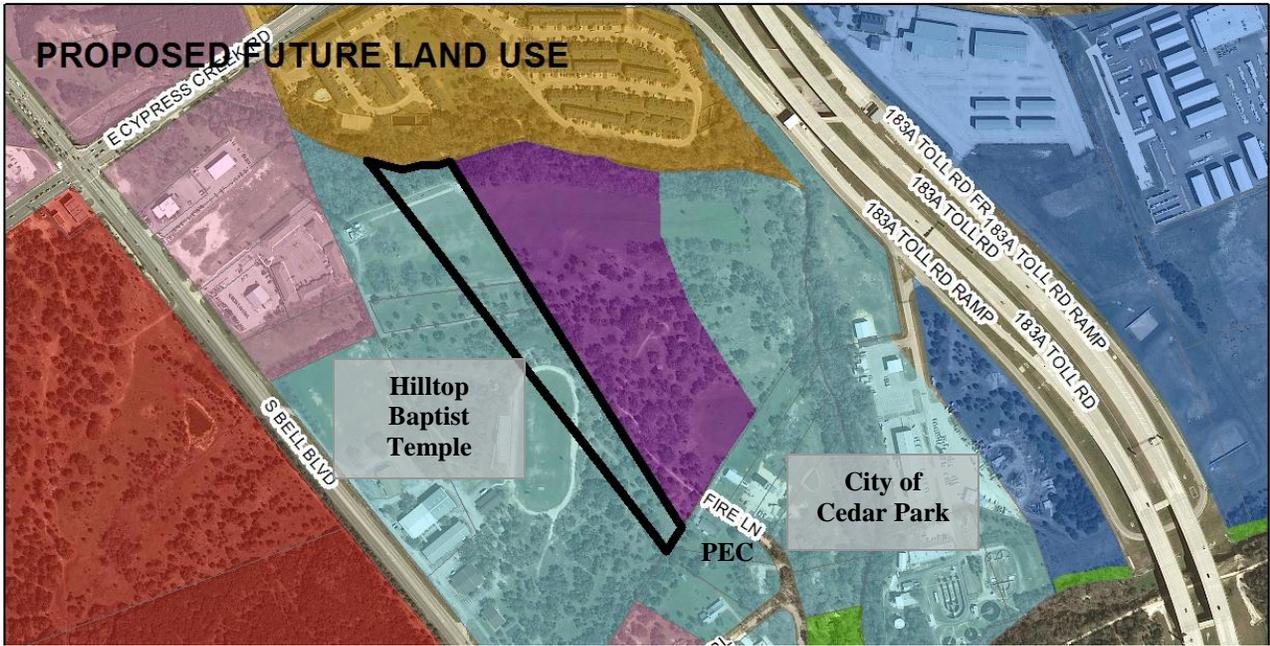
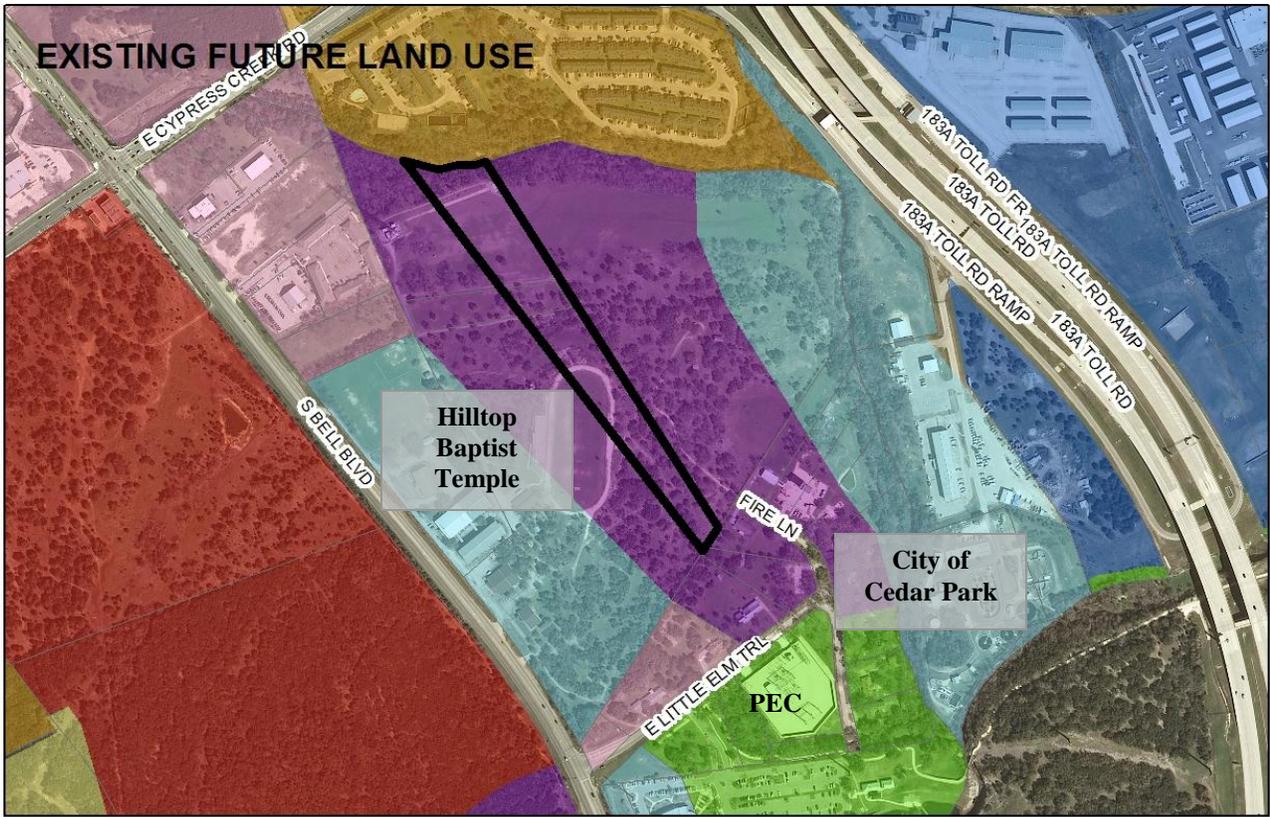
The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

**FUTURE LAND USE PLAN:**

The Future Land Use Plan identifies the area as Employment Center with compatible zoning districts such as Business District (BD), Light Industrial (LI), General Office (GO), Hospital (H), and Mixed Use (MU). The request for GR is not compatible with the Future Land Use Plan however, since the currently zoned portion of the church site is already zoned General Retail (GR) and the property is used as a church and private school, a Future Land Use plan amendment is being requested so that the site is consistently zoned and in compliance with the Future Land Use plan.

The rezoning request proposes approximately 7.1 acres of General Retail (GR); the amendment proposes to designate the remainder of the Hilltop Baptist Temple property as well as the City owned property along Fire Lane and Little Elm as Institutional in order to accommodate the zoning request and reflect more accurately the future use of the church and city properties.

The Future Land Use Plan amendment would remove 29.16 acres from the Employment Center category which would be added to the Institutional category.



Land Use	Current Area/Percentage		Proposed Amendment/ Percentage		% Change
	Area	Percentage	Area	Percentage	
Employment Center	1,433.09	7.40%	1,403.93	7.24%	-0.16%
High Density Residential	391.52	2.02%	391.52	2.02%	
Industrial	454.97	2.35%	454.97	2.35%	
Institutional/Public/Utility	924.02	4.77%	953.18	4.92%	+0.15%
Low Density Residential	9,412.78	48.59%	9,412.78	48.59%	
Medium Density Residential	200.48	1.03%	200.48	1.03%	
Neighborhood Office/Retail/Commercial	2,351.40	12.14%	2,351.40	12.14%	
Parks and Open Space	2,319.22	11.97%	2,319.22	11.97%	
Regional Office/Retail/Commercial	1,885.91	9.73%	1,885.91	9.73%	

**COMPREHENSIVE PLAN**

The zoning request is consistent with the following goals set forth in the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses.
- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues.
- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context.

**SITE INFORMATION:**

***Corridor Overlay:***

This property is within the Corridor Overlay.

***Transportation:***

South Bell Boulevard is classified as a major arterial.

***Subdivision:***

A subdivision may be needed for future development.

***Setback Requirements:***

	<u>GR</u>
Front Setback	25'
Side Setback	12'
Rear Setback	5'

***Architectural Requirements:***

Each exterior wall area of a site built in this district shall have a minimum of 50% masonry construction exclusive of doors and windows.

**STAFF RECOMMENDATION:**

***Zoning:***

Staff recommends that this site be assigned original zoning of General Retail (GR) for 7.1 acres. The designation is consistent with the Comprehensive Plan, compatible with the surrounding land uses and are supported by the purpose statement of the district.

***Future Land Use Plan:***

Based upon the information provided, it is recommended that the Future Land Use Plan for the area described above be amended to Institutional for the Hilltop Baptist Temple property and the City owned property along Little Elm Trail and Fire Lane.

**PUBLIC NOTICE:** December 8, 2011 Cedar Park Citizen  
6 letter notices were sent to property owners within 300 feet of the tract

**PUBLIC INPUT:** To date no public input has been received on this request.

**PROPOSED CITY COUNCIL HEARINGS:** January 26, 2011 ~ Public Hearing/1<sup>ST</sup> Reading  
February 2, 2011 ~ 2<sup>ND</sup> Reading



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. E.2  
**(Z-11-047) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 14.66 Acres From Planned Development (PD) To General Retail (GR) For Property Located At The Northeast Corner Of South Lakeline Boulevard and Cypress Creek Road, In Williamson County, Texas. The Planning and Zoning Commission voted 6-0 to approve the request.**

### Commentary:

The purpose of this agenda item is to consider a City initiated request to rezone approximately 14.66 acres from Planned Development (PD) to General Retail (GR) for property located at the northeast corner of South Lakeline Boulevard and Cypress Creek Road.

### Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 6-0 to approve the request.

In favor: Nicholas Kauffman, Thomas Balestiere, Stephen Thomas, Holly Hogue, Alain O'Tool, Lorena Echeverria

Opposed: None

Absent: Jon Lux

### Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on December 20, 2011. No public testimony was received.

### Background:

Owner: Randall's Food and Drug Inc., Austin Telco Federal Credit Union, Kentucky Lake LTD, Archland Property II LP, and Lakeline Austin LLC.

Please see attached Planning & Zoning Commission Report for details.

### Public Information Plan:

*December 8, 2011:* Public notice of the Planning and Zoning Commission public hearing published in the Cedar Park Citizen

*December 9, 2011:* 17 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

*December 20, 2011:* Planning and Zoning Commission public hearing

*January 5, 2012:* Public notice of the City Council public hearing published in the Cedar Park Citizen  
*January 26, 2012:* City Council 1<sup>st</sup> reading and public hearing

**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 14.66 ACRES FROM PLANNED DEVELOPMENT (PD) TO GENERAL RETAIL (GR) FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF SOUTH LAKELINE BOULEVARD AND CYPRESS CREEK ROAD, IN WILLIAMSON COUNTY, TEXAS. (Z-11-047); 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 14.66 acres to General Retail (GR) 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 26<sup>th</sup> day of January, 2012, 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 \_\_\_ day of February, 2012, 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

**Fiscal Impact**

Account No.:

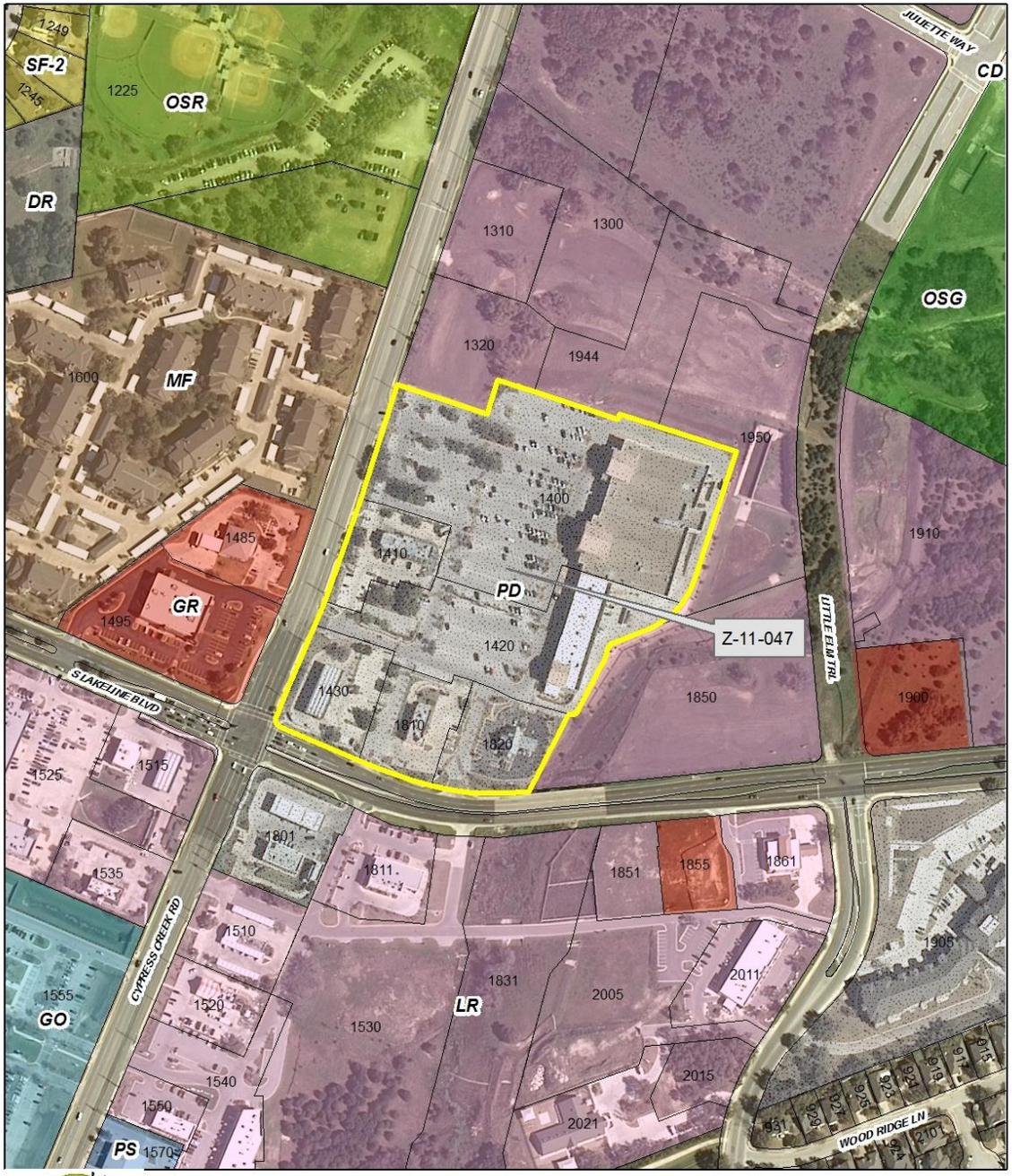
**Budget**

Budget/Expended:

**Associated Information:**

**BEING LOTS 4, 5, 6, AND 7, CYPRESS CREEK COMMERCIAL SUBDIVISION, RECORDED IN DOCUMENT NUMBER 2000084536 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND LOTS 2A AND 3A, CYPRESS CREEK COMMERCIAL LOTS 2 AND 3 AMENDED, RECORDED IN DOCUMENT NUMBER 2001059742 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.**

**EXHIBIT A**



**Z-11-047**



**EXHIBIT B**

December 20, 2011	<i>Planning and Zoning Commission</i>	
Zoning	<b>City Initiated Zoning Northeast Corner of S. Lakeline Blvd. and Cypress Creek Road</b>	<b>Item: 7F &amp; 8F</b>
<b>Case Number: # Z-11-047</b>		

**OWNER(s):** Randall's Food and Drug Inc., Austin Telco Federal Credit Union, Kentucky Lake LTD, Archland Property II LP, and Lakeline Austin LLC

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktx.us](mailto:amy.link@cedarparktx.us)

**LOCATION:** Northeast corner of South Lakeline Boulevard and Cypress Creek Road

**COUNTY:** Williamson

**AREA:** 14.66 acres

**EXISTING ZONING:** Planned Development (PD)

**PROPOSED ZONING:** General Retail (GR)

**EXISTING FUTURE LAND USE PLAN:** Regional Office/Retail/Commercial

This request is being initiated by the City in order to rezone a portion of the existing Lakeline Village Planned Development to reflect the commercial development that exists on the property today. City Council has tasked staff with rezoning planned developments to reflect actual land uses on properties, promote economic development of areas, and to indicate the highest and best use of property as designated on the Future Land Use Plan.

**EXISTING SITE & SURROUNDING LAND USES**

The site is surrounded by undeveloped Local Retail (LR) zoned property to the north and east, South Lakeline Boulevard to the south and Cypress Creek Road to the west.



**PURPOSE OF REQUESTED ZONING DISTRICT:**

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

**PERMITTED USES IN GR:**

Permitted uses in the GR district include the following:

- |  |  |   |
|--|--|---|
| Accessory structures                             | Equipment rental, sales, service and/or repair | Personal improvement services   |
| Administrative offices                           | Food sales, limited                            | Pet grooming  |
| Art gallery                                      | Food sales, general (grocery store)            | Places of worship   |
| Art galleries with retail sales                  | Funeral home                                   | Professional offices  |
| Automated Teller Machines                        | Furniture store                                | Public buildings, uses  |
| Automobile parts and accessories sales           | Gasoline service stations, limited and general | Reception hall  |
| Automobile sales, new                            | Golf, amusement                                | Restaurant, general   |
| Automobile sales, used                           | Hardware stores                                | Rental libraries for sound and video recordings                                   |
| Automobile repair shop                           | Home improvement center                        | Research and development activities (as it pertains to software only)             |
| Automotive tire stores                           | Hotel (including extended stay)                | Retail gift store   |
| Bakery, retail                                   | Indoor sports and recreation                   | Retail stores   |
| Banks (with or without drive-through facilities) | Instant print copy services                    | Software development  |
| Bar, Cocktail lounge                             | Landscape nursery and supply store, retail     | Software sales, computer hardware sales   |
| Bed and Breakfast                                | Laundromat                                     | Special events  |
| Car washes                                       | Liquor store                                   | Studios/art studio, dance, music, drama, gymnastics, photography, interior design |
| Civic clubs and fraternal organizations          | Medical offices                                | Temporary buildings   |
| Community center                                 | Motel  | Theaters, indoor  |
| Commercial parking lots                          | Movie and music rentals, sales                 | Theaters, outdoor   |
| Consumer repair shop (including bicycles)        | Nonprofit seasonal fundraisers                 | Transit station   |
| Convenience store                                | Office/showroom                                | Utility services, general   |
| Day care center, adult                           | Office/warehouse                               | Veterinary Services   |
| Day care center, child                           | Personal Improvement Services                  | Vocational or trade school  |
| Day care center, incidental Drugstores           | Personal services                              | Private schools   |
| Dry cleaning and/or laundry, on-site             |  |   |

**FUTURE LAND USE PLAN:**

The Future Land Use Plan identifies the subject area as suitable for Regional Office/Retail/Commercial development, with compatible zoning districts such as General Office (GO), General Retail (GR) and Mixed Use (MU).

**COMPREHENSIVE PLAN**

The request is consistent with the following goals set forth in the Comprehensive Plan:

4.1.6 Economic Development

- 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
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues
- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context
- Attract commercial development to Cedar Park in order to reduce the tax burden on residential property

**SITE INFORMATION:**

***Corridor Overlay:***

This property is located within the Corridor Overlay.

***Transportation:***

South Lakeline Boulevard is classified as a four lane divided major arterial. The 2008 traffic count along South Lakeline Boulevard, south of Cypress Creek Road was 30,642 vehicles per day.

Cypress Creek Road is also classified as a 4 lane major arterial. The 2008 traffic count along Cypress Creek Road, east of Lakeline Boulevard was 17,067 vehicles per day.

***Subdivision:***

This property is currently subdivided.

***Setback Requirements:***

Front Setback	25'
Side Setback	12'
Site Setback at street	25'
Rear Setback	25'

**Architectural Requirements:**

Each exterior wall area of a site built in the GR district shall have a minimum of 50% masonry construction exclusive of doors and windows. Within the Corridor Overlay, 75% masonry construction is required.

**Case History:**

Case Number	Request	P&Z Recommendation	City Council Action
Z-96-017	From DR, MF and GR to PD	Recommended PD	Approved PD
Z-00-008	PD Amendment	Recommended	Approved Amendment

**Staff Commentary and Recommendation:**

The Lakeline Village Planned Development was originally zoned in 1997. An amendment to a portion of the PD was approved in 2000. The site consists of a Randall’s grocery store and gas station, McDonald’s restaurant, former Kentucky Fried Chicken restaurant, and an Austin Telco Federal Credit Union. The existing development was constructed between 2000 and 2002.

Based upon review of the building plans for this site, the existing development conforms to the zoning regulations of the GR district.

Therefore, staff recommends rezoning the subject portion of the Lakeline Village PD to GR. The rezoning request complies with the FLUP and exemplifies the purpose statement of the GR district.

**PUBLIC NOTICE:** December 8, 2011 Cedar Park Citizen  
17 letter notices were sent to property owners within 300 feet of the tract

**PUBLIC INPUT:** To date, no public input has been received regarding this request.

**PROPOSED CITY COUNCIL HEARINGS:** January 26, 2012 ~ Public Hearing/1<sup>ST</sup> Reading  
February 2, 2012 ~ 2<sup>ND</sup> Reading



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. E.3  
**(Z-11-048 City Initiated) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 1.424 Acres From Planned Development (PD) To General Retail (GR) For Property Located At 1801 South Lakeline Boulevard, In Williamson County, Texas. The Planning And Zoning Commission Voted 6-0 To Approve The Request.**

### Commentary:

The purpose of this agenda item is to consider a City initiated request to rezone approximately 1.424 acres from Planned Development (PD) to General Retail (GR) for property located at 1801 South Lakeline Boulevard.

### Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 6-0 to approve the request.

In favor: Nicholas Kauffman, Thomas Balestiere, Stephen Thomas, Holly Hogue, Alain O'Tool, Lorena Echeverria

Opposed: None

Absent: Jon Lux

### Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on December 20, 2011. No public testimony was received.

### Background:

Owner: Exxon Mobile Corporation

Please see attached Planning & Zoning Commission Report for details.

### Public Information Plan:

*December 8, 2011:* Public notice of the Planning and Zoning Commission public hearing published in the Cedar Park Citizen

*December 9, 2011:* 12 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

*December 20, 2011:* Planning and Zoning Commission public hearing

*January 5, 2012:* Public notice of the City Council public hearing published in the Cedar Park Citizen

*January 26, 2012:* City Council 1<sup>st</sup> reading and public hearing

**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 1.424 ACRES FROM PLANNED DEVELOPMENT (PD) TO GENERAL RETAIL (GR) FOR PROPERTY LOCATED AT 1801 SOUTH LAKELINE BOULEVARD, IN WILLIAMSON COUNTY, TEXAS. (Z-11-048); 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 1.424 acres to General Retail (GR) 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 26<sup>th</sup> day of January, 2012, 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 \_\_\_ day of February, 2012, 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

**Fiscal Impact**

Account No.:

**Budget**

Budget/Expended:

**Associated Information:**

**BEING LOT 12 OF CYPRESS CREEK COMMERCIAL SUBDIVISION NO. 2, RECORDED IN  
DOCUMENT NUMBER 2002033848 OF THE OFFICIAL PUBLIC RECORDS OF  
WILLIAMSON COUNTY, TEXAS.**

**EXHIBIT A**



**Z-11-048**



**EXHIBIT B**

December 20, 2011  Zoning	<i>Planning and Zoning Commission</i> <b>City Initiated Zoning</b> <b>1801 South Lakeline Boulevard</b>	<b>Item:</b> <b>7G &amp;</b> <b>8G</b>
<b>Case Number: # Z-11-048</b>		

**OWNER(s):** Exxon Mobile Corporation

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktx.us](mailto:amy.link@cedarparktx.us)

**LOCATION:** 1801 South Lakeline Boulevard

**COUNTY:** Williamson

**AREA:** 1.424 acres

**EXISTING ZONING:** Planned Development (PD)

**PROPOSED ZONING:** General Retail (GR)

**EXISTING FUTURE LAND USE PLAN:** Regional Office/Retail/Commercial

This request is being initiated by the City in order to rezone a portion of the existing Lakeline Village Planned Development to reflect the commercial development that exists on the property today. City Council has tasked staff with rezoning planned developments to reflect actual land uses on properties, promote economic development of areas, and to indicate the highest and best use of property as designated on the Future Land Use Plan.

**SURROUNDING LAND USES**

The site is surrounded by developed Local Retail (LR) zoned property to the east and south, South Lakeline Boulevard to the north and Cypress Creek Road to the west.



**PURPOSE OF REQUESTED ZONING DISTRICT:**

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

**PERMITTED USES IN GR:**

Permitted uses in the GR district include the following:

- |  |  |   |
|--|--|---|
| Accessory structures                             | Equipment rental, sales, service and/or repair | Personal improvement services   |
| Administrative offices                           | Food sales, limited                            | Pet grooming  |
| Art gallery                                      | Food sales, general (grocery store)            | Places of worship   |
| Art galleries with retail sales                  | Funeral home                                   | Professional offices  |
| Automated Teller Machines                        | Furniture store                                | Public buildings, uses  |
| Automobile parts and accessories sales           | Gasoline service stations, limited and general | Reception hall  |
| Automobile sales, new                            | Golf, amusement                                | Restaurant, general   |
| Automobile sales, used                           | Hardware stores                                | Rental libraries for sound and video recordings                                   |
| Automobile repair shop                           | Home improvement center                        | Research and development activities (as it pertains to software only)             |
| Automotive tire stores                           | Hotel (including extended stay)                | Retail gift store   |
| Bakery, retail                                   | Indoor sports and recreation                   | Retail stores   |
| Banks (with or without drive-through facilities) | Instant print copy services                    | Software development  |
| Bar, Cocktail lounge                             | Landscape nursery and supply store, retail     | Software sales, computer hardware sales   |
| Bed and Breakfast                                | Laundromat                                     | Special events  |
| Car washes                                       | Liquor store                                   | Studios/art studio, dance, music, drama, gymnastics, photography, interior design |
| Civic clubs and fraternal organizations          | Medical offices                                | Temporary buildings   |
| Community center                                 | Motel  | Theaters, indoor  |
| Commercial parking lots                          | Movie and music rentals, sales                 | Theaters, outdoor   |
| Consumer repair shop (including bicycles)        | Nonprofit seasonal fundraisers                 | Transit station   |
| Convenience store                                | Office/showroom                                | Utility services, general   |
| Day care center, adult                           | Office/warehouse                               | Veterinary Services   |
| Day care center, child                           | Personal Improvement Services                  | Vocational or trade school  |
| Day care center, incidental Drugstores           | Personal services                              | Private schools   |
| Dry cleaning and/or laundry, on-site             |  |   |

## **FUTURE LAND USE PLAN:**

The Future Land Use Plan identifies the subject area as suitable for Regional Office/Retail/Commercial development, with compatible zoning districts such as General Office (GO), General Retail (GR) and Mixed Use (MU).

## **COMPREHENSIVE PLAN**

The request is consistent with the following goals set forth in the Comprehensive Plan:

### 4.1.6 Economic Development

- 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
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues
- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context
- Attract commercial development to Cedar Park in order to reduce the tax burden on residential property

## **SITE INFORMATION:**

### ***Corridor Overlay:***

This property is located within the Corridor Overlay.

### ***Transportation:***

South Lakeline Boulevard is classified as a four lane divided major arterial. The 2008 traffic count along South Lakeline Boulevard, south of Cypress Creek Road was 30,642 vehicles per day.

Cypress Creek Road is also classified as a 4 lane major arterial. The 2008 traffic count along Cypress Creek Road, east of Lakeline Boulevard was 17,067 vehicles per day.

### ***Subdivision:***

This property is currently subdivided.

**Setback Requirements:**

Front Setback	25'
Side Setback	12'
Site Setback at street	25'
Rear Setback	25'

**Architectural Requirements:**

Each exterior wall area of a site built in the GR district shall have a minimum of 50% masonry construction exclusive of doors and windows. Within the Corridor Overlay, 75% masonry construction is required.

**Case History:**

Case Number	Request	P&Z Recommendation	City Council Action
Z-96-017	From DR, MF and GR to PD	Recommended PD	Approved PD

**Staff Commentary and Recommendation:**

The Lakeline Village Planned Development was originally zoned in 1997. The site consists of a gas station with convenience store. Based upon review of the building plans for this site, the existing development conforms to the zoning regulations of the GR district.

Therefore, staff recommends rezoning the subject portion of the Lakeline Village PD to GR. The rezoning request complies with the FLUP and exemplifies the purpose statement of the GR district.

**PUBLIC NOTICE:** December 8, 2011 Cedar Park Citizen  
12 letter notices were sent to property owners within 300 feet of the tract

**PUBLIC INPUT:** To date, no public input has been received regarding this request.

**PROPOSED CITY COUNCIL HEARINGS:** January 26, 2012 ~ Public Hearing/1<sup>ST</sup> Reading  
February 2, 2012 ~ 2<sup>ND</sup> Reading



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. E.4  
**(Z-11-050) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 2.83 Acres From General Office (GO) To Local Retail-Conditional Overlay (LR-CO) For Property Located On Old Mill Road, West Of Lakeline Boulevard. The Planning And Zoning Commission Voted 6-0 To Approve The Request.**

### Commentary:

The purpose of this agenda item is to consider a request by Caspita Industries, Ltd. to rezone approximately 2.8386 acres from General Office (GO) to Local Retail-Conditional Overlay (LR-CO) for property located on Old Mill Road, west of Lakeline Boulevard. The Conditional Overlay includes the following conditions:

- Prohibit art gallery with retail sales, art studio, automotive parts and accessories sales, retail bakery, bed and breakfast, community center, consumer repair shop, convenience store, food sales-general, gasoline service station-limited, golf amusement, hardware stores, hotel, instant print copy services, landscape nursery and supply store, laundromat, liquor store, motel, movie and music rentals/sales, nonprofit seasonal fundraisers, pet grooming, rental libraries for sound and video recordings, research and development activities (software only), restaurant-general, retail stores, software sales/computer hardware sales, veterinary services.
- Building height shall not exceed thirty-five (35) feet
- Free standing light poles shall not exceed twenty (20) feet in height

### Planning & Zoning Commission Recommendation to the City Council:

The Planning and Zoning Commission voted 6-0 to approve the request.

In favor: Nicholas Kauffman, Thomas Balestiere, Stephen Thomas, Holly Hogue, Alain O'Tool, Lorena Echeverria

Opposed: None

Absent: Jon Lux

### Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on December 20, 2011. No public testimony was received.

### Background:

Owner: Caspita Industries, Ltd.

Please see attached Planning & Zoning Commission Report for details.

**Public Information Plan:**

- December 8, 2011:* Public notice of the Planning and Zoning Commission public hearing published in the Cedar Park Citizen
- December 9, 2011:* 28 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
- December 20, 2011:* Planning and Zoning Commission public hearing
- January 5, 2012:* Public notice of the City Council public hearing published in the Cedar Park Citizen
- January 26, 2012:* City Council 1<sup>st</sup> reading and public hearing

**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 2.8386 ACRES FROM GENERAL OFFICE (GO) TO LOCAL RETAIL-CONDITIONAL OVERLAY (LR-CO) FOR PROPERTY LOCATED ON OLD MILL ROAD, WEST OF LAKELINE BOULEVARD, IN WILLIAMSON COUNTY, TEXAS. (Z-11-050); 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 2.8386 acres to Local Retail-Conditional Overlay (LR-CO) as set forth in the legal description labeled Exhibit "A", and the property location map labeled Exhibit "B". The Conditional Overlay includes the following conditions:

1. Prohibit art gallery with retail sales, art studio, automotive parts and accessories sales, retail bakery, bed and breakfast, community center, consumer repair shop, convenience store, food sales-general, gasoline service station-limited, golf amusement, hardware stores, hotel, instant print copy services, landscape nursery and supply store, laundromat, liquor store, motel, movie and music rentals/sales, nonprofit seasonal fundraisers, pet grooming, rental libraries for sound and video recordings, research and development activities (software only), restaurant-general, retail stores, software sales/computer hardware sales, veterinary services.
2. Building height shall not exceed thirty-five (35) feet
3. Free standing light poles shall not exceed twenty (20) feet in height

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 26<sup>th</sup> day of January, 2012, 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 \_\_\_ day of February, 2012, 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

**Fiscal Impact**

Account No.:

**Budget**

Budget/Expended:

**Associated Information:**

**CRICHTON AND ASSOCIATES, INC.  
LAND SURVEYORS**

6448 HIGHWAY 290 EAST  
SUITE B-105  
AUSTIN, TX 78723  
512-244-3395 - PHONE  
512-244-9508 - FAX

**FIELD NOTES**

**FIELD NOTES FOR SURVEY OF 2.8386 ACRES OUT OF THE RACHAEL SAUL LEAGUE, ABSTRACT NO. 551 IN WILLIAMSON COUNTY, TEXAS BEING A PORTION OF A 58.480 ACRE TRACT CONVEYED TO CASPITA INDUSTRIES LIMITED IN VOL. 2234 PG. 438 OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING at a ½" iron rod set in the North line of Lot 10 Shenandoah Section 2, a subdivision recorded in Cab. B Slide 185 of the Williamson County, Texas Plat Records also being the Southeast corner of Lot 15, Lakeline Oaks Section 2, a subdivision recorded in Cab. M, Slide 132 of the Williamson County, Texas Plat Records also being the Southwest corner of said 58.480 acre tract for the Southwest corner of this tract and the POINT OF BEGINNING.

THENCE N 20° 40' 55" W with the East line of said Lot 15, 454.99 feet to an "X" cut on the top of a brick column on the curving South R.O.W. Old Mill Road being the Northeast corner of said Lot 15 for the Northwest corner of this tract.

THENCE with the South R.O.W. of Old Mill Road with a curve to the left whose elements are R= 436.00, L= 259.62 whose chord bears N 52° 01' 02" E, 255.80 feet to a ½" iron pin set for the Northeast corner of this tract.

THENCE S 20° 42' 10" E through the interior of said 58.480 acre tract, 530.38 feet to a ½" iron pin set on the North line of Lot 8 of said Shenandoah Section 2 for the Southeast corner of this tract.

THENCE S 69° 13' 08" W with the South line of said 58.480 acre tract, 9.05 feet to a ½" iron pin found at the North common corner of said Lot 8 and Lot 9, Shenandoah Section 2.

THENCE S 69° 11' 17" W with the North line of said Lot 9, 210.13 feet to a ½" iron in found at the North common corner of said Lot 9 and Lot 10.

THENCE S 68° 53' 27" W with the North line of said Lot 10, 25.25 feet to the POINT OF BEGINNING and containing 2.8386 acres more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal September 27, 2011



Herman Crichton, R.P.L.S. 4046  
11\_386



**EXHIBIT A**



**Z-11-050**



**EXHIBIT B**

December 8, 2011 Zoning	<i>Planning and Zoning Commission</i> <b>Caspita Industries</b>	<b>Item: 71 &amp; 81</b>
<b>Case Number: # Z-11-050</b>		

**Owner:** Caspita Industries Ltd.

**Agent:** Jennie Braasch, Pohl Partners

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktx.us](mailto:amy.link@cedarparktx.us)

**LOCATION:** Old Mill Road, west of S. Lakeline Boulevard

**COUNTY:** Williamson

**AREA:** 2.8386 acres

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**EXISTING ZONING:** General Office (GO)

**PROPOSED ZONING:** Local Retail-Conditional Overlay (LR-CO) with the following conditions:

- Prohibit art gallery with retail sales, art studio, automotive parts and accessories sales, retail bakery, bed and breakfast, community center, consumer repair shop, convenience store, food sales-general, gasoline service station-limited, golf amusement, hardware stores, hotel, instant print copy services, landscape nursery and supply store, laundromat, liquor store, motel, movie and music rentals/sales, nonprofit seasonal fundraisers, pet grooming, rental libraries for sound and video recordings, research and development activities (software only), restaurant-general, retail stores, software sales/computer hardware sales, veterinary services.
- Building height shall not exceed thirty-five (35) feet
- Free standing light poles shall not exceed twenty (20) feet in height

**STAFF RECOMMENDATION:** Local Retail-Conditional Overlay (LR-CO) as requested by the applicant

**EXISTING FUTURE LAND USE DESIGNATION:** Neighborhood Office/Retail/Commercial

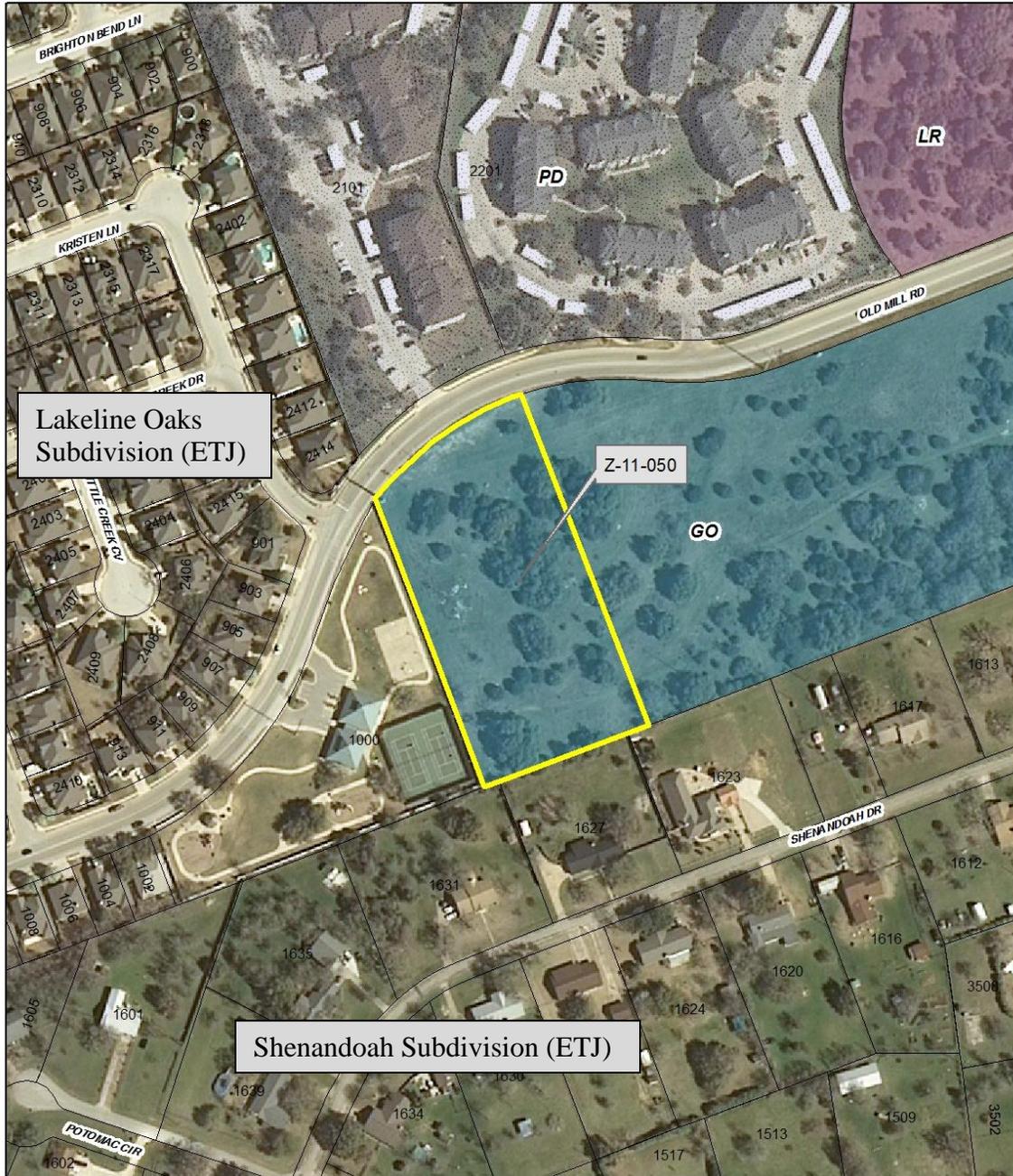
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**SUMMARY OF REQUEST:**

The applicant is requesting to rezone approximately 2.83 acres from General Office (GO) to Local Retail-Conditional Overlay (LR-CO) for property located on Old Mill Road, west of South Lakeline Boulevard.

**EXISTING SITE and SURROUNDING USES:**

The site is currently undeveloped and is surrounded by undeveloped GO property to the east, single family residential to the south (ETJ), a neighborhood park to the west (ETJ), and Old Mill Road to the north.



## **PURPOSE OF REQUESTED ZONING DISTRICT:**

The Local Retail District, LR, is established to provide for office and retail businesses that are intended to serve the overall community, with a larger market than the immediate neighborhoods in the area. In order to accommodate the traffic generated from these businesses without negatively impacting the residential neighborhoods, these uses should be located primarily at pulse points or activity nodes where collector streets and arterial roadways intersect or at arterial roadway intersections. These uses generally serve a larger market than businesses found in a TC District; yet generally serve a local market opposed to the regional market served by uses in a GR District.

The purpose of a Conditional Overlay Combining District (CO) is to modify use and site development regulations to address the specific circumstances presented by a site. The Conditional Overlay Combining District may be used to promote compatibility between competing and potentially incompatible land uses (ex. prohibit a permitted use in the base district); ease the transition from one base district to another (ex. requiring additional buffers); address land uses or sites with special requirements (ex. prohibit access to a specific roadway from a site); and guide development in unique circumstances (ex. increase the minimum lot size).

## **PERMITTED USES IN LR:**

Accessory structures	Food sales, general	Rental libraries for sound
Administrative offices	(grocery store)	and video recordings
Art gallery	Gasoline service stations,	Research and
Art galleries with retail	limited	development activities (as
sales	Golf, amusement	it pertains to software only
Automated Teller	Hardware stores	Retail gift store
Machines	Instant print copy services	Retail stores
Automobile parts and	Landscape nursery and	Software development
accessories sales	supply store, retail	Software sales, computer
Bakery, retail	Laundromat	hardware sales
Banks (with or without	Liquor store	Studios/art studio, dance,
drive-through facilities)	Medical offices	music, drama, gymnastics,
Bed and Breakfast	Movie and music rentals,	photography, interior
Community center	sales	design
Consumer repair shop	Nonprofit seasonal	Temporary buildings
(including bicycles)	fundraisers	Utility services, general
Convenience store	Personal Improvement	Veterinary Services
Day care center, adult	Services	Vocational or trade school
Day care center, child	Personal services	Private schools
Day care center, incidental	Pet grooming	(Accredited only, with
Drugstores	Places of worship	curriculum equivalent to
Dry cleaning and/or	Professional offices	public elementary or
laundry, on-site	Public buildings, uses	secondary schools)
Food sales, limited	Restaurant, general	

**COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:**

The Future Land Use Plan identifies the subject area as suitable for Neighborhood Office/Retail/Commercial uses, with compatible zoning districts such as Transitional Office (TO), Transitional Commercial (TC), General Office (GO), Local Retail (LR) and Mixed Use (MU).

The applicant's request complies with the Future Land Use Plan (FLUP).

The request is also consistent with the following goals set forth in the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses.
- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues.
- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context.

**SITE INFORMATION:**

***Corridor Overlay:***

This tract is not located within the Corridor Overlay.

***Transportation:***

Old Mill Road is classified as a neighborhood collector, with 64 feet of right-of-way and 44 feet of pavement.

***Water and Wastewater Utilities:***

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

***Subdivision:***

The property is not subdivided.

***Setback Requirements:***

	<b>Local Retail (LR)</b>
<b>Front Setback</b>	25'
<b>Side Setback</b>	12'
<b>Rear Setback adjacent to single family</b>	20'

***Architectural Requirements:***

Each exterior wall area of a site built in the LR district shall have a minimum of 50% masonry construction exclusive of doors and windows.

**CASE HISTORY:**

<b>Case Number</b>	<b>Request</b>	<b>P&amp;Z Recommendation</b>	<b>CC Action</b>
Z-95-007	Interim R-1 to PUD	Recommended PUD	Approved PUD
Z-03-013	PUD to CD, LR and GO	Recommended CD, LR and GO	Approved CD, LR and GO
Z-07-046	GO to MF	Recommended Denial	Withdrawn – no action taken

**STAFF COMMENTARY:**

The subject tract is currently zoned General Office (GO). The intent of the applicant is to develop an indoor sports and recreation facility on the site. This use is a conditional use within the LR district, which requires an additional public hearing and approval of the Planning and Zoning Commission at the time of site development. The applicant proposes to prohibit those LR uses that are not permitted in the existing GO zoning designation through a conditional overlay. For reference, a comparison of uses in the existing GO and proposed LR-CO zoning designations is provided as an attachment to this staff report. Uses highlighted in red are the uses proposed in the LR-CO request. Please note that the proposed LR-CO designation allows fewer permitted uses than currently allowed in the GO district.

In an effort to provide increased compatibility with the surrounding properties, the applicant proposes to limit the building height to thirty-five (35) feet and limit any free standing light poles on the property to twenty (20) feet. The building height limitation is ten feet less than what is permitted in the LR district, and 40 feet less than what is currently permitted on the property. The proposed light pole height is five feet less than what is currently permitted.

Including the conditional overlay in the applicant's request ensures that permitted land uses remain consistent with those that are currently permitted and provides greater compatibility between the proposed development and the surrounding neighborhood. A twenty (20) foot buffer and masonry fence will be required along the southern property line, adjacent to single family residences. A masonry fence already exists to the west and provides a buffer between the subject tract and an existing neighborhood park.

Finally, the applicant's request is compatible with the Future Land Use Plan and is supported by the purpose statement of the Local Retail and Conditional Overlay districts. The tract is located on a collector roadway, within a third of a mile of Lakeline Boulevard; the uses within the LR district will serve both the local market as well as the overall community; the proposal promotes compatibility between land uses and eases the transition from commercial zoning to the surrounding residential neighborhoods.

**STAFF RECOMMENDATION:**

Based upon the above information, staff recommends approval of LR-CO as requested by the applicant.

**PUBLIC INPUT:** To date, no public testimony has been received.

**PUBLIC NOTIFICATION:** Cedar Park Citizen, December 8, 2011

28 letter notices were sent to property owners within the 300' buffer

**PROPOSED CITY COUNCIL HEARINGS:** (January 26, 2012) 1<sup>ST</sup> Reading  
(February 2, 2012) 2<sup>ND</sup> Reading

<u>GO USES</u>	<u>LR USES</u>
Accessory structures	Accessory structures
Administrative offices	Administrative offices
Ambulatory Surgery Center	Art gallery
Art gallery	Automated Teller Machines
Automated teller machines	Banks (with or without drive-through facilities)
Banks (with drive-through facilities as a secondary use only)	Day care center, adult
College and University	Day care center, child
Communication services	Day care center, incidental
Convalescent Nursing Home	Drugstores
Day Care Center, Adult	Dry cleaning and/or laundry, on-site
Day Care Center, Child	Food sales, limited
Day care center, incidental	Medical offices
Day nurseries, day care facilities	Personal Improvement Services
Drug Store	Personal services
Dry cleaning and/or laundry, on-site plant	Places of worship
Extended care facilities, nursing home	Private schools
Medical offices	Professional offices
Medical or dental clinics	Public buildings, uses
Medical, surgical, and dental supply houses	Restaurant, limited
Parking lots, driveways, on-site or off-site	Retail gift store
Personal improvement services, limited	Software development
Personal services, general	Temporary buildings
Places of worship	Utility services, general
Private schools	Vocational or trade school
Professional offices	Wireless telecommunications facilities
Public building, uses	Indoor Sports and Recreation (c)
Restaurant, limited	Art galleries with retail sales
Retail gift store	Studios/art studio, dance, music
Secondary uses permitted with convalescent nursing homes	Automobile parts and accessories sales
Software development	Bakery, retail
Temporary buildings	Bed and Breakfast
Utility services, general	Community center
Vocational or trade school	Consumer repair shop (including bicycles)
Wireless telecommunications facilities	Convenience store
	Food sales, general (grocery store)
	Gasoline service stations, limited
	Golf, amusement
	Hardware stores
	Instant print copy services
	Landscape nursery and supply store, retail
	Laundromat
	Liquor store
	Movie and music rentals, sales
	Nonprofit seasonal fundraisers
	Pet grooming
	Restaurant, general
	Rental libraries for sound and video recordings
	Research and development activities (as it pertains to software only)
	Retail stores
	Software sales, computer hardware sales
	Veterinary Services



**Applicant's Summary of Neighborhood Communications**

1. How and when were the surrounding neighborhood and property owners notified, how was information shared, and who was directly involved in the communication process?

10/17/2011 Email to Neighborhood (Lakeline Oaks) Pres.  
10/19/2011 4ft x 8ft sign Posted by Property to announce meeting  
10/20/2011 put flyers on 100 homes in Sherwood Oak & Lakeline Oaks  
10/26/2011 Held meeting at Park Building in Lakeline Oaks  
11/4/2011 Follow up Email to HOA Pres.

2. Who was notified (i.e. property owners, HOA, etc)?

property owners, HOA, MUD #1

3. What concerns were raised during these communications?

liked soccer next to park, minor concerns for traffic,  
Home owners asked many questions that developer/buyer answered

4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

None - Note: we told neighbors uses in LR that are also  
in G.O. would remain. Uses in LR not in GO would be  
omitted, except for specific uses for indoor soccer & outdoor  
soccer field

\*\*\*\*\*

The above information is deemed to be true to the best of my knowledge.

Signed: Jennie Brank Date 11/21/11



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. F.0  
**Discussion And Possible Action:**

**Commentary:**



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. F.1  
**Update And Report On The Proposed City Of Cedar Park Charter Amendments.**

**Commentary:**



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. F.2

### **Consideration To Approve A Resolution To Join The Capital Area Council Of Governments ("CAPCOG") Central Texas Clean Air Coalition.**

#### **Commentary:**

The Central Texas Clean Air Coalition is a group of elected officials from certain cities and counties in the Austin-Round Rock Metropolitan Statistical Area (MSA). The purpose of the Clean Air Coalition (CAC) is to develop, adopt, and implement a clean air plan to achieve and maintain compliance with federal ground-level ozone standards for the counties contained in the MSA. The CAC develops policies and strategies that provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas and to work cooperatively to achieve clean air standards that will protect the public health while allowing governments the flexibility to select measures best suited to each community's needs and resources.

Two types of memberships are offered by the CAC. According to CAC by-laws, general members shall be elected officials representing local governments. Supporting members act within their jurisdictions so support the purpose of the CAC, but do not vote in matters that affect the policies set forth by the CAC, and are not required to attend meetings. This resolution would authorize the Cedar Park to join the CAC as a general member.

Also needed for membership is a resolution adopting and ratifying the existing 8-hour Ozone Flex Program and three "clean air measures" that are imposed only on city operations (not private business). Council also will need to appoint an official member to the CAC. Each of those items will be discussed further in its respective agenda item.

Participation in CAC does not invoke any regulations upon businesses by Cedar Park.

The City of Cedar Park reserves the right to withdraw from its ratification of the current air quality plan, its commitment to implement emission control measures, and its membership in the Central Texas Clean Air Coalition upon a majority vote of the City Council. The City Manager shall notify the Chair of the Central Texas Clean Air Coalition and the Capital Area Council of Government's Air Quality Program staff liaison to the Clean Air Coalition of any such decision by the Council as expeditiously as practicable.

A copy of the CAC By-Laws is attached. A copy of the 8-Hour Ozone Flex Program is attached to the next agenda item to ratify the program and approve certain clean air measures.

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**City Manager's Remarks**

**City Manager**

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**Fiscal Impact**

n/a

**Budget**

**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 THE CITY TO JOIN THE CAPITAL AREA COUNCIL OF GOVERNMENT CLEAN AIR COALITION AS A GENERAL MEMBER; 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 Central Texas Clean Air Coalition is a voluntary, unincorporated association whose purpose is to develop, adopt, and implement a clean air plan to achieve and maintain compliance with federal ground-level ozone standards for the counties of Bastrop, Caldwell, Hays, Travis, and Williamson, to establish and monitor a regional effort toward the improvement of air quality, to develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas, and to work cooperatively to achieve clean air standards that will protect public health and yet allow local governments the flexibility to select measures best suited to each community's needs and resources; and

WHEREAS, The City of Cedar Park is hereby authorized to join the Central Texas Clean Air coalition as a General Member and shall adhere to the Coalition's bylaws; and

WHEREAS, The City of Cedar Park reserves the right to withdraw from its ratification of the current air quality plan, its commitment to implement emission control measures, and its membership in the Central Texas Clean Air Coalition upon a majority vote of the City Council. The City Manager shall notify the Chair of the Central Texas Clean Air Coalition and the Capital Area Council of Government's Air Quality Program staff liaison to the Clean Air Coalition of any such decision by the Council as expeditiously as practicable.

WHEREAS, The City Manager is authorized to evaluate air pollution control priorities and strategies appropriate to the City of Cedar Park and the region, and to undertake public involvement and outreach efforts to promote the 8-hour Ozone Flex Program and increase citizen awareness of air quality issues.

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

SECTION 1. The City of Cedar Park is authorized to join the Central Texas Clean Air Coalition.

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 26th day of January, 2012.

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

**Central Texas Clean Air Coalition  
of the  
Capital Area Council of Governments**

**Article I – Name, Purpose, Responsibilities**

The Central Texas Clean Air Coalition, herein after known as the “CLEAN AIR COALITION”, is a voluntary, unincorporated association which became linked with the Capital Area Council of Governments (CAPCOG) by a resolution that was adopted November 13, 2002.

The purpose of the CLEAN AIR COALITION is:

- To develop, adopt and implement a clean air plan to achieve and maintain compliance with federal ground-level ozone standards for the counties of Bastrop, Caldwell, Hays, Travis and Williamson
- To establish and monitor a regional effort toward the improvement of air quality
- To develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas
- To work cooperatively to achieve clean air standards that will protect public health and yet allow local governments the flexibility to select measures best-suited to each community’s needs and resources

**Article II - Membership**

**Initial Membership**

The initial CLEAN AIR COALITION is composed of elected officials from the existing five (5) county Austin-Round Rock Metropolitan Statistical Area (MSA) and are represented by the governmental agencies that are signatories to the Central Texas One-Hour Ozone Flex Agreement, which is the area’s first regional air quality plan. Each agency’s governing body appoints one elected official to serve on the Coalition by written notification to the CAPCOG staff liaison.

The following are governmental agencies that are signatories to the Central Texas One-Hour Ozone Flex Agreement:

- The City of Austin
- The City of Round Rock
- The City of San Marcos
- The City of Elgin
- The City of Bastrop
- City of Luling
- City of Lockhart
- Bastrop County
- Caldwell County
- Hays County
- Travis County
- Williamson County

### Terms

1. The term of appointment for a member of the CLEAN AIR COALITION shall begin on the date of appointment by the member's governing body, and will terminate December 31st in odd numbered years.
2. There is no limit to the number of times that a member may be re-appointed. In the case of a vacancy, the CAPCOG staff liaison shall notify the member's governing body and that body shall appoint a replacement

### Vacancy

A vacancy occurs when

1. A member dies; or
2. A member's term expires and the member is not reappointed; or
3. A member is no longer an elected official; or
4. A member resigns; or
5. A member is removed

### Attendance

1. Members are expected to attend all meetings.
2. Attendance records documenting CLEAN AIR COALITION member absences will be maintained by the CAPCOG liaison. If a member is unable to attend a scheduled meeting, notification must be provided to the liaison prior to the meeting and the member may send a representative who assumes all rights and responsibilities of the member.
3. If within one calendar year a member misses (and does not send a representative) two (2) consecutive meetings the member's governing body will be notified in writing. The member's governing body will have the option of replacing the member, if appropriate.

### New Members

Membership may be expanded by majority vote of the CLEAN AIR COALITION. There are two categories of membership for new members, general members and supporting members. If new members are eligible for more than one membership category, new members may choose the membership category they wish to participate under.

General members shall be elected officials representing local governments or Independent School Districts within the Austin/Round Rock MSA and shall have all the rights and responsibilities of initial members. General members must ratify the current clean air plan and commit to implementing selected emission reduction measures.

Supporting members shall act within their individual jurisdictions or agencies to support the purpose of the CLEAN AIR COALITION and report their actions to the CLEAN AIR COALITION or CAPCOG liaison upon request. Supporting members are not required to attend meetings and are not allowed to vote.

New members may change their membership category if they meet eligibility requirements and are endorsed by a majority vote of the CLEAN AIR COALITION.

## Article III - Officers

### Election

Election of a Chair and up to two (2) Vice-Chairs will occur at the first meeting of each odd-numbered calendar year, with the following representation:

- One (1) from local governing bodies in Travis County; or
- One (1) from either local governing bodies in Williamson or Hays Counties; or One (1) from local governing bodies in any of the MSA counties.

### Terms

1. Officers serve two-year terms.
2. Officers may serve a maximum of two (2) consecutive terms.

### Vacancy

In the event an Officer is unable to fulfill his/her term, the remaining Officers move up to fill open positions. The CLEAN AIR COALITION may elect a replacement, at a regular or specially called meeting, to ensure a full complement of Officers for the remainder of the unexpired term

### Duties

1. The Chair shall preside at all meetings of the CLEAN AIR COALITION.
2. Vice-Chairs shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the CLEAN AIR COALITION.
3. In case the Chair and Vice-Chairs are absent or unable to perform their duties, the CLEAN AIR COALITION may appoint a Chair pro tem.

### Other Officers

The CLEAN AIR COALITION may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the CLEAN AIR COALITION members at any regularly scheduled meeting where a quorum is present

## Article IV - Meetings

### Regular Meetings

1. The CLEAN AIR COALITION shall meet on a day, time and place specified by the Chair of the CLEAN AIR COALITION.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the CLEAN AIR COALITION liaison and mailed, or electronically transmitted, or hand-delivered to each CLEAN AIR COALITION member at least five (5) business days before the meeting date.
3. The Chair has the discretion to allow meetings to be conducted via teleconference or video conference.

### Special Meetings

1. The CLEAN AIR COALITION shall meet specially, if called by the CLEAN AIR COALITION Chair or requested in writing by at least one-third of the membership, excluding vacancies, of the CLEAN AIR COALITION.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describing the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

### Quorum and Action

1. Members or designated representatives present from a majority of the Counties in the Austin-Round Rock MSA constitute a quorum for conducting CLEAN AIR COALITION business.
2. A majority vote of the members or designated representatives present at an established quorum meeting is necessary for action by the CLEAN AIR COALITION for the entire meeting.

### Open Meetings and Records

1. All meetings of the CLEAN AIR COALITION shall be open to the public. It is the intention of the CLEAN AIR COALITION that meetings be open to the public.
2. Minutes or meeting notes of the CLEAN AIR COALITION meetings, documents distributed and other records will be kept at CAPCOG. The CAPCOG liaison shall be the recording clerk. The recording clerk shall keep recordings of all CLEAN AIR COALITION meetings for a period of one (1) year after each meeting; print copies of summary minutes for each meeting shall be permanently maintained on file. These materials are available for public view, at the CAPCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of CLEAN AIR COALITION meetings.

### Professional Conduct

CLEAN AIR COALITION members should maintain objectivity and professionalism when carrying out business of the CLEAN AIR COALITION.

### Sub-Committees:

The CLEAN AIR COALITION may create ad hoc committees or technical sub-committees as deemed appropriate.

## **Article V – Amendments by the Clean Air Coalition**

### Authority of the CLEAN AIR COALITION

CLEAN AIR COALITION may amend these bylaws at a regular or specially called meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

### Effective Date

An Amendment to the bylaws takes effect when approved by the CLEAN AIR COALITION unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to CLEAN AIR COALITION members by the CAPCO liaison.

Bylaws History

Adopted January 9, 2002

Amended October 15, 2003

Amended June 26, 2009



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. F.3

### **Consideration To Approve A Resolution Adopting The 8-Hour Ozone Flex Program And Three Clean Air Measures.**

#### **Commentary:**

In September 2008, several local elected officials participating in the Capital Area Council of Governments (CAPCOG) Central Texas Clean Air Coalition (CAC), located in the Austin-Round Rock Metropolitan Statistical Area (MSA), along with the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ), entered into an agreement known as the 8-Hour Ozone Flex Program (8-O3 Flex). This program is designed to guide implementation of emission reduction measures in the region, to continue making improvements in air quality, and to help the region maintain compliance with the 1997 eight-hour ozone standard of 84 parts per billion (ppb).

This resolution is required as a condition of participation as a general member of the CAC. The resolution recognizes the 8-O3 Flex program as an option to assist local governments seeking a means to maintain attainment with the National Ambient Air Quality Standards for ozone. Furthermore, the resolution adopts three emission control measures specific to Cedar Park; 1) a “no idle policy” for vehicles and equipment weighing in excess of 14,000 pounds excluding public safety vehicles or vehicles being used during a utility emergency; 2) direct deposit for employees; and 3) participating in efforts to promote efficient traffic signal operations through signal synchronization and other Intelligent Transportation System (ITS) technologies. All three of these adopted measures are practices already adhered to in policies or procedures by Cedar Park and are only applicable to city functions (they do not apply to private business). The resolution simply states the practices formally by resolution for purposes of fulfilling the CAC requirements. Additional clean air measures are also already in place, and our presentation will highlight many of those measures.

The resolution also supports the existing 8-O3 program, attached.

**Fiscal Impact**

**Budget**

The recommended voluntary compliance measures are paid for through other projects or operating procedures already in place or funded by other sources. No additional funding is required to join the Clean Air Coalition or participate in the adopted measures.

**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, TO SUPPORT THE CAPITAL AREA COUNCIL OF GOVERNMENTS CENTRAL TEXAS CLEAN AIR COALITION 8-HOUR OZONE PROGRAM AND TO IMPLEMENT CERTAIN EMISSION CONTROL MEASURES; 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 Central Texas Clean Air Coalition is a voluntary, unincorporated association whose purpose is to develop, adopt, and implement a clean air plan to achieve and maintain compliance with federal ground-level ozone standards for the counties of Bastrop, Caldwell, Hays, Travis, and Williamson, to establish and monitor a regional effort toward the improvement of air quality, to develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas, and to work cooperatively to achieve clean air standards that will protect public health and yet allow local governments the flexibility to select measures best suited to each community's needs and resources; and

WHEREAS, The City of Cedar Park hereby ratifies the current air quality plan known as the 8-O3 Flex and commits to implementing the following emission control measures: (1) a no-idle policy for city vehicles in excess of 14,000 pounds, excluding any public safety vehicles or vehicles being used during utility emergencies; (2) direct deposit banking for city employees (3) participating in efforts to promote efficient traffic signal operations through signal synchronization and other Intelligent Transportation System (ITS) technologies; and

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

SECTION 1. The City of Cedar Park hereby shall support the Capital Area Council of Governments Central Texas Clean Air Coalition 8-hour Ozone Program and to implement certain emission control measures.

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 26th day of January, 2012.

CITY OF CEDAR PARK, TEXAS

\_\_\_\_\_  
Robert S. Lemon, Mayor

ATTEST:

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LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

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Charles W. Rowland, City Attorney

# 8 Hour Ozone Flex Program Austin-Round Rock Metropolitan Statistical Area

April 2008



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## LIST OF FREQUENTLY USED ACRONYMS

8-hour O<sub>3</sub> Flex Program: 8-Hour Ozone Flex Program  
CAC: Central Texas Clean Air Coalition  
CAF: CLEAN AIR Force of Central Texas  
CAMPO: Capital Area Metropolitan Planning Organization  
CAPCOG: Capital Area Council of Governments  
CAPP: Clean Air Partners Program  
EAC: Early Action Compact  
EACTF: Early Action Compact Task Force  
EI: Emissions Inventory  
EPA: U. S. Environmental Protection Agency  
I&M: Vehicle Emission Inspection and Maintenance  
MOA: Memorandum of Agreement  
MSA: Austin-Round Rock Metropolitan Statistical Area  
NAAQS: National Ambient Air Quality Standards  
NO<sub>x</sub>: oxides of nitrogen  
O<sub>3</sub>: Ozone  
ppb: parts per billion  
ppm: parts per million  
SIP: State Implementation Plan  
TCEQ: Texas Commission on Environmental Quality  
TERMS: Transportation Emission Reduction Measures  
TERP: Texas Emission Reduction Program  
tpd: tons per day  
tpy: tons per year  
TxLED: Texas Low Emission Diesel  
TxDOT: Texas Department of Transportation  
VMEP: Voluntary Mobile Source Emission Reduction Program  
VOC: volatile organic compounds

# Chapter One: Introduction

Local governments, community and business leaders, environmental groups, and concerned citizens in the Austin-Round Rock Metropolitan Statistical Area (MSA) are committed to ensuring good air quality. These groups work with the Texas Commission on Environmental Quality (TCEQ) and the U.S. Environmental Protection Agency (EPA) to implement voluntary programs to assure continued attainment of the federal 8-hour standard for ground-level ozone (O<sub>3</sub>).

The 8-hour O<sub>3</sub> Flex program is the latest in a series of regional initiatives and builds on the region's previous plans: the 1-hour O<sub>3</sub> Flex program and the Early Action Compact. These voluntary initiatives allow the region to address regional ozone problems proactively rather than wait to address them through the prescribed federal nonattainment process. Through these efforts, directed by the elected officials of the Central Texas Clean Air Coalition (CAC), the region has maintained compliance with the federal ozone standard despite a population growth rate that far exceeds the state and national average (Figure 1.1).

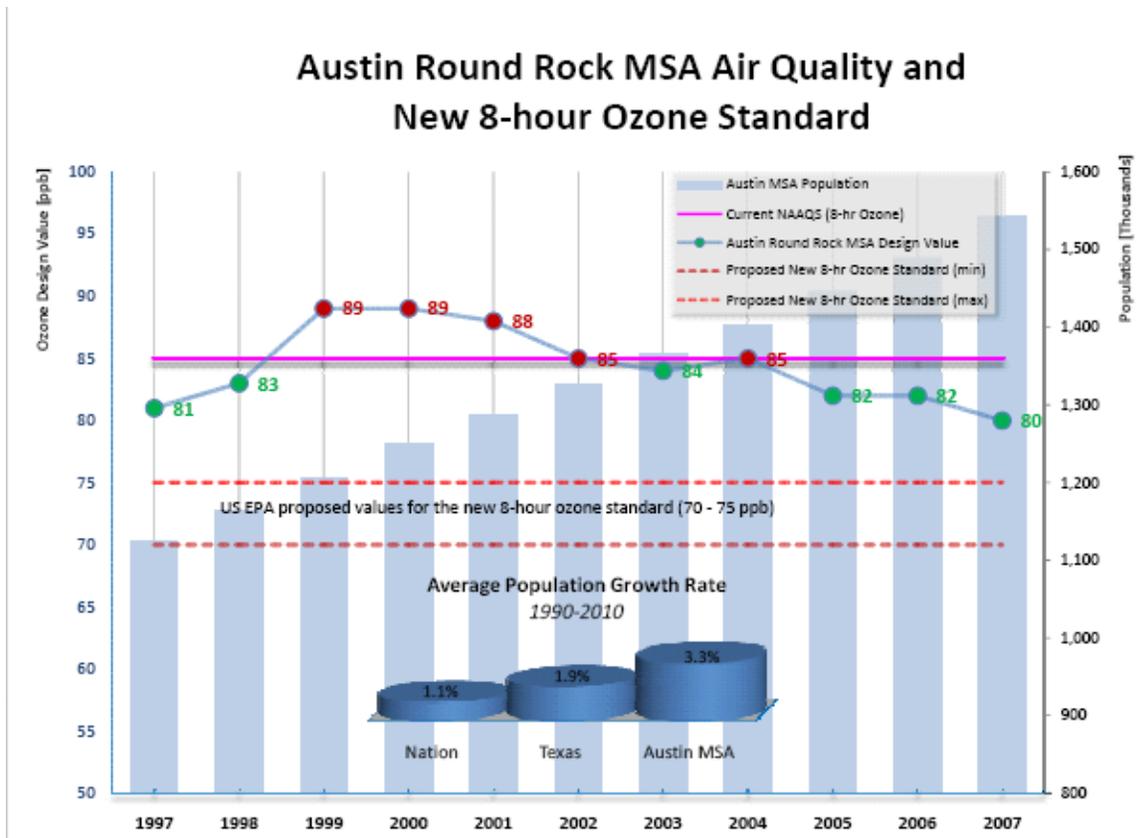


Figure 1.1 Austin Round-Rock MSA Air Quality and Population Growth Trends

## 1.1 Ground-level Ozone

Implementing the 8-hour O<sub>3</sub> Flex program supports reduction of emissions that produce ozone. Ozone is a form of oxygen with three atoms instead of the usual two. It is a photochemical oxidant. At ground level, ozone is the main component of smog. Ozone is not emitted directly into the air but is formed through chemical reactions between natural and man-made emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) in the presence of heat and sunlight. Reducing ozone levels requires reductions in ozone precursors, predominantly VOCs and NO<sub>x</sub>.

## 1.2 Health and Environmental Effects

High levels of ground-level ozone can be a health hazard. People with lung disease, children, seniors, and people who are active outdoors can be affected when ozone levels are unhealthy. Studies link high levels of ground-level ozone exposure to:

- lung irritation that can cause inflammation much like a sunburn;
- wheezing, coughing, pain when taking a deep breath, and breathing difficulties during exercise or outdoor activities;
- permanent lung damage to those with repeated high-level exposure to ozone; and
- aggravated asthma, reduced lung capacity, and increased susceptibility to respiratory illnesses like pneumonia and bronchitis.

High levels of ground-level ozone can have detrimental effects on plants and ecosystems. These effects include:

- interfering with the ability of sensitive plants to produce and store food, making them more susceptible to certain diseases, insects, other pollutants, competition and harsh weather;
- damaging the leaves of trees and other plants, negatively impacting the appearance of urban vegetation, national parks, and recreation areas; and
- reducing crop yields and forest growth, potentially impacting species diversity in ecosystems.

## 1.3 Federal Ozone Standards

The Federal Clean Air Act directs EPA to set National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. Ground-level ozone is one of the pollutants for which EPA has promulgated primary and secondary NAAQS. Primary standards set limits to protect public health, including the

health of "sensitive" populations such as asthmatics, children, and seniors. Secondary standards set limits to protect public welfare, including protection against visibility impairment, damage to animals, crops, vegetation, and buildings.

The primary and secondary ozone standards, in effect as of April 30, 2004, are set at 0.08 parts per million (ppm), or 84 parts per billion (ppb) using the accepted rounding conventions. To attain this standard, the 3-year average of the fourth-highest daily maximum 8-hour average ozone concentrations measured annually at each regulatory monitor within an area must not exceed 0.08 ppm, or 84 ppb. The 3-year average is called the design value.

EPA and the states monitor ambient air quality by installing monitoring equipment and collecting air samples at specific monitoring sites. If the pollutants in the sampled air exceed levels allowed by the NAAQS, the area around the monitor (usually counties or MSAs) is determined to be non-compliant and may be designated as a nonattainment area for the non-compliant pollutant.

Nonattainment areas must follow a prescribed process for cleaning up their air and comply with additional federal requirements on industry and transportation. The additional requirements may make industrial operations more costly and can delay federal transportation projects.

## **1.4 Austin-Round Rock MSA's 8-Hour Ozone Flex Program**

According to EPA guidance, "The 8-Hour Ozone Flex (8-O<sub>3</sub> Flex) program is a voluntary agreement between Federal, State/Tribal and local communities to encourage 8-hour ozone attainment areas nationwide to reduce ozone emissions as needed to maintain the National Ambient Air Quality Standard (NAAQS) for ozone. The program will support and reward innovative, voluntary, local strategies to reduce ground-level ozone, thereby improving air quality and helping areas maintain attainment. In addition, the program will allow States and locals to receive "credit" for these efforts in the State/Tribal Implementation Plans, and help them avoid a violation of the 8-hour ozone standard."

The local governments of the Austin-Round Rock MSA expressed their intent to participate in the 8-hour O<sub>3</sub> Flex program in a letter from the CAC Chair, Austin Mayor Will Wynn, dated December 20, 2006, to U.S. EPA Regional Administrator Richard E. Green. (See Appendix A)

In compliance with EPA's May 2006 guidance the region's 8-hour O<sub>3</sub> Flex program comprises the following elements:

- Chapters 1 & 2 contain the required air quality history and technical data;

- Chapter 3 is the Action Plan. It includes voluntary emission reduction measures, contingency measures, coordination and public participation, and schedules/reporting; and
- Chapter 4 is the Memorandum of Agreement (MOA). It is the formal acceptance of the MSA's 8-hour O<sub>3</sub> Flex program by EPA, TCEQ, and the local governments listed in section 1.7.1. It includes general commitments and objectives, responsibilities, expected duration, conditions for modification or early termination, signature page and date.

## 1.5 Eligibility Requirements

Participation in an 8-hour O<sub>3</sub> Flex program is available for areas that:

- currently are designated attainment or unclassifiable/attainment for the 8-hour ozone standard, as published on April 30, 2004 (69 FR 23858) and are monitoring attainment of the 1-hour ozone standard;
- were neither designated at the time of 8-hour designations nonattainment for the 1-hour ozone NAAQS nor designated attainment for 1-hour ozone standard with an approved 1-hour ozone maintenance plan;
- have not been redesignated to nonattainment for the 8-hour ozone standard;
- have a current design value which show attainment of the 8-hour ozone standard; and
- have air monitors in place and meet the requirements of 40 Code of Federal Regulations CFR 58 Appendix A, or the QA Handbook for Air Pollution Measurement System, Volume II (<http://www.epa.gov/air/oaqps/qa/index.html>).

The Austin-Round Rock MSA meets all criteria in EPA's guidelines for participation in an 8-hour O<sub>3</sub> Flex program.

## 1.6 Geographic Boundaries

The proposed 8-hour O<sub>3</sub> Flex program applies to the five counties included in the Austin-Round Rock MSA. These counties are Bastrop, Caldwell, Hays, Travis, and Williamson (Figure 1.2). For Central Texas, using the defined MSA is a reasonable and suitable approach to setting the area's air quality planning boundaries.

The predominant sources of anthropogenic VOC and NO<sub>x</sub> in the region are on-road, non-road, and area. The impacts of, and increases in, emissions from these sources are primarily related to the urban character of the region (e.g., population densities, urban/suburban growth, commuting patterns).

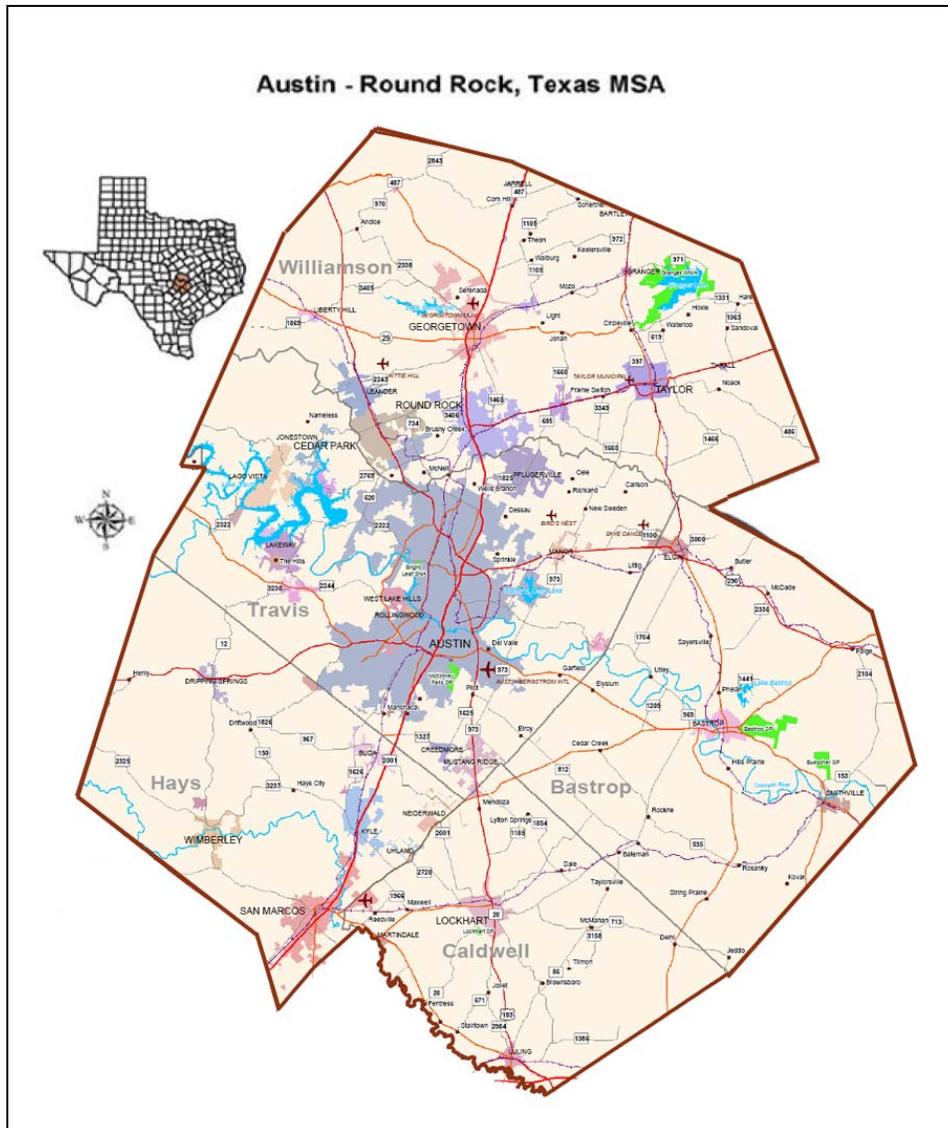


Figure 1.2 Map of Austin-Round Rock MSA

## 1.7 Participating Stakeholders

### 1.7.1 Signatory Parties and Participating Organizations

Along with EPA and TCEQ, the following local governments are signatory parties to the Austin-Round Rock MSA 8-hour O<sub>3</sub> Flex Memorandum of Agreement (MOA):

City of Austin	City of Luling	Caldwell County
City of Bastrop	City of Round Rock	Hays County
City of Elgin	City of San Marcos	Travis County
City of Lockhart	Bastrop County	Williamson County

In addition to the signatory parties, the following organizations participated in the development of this 8-hour O<sub>3</sub> Flex program. Several of these participants, denoted by an asterisk, have also made commitments to implement emission reduction measures. (See Appendix B for commitments from local government and participating organizations.)

\*Capital Area Metropolitan Planning Organization (CAMPO)

\*Capital Metropolitan Transportation Authority

\*Capital Area Council of Governments (CAPCOG)

Central Texas Clean Cities

Central Texas Regional Mobility Authority

Clean Air Coalition of Central Texas

CLEAN AIR Force of Central Texas

Clean Air Partners Program

Clean School Bus Program

Environmental Defense

Greater Austin Chamber of Commerce

\*Lower Colorado River Authority

\*Texas Department of Transportation (TxDOT), Austin District

\*Texas Department of Transportation (TxDOT), Headquarters Office

\*Texas Commission on Environmental Quality, Austin Headquarters Office

University of Texas at Austin

Additional local governments and participating organizations may be added during the term of the MOA.

## **1.8 Building on Success**

Central Texas has a history of proactive air quality initiatives. Since 1996, the Texas Legislature has provided near-nonattainment area funding to the area for use in performing planning functions related to the reduction of ozone concentrations in the area. The region was among the first in the nation to adopt an O<sub>3</sub> Flex Agreement. Designed to help the region maintain compliance with the former 1-hour ozone standard, implementation of the O<sub>3</sub> Flex emission reduction measures started in the 2002 ozone season.

In March 2004, the region adopted an Early Action Compact (EAC) to support maintenance of the 8-hour ozone standard. Emission reduction measures implemented for the EAC include a Vehicle Inspection and Maintenance Program, Heavy-Duty Vehicle Idling Restrictions, additional state rules, and a comprehensive collection of voluntary locally implemented measures. The region met the EAC objective of compliance with the 8-hour standard by December 31, 2007.

The Central Texas Clean Air Coalition (CAC) directs the region's air quality policy. The CAC is a voluntary association comprising elected officials from all five counties of the Austin-Round Rock MSA. It is responsible for development, adoption, and implementation for the region's clean air plans.

Since 1993 the CLEAN AIR Force of Central Texas (CAF), a non-profit organization comprising business, government, environmental and community leaders, has coordinated public awareness and education campaigns. Since its inception, the CAF has been at the forefront of local outreach efforts. This has provided the public with a solid understanding of air quality issues. The CAF continues to expand public awareness of the issues through education campaigns and programs.

## Chapter Two: Background

### 2.1 Status of Air Quality

The ozone season for the Austin-Round Rock MSA begins April 1<sup>st</sup> and ends October 31<sup>st</sup>. The Austin-Round Rock MSA is designated in attainment of the NAAQS for ozone. The current design value is 80 ppb (calculated as an average of the 4<sup>th</sup> highest reading from 2005, 2006 and 2007). Figure 2.1 shows design value trend and fourth-highest readings at the two regulatory monitors in the Austin Round-Rock MSA.

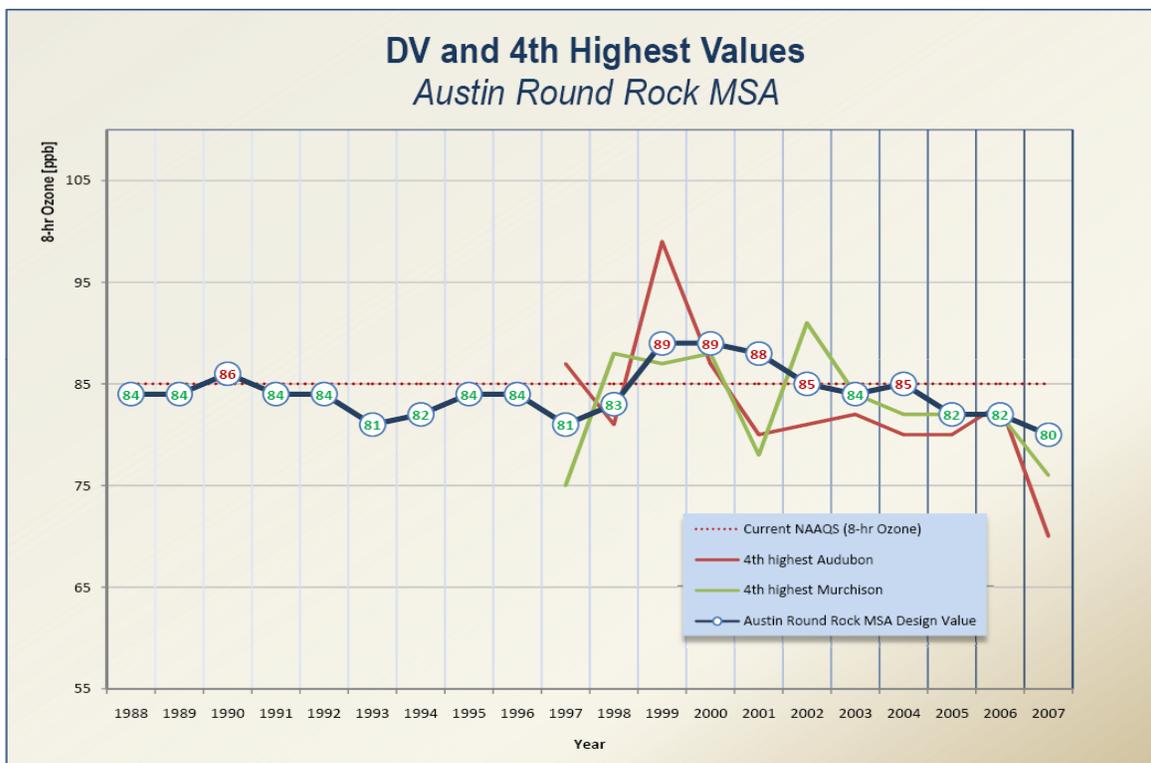


Figure 2.1 Austin Round Rock MSA 8-hr ozone design value historic trend. Note current 8-hr ozone design value is 80 ppb.

Figure 2.2 shows the number of days, from 1993 – 2006, that one or more monitoring stations measured a maximum ozone concentration of 75 ppb or greater. The number of high ozone days varied from a minimum of 6 in 1996 to a maximum of 34 in 1999. The trend in annual high ozone days must be interpreted with caution, as the locations and number of monitoring stations in the Austin monitoring network changed throughout the period. Figure 2.2 also presents the number of high ozone days using only the regulatory monitoring stations at Audubon (C38), and Austin NW / Murchison (C03). Note that the number of high ozone days is the same for all years with the exception of 2003 (13 versus 15) and 2006 (15 versus 18). The years 1995, 1997, 1999, and 2000

were characterized by 33, 23, 34, and 24 high ozone days, respectively. Annual high ozone days for the remaining years varied: they ranged from 6 in 1996 to 18 in 2006 (*Austin Conceptual Model*, UT Austin 2007).

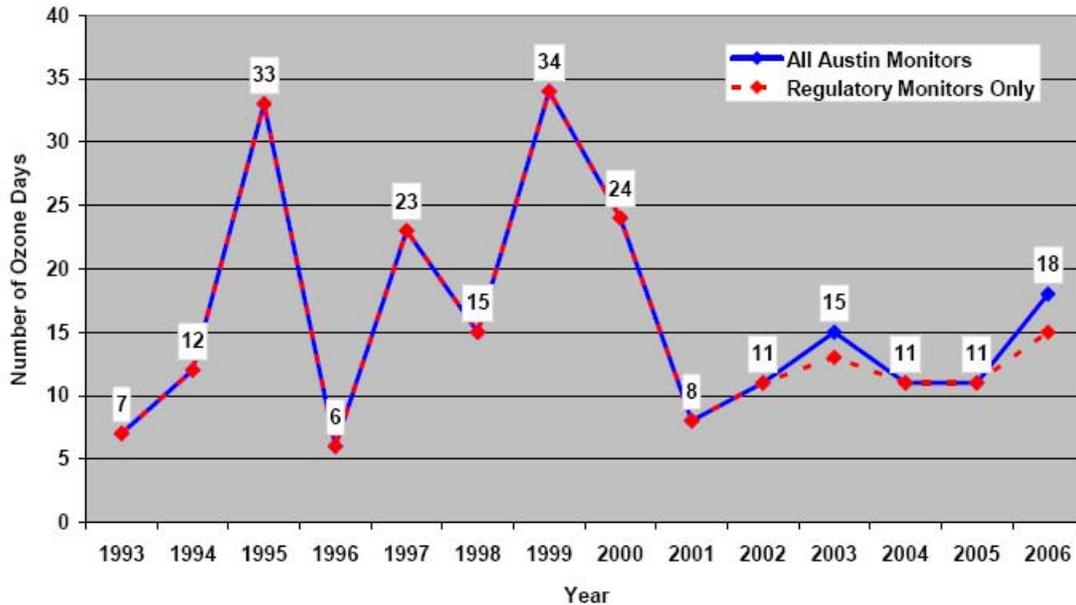


Figure 2.2 Annual number of days characterized by a maximum ozone concentration, averaged over 8 hours, of 75 ppb or greater at one or more Austin monitors, and at regulatory monitors only, during the 1993 through 2006 period.

Figure 2.3 presents the monthly frequency occurrence of high ozone days for 1993 - 2000 and for 2001 - 2006. Note the dramatic reduction in the frequency of occurrence of high ozone days during the July through October period. During 1993-2000, the average annual number of high ozone days in August/September was 11.9, compared to an average of 5.5 days during 2001-2006. In contrast, the May/June period was characterized by a relatively greater number of high ozone days in recent years. During May/June, the annual number of high ozone days for 2001-2006 was 5.5, compared to 2.6 days during 1993-2000. Although not shown, a similar trend was observed for days characterized by maximum ozone concentrations of 85 ppb or greater.

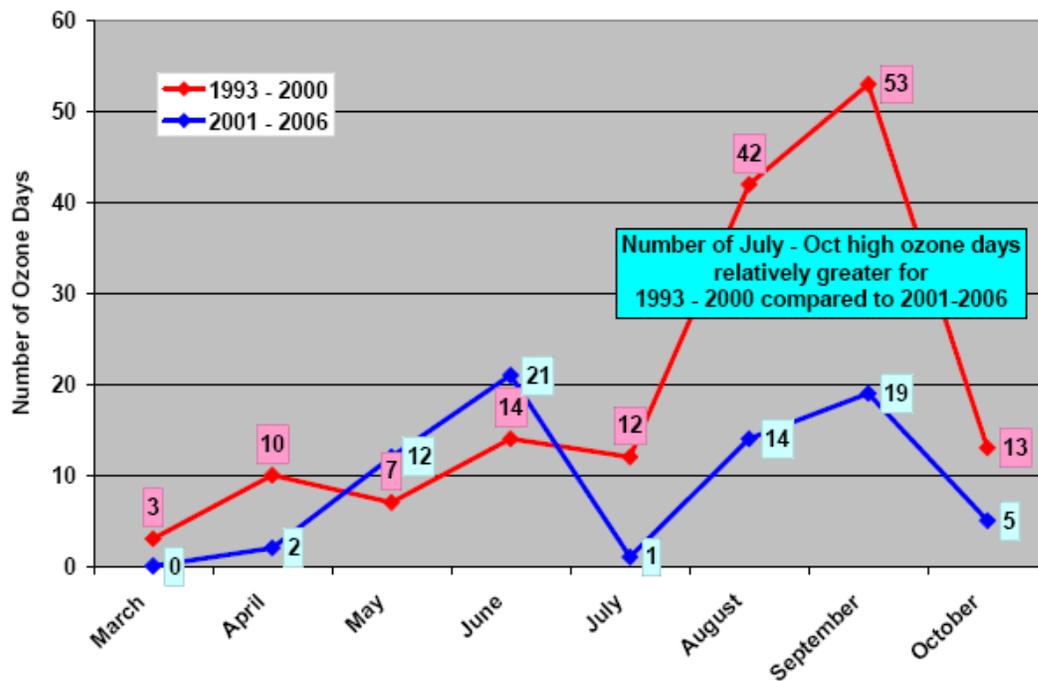


Figure 2.3 Number of days, by month, characterized by a maximum ozone concentration, averaged over 8 hours, of 75 ppb or greater at one or more Austin monitoring stations for the years 1993 - 2000 and for 2001 - 2006.

## 2.2 Sources of Pollutants

Ozone precursor emissions can result from both anthropogenic and biogenic sources and can be transported over long distances. The traditional emissions inventory (EI) accounts for ozone precursor emissions from point, area, mobile, and biogenic sources within a certain defined area, usually the MSA. The latest EI compiled for the Austin-Round Rock MSA represents emissions for the five-county MSA for the year 2002 (*Austin-Round Rock MSA 2002 Ozone Precursor Emissions Inventory*, Final revision Dec 2006) and is listed in Tables 2.1 & 2.2 for VOC and NO<sub>x</sub> emissions respectively. The most recent data on point source emissions for the MSA counties are listed in Table 2.4. Large point sources located outside MSA counties with potential impacts on the area, depending on wind directions, are listed in Table 2.5.

### **2.2.1 2002 Emissions Inventory**

This inventory encompasses the five Austin-Round Rock MSA counties, which includes Travis County, the most populous county of the MSA, and the four surrounding counties of Bastrop, Caldwell, Hays, and Williamson. (see Figure 1.2 for map)

The 2002 Austin-Round Rock MSA emissions inventory comprises five categories of emission sources. These include biogenic sources and four anthropogenic emission source categories: point, on-road mobile, non-road mobile, and area sources.

Tables 2.1 and 2.2 list NO<sub>x</sub> and VOC emissions in tons per average ozone weekday for six major source categories represented in each of the five Austin-Round Rock MSA counties.

**VOC**

2002 Ozone Season tpd Emissions

COUNTY	Area	On-road Mobile	Non-Road Mobile	Point	Biogenic	Total	Anthropogenic
BASTROP	6.00	2.16	0.60	0.36	123.89	133.01	9.12
CALDWELL	15.95	1.09	0.54	0.06	80.95	98.59	17.64
HAYS	13.23	4.3	1.70	0.86	49.42	69.51	20.09
TRAVIS	57.22	31.11	20.16	0.99	71.64	181.12	109.48
WILLIAMSON	16.80	9.19	5.01	0.08	68.2	99.28	31.08
<b>Grand Total</b>	<b>109.21</b>	<b>47.85</b>	<b>28.02</b>	<b>2.35</b>	<b>394.1</b>	<b>581.51</b>	<b>187.41</b>

Table 2.1: 2002 VOC emissions by source category for each of the counties (all emissions are expressed in tons per day during an average ozone day) (*Austin-Round Rock MSA 2002 Ozone Precursor Emissions Inventory*, Final revision Dec 2006).

**NO<sub>x</sub>**

2002 Ozone Season tpd Emissions

COUNTY	Area	On-road Mobile	Non-Road Mobile	Point	Biogenic	Total	Anthropogenic
BASTROP	0.7	3.65	1.68	3.79	2.18	12.00	9.82
CALDWELL	0.72	2.06	1.24	2.46	4.93	11.41	6.48
HAYS	0.71	9.95	5.58	7.15	3.29	26.68	23.39
TRAVIS	3.77	58.33	17.45	6.56	4.78	90.89	86.11
WILLIAMSON	4.8	17.29	7.33	0.1	9.85	39.37	29.52
<b>Grand Total</b>	<b>10.7</b>	<b>91.28</b>	<b>33.30</b>	<b>20.06</b>	<b>25.03</b>	<b>180.35</b>	<b>155.32</b>

Table 2.2: 2002 NO<sub>x</sub> Emissions by Source Category for Each of the Counties (*Austin-Round Rock MSA 2002 Ozone Precursor Emissions Inventory*, Final revision Dec 2006).

Figures 2.1 and 2.2 provide a graphical comparison of emissions of NO<sub>x</sub> and VOC by source category in tons per average ozone day (weekday).

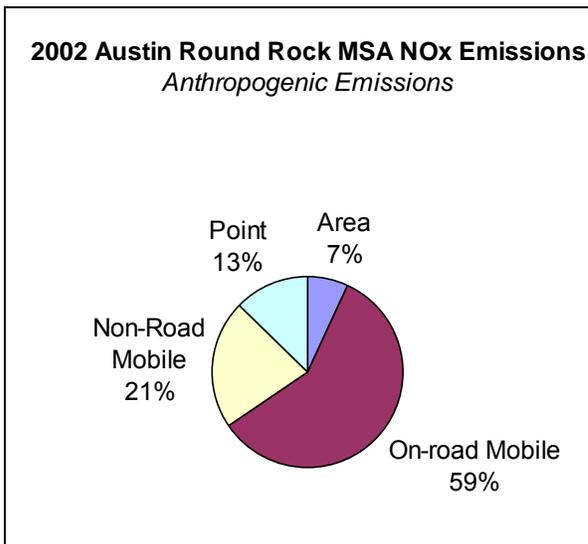


Figure 2.1 Austin-Round Rock MSA emissions inventory pie chart (2002 NO<sub>x</sub> emissions) (*Austin-Round Rock MSA 2002 Ozone Precursor Emissions Inventory*, Final revision Dec 2006).

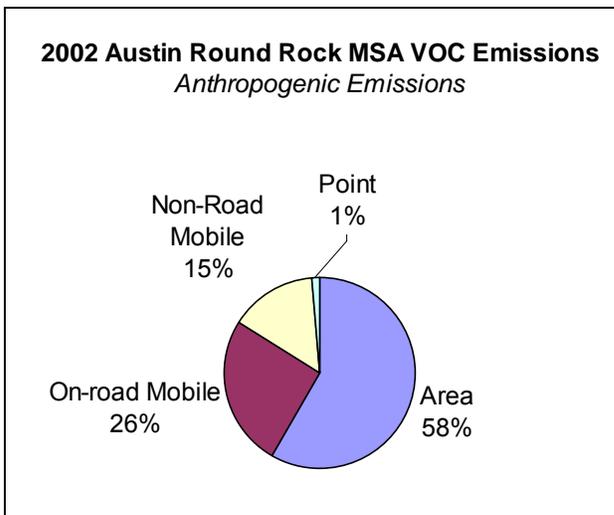


Figure 2.2 Austin-Round Rock MSA emissions inventory pie chart (2002 VOC emissions) (*Austin-Round Rock MSA 2002 Ozone Precursor Emissions Inventory*, Final revision Dec 2006).

The on-road mobile category comprises the vehicles (e.g., cars, trucks, buses) traveling the regional roads and highways. Non-road mobile sources account for the emissions of mobile equipment operated in areas other than public thoroughfares. The non-road category includes farm vehicles, lawn and garden equipment, construction, mining, and industrial equipment, railroad locomotives, aircrafts, and others.

Area sources, such as gasoline stations, dry cleaners, or oil wells, are numerous and individually produce low levels of air contaminants. Identification of discrete sources is untenable because individually these sources do not approach the threshold that triggers reporting requirements. Nevertheless, the cumulative impact of the area source contribution to overall emissions is significant.

Point sources are stationary emitters that produce pollution levels sufficient to warrant a description of each singular source. The TCEQ maintains records of point sources. This category is subdivided into major and minor point sources. Major point sources with actual emissions or the potential to emit over 100 tons per year (tpy) of a criteria air pollutant are subject to TCEQ annual emissions inventory (EI) reporting requirements. Minor point sources, which emit fewer than 100 tpy of a criteria pollutant, only report emissions when specifically required by TCEQ. Since 2002, TCEQ has requested EI reports of point sources in the Austin region emitting 10 tpy of VOC and 25 tpy NO<sub>x</sub>. Table 2.3 lists point sources in the Austin-Round Rock MSA and their 2002 emissions. Tables 2.4 and 2.5 show 2005 emissions, collected by TCEQ, for the Austin-Round Rock MSA and surrounding counties respectively.

County	Company Name	TCEQ Acc	NO <sub>x</sub> [tpd]	VOC [tpd]	CO [tpd]
Bastrop	Acme Brick Company	BC0059O	0.16	0.13	0.65
	Bastrop Energy Partners (Bastrop Clean Energy)	BC0083R	0.57	0.04	0.19
	GenTex Power Corp and Calpine (lost Pines 1)	BC0082T	0.55	0.03	0.46
	Lower Colorado River Authority	BC0015L	2.46	0.09	0.07
	LCRA Hilbig Gas Storage	BC0057S	-	0.06	-
	Tiffany Brick Company LP	BC0018F	0.04	0.02	0.17
<b>Bastrop Total</b>			<b>3.78</b>	<b>0.37</b>	<b>1.54</b>
Caldwell	JL Davis	CA0011B	0.25	0.03	0.37
	Oasis Pipeline Co TX LP (Prairie Lea Compressor St.)	CA0027J	2.21	0.04	0.15
<b>Caldwell Total</b>			<b>2.46</b>	<b>0.07</b>	<b>0.52</b>
Hays	Texas Leigh Cement Co. (Portland Cement Mfg.)	HK0014M	6.09	0.51	9.52
	SW Texas State Univ. (Central Heating & Utilities)	HK0036C	0.63	0.08	0.24
	Hays Energy Project	HK0108C	0.43	0.26	0.7
<b>Hays Total</b>			<b>7.15</b>	<b>0.85</b>	<b>10.46</b>
Travis	3M Minnesota Mining and Manufacturing	TH0243G	0.12	0.03	0.42
	Austin White Lime Company	TH0010I	1.03	0.01	0.48
	Austin Hot Mix	TH0015V	0.01	0.09	0.05
	Motorola, Inc	TH0065G	0.05	0.14	0.02
	City of Austin Decker Creek Power Plant)	TH0004D	2.51	0.02	0.13
	City of Austin (Holly Power Plant)	TH0006W	0.75	0.001	0.04
	University of Texas at Austin (Hal C Weaver PP)	TH0104V	1.78	0.04	0.53
	Advanced Micro Devices	TH0142N	0.06	0.12	0.05
	Motorola Integrated Circuit	TH0172E	0.05	0.07	0.04
	Samsung Electronics	TH0602A	0.03	0.12	0.02
	Sand Hill Energy	TH0760E	0.1	0.001	0.17
	Koch Pipeline Co	TH0310Q	0.01	0.21	0.03
	Austin Research Laboratory	TH0052P	0.04	0.03	0.05
	Tyco Printed Circuit Group LP	TH0093B	0.01	-	-
	Austin American Statesman	TH0191A	-	-	-
	BFI Waste Systems	TH0232L	0.01	0.04	0.04
	Austin Counter Tops	TH0247V	-	0.04	-
<b>Travis Total</b>			<b>6.56</b>	<b>0.96</b>	<b>2.07</b>
Williamson	Aquatic Industries Inc	WK0116E	-	0.1	-
	Seminole Pipeline Co	WK01480	0.1	0.01	0.07
	Laboratory Tops Inc	WK0171T	-	0.07	-
<b>Williamson Total</b>			<b>0.10</b>	<b>0.18</b>	<b>0.07</b>
<b>TOTAL</b>			<b>20.05</b>	<b>2.43</b>	<b>14.66</b>

Table 2.3 Summary in tons/day of Point Source Emissions for 2002 (Austin-Round Rock MSA 2002 Ozone Precursor Emissions Inventory, Final revision Dec 2006)

RN	ACCOUNT	SITE	COUNTY	REGION	SIC	VOC [tpy]	NOX [tpy]
RN102038486	BC0015L	LOWER COLORADO RIVER AUTHORITY	BASTROP	11	4911	31.77	428.02
RN101056851	BC0083R	BASTROP ENERGY CENTER	BASTROP	11	4911	12.89	237.27
RN100723915	BC0082T	LOST PINES 1 POWER PLANT	BASTROP	11	4911	8.30	200.44
RN100225846	BC0059O	ELGIN PLANT	BASTROP	11	3251	47.09	60.35
RN100212034	BC0018F	HANSON BRICK ELGIN FACILITY	BASTROP	11	3251	7.86	26.64
RN102204427	BC0057S	HILBIG GAS STORAGE FACILI	BASTROP	11	1311	23.33	0.64
RN100220177	CA0027J	PRAIRIE LEA COMPRESSOR STATION	CALDWELL	11	4922	38.38	981.30
RN100212018	CA0011B	LULING GAS PLANT	CALDWELL	11	1321	16.19	171.13
RN102597846	HK0014M	TEXAS LEHIGH CEMENT CO.	HAYS	11	3241	198.42	2168.00
RN100221480	HK0036C	CENTRAL HEATING & UTILITI	HAYS	11	8221	22.10	174.42
RN100211689	HK0108C	HAYS ENERGY PROJECT	HAYS	11	4911	15.35	165.49
RN100211945	HK0046W	PARKVIEW METAL PRODUCTS	HAYS	11	3469	27.68	
RN102533510	TH0104V	HAL C. WEAVER POWER PLANT	TRAVIS	11	4911	15.43	693.68
RN100214337	TH0010I	AUSTIN WHITE LIME COMPANY	TRAVIS	11	3274	7.94	647.06
RN100219872	TH0004D	DECKER CREEK POWER PLANT	TRAVIS	11	4911	33.39	518.32
RN100215052	TH0760E	SAND HILL ENERGY CENTER	TRAVIS	11	4911	1.98	283.31
RN100220045	TH0006W	HOLLY POWER PLANT	TRAVIS	11	4911	0.36	241.07
RN100218692	TH0243G	3M AUSTIN CENTER	TRAVIS	11	8731	12.68	50.62
RN101992246	TH0522W	SUNSET FARMS ELECTRIC	TRAVIS	11	4911	5.56	38.63
RN100215938	TH0502F	AUSTIN COMMUNITY RECYCLING AND DISPOSAL FACILITY	TRAVIS	11	4953	7.86	19.21
RN102752763	TH0172E	INTEGRATED CIRCUIT MFG	TRAVIS	11	3674	13.77	17.44
RN100723741	TH0142N	ADVANCED MICRO DEVICES	TRAVIS	11	3674	30.81	17.33
RN100843747	TH0065G	ED BLUESTEIN SITE	TRAVIS	11	3674	21.42	15.40
RN100518026	TH0602A	AUSTIN FABRICATION FACILI	TRAVIS	11	3674	43.24	10.17
RN100542752	TH0232L	SUNSET FARMS LANDFILL	TRAVIS	11	4953	17.29	7.60
RN102776994	TH0015V	AUSTIN HOT MIX	TRAVIS	11	2951	30.15	3.06
RN101059673	TH0310Q	AUSTIN TERMINAL	TRAVIS	11	5171	54.43	1.25
RN100805662	TH0093B	AUSTIN DIVISION	TRAVIS	11	3672	2.30	0.16
RN101957769	TH0191A	AUSTIN AMERICAN STATESMAN	TRAVIS	11	2711	0.85	0.01
RN100216746	TH0247V	AUSTIN COUNTER TOPS	TRAVIS	11	3089	25.13	
RN100725712	WK0148O	SEMINOLE PIPELINE COUPLAN	WILLIAMSON	11	4619	2.41	27.62
RN100728179	WK0171T	DURCON LABORATORY TOPS INCORPORATED	WILLIAMSON	11	3821	13.98	3.17
RN100215193	WK0116E	AQUATIC INDUSTRIES INC	WILLIAMSON	11	3088	30.30	

Table 2.4 Point source emissions in tons/year in the Austin Round Rock MSA (data from 2005 Point Source Emissions Inventory; TCEQ)

RN	ACCOUNT	SITE	COUNTY	REGION	SIC	VOC [tpy]	NOX [tpy]
RN100228196	BF0063Q	TEMPLE PLANT	BELL	9	3086	231.44	3.52
RN101612083	BF0129I	FORT HOOD	BELL	9	9711	274.60	72.99
RN100212067	CS0018B	HUNTER PLANT	COMAL	13	3241	52.94	1288.95
RN100552454	CS0020O	BULK MINERAL HANDLING	COMAL	13	3271	5.51	575.94
RN102605375	CS0022K	BALCONES PLANT	COMAL	13	3241	12.54	2060.70
RN100226844	FC0018G	FAYETTE POWER PROJECT	FAYETTE	11	4911	211.77	6834.16
RN100213776	FC0033K	GIDDINGS PLANT	FAYETTE	11	1321	90.99	462.39
RN100215136	FC0051I	LAGRANGE PLANT	FAYETTE	11	1321	11.06	209.10
RN102413689	GL0028H	FURNACE & STEEL MILL	GUADALUPE	13	3312	38.78	158.47
RN100225820	GL0135F	GUADALUPE GENERATING STATION	GUADALUPE	13	4911	5.54	398.61
RN100218742	GL0146A	RIO NOGALES POWER PLANT	GUADALUPE	13	4911	3.40	319.40
RN100221472	MM0001T	ALCOA SANDOW PLANT	MILAM	9	3334	1190.09	7747.99
RN102147881	MM0023J	SANDO STEAM ELECTRIC	MILAM	9	4911	77.49	4779.40

Table 2.5 Large point source emissions in tons/year in the adjacent and upwind counties (data from 2005 Point Source Emissions Inventory; TCEQ)

## 2.3 Monitoring

### 2.3.1 Number and locations of air quality monitors

TCEQ has two regulatory monitors (Audubon C38 and Austin NW / Murchison C03) in the Austin-Round Rock MSA. CAPCOG maintains the following additional ozone monitors:

- The Dripping Springs monitor (C614) has been in place since March 2003;
- The San Marcos (C675) and the Round Rock (C674) monitors came on-line in June 2006;
- CAPCOG started maintaining the Fayette County C603 monitor in 2002;
- The McKinney Roughs monitor (C684) came on-line in August 2006; and
- CAPCOG has installed a monitor at the new Lake Georgetown site which started operation in 2008. The Lake Georgetown site replaces the monitoring site at the Pflugerville Wastewater Treatment Plant, which began operations in December 2002 and was deactivated in November 2006.

Data from six of the sites is accessible on-line from TCEQ's Monitoring Operations website:

[http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site\\_info](http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info)

The locations of the Austin area ozone monitors are shown below:

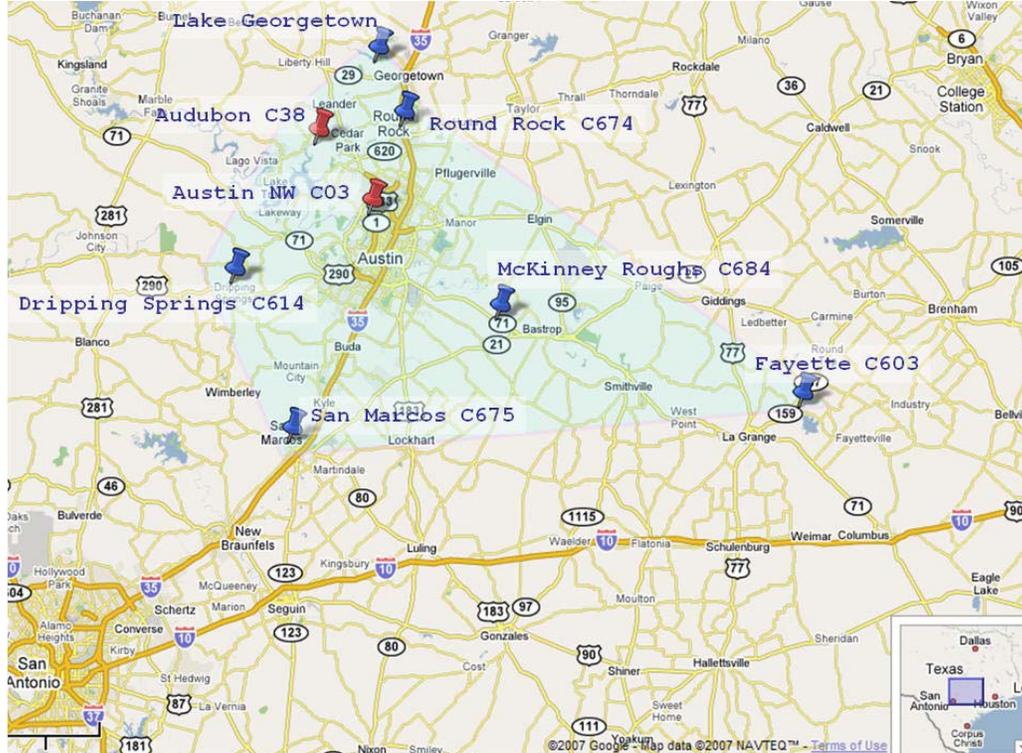


Figure 2.3 Austin Round-Rock MSA ozone monitoring network with regulatory monitors Audubon and Austin NW (red markers) and additional ozone monitors (blue markers)

Figure 2.4 shows readings from all Austin-Round Rock MSA ozone monitors during 2007 ozone season. Note that during the 2007 ozone season the region experienced unusually low ozone readings.

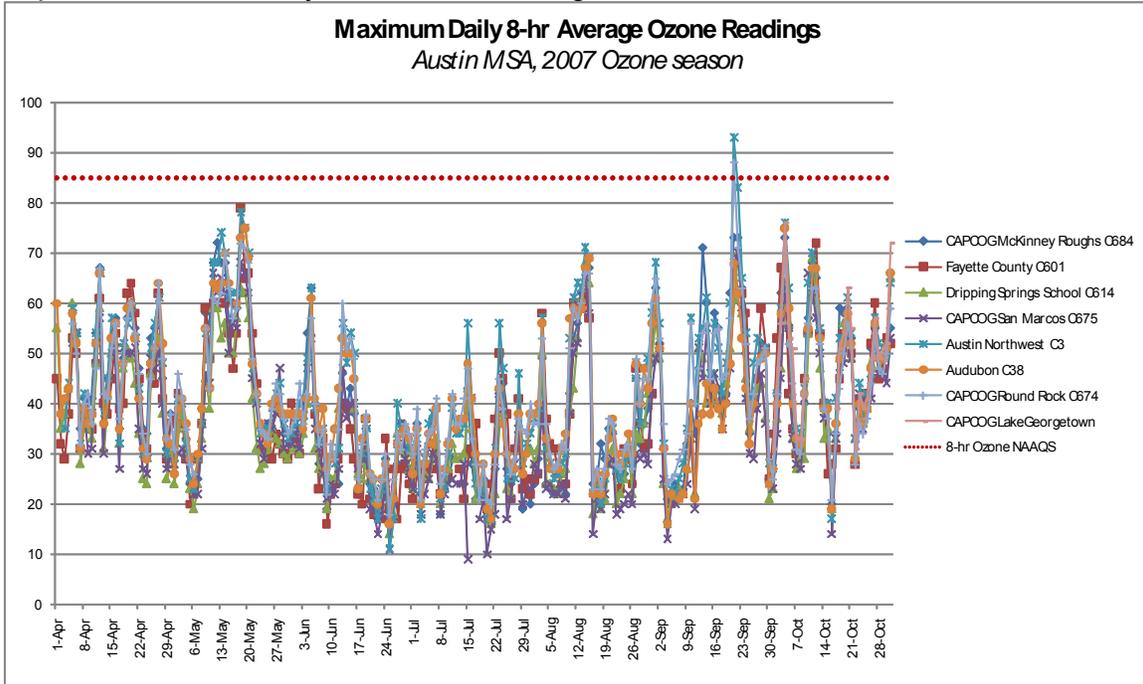


Figure 2.4 Maximum daily 8-hr ozone averages in the Austin-Round Rock MSA during the 2007 ozone season

## 2.4 Analysis of High Ozone Episodes

The HYSPLIT (Hybrid Single-Particle Lagrangian Integrated Trajectory) model was used to investigate the potential source regions of air entering the Austin-Round Rock MSA. HYSPLIT uses meteorological model forecast data from the National Centers for Environmental Prediction (NCEP) archived by Air Resources Laboratory (ARL). Figures 2.5 and 2.6 present the residence time maps for the 20% highest ozone days for June and September based on the maximum ozone concentration at either the Murchison or Audubon monitoring station during the years 2001 through 2005. These back trajectories suggest long-range transport of continental air into the MSA from upwind areas located to the east and northeast of Texas. Multi-day high ozone episodes are often associated with a ridge of high pressure that extends southwestward into Texas. The transport pattern prior to high ozone days is consistent with the large-scale clockwise circulation around this high pressure ridge. This high pressure ridge is often associated with local meteorological conditions that are favorable for the formation and accumulation of ground-level ozone. In addition, the continental air mass transported into the MSA may contain elevated concentrations of ozone and its precursor compounds associated with both biogenic and anthropogenic

emissions from sources located in states and other areas of Texas upwind of the Austin-Round Rock MSA. (*Austin Conceptual Model*, UT Austin, 2007).

Trajectory Residence Time In Percent for the Top 20% 8-Hour Ozone Days  
Years 2001 - 2005: June; AUSTIN

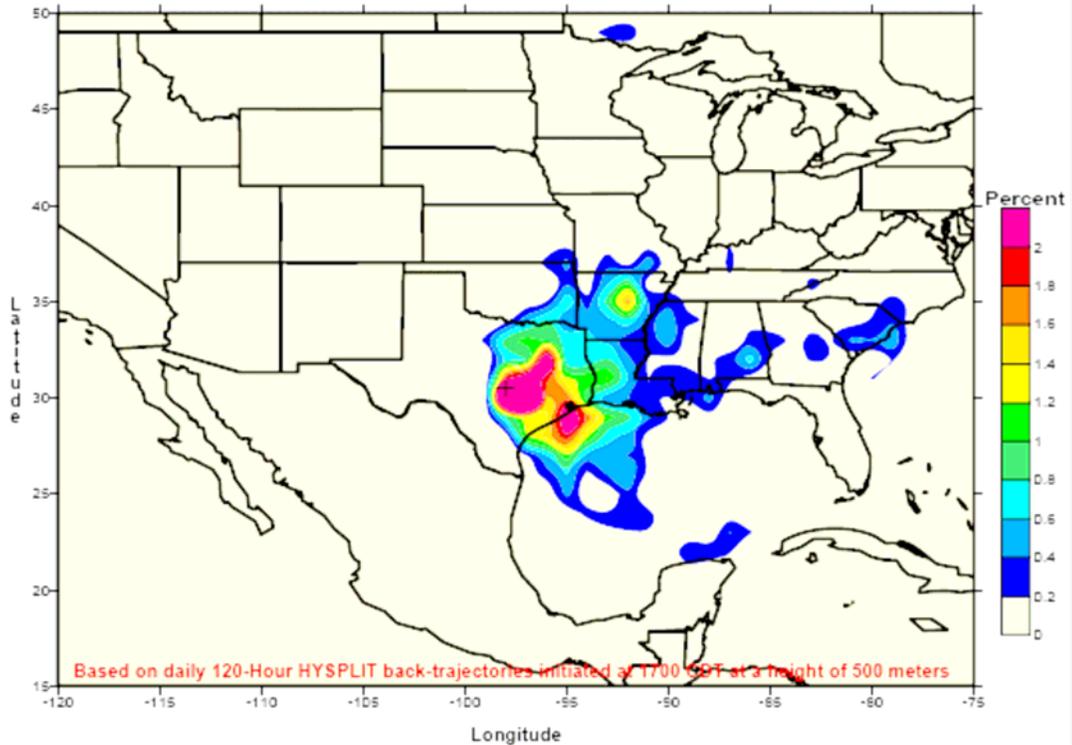


Figure 2.5 Trajectory residence time in percent for the highest 20% ozone days in June from 2001 to 2005.

Trajectory Residence Time In Percent for the Top 20% 8-Hour Ozone Days  
 Years 2001 - 2005: September; AUSTIN

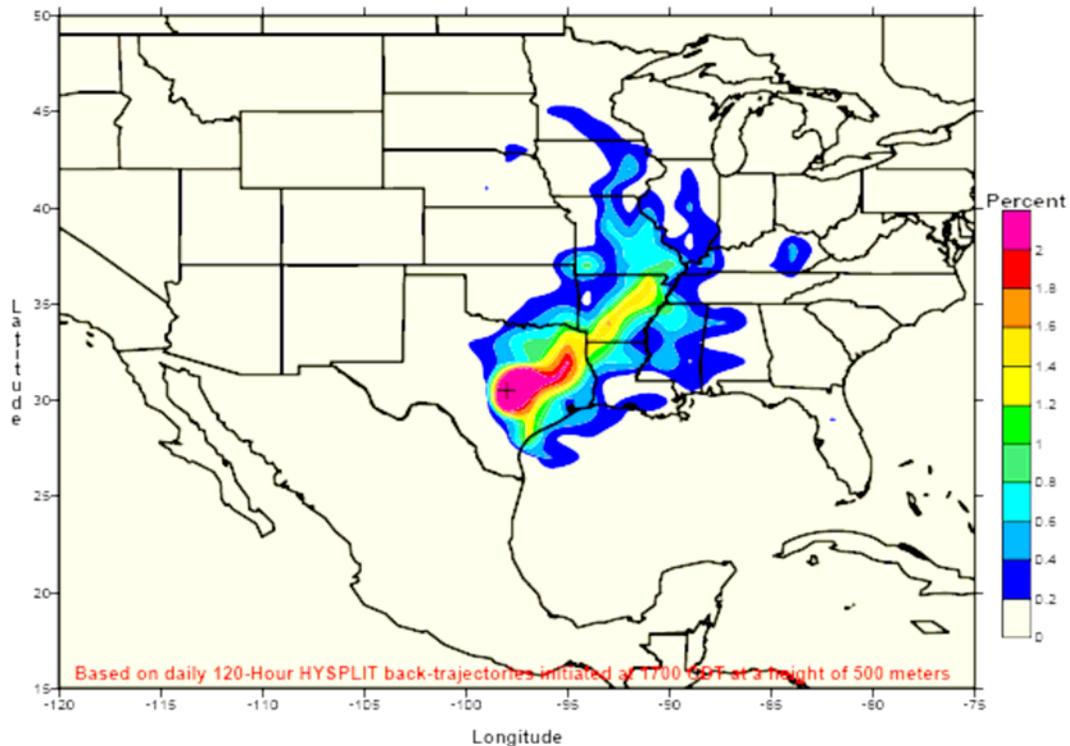


Figure 2.6 Trajectory residence time in percent for the highest 20% ozone days in September from 2001 to 2005.

According to the Austin Ozone Conceptual Model (*The University of Texas at Austin, July 26, 2007*), from 1993 through 2006, one or more monitoring stations measured 75 ppb or greater on 228 days. The number of high ozone days varied from a minimum of 6 in 1996 to a maximum of 34 in 1999. The frequency of occurrence of high ozone days over the course of a typical ozone season is characterized by a bi-modal distribution, with a primary peak in the frequency of high ozone days during the August through early October period and a secondary peak during late May and June. In recent years (2001 through 2006) the average number of late summer high ozone days declined substantially. The frequency of occurrence of high ozone days was equally distributed between the May/June and August/September peaks.

The common meteorological condition occurring with high ozone is a clockwise circulation around a surface ridge of high pressure, often centered over the Central Plains or Ohio/Mississippi River Valleys. It generates northeasterly or easterly wind that transports continental air and haze into eastern Texas. This continental air mass is often characterized by reduced visibility, and may contain elevated concentrations of ozone and its precursor compounds associated with both biogenic and anthropogenic emissions. High ozone concentrations are sometimes measured at monitoring stations throughout the eastern half of Texas.

In the Austin-Round Rock MSA, monitoring data collected during these episodes shows background ozone concentrations of typically 80-85% of the observed local maximum. Based on these analyses, the enhancement of ozone concentrations due to emissions from sources within the Austin-Round Rock MSA generally ranged between 10 ppb and 20 ppb on individual high ozone days, with an average enhancement of 15 ppb. With background concentrations ranging from 65 ppb to 75 ppb, even relatively small contributions of ozone formed from local source emissions in the Austin-Round Rock MSA would have resulted in an exceedance of the 8-hour ozone NAAQS.

## 2.5 Regional Photochemical Modeling

Over the past eight years, the region has utilized its resources from the Texas Near Nonattainment Areas Grant Program to develop photochemical models for air quality planning. In 2001, Austin collaborated with San Antonio, Victoria, Corpus Christi, and TCEQ to develop a multi-day high ozone episode for photochemical modeling. The September 13-20, 1999 high ozone episode was selected for development with the Comprehensive Air Quality Model with Extensions (CAMx) photochemical grid model. The September 13-20, 1999 modeling episode fulfills both the requirements of the EPA guidance for modeling 8-hour ozone concentrations and the EPA's Protocol for Early Action Compacts.

The Austin and San Antonio areas used the episode to analyze the emission reductions from various control strategies being considered in the development of the EACs. In addition, the Austin, Corpus Christi, San Antonio, and Victoria near-nonattainment areas have used the episode for various air quality planning activities, including work on:

- sensitivity of ozone formation to reductions of VOC and NO<sub>x</sub> precursors;
- response of ozone to various VOC and NO<sub>x</sub> control strategies;
- comparisons with airborne ozone sampling data;
- comparisons with airborne ozone lidar data;
- development of programs to perform VOC sampling;
- the role of long range point source impacts on local ozone formation; and
- the role of transport on local ozone formation.

In addition to modeling the EAC measures, sensitivity analyses have been run using the 1999 modeling episode to evaluate both potential control strategies and potential sources of emissions growth. Those include runs to investigate the impact from local emission reduction measures included in the State Implementation Plan (SIP). Figure 2.7 demonstrates the emission reductions predicted by the vehicle Inspection and Maintenance program and the Texas Emission Reduction Plan (TERP) projects. Similar modeling analyses were conducted to investigate the impact from potential and new sources in the locations upwind from Austin-Round Rock MSA. Figure 2.8 shows potential ozone impacts related to emissions from the proposed Oak Grove coal-fired

power plant on two days with different wind directions. Note that for neither day does the modeling predict an exceedance of the 1997 8-hour ozone standard at the regulatory monitors.

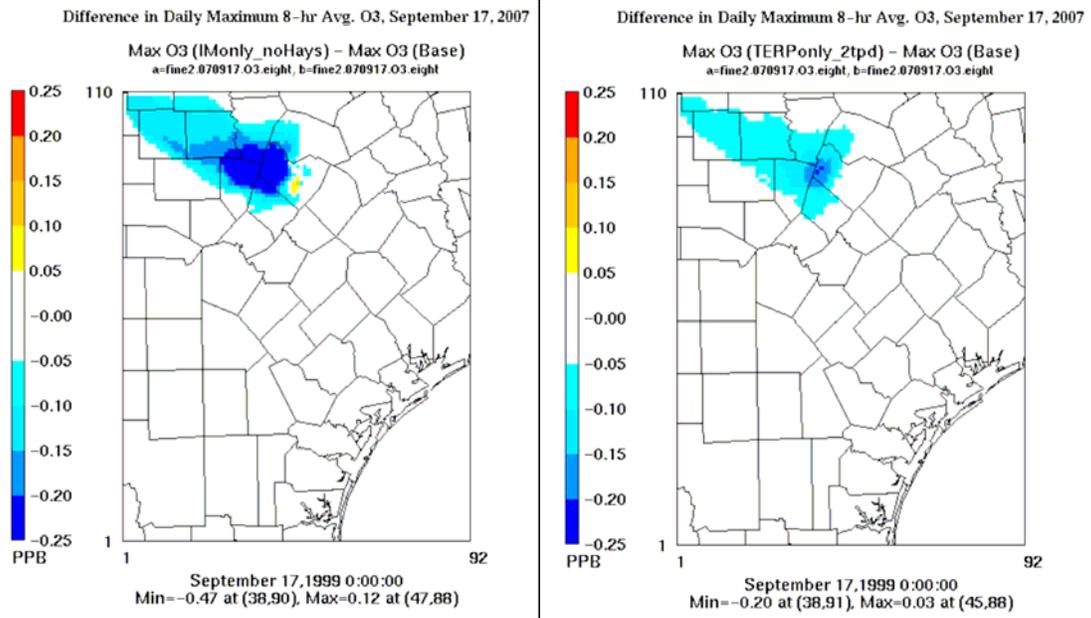


Figure 2.7 Difference in predicted daily maximum 8-hour averaged ozone concentrations on September 17 between the 2007 Future Case with no local controls applied but with I&M programs in Travis and Williamson Counties (left); TERP measures only (right).

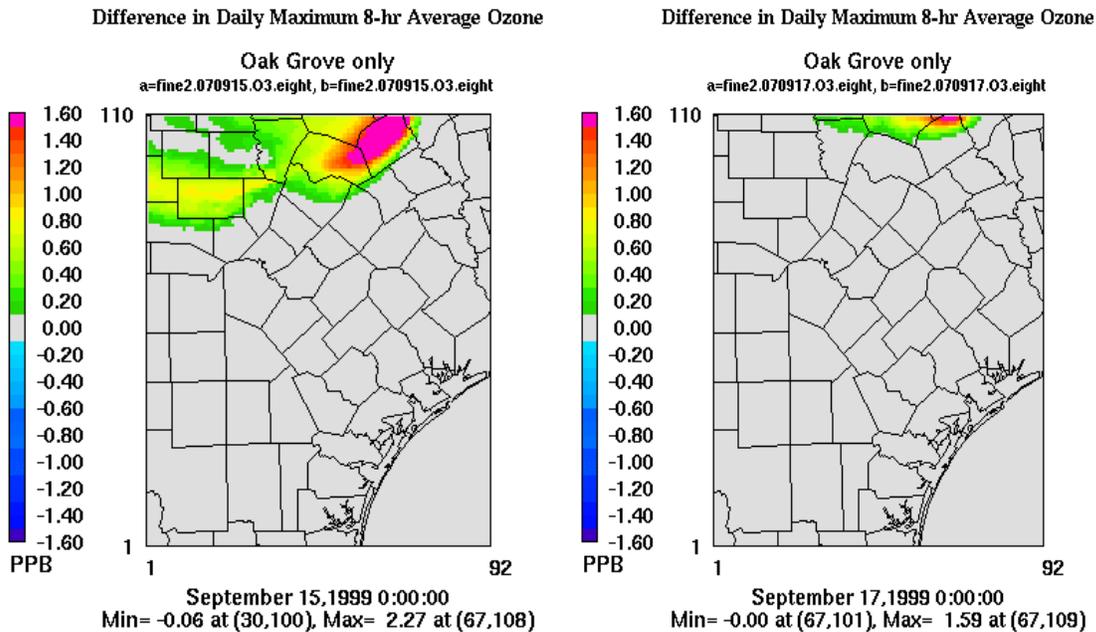


Figure 2.8 Difference in predicted daily maximum ozone concentrations (ground-level) averaged over 8 hours on the 4-km CAMx domain on September 15 and September 17 between Run 7 (Modified 2007 Future Case) and Run 4 (Oak Grove Only).

## 2.6 Trends and Measures of Success

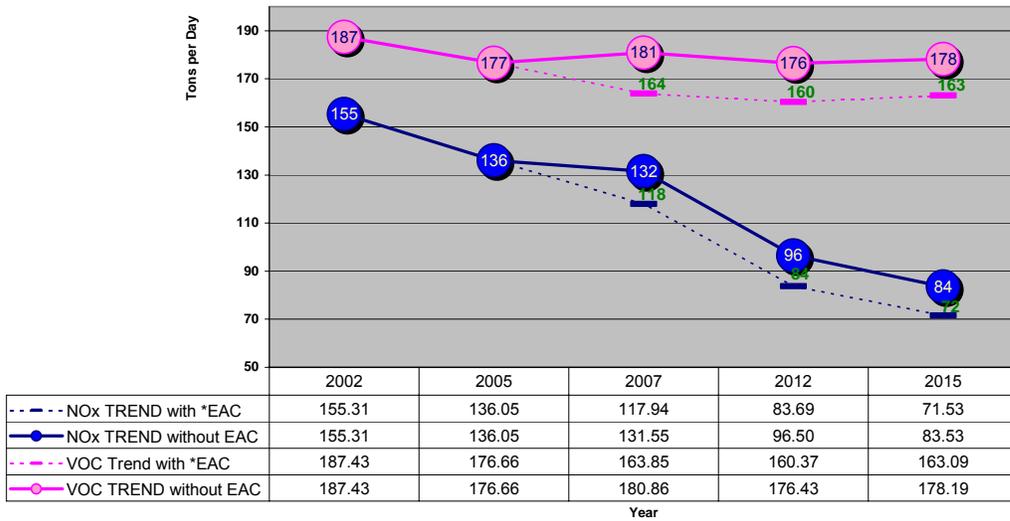
The Austin-Round Rock MSA 2002 – 2015 emissions trend analysis is an upgrade from the 2003 Early Action Compact (EAC) analysis “*Emissions Inventory Comparison and Trend Analysis for the Austin-Round Rock MSA: 1999, 2002, 2005, 2007, & 2012.*” The existing document was upgraded by adding the final year (2015) to the on-road and non-road mobile, area and point source inventories and by adjusting the intermediate year emissions with a new base year (2002).

The 2015 emissions for the on-road mobile sources are from the Texas Transportation Institute (TTI) report: “*Austin Early Action Compact Region On-Road Mobile Source Emissions Inventories: 2007, 2015, And 2030: Revised Emissions Results*”, TTI, February 2007. Emissions for 2002, 2005, 2007 and 2012 are from “*Austin/San Marcos Metropolitan Statistical Area On-road Mobile Source Emissions Inventories: 1995, 1999, 2002, 2005, 2007, and 2012*”, TTI, August 2003.

Emission trends for the non-road mobile sources were developed by applying newly developed growth factors to the base year inventory (2002). The non-road growth factors were developed by running the US EPA NONROAD model for years 2002, 2005, 2007, 2012 and 2015. The area and point source emission trends were developed by applying growth factors obtained from the 2003 EAC document. The 2015 trends emission trends were developed by using the interpolation method (reference) for both area and point source categories.

Emissions data were used in the development of air quality trends within the MSA. These emissions are presented in the following categories: area source, non-road mobile source, point source and on-road mobile source. Figure 2.9 shows the total emissions trends of NO<sub>x</sub> and VOC in the Austin-Round Rock MSA. Figures 2.10 to 2.13 show separate emission trends of area sources, non-road and on-road mobile sources, and point sources, respectively.

### Austin Round Rock MSA Emissions Trend 2002 - 2015



\*State Assisted and Point Source Voluntary Measures Applied

Figure 2.9 Total NO<sub>x</sub> and VOC emissions trends in the Austin-Round Rock MSA

### Area Source Emissions Inventory Trend Austin Round Rock MSA

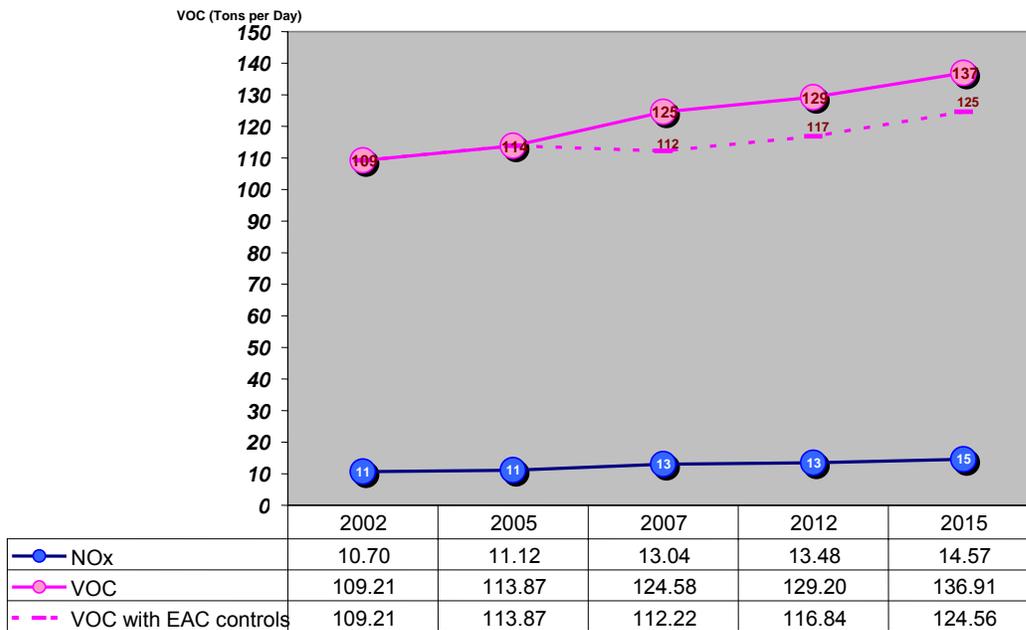


Figure 2.10 Area source emissions trends in the Austin-Round Rock MSA

**Nonroad Mobile Source Emissions Inventory Trend**  
*Austin Round Rock MSA*

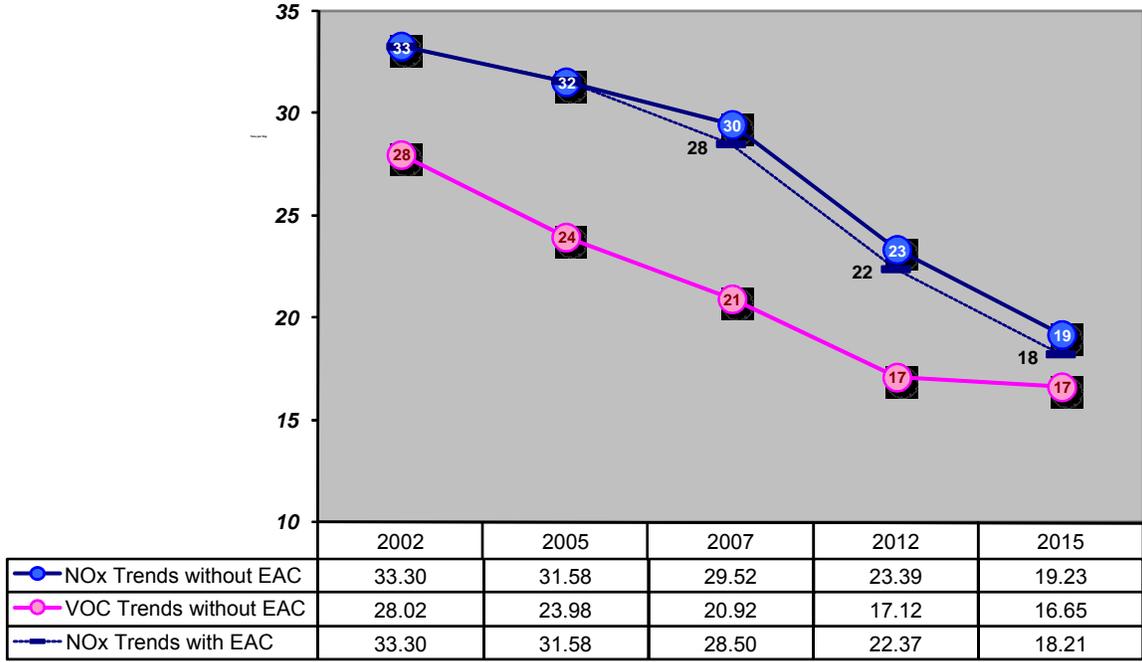


Figure 2.11 Non-road mobile source emissions trends in the Austin-Round Rock MSA

### Onroad Mobile Source Emissions Inventory Trend Austin Round Rock MSA

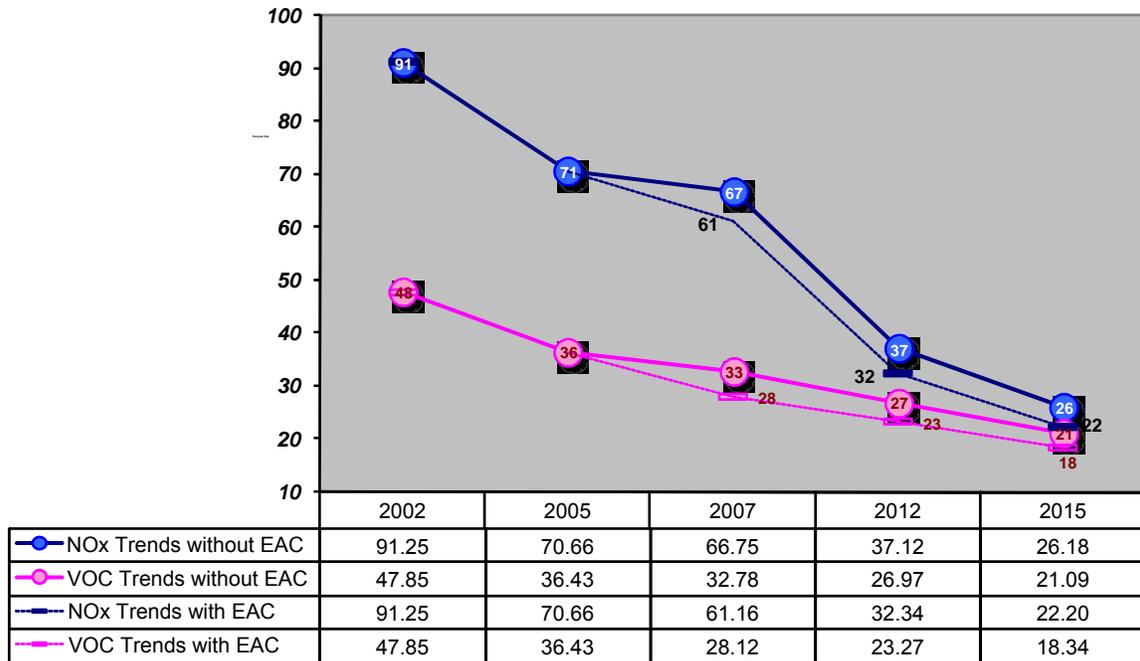


Figure 2.12 On-road mobile source emissions trends in the Austin-Round Rock MSA

Point Source Emissions Inventory Trend  
Austin Round Rock MSA

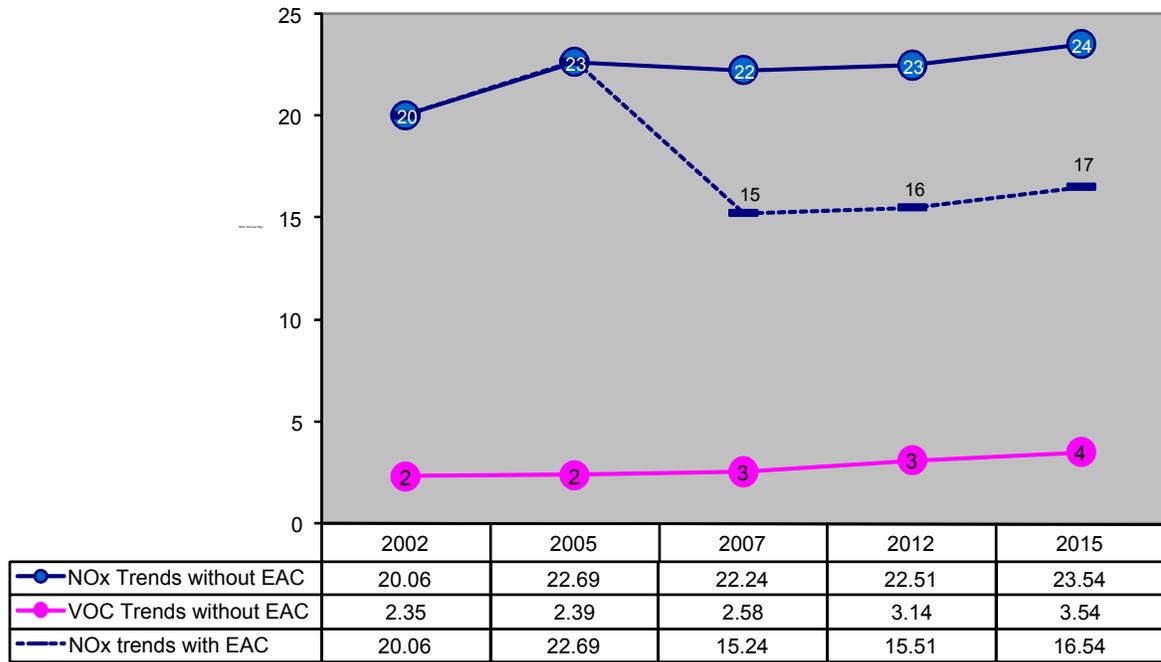


Figure 2.13 Point source emissions trends in the Austin-Round Rock MSA

## Chapter Three: Action Plan

The action plan charts the course for the MSA's air quality management through 2013. It outlines a collaborative, on-going management process that determines the appropriate response to defined implementation triggers and ensures the response is implemented. The action plan can be revised if necessary. While the action plan focuses on NO<sub>x</sub> and VOC emission reductions, many of the measures implemented will also reduce greenhouse gas emissions and petroleum-based fuel use, providing substantial co-benefits.

### 3.1 Planning Measures

#### 3.1.1 Air Quality Planning Activities

The Capital Area Council of Governments (CAPCOG) is committed to coordinating technical planning activities in support of the local government jurisdictions represented on the Clean Air Coalition, and to providing technically sound science for assessing regional air quality problems. CAPCOG is enabled by the near-nonattainment (NNA) grant contract with TCEQ and uses funding provided by the Texas Legislature.

CAPCOG will continue to monitor the region's ozone levels and develop and refine the technical analysis required to develop successful control strategies. It will monitor control strategy performance and provide technical support for successful implementation of both voluntary and State-assisted measures adopted in the EAC SIP and/or 8-hour O<sub>3</sub> Flex Program. Tasks included in the FY 08-09 NNA contract work plan are summarized as follows:

##### Monitoring air pollution levels

- Collect ozone concentration and meteorological data within the MSA by operating six ozone monitoring and meteorological data collection stations. Data collected will be reported to TCEQ's LEADS (IPS MeteoStar Leading Environmental Analysis and Display System) to supplement data collected at the two regulatory monitors operated in the area by TCEQ.
- Evaluate the patterns of ozone transport in Central Texas using aircraft-based instrumentation on planned routes to assess transported ozone, significant point sources and locally generated ozone distribution. Variability in ozone concentration and distribution of high ozone readings in the area may also be assessed using a mobile, ground-based monitoring platform.
- Continue VOC sampling program during the ozone season using canisters designed to capture VOCs in early morning ambient air prior to active photochemistry occurring. The data will be used for comparison with the VOC modeling emissions inventory for assessing emissions trends and for evaluating performance of the EAC VOC emission reduction measures.

### Emissions Inventory Development

- Update the non-road mobile source emission inventories using the latest Non-road Emission Model and activity data to obtain accurate estimates of non-road emissions, e.g., lawn mowers, agricultural implements, pleasure boats.
- Coordinate with CAMPO and TCEQ to improve and update on-road mobile emissions estimates using the most recent travel demand model and MOBILE input data, including local fuel characteristics.
- Estimate emissions from area sources through a targeted outreach and compliance survey, current population data, or employment data.
- Review and confirm major point source emissions and update minor point source emissions from TCEQ permit files and local business data listings.
- Analyze regional growth trends and land use using data from Envision Central Texas and other studies to project future land uses and employment growth. The rural areas of the CAPCOG region have been transitioning to urban economies over the last decade. Residential and employment growth trends and land use allocations will be used in conjunction with the latest GIS data layers to update and spatially locate 2015 emission inventories, employment, and population projections.

### Photochemical Modeling Tasks

- Use ozone monitoring and meteorological data for the 2007 and 2008 ozone seasons to update the conceptual model which characterizes meteorological conditions resulting in high ozone levels in the MSA. Incorporate results of TxAQS II projects and airborne sampling to better characterize emissions source regions and meteorological components contributing to high ozone events in the region. Analyze conceptual model for completeness of the existing photochemical modeling episodes and determine if new episodes are needed for photochemical modeling analysis.
- Work with TCEQ and other near-nonattainment areas to select and develop a joint modeling episode. The episode may be selected from the TxAQS time period since enhanced modeling input data is available. An additional modeling episode is needed to supplement the existing September 1999 episode model in order to evaluate high ozone events which occur earlier in the season, usually June or early July. This episode could also be used in conjunction with the 1999 episode for attainment analysis required if the MSA does not monitor attainment in the future.

### Early Action Compact SIP and 8-hour O<sub>3</sub> Flex Program Implementation

- Provide contractor funding to continue existing, local voluntary emission reduction measure program commitments.
- Clean Air Partners Program – a CAPCOG subcontractor, in coordination with the CLEAN AIR Force of Central Texas, administers this program. The program provides guidance to over 100 companies with over 170,000

employees on the implementing measures aimed at reducing commute-related emissions by 10%. Results are provided annually.

- Regional Rideshare Program – CAPCOG, CAMPO, and the Alamo Area Council of Governments selected the GreenRide system developed by Ecology and Environment, Inc. as the framework for a shared regional web-based ride-matching program to reduce emissions from single-occupant vehicles.
- Energy conservation measure outreach efforts – SB 12 includes a requirement for local governments to implement energy conservation measures which will reduce demand for new electric generating units. This task provides staff and subcontractor assistance to member local governments in selecting effective energy conservation measures along with developing effective implementation plans.
- Provide program design and contractor funding assistance to support any enhancements for existing voluntary programs or implementation of new programs required by the 8-hour O<sub>3</sub> Flex program
- Provide updated analysis of the 8-hour O<sub>3</sub> Flex program Action Plan emission reduction measures. These may include analysis of recently developed measures, such as the GreenRide regional rideshare program, increased use of plug-in hybrid vehicles, or new analysis of existing control measures such as the vehicle Inspection and Maintenance (I&M) and remote sensing programs using updated EPA-approved software and/or emission factors. Perform analysis of any additional emission reduction measures for consideration in the 8-hour O<sub>3</sub> Flex program, as needed for contingency measures.
- Provide semi-annual performance analysis of adopted emission reduction measures, verify modeling inputs (particularly growth assumptions), evaluate impacts of transportation trends, collect and assess progress reports from local government 8-hour O<sub>3</sub> Flex program signatories and develop semi-annual reports required by EAC and the subsequent 8-hour O<sub>3</sub> Flex program.
- Monitor permit applications and other sources for proposed new or expanding business or industrial operations in the MSA or adjacent regions. Monitoring consists of identification of new or expanding plants, verification of building schedules with anticipated dates of startup, and conducting emission inventories. Where appropriate, work with identified new or expanding businesses or industries by providing assistance, outreach materials, and information on voluntary control strategies designed to help mitigate proposed emissions increases. This will include, as appropriate, an impact analysis under the proposed revised ozone standard.

#### Public Outreach – CLEAN AIR Force of Central Texas

- Support matching funding from CAMPO for CLEAN AIR Force of Central Texas program specialist to continue public involvement and public

education designed to promote awareness of air quality issues and their solutions.

## 3.2 Primary Measures

These emission reduction measures are designed to be sufficient to prevent violations of the current 8-hour ozone standard through 2009. Although many of the measures will be implemented through 2013 as part of the 8-hour O<sub>3</sub> Flex program, analysis of anticipated emissions growth indicates additional emission reduction measures may be needed beginning in 2010. The additional 2010 measures are included as maintenance for growth offset measures.

Implementation dates for the primary measures vary; many measures are on-going, while others will be implemented within one year of the effective date of the 8-hour O<sub>3</sub> Flex program. The following state and local measures will be continued through 2013 as part of the 8-hour O<sub>3</sub> Flex program.

### 3.2.1 On-going Local EAC Measures

These measures include the renewed commitments of local governments and participating organizations to over 100 ongoing EAC emission reduction measures.

The commitment to continue implementation of ongoing EAC measures through 2013 is triggered by the signing of the 8-hour O<sub>3</sub> Flex program Memorandum of Agreement (MOA).

These measures include specific measures implemented by local governments and participating organizations to reduce emissions from their operations and within their communities. Example measures include ozone action day education and response programs, fleet and fuel improvements, employee commute reduction, e-government, and transportation system and land-use improvements. Many of these measures were initially implemented as EAC or 1-hour O<sub>3</sub> Flex measures. These on-going measures are above and beyond those required by state and federal law. Measure specifics vary by jurisdiction, so emission reductions from the on-going local measures have not been quantified or included in the photochemical modeling. The on-going emission reduction measures implemented by local governments and participating organizations are found in Appendix B.

#### EAC Transportation Emission Reduction Measures (TERMS)

TERMs are transportation projects designed to reduce vehicle use, improve traffic flow, or reduce congested conditions. A transportation project that adds single-occupancy vehicle (SOV) capacity is not considered a TERM. General categories of TERMS include intersection improvements, traffic signal synchronization improvements, bicycle and pedestrian facilities, high-occupancy

vehicle lanes, major traffic flow improvements, park and ride lots, intelligent transportation system (ITS) and transit projects.

TERMS are similar to transportation control measures (TCMs) except that TCMs apply to non-attainment areas. TCMs are subject to nonattainment area SIP and transportation conformity requirements while TERMS are not.

Several jurisdictions and organizations committed to and implemented numerous TERMS in various locations in the MSA. Most of these TERMS **will continue to reduce emissions past 2007.**

**2007 Emission Reductions: 0.72 tpd NO<sub>x</sub>, 0.83 tpd VOC (in EAC SIP)**

#### **Commute Solutions –**

CAMPO hosts the Commute Solutions Coalition, a regional program to encourage alternatives to the drive-alone commute that will reduce congestion and improve air quality. Coalition members attend numerous events and provide information on commute alternatives. Commute Solutions also offers employers free training for employee transportation coordinators. The program also provides seed money for projects that provide or encourage commute alternatives through the Innovator Grant Program. And every year, Commute Solutions holds the Commuter Challenge, a month long contest where participants log their alternative commutes in order to be eligible for prizes. Commute Solutions also has a website: [www.commutesolutions.com](http://www.commutesolutions.com).

#### CLEAN AIR Force of Central Texas

Founded in 1993, the CLEAN AIR Force of Central Texas (CAF) is a 501(c)(3) organization of business, government, environmental and community leaders united in the common goal of finding workable solutions for improving air quality in Central Texas. The CAF conducts and coordinates public awareness and education campaigns and implements voluntary programs to reduce emissions. Some of the programs the CAF implements include the High School Public Service Announcement (PSA) Contest, the Electric Lawn Mower Discount Program, the Ozone Action Day Alert Program, the Car Care for Clean Air Program that provides free emission testing and maintenance information, the Clean Air Partners Program, and the Clean School Bus Program. See also: [www.cleanairforce.org](http://www.cleanairforce.org).

#### Clean Air Partners Program

The Clean Air Partners Program assists employers in reducing emissions through a variety of strategies, while promoting their clean air success stories to the community. Clean Air Partners is a program of the CLEAN AIR Force of Central Texas (CAF), which helps with its coordination and marketing. By becoming a Partner, employers volunteer to carry out employee clean air programs and other clean business practices to reduce the emissions that contribute to unhealthy air in our region by 10% over three years. Common strategies include employee commute solutions programs (encouraging transit

use, vanpooling, carpooling, teleworking, biking, walking , flexible schedules), use of cleaner fleets, clean energy practices (e.g., GreenChoice), low-emission construction or landscaping activities, water conservation practices, and many other activities that can contribute to cleaner air. Employers report their achievements once a year through an online reporting tool. The Clean Air Partners Program currently consists of 106 Central Texas businesses, organizations and government entities, representing over 170,000 regional employees. See also: [www.cleanairpartnerstx.org](http://www.cleanairpartnerstx.org).

#### Clean School Bus Program

The Clean School Bus Program is a cooperative partnership among the CLEAN AIR Force of Central Texas, CAPCOG, TCEQ, EPA, and school districts in Central Texas. The program helps school districts reduce schoolchildren's exposure to Particulate Matter (PM) and NO<sub>x</sub> from school buses. Emission reductions are achieved by retrofitting, replacing, or re-powering older diesel school buses. The program also encourages policies and practices to eliminate unnecessary school bus idling. See also: [www.cleanschoolbus.net](http://www.cleanschoolbus.net).

#### Clean Cities

Clean Cities is a program designed to assist the United States to use its own renewable fuels and to cut dependence on foreign oil. The Department of Energy is committed to energy use in America's transportation sector that is more efficient, less dependent on foreign oil, less environmentally disruptive, sustainable and safe. By encouraging alternative fuel and vehicle use, the Clean Cities program helps enhance energy security and environmental quality at both the national and local levels.

Respondents to a 2006 survey of Central Texas Clean Cities members reported operating 1804 alternative fuel or clean technology vehicles. Members also reported using 98,527 gasoline gallon equivalents (GGEs) of compressed natural gas (CNG) and 6,178,664 GGEs of liquefied petroleum gas, or propane. Alternative fueled mowers are also encouraged by Clean Cities members. One member reported using 2,450 gallons of alternative fuels to power mowers in 2006. The public can access alternative fuels through the three ethanol (E85), 36 bio-diesel, and 13 propane public fueling stations in the region. See also: [www.ci.austin.tx.us/cleancities/](http://www.ci.austin.tx.us/cleancities/).

#### The Austin Climate Protection Plan

The City of Austin's Climate Protection Plan is an aggressive plan to reduce or eliminate greenhouse gases. Many of the measures to reduce greenhouse gases will also reduce ozone-forming emissions, providing an implementation co-benefit. The Austin Climate Protection Plan uses a five-pronged approach:

- Municipal Plan – Make all City of Austin facilities, fleets and operations 100% carbon-neutral by 2020.
- Utility Plan – Increase efforts in conservation, energy efficiency and renewable energy programs and implement requirements for carbon

neutrality on any new generation. Offset need for 700 MW power plant through energy efficiency and meet 30% of power needs in Austin through renewable energy by 2020.

- Homes and Buildings Plan – Enhance building codes maximize energy efficiency. Implement zero net-energy capable standard for all new home construction and increase energy efficiency by 75% in all other new construction by 2015.
- Community Plan – Develop a comprehensive community plan to reduce greenhouse gas emissions through a network of stakeholders and technical advisors. Form a Climate Action Team to assess greenhouse gas emissions from community activities. Collaborate with stakeholders and technical experts to develop short- and long-term goals.
- “Go Neutral” Plan – Provide tools and resources for individuals and businesses to reduce their carbon footprint to zero. Develop an online carbon footprint calculator and a recognition program for those that achieve carbon neutrality.

See also: [www.coolaustin.org](http://www.coolaustin.org)

### 3.2.2 State Rules Implemented Through the EAC

The following emission reduction measures are implemented through state rule as part of the EAC. These measures are above and beyond state and federal requirements:

**Locally Enforced Idling Limitations** – This measure limits idling of gasoline and diesel-powered engines in heavy-duty motor vehicles within the jurisdiction of any local government in the state that has signed a Memorandum of Agreement (MOA) with TCEQ to delegate enforcement to that local government.

The MSA’s initial MOA to locally enforce idling limits began with the EAC and expires January 2, 2008. It is scheduled to be renewed through 2013 **prior to the beginning of the 2008 ozone season.**

- Administrative Code: Title 30, Subchapter J, *Operational Controls for Motor Vehicles, Division 1 Motor Vehicle Idling Limitations*, new Sections §§114.510-114.512, and 114.517

#### **2007 Emission Reductions: 0.67tpd NO<sub>x</sub> (in EAC SIP)**

Vehicle Emission Inspection and Maintenance – A version of the State vehicle emissions Inspection and Maintenance (I&M) program has been implemented in Travis and Williamson Counties. This version uses on-board diagnostics and a tailpipe test instead of the more expensive dynamometer test required in the Dallas and Houston nonattainment areas. Travis and Williamson counties administer an associated Low Income Repair Replacement Assistance Program (LIRAP).

- Administrative Code: Title 30, Subchapter C, *Vehicle Inspection and Maintenance and Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program, Division 1 Vehicle Inspection and Maintenance*, Sections §§114.80-114.87

**2007 Emission Reductions: 3.22 tpd NO<sub>x</sub>, 3.83 tpd VOC (in EAC SIP)**

Stage 1 Vapor Recovery - Amendments to existing rules lowered the exemption level for facilities subject to Stage I vapor recovery controls from 125,000 gallons in a calendar month to 25,000 gallons of gasoline in a calendar month.

- Administrative Code: Title 30, Chapter 115, Subchapter C, *Volatile Organic Compound Transfer Operations, Division 2, Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities*, Sections §§115.227 and 115.229

**2007 Emission Reductions: 4.88 tpd VOC (in EAC SIP)**

Degreasing Requirements - Amendments to existing rules extend restrictions on certain solvents.

- Administrative Code: Title 30, Chapter 115, Subchapter E, *Solvent-Using Processes, Division 1, Degreasing Processes*, §§115.412, 115.413, 115.415-115.457, and 115.419

**2007 Emission Reductions: 5.55 tpd VOC (in EAC SIP)**

Cut-back Asphalt Restrictions - Amendments to existing rules extend restrictions on the use of certain paving substances to the Austin-Round Rock MSA.

- Administrative Code: Title 30, Chapter 115, Subchapter F, *Miscellaneous Industrial Sources, Division 1, Cutback Asphalt*, Sections §§115.512, 115.516, 115.517, and 115.519

**2007 Emission Reductions: 1.03 tpd VOC (in EAC SIP)**

Low Emission Gas Cans – State rule established requirements relating to the design criteria for portable fuel containers and portable fuel container spouts and the sale or distribution of the portable fuel containers.

- Administrative Code: Title 30, Subchapter G, *Consumer-Related Sources, Division 2, Portable Fuel Containers*, Sections §§115.620-115.622, 115.626, 115.627, and 115.629

**2007 Emission Reductions: 0.89 tpd VOC (in EAC SIP)**

Texas Emission Reduction Plan (TERP) – This existing TCEQ program, created by the State Legislature in 2001, provides grants and other incentives to improve air quality. TERP can provide funding for:

- Cleaner on- and off-road engines
- Cleaner fuels and other infrastructure programs
- Research and development of new technologies

A list of approved TERP grants in the MSA is found in Appendix C.

**2007 Emission Reductions: 2.26 tpd NO<sub>x</sub> (2 tpd in EAC SIP)**

The Texas Legislature provided funding for the TERP program through 2013. TCEQ will continue to notify potential TERP participants in the MSA of upcoming funding opportunities through 2013. Governments and businesses in the MSA will continue to apply for TERP grants when available and appropriate. **Emission reductions from projects funded during the term of the MOA will be reported in the applicable 8-hour O<sub>3</sub> Flex program progress reports.**

Local Power Plant Reductions – Austin Energy, LCRA and UT agreed to specific reductions in their EAC commitments.

**2007 Emission Reductions: 1,866 tons per year NO<sub>x</sub>, approximately 7 tpd (in EAC SIP)**

Other State and Federal Measures - In addition to the state measures listed previously, the following state and federal measures apply to the MSA.

<b>Federal Measures</b>	<b>Description</b>
Area and Non-Road Measures	EPA has implemented a series of strategies for area and non-road sources. Some of these include the gas engine rule and marine recreational engine standards.
On-Road Measures	EPA has implemented a series of strategies for on-road vehicles. Tier 1 and Tier 2 vehicle standards, low-sulfur diesel standards, and National Low Emission Vehicle standards
<b>State Measures</b>	<b>Description</b>
California Gasoline Engines	California standards for non-road gasoline engines 25 horsepower or larger
Gas-Fired Heaters and Small Boilers	Rule limiting NO <sub>x</sub> emissions from these small-scale residential and industrial sources.
Low Reid Vapor Pressure Gasoline	Low RVP gasoline is fuel that is refined to have a lower evaporation rate and lower volatility than conventional gasoline. It also reduces the evaporative emissions generated during vehicle refueling and reduces VOCs.

### **3.2.3 New Measures for the 8-hour O<sub>3</sub> Flex Program**

The region is implementing the following new measures designed to keep ozone levels below the current 8-hour standard. These measures will be implemented within one year of the MOA signing, unless otherwise specified.

The Regional Web-based Rideshare Matching program, described below, will be **fully implemented and quantified within the first year of the 8-hour O<sub>3</sub> Flex Program, as required.**

#### Regional Web-based Rideshare Matching Program

The Capital Area Metropolitan Planning Organization (CAMPO) and the Alamo Area Council of Governments are partnering with Ecology and Environment, Inc.

to implement an inter-regional web-based rideshare matching and transportation information system covering 22 counties, including the Austin-Round Rock MSA. This program will help reduce drive-alone commutes in and between Austin and San Antonio, as well as throughout the 22-county region. This will reduce NO<sub>x</sub> and VOC emissions in both Austin and San Antonio. Program implementation began in late 2007. At a minimum, the Austin MSA portion of the program will continue through 2013 as part of the 8-hour O<sub>3</sub> Flex Program.

River Cities Rideshare, [www.rcride.com](http://www.rcride.com), is a web and map-based ridesharing program designed for ease-of-use by commuters and administrators in order to maximize participation and usefulness. After accepting the Terms of Use Agreement, the user can access instant, map-based rideshare matches, as well as bus-route, biking or walking information. The program provides the user with a template email to send to prospective matches and an email notification feature if matches are identified in the future. The program is available in both English and Spanish.

Both the user and the program administrator can track and quantify miles and dollars saved, emissions reduced, and calories burned. The program administrator can use the program's incentive management feature to encourage participation. The amount of NO<sub>x</sub> and VOC reduced by the program will depend on participation rates and vary over time. Current daily emission reductions for the Austin-Round Rock MSA are estimated at 1215 grams per day VOC and 1541 grams per day NO<sub>x</sub>. This estimate will be updated and reported as part of the 8-hour O<sub>3</sub> Flex program progress report.

#### Expanded Clean Air Coalition

The Clean Air Coalition (CAC) will invite at least five additional cities in the MSA to join the CAC and implement emission reduction measures appropriate to their circumstances. The invitation will include information on regional ozone and offer support and technical assistance in determining appropriate emission reduction measures. At a minimum, potential members will be encouraged to implement an Ozone Action Day (OZAD) Education and Response Program. The CLEAN AIR Force of Central Texas provides regional support for OZAD program implementation.

The CAC will extend invitations no later than one year after the MOA effective date. New members will implement any emission reduction measures they determine appropriate within one year of joining the CAC. New measure implementation will be quantified to the extent possible and included in the next applicable 8-hour O<sub>3</sub> Flex program progress report.

### Ozone Watch and Warning System

The CAC requested TCEQ implement an ozone watch and warning system for the MSA in a letter dated October 2, 2007(see Appendix A). An ozone watch and warning system notifies participants when high ozone levels are expected to occur and sends a warning when high ozone levels are actually occurring. This system would replace the current ozone watch only system and offer extra protection for individuals sensitive to high ozone levels.

The TCEQ will implement the MSA's Ozone Watch and Warning System within one year of the MOA effective date. Once implemented, program status will be included in the next applicable 8-hour O<sub>3</sub> Flex program progress report.

### Primary TERMS

Various governments and agencies in the MSA commit to implement TERMS in the 2008 and 2009 timeframe as primary 8-hour O<sub>3</sub> Flex program measures. A list of the primary TERMS is found in Appendix D. The primary TERMS' status and emission reductions will be reported in the 8-hour O<sub>3</sub> Flex program progress report.

### AirCheck Texas Local Initiative Projects

The state has authorized funds to be used in counties that have an Inspection and Maintenance program with a vehicle repair and replacement component. These funds can be used to develop and implement new air control strategies designed to assist local areas in complying with state and federal air quality rules and regulations, as well as programs to enhance and improve the AirCheck vehicle inspection and maintenance program. Travis and Williamson Counties, in cooperation with TCEQ, will develop and implement emission reduction measures using these funds. The measures will be implemented as expeditiously as practicable, quantified to the extent possible, and included in the next applicable 8-hour O<sub>3</sub> Flex program progress report.

### Paving of Unpaved Roads

An in-use vehicle study conducted by the Texas Transportation Institute indicates that vehicles emit more pollutants on unpaved roads, with other variables held constant. The study is found in Appendix E. Local governments will identify candidate road-paving projects and potential funding sources. Roads will be paved if sufficient funding is secured.

### Voluntary Local Measures

In addition to continuing EAC measures, some governments and organizations are committing to implement new measures for the 8-hour O<sub>3</sub> Flex program. For example:

- The City of Austin will implement a carpool matching system for employees to its numerous on-going commitments.

- Travis County will implement a carpool parking incentive and an Ozone Action Day sign program at the County's drive through facilities to its on-going commitments.

One new agency, the Central Texas Regional Mobility Authority, committed to implement voluntary emission reduction measures. (See Appendix B)

#### Other measures

Other planning or emission reduction measures mutually agreed to by the signatory parties may be implemented. Once implemented, measure status will be included in the 8-hour O<sub>3</sub> Flex program progress report.

### **3.3 Maintenance for Growth Offset Measures**

Implementation of one or more of these measures, intended to address expected emissions growth, will be implemented **no later than December 31, 2010**. The MOA signatories will evaluate the most recent emissions estimates and other relevant factors to determine the appropriate measure(s) to implement no later than January 1, 2010.

#### TERP

Local governments and businesses will continue to apply for TERP funding when available and as appropriate. TCEQ will notify the MOA signatories when TERP grant funding is available. Emission reductions from projects funded during the term of the MOA will be reported in the applicable 8-hour O<sub>3</sub> Flex program progress reports.

#### Maintenance for Growth TERMS

Various governments and agencies in the MSA commit to implement TERMS in the 2010 to 2013 timeframe. The specific 2010 to 2013 TERMS selected as growth offset measures will be determined no later than January 1, 2010. The status and emission reductions from these TERMS will be reported in the 8-hour O<sub>3</sub> Flex program progress report.

#### Further Expand the Clean Air Coalition

The CAC will invite all cities in the MSA with populations  $\geq 10K$  to join the Clean Air Coalition and implement emission reduction measures appropriate to their circumstances. The invitation will include information on regional ozone and offer support and technical assistance in determining appropriate emission reduction measures. At a minimum, potential members will be encouraged to implement an Ozone Action Day (OZAD) Education and Response Program. The CLEAN AIR Force of Central Texas provides regional support for OZAD program implementation.

### Energy Efficiency and Conservation Programs

Measures to reduce energy use through efficiency and conservation programs also reduce NO<sub>x</sub> and other pollutants generated as a by-product of energy production. These measures will also reduce greenhouse gases and petroleum fuel use, providing an implementation co-benefit. Local governments, working through the Clean Air Coalition, CAPCOG and the EAC Task Force, will develop an inventory of energy efficiency and conservation programs implemented in the MSA by electric generation and/or distribution companies, state and local government agencies and other entities with available information. At a minimum, the inventory will be evaluated for adequacy, geographic coverage and effectiveness, and the emissions reductions quantified to the extent possible. Local governments may request assistance from TCEQ, the State Energy Conservation Office and the Texas A&M Energy Systems Lab in developing and evaluating the inventory. As part of the evaluation, local governments, working with implementing agencies, stakeholders and other interested parties, will determine whether the implemented measures are sufficient or improvements are needed.

Local governments will share the evaluation findings with implementing agencies, signatory parties, stakeholders and the public and recommend improvements if needed. Local governments will also provide citizens with information on applicable energy efficiency and conservation programs and encourage citizens to reduce energy use. The status of implemented measures will be included in the 8-hour O<sub>3</sub> Flex program progress report beginning with the next applicable report.

### Other Measures

Other emission reduction measure not specifically listed may be implemented as emissions growth offset measures if the signatory parties agree to do so. The MOA signatories will identify and evaluate specific measures for consideration by July 1, 2010. Implementation dates and quantification possibilities will vary depending on measure specifics. The status of measures implemented will be included in the 8-hour O<sub>3</sub> Flex program progress report beginning with the first report after the measures are selected.

## **3.4 Tier I Contingency Measures**

In addition to the Maintenance for Growth Offset Measures, which address anticipated increases in emissions due to growth, the MSA has prepared a series of contingency measures for implementation in the event that the MSA's design value reaches specified trigger levels.

Should the MSA's design value reach 84 ppb, the signatory parties will implement one or more of the following Tier I contingency measures. Within 90 days of a regulatory monitor recording a reading that would result in a design

value of 84 ppb, the signatory parties will work cooperatively to determine the cause of the increase and to select a specific Tier I contingency measure(s) that will be implemented. The Tier I measure(s) will be implemented as expeditiously as practicable, but no later than two years from the date of the trigger (i.e., the date that one of the MSA's regulatory monitors records a reading that, if valid, would result in a 3-year design value of 84).

#### Voluntary Mobile Source Emission Reduction Program (VMEP)

Local governments will implement a VMEP consisting of one or more voluntary mobile source emission reduction measures. VMEP measures that may be implemented as a Tier 1 contingency measure include expanding, upgrading and/or promoting the regional web-based rideshare matching program, [www.rcride.com](http://www.rcride.com), and/or the Clean Air Partners Program to increase participation and associated emissions reductions. Other VMEP measures may be implemented if mutually agreed upon by the signatory parties. Tier I Contingency VMEP emission reductions will be included in the 8-hour O<sub>3</sub> Flex program progress report.

#### TERP

Governments and businesses in the MSA will continue to apply for TERP grants when available and as appropriate, although TERP funds are not guaranteed beyond the current funding/fiscal cycle (2008-2009). TCEQ will notify the MOA signatories when TERP grant funding is available. Emission reductions from projects funded during the term of the MOA will be reported in the applicable 8-hour O<sub>3</sub> Flex program progress reports.

#### NO<sub>x</sub> Emissions-Reducing Diesel and/or Diesel Additives

The local government signatories will encourage area fleets, school districts and other businesses with on-road and non-road diesel vehicles to voluntarily use diesel fuel that has been obtained from diesel producers selling or supplying only diesel fuel that has been produced as Texas low emission diesel (TxLED) in compliance with the TxLED regulation applicable to changes in the physical properties of the diesel or through the use of a TCEQ approved alternative diesel formulation.

#### TERMS

Various governments and agencies in the MSA will commit to implement additional TERMS if the MSA design value reaches 84 ppb or higher. The Tier I contingency TERMS will be additional TERMS not previously committed to the 8-hour O<sub>3</sub> Flex Program as primary TERMS. Governments and implementing agencies will identify Tier I contingency TERMS. Tier I TERMS will be implemented as expeditiously as practicable and according to the implementation schedule. The status and emission reductions from the Tier I contingency TERMS will be reported in the 8-hour O<sub>3</sub> Flex program progress report.

### Expand Participation in Locally Enforced Idling Limitations

The CAC will encourage other municipalities in the MSA to enter into a MOA with TCEQ to locally enforce idling limits for gasoline and diesel-powered engines in heavy-duty motor vehicles within their jurisdiction. The CAC will invite new CAC members and other municipalities to consider participating in the MOA. TCEQ will give prompt consideration to locally enforced idling limit MOAs requested by local governments in the MSA.

### Other Measures

Other planning or emission reduction measures mutually agreed to by the signatory parties may be implemented. Once implemented, measure status will be included in the 8-hour O<sub>3</sub> Flex program progress report.

## **3.5 Tier II Contingency Measures**

Should the region's design value reach or exceed 85 ppb, the signatory parties will implement one or more of the following Tier II contingency measures. Within 90 days of a regulatory monitor recording a reading that would result in a design value of 85 ppb, the parties will work cooperatively to determine the cause of the increase and to select a specific Tier II contingency measure(s) that will be implemented. The Tier II measure(s) will be implemented as expeditiously as practicable, but no later than two years from the date of the trigger (i.e., the date that one of the region's regulatory monitors records a reading that, if valid, would result in a 3-year design value of 85 ppb or greater).

Tier II contingency measure(s) will be quantified to the extent possible and implementation status will be included in the applicable 8-hour O<sub>3</sub> Flex program progress report.

### Additional Tier I Measures

The signatory parties will consider implementing one or more of the Tier I measures that were not previously implemented.

### Vehicle Inspection and Maintenance Program

MOA signatories will evaluate the vehicle inspection and maintenance program in Travis and Williamson Counties to determine if the program can reasonably be revised to increase vehicle emission reductions achieved by the program. Program revisions that may be considered include additional remote sensing and testing diesel vehicles. Other program revisions may also be considered.

The program could be expanded to Bastrop, Caldwell or Hays Counties if the county and largest city in the county request that TCEQ include that county in the program.

## TERMS

Various governments and agencies in the MSA will commit to implement additional TERMS. The Tier I contingency TERMS will be additional TERMS not previously committed to the 8-hour O<sub>3</sub> Flex program. The specific TERMS selected as Tier 1 contingency measures will be determined as expeditiously as practicable. The status and emission reductions from the Tier I contingency TERMS will be reported in the 8-hour O<sub>3</sub> Flex program progress report.

## Other Measures

Other planning or emission reduction measures mutually agreed to by the signatory parties may be implemented. Once implemented, measure status will be included in the 8-hour O<sub>3</sub> Flex program progress report.

If unforeseen circumstances dictate the appropriateness of an emission reduction strategy not found in the plan, the local governments reserve the right to submit the alternative strategy to the TCEQ and the EPA for approval. Should an alternative strategy be submitted, its emission reductions will be equivalent or greater to those of the strategy it replaces.

## **3.6 Coordination and Public Participation**

The CAC established an EAC Task Force (EACTF) composed of staff from signatory jurisdictions, participating agencies, and including representatives of business and advocacy organizations, to develop EAC recommendations. The EACTF continues to meet regularly and to facilitate EAC implementation and reporting. The CAC directed the EACTF to build on the success of the EAC and to prepare recommendations for an 8-hour O<sub>3</sub> Flex program.

The EACTF developed the 8-hour O<sub>3</sub> Flex program elements in consultation with its full membership. The CLEAN AIR Force of Central Texas coordinated a print advertising campaign to introduce the proposed plan and to encourage public comments and suggestions. The newspaper ads ran in all five MSA counties. (See Appendix F)

Each jurisdiction will follow its own standard public involvement process. The complete plan will be posted on the CAF website, as well as on various other regional sites.

The EACTF will continue to assist local governments and participating agencies with implementing, tracking, and documenting the emission reduction measures associated with their jurisdiction's commitments. The Capital Area Council of Governments (CAPCOG) coordinates reporting requirements and quantifies results to the extent possible

### 3.7 Schedules and Reporting

#### 3.7.1 Schedule of Activities and Milestones

Proposed Central Texas 8-Hour Ozone Flex Program (2008-2013)			
TRIGGER	LEVEL	Implement one or more of the following MEASURE(S)	IMPLEMENTATION PERIOD
Signing of 8 - Hour O3 Flex MOA	Selected Primary Emission Reduction Measures	Continue EAC SIP-Level and Voluntary Emission Reduction Measures	Ongoing, 2008--2013
		Continuation of analysis of measures' effectiveness and emissions growth	Ongoing, 2008--2013
		Continuation of area-wide programs such as Commute Solutions, Clean Cities, Clean School Bus	
		Renewal of Idling MOA	Prior to 2008 ozone season
Signing of 8 - Hour O3 Flex MOA	Primary Emission Reduction Measure(s)	Apply for TERP funding (as available)	Within 24 months
		TERMS	Within 1 year or as scheduled
		Regional RideShare Program	Within 1 year
		Invite 5 or more additional cities to join CAC & become 8-hour O3 Flex Program signatories	Within 1 year
		Request TCEQ implement Watch/Warning ozone alert system	As appropriate
		Implement AirCheck Texas Local Initiative Projects with LIRAP funds	As appropriate
		Pave unpaved roads	As appropriate
		Other measures identified and mutually agreed upon	Within 1 year
January 1, 2010	Maintenance for Growth Offset Measures	Apply for TERP funding (as available)	By December 31, 2010
		Invite all nonparticipating cities in MSA with populations ≥ 10K to join CAC & become 8-hour O3 Flex Program signatories	By December 31, 2010
		TERMS	By December 31, 2010
		Other measures identified and mutually agreed upon	As appropriate
		Energy efficiency and conservation programs	By December 31, 2010
84 ppb Ozone Design Value	Tier I Contingency Measure(s)	Apply for TERP funding (as available)	Within 24 months
		TERMS	Within 24 months
		Invite additional cities to join idling MOU	Within 24 months
		VMEP: Upgrade Regional RideShare Program & Clean Air Partner Program	Within 24 Months of 84 ppb DV
		Other measures identified and mutually agreed upon	As appropriate
		Voluntary use of NO <sub>x</sub> emissions-reducing diesel and/or diesel additive to area fleets, school district buses, and/or non-road vehicles	Within 24 Months of 84 ppb DV
85 ppb or Greater Ozone Design Value (Violation)	Tier II Contingency Measure(s)	Tier I Contingency Measures not already implemented	Within 24 months of violation
		At the request of the county and its principal city, expand Inspection & Maintenance Program to Bastrop, Caldwell and/or Hays counties.	Within 24 months of violation
		Request upgrade of I&M Program to include additional remote sensing & inclusion of diesel testing	Within 24 months of violation
		TERMS	Within 24 months of violation
		Other measures identified and mutually agreed upon	Within 24 months of violation

### **3.7.2 8-hour O<sub>3</sub> Flex Program Progress Report**

In accordance with EPA guidance, all signatories and participating organizations will review 8-hour O<sub>3</sub> Flex program activities twice yearly. The progress report will track and document, at a minimum, the latest information on implementation of control measures, ozone monitoring data, and the success of current measures.

CAPCOG has primary responsibility for report generation and will provide appropriately detailed technical analysis.

CAPCOG, or its designee, will file reports with the TCEQ and EPA by June 30 and December 31 of each required reporting year; reporting periods will be from May 1 to October 31, and November 1 to April 30, to allow for adequate public notice and comment.

If, following submittal of the first progress report, the MSA's design value is maintained at 80 ppb or lower, or if the design value is not increasing, or is on the decline each year, the MSA will request EPA approval to submit reports annually.

## **Chapter Four: Memorandum of Agreement**

This Memorandum of Agreement (MOA) is between the governmental entities representing Bastrop, Caldwell, Hays, Travis and Williamson Counties and the cities of Austin, Bastrop, Elgin, Lockhart, Luling, Round Rock and San Marcos (herein after referred to as the local governments) who have approved participation in and signed the MOA, the Texas Commission on Environmental Quality (TCEQ), and the United States Environmental Protection Agency (EPA). The purpose of the MOA is to reduce ground-level ozone concentrations in the Austin-Round Rock Metropolitan Statistical Area (MSA) through implementation of an 8-hour O<sub>3</sub> Flex program as described in this document.

The 8-hour O<sub>3</sub> Flex program emphasizes local flexibility in selecting and implementing emissions reduction measures. Given the varied emissions contributions and differing socioeconomic characteristics within each local government's jurisdictional boundaries, not all measures can or should be implemented region-wide. Rather, each of the local governments will implement the measures that work for its specific jurisdiction and, when added together, work for the region as a whole. Note that certain measures (e.g., Regional Rideshare Program, Watch/Warning Ozone Alert System), would apply region-wide.

### **4.1 General Provisions**

The signatory parties commit to develop, implement and maintain this 8-hour O<sub>3</sub> Flex program according to applicable EPA guidelines and adhere to all terms and conditions stated in the guidelines.

### **4.2 EPA and TCEQ Responsibilities**

4.2.1 Regulations that apply to an MSA would still apply under the 8-hour O<sub>3</sub> Flex program. The 8-hour O<sub>3</sub> Flex program does not shield an MSA from being redesignated nonattainment for the 8-hour ozone standard of 0.08 parts per million (ppm) effective September 1997, if the MSA is in violation of that standard. Should a violation occur, EPA would consider factors in section 107(d)(3)(A) of the Act. These include "air quality data, planning and control considerations, or any other air quality-related considerations the Administrator deems appropriate," including time to allow the implemented contingency measures to work. As long as the 8-hour O<sub>3</sub> Flex program and control measures in its Action Plan are being

fully implemented, EPA would consider that circumstance in exercising its discretion in making a decision to redesignate the area to nonattainment.

4.2.2 The intent of the signatory parties in entering into this MOA is to maintain the MSA's attainment designation and proactively implement and sustain air quality improvement strategies that are tailored to local conditions and are effective, practical and measurable in reducing ground-level ozone concentrations. This MOA should in no way be construed as a strategy to avoid or to defer a regulatory requirement.

4.2.3 EPA and TCEQ commit to informing the local governments of all available options and flexibility, to the extent allowed by the Federal Clean Air Act, in the event that the MSA, or any portion of the MSA, is monitoring exceedances or violations of the 8-hour ozone standard for the duration of this agreement.

4.2.4 EPA supports flexible approaches that account for the complex nature of ozone formation and has provided State Implementation Plan (SIP) credit to MSA's that adopt quantifiable measures for ozone reduction plans that may be required in the future. EPA will, consistent with the Federal Clean Air Act, allow the Austin-Round Rock MSA appropriate SIP credit for eligible strategies implemented under the terms of this Agreement.

4.2.5 Upon receipt of recommendations for implementation of contingency measures under 4.3.7, the TCEQ Executive Director will, subject to commission approval and public comment, initiate a process for proposing a SIP revision regarding contingency measures for the MSA.

4.2.6 This MOA's terms do not abrogate any state or federal legal requirement.

### **4.3 Local Government Responsibilities**

4.3.1 As specified by EPA guidelines, the 8-hour O<sub>3</sub> Flex program developed by the MSA contains sections describing the MSA's air quality; an action plan; existing control measures; contingency measures; coordination and public participation process; schedules and reporting; and an MOA with signature and date page. These sections and

associated appendices further define the commitments and actions of the local governments.

4.3.2 The local governments may continue to conduct photochemical modeling to the extent that it informs and allows the MSA to better target contingency measures. However, there is no EPA requirement for photochemical modeling in support of or as a condition of participation in the 8-hour O<sub>3</sub> Flex program.

4.3.3 The local governments will continue to develop and regularly update area emissions inventories through the Capital Area Council of Governments. Note that, after consultation with TCEQ and EPA, the base year 2002 will be used for emissions inventories and for future emissions projections

4.3.4 The MSA is an Early Action Compact (EAC) area. Therefore, in order to participate in the 8-hour O<sub>3</sub> Flex program, the local governments agree to continue their existing EAC requirements. Specifically, the local governments agree to keep the "Maintenance for Growth" requirement in place through 2012 as agreed to in the "Austin Area Early Action Compact State Implementation Plan Revision" adopted by TCEQ on November 17, 2004.

4.3.5 The local governments have detailed in an Action Plan the events that will trigger a requirement to implement one or more contingency measures and have specified when those measures will be implemented. The local governments commit to revise or update these contingency measures if state/tribal or federal laws change during the MOA period.

4.3.6 The local governments agree to implement one new, voluntary emissions reduction measure within one year of the signing of the MOA.

4.3.7 If the MSA's design value reaches or exceeds 85 ppb, the local governments will select one or more of the Tier II contingency measures and notify the Clean Air Coalition (CAC). The CAC will forward the local government recommendations to TCEQ to consider for inclusion in the SIP.

#### **4.4 Expected Memorandum of Agreement Duration**

The last signature date of this MOA is the start date of the agreement's term. This agreement remains in effect until December 31, 2013.

## **4.5 Conditions for Modification or Early Termination**

This MOA may be modified or terminated by mutual consent of all signatory parties.

4.5.1 Any signatory party may withdraw from the MOA.

4.5.2 Failure to abide by the terms of the MOA, should violation of the 8-hour standard occur, could lead to redesignation as nonattainment for the 8-hour standard.

4.5.3 The signatory parties may review and modify this MOA as they deem necessary.

## **4.6 Signatures and Date**

Executed in multiple copies by the signatory parties to this MOA. The representatives of the signatory parties executing this MOA represent their authority to sign the MOA and to bind the signatory party they represent to the terms of this MOA.

**Signatory Parties to the Austin/Round Rock Metropolitan Statistical Area  
8-Hour Ozone Flex Program  
Memorandum of Agreement**

---

Judge Ronnie McDonald  
Bastrop County

Date:

---

Mayor Will Wynn  
City of Austin

Date:

---

Judge H.T. Wright  
Caldwell County

Date:

---

City Manager Michael H. Talbot  
City of Bastrop

Date:

---

Judge Elizabeth Sumter  
Hays County

Date:

---

Mayor Gladys Markert  
City of Elgin

Date:

---

Judge Samuel T. Biscoe  
Travis County

Date:

---

Mayor James Bertram  
City of Lockhart

Date:

---

Judge Dan Gattis, Sr.  
Williamson County

Date:

---

Mayor Mike Hendricks  
City of Luling

Date:

---

Buddy Garcia, Chairman  
Texas Commission on Environmental Quality

Date:

---

Mayor Alan McGraw  
City of Round Rock

Date:

---

Richard E. Greene,  
Regional Administrator  
US Environmental Protection Agency, Region 6

Date:

---

City Manager Rick Menchaca  
City of San Marcos

Date:

**Appendix A Correspondence**

**Appendix B Emission Reduction Measures**

**Appendix C TERP**

**Appendix D TERMS**

**Appendix E TTI Study**

**Appendix F Public Participation**

# **Appendix A**

## **Correspondence**



**Capital Area Council of Governments**

PO Box 17848, Austin, TX 78760  
512.916.6000 ~ Fax 512.916.6001  
www.capcog.org

October 2, 2007

**Clean Air Coalition:**

Chairman  
Mayor Will Wynn  
City of Austin

Vice-Chair  
Judge Samuel  
Biscoe  
Travis County

Commissioner Clara  
Beckett  
Bastrop County

Mayor James  
Bertram  
City of Lockhart

Commissioner  
Ron Morrison  
Williamson County

Mayor Mike  
Hendricks  
City of Luling

Mayor Gladys  
Markert  
City of Elgin

Mayor Pro Tem Alan  
McGraw  
City of Round Rock

Mayor  
Susan Narvaiz  
City of San Marcos

Commissioner  
Karen Ford  
Hays County

Mayor Tom Scott  
City of Bastrop

Judge H. T. Wright  
Caldwell County

Mr. Steve Spaw  
Director, Monitoring Operations Division  
Texas Commission on Environmental Quality  
P.O. Box 13 087  
Austin, TX 78701

Dear Mr. Spaw,

The Central Texas Clean Air Coalition (CAC) is a bi-partisan organization of elected officials from the five-county Austin metro region, including officials representing the five counties and the seven most populous cities in those counties. As Mayor of Austin, I serve as current chairman of the CAC.

The CAC and its member governments have worked over the past several years to implement measures intended to maintain the area's compliance with the federal ozone standard. While we have been successful in achieving emission reductions, we believe the region will continue to be challenged in meeting the ozone standard, especially if the EPA proposed new standards are adopted. We have therefore expressed our intent to submit an 8-hour O3 Flex plan to keep existing measures in place while considering additional proactive steps than can reasonably be taken to protect the health of our citizens. One of the additional steps recently considered and supported by a vote of the CAC is to ask TCEQ to implement an ozone watch and warning system similar to the ones in Dallas and San Antonio. I am hopeful that this request will meet with the TCEQ's favorable approval, and that such a system, based on regional monitoring and meteorological data can be implemented by the next ozone season.

We look forward to our continued work with the TCEQ on safeguarding our air resources, and want to offer our thanks to your staff in particular for all the assistance they have provided to improve our regional air quality monitoring initiatives.

Regards,

Will Wynn  
Chairman  
Central Texas Clean Air Coalition



## Central Texas Clean Air Coalition

Bastrop County • Caldwell County • Hays County • Travis County • Williamson County  
City of Austin • City of Bastrop • City of Elgin • City of Lockhart • City of Luling  
City of Round Rock • City of San Marcos

December 20, 2006

Richard E. Green  
Regional Administrator  
U.S. EPA Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Subject: 8-hour Ozone Flex Program Letter of Intent

Dear Administrator Greene;

On behalf of the Central Texas Clean Air Coalition (CAC), I would like to thank EPA for its approval of the 8-hour Ozone Flex Program and for its release of program guidance. The Austin/Round Rock (A/RR) MSA has a long-standing commitment to air quality and is grateful for the opportunity to participate in this timely new program.

The A/RR MSA currently monitors attainment of the 8-hour ozone standard. We believe that the region's attainment status is due, in large part, to the emission reductions achieved under the MSA's Early Action Compact and 1-hour Ozone Flex Plan.

Please consider this letter our notice of intent to participate in the 8-hour Ozone Flex Program. We anticipate a plan that includes, at minimum, the emission reduction measures implemented under our Early Action Compact and 1-hour Ozone Flex Plan. We will consider additional measures as we develop and finalize our plan.

Thank you for this opportunity. We are look forward to our continued partnership in securing the clean, healthy air that is the birthright of every American.

With best regards,

Will Wynn  
Mayor, City of Austin  
Chair, Central Texas Clean Air Coalition

The CTCAC is supported by the Early Action Compact Task Force and by staff of the  
Capital Area Council of Governments (CAPCOG)  
Air Quality Planning Division  
PO Box 17848, Austin, TX 78760

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
H. S. Buddy Garcia, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 3, 2007

The Honorable Will Wynn, Chair  
Central Texas Clean Air Coalition  
P. O. Box 17848  
Austin, Texas 78760

Dear Mayor Wynn and Members of the Central Texas Clean Air Coalition:

I'm writing in response to the letter that the Central Texas Clean Air Coalition provided to the Texas Commission on Environmental Quality (TCEQ) on April 17, 2007, in which six requests were made of the agency regarding the development of an Eight-Hour Ozone Flex Program. Following are the requests and the agency's responses.

- 1) Will the existing Early Action Compact (EAC) State Implementation Plan (SIP) measures remain in place for the duration of the Eight-Hour Ozone Flex Program (a five-year term with renewal options)?

The Austin-Round Rock EAC State Implementation Plan (SIP) adopted on November 17, 2004, by the Commission includes a commitment to maintain controls through 2012. The EAC plan was required to have "a component to address emissions growth at least five years beyond December 31, 2007, ensuring the area will remain in attainment of the eight-hour standard during that period." The TCEQ does not have any plans to discontinue the state's measures - two-speed idle (TSI) and onboard diagnostic (OBD) based vehicle Inspection and Maintenance (I/M) program in Travis and Williamson Counties; Low-Income Vehicle Repair Assistance Program (LIRAP) in Travis and Williamson Counties; portable fuel container statewide requirements; Stage 1 Vapor Recovery requirements; solvent using processes; and cutback asphalt restrictions. In regards to participation in the Texas Emission Reduction Plan (TERP), the TCEQ has met the two tons per day commitment agreed upon in the EAC. However, if grants are available in the Austin-Round Rock area in the future, we encourage prospective participants in the Austin-Round Rock area to apply.

Idling restrictions on heavy-duty diesel vehicles (14,000 pounds or more) are also a component of the EAC. However, the Memorandum of Agreement (MOA) with the TCEQ and local entities expires January 2, 2008. If the local area wishes to continue this program, the MOA will need to be renewed by all parties.

- 2) Can we get an updated list of state and federal measures in place or expected to be in place during the Eight-Hour Ozone Flex Program MOA timeframe?

A list of current state and federal initiatives in place in the Central Texas area is enclosed. We cannot predict what the commission or the federal government may require in the future. You are encouraged to participate in future development of state-level control strategies.

- 3) Will the TCEQ be able to commit a specified amount of Texas Emission Reduction Plan (TERP) money to the Austin-Round Rock region?

TERP money distribution is determined by the Commissioners, and I cannot predict where future funding will be allocated. Legislative changes from the 80<sup>th</sup> session will also require revisions to the TERP rules which may affect where TERP funding will be dedicated in the future. Therefore, a commitment to a specified level of TERP funding cannot be made at this time for the Eight-Hour Ozone Flex Program.

- 4) If the region reaches a trigger that requires inclusion of a contingency measure in the SIP, can the TCEQ ensure that the SIP revision will be accomplished within 24 months?

The current commission cannot commit to future rulemaking for a future commission. Therefore, the commission cannot commit to future rulemaking for an enhanced inspection and maintenance program or requiring Texas Low Emission Diesel (TxLED). However, the commission will assess the situation and determine the appropriate strategy with the local area.

- 5) Can the TCEQ accommodate the propose timeline?

The TCEQ is prepared to meet the proposed timeline for the Eight-Hour Ozone Flex Program. However, agency approval is only one element of the timeline and it will be imperative for the local organizations, as well as the EPA to maintain their timeline commitments for the Eight-Hour Ozone Flex Program MOA to go to agenda in March 2008.

- 6) Does the TCEQ have additional ideas for measures that it would like our region to consider?

At this time, the agency does not have any additional ideas for implementation under the Eight-Hour Ozone Flex Program that you have proposed. Staff will continue to work with your organization and make any new information available.

The TCEQ commends the Central Texas Clean Air Coalition's continuing efforts to maintain clean air in Central Texas. The area continues to take every opportunity to maintain its attainment status. The TCEQ supports your efforts in developing the Eight-Hour Ozone Flex Program with the revisions provided. If you have any questions or need any assistance, please feel free to contact Susana M. Hildebrand, P.E., at 512/239-4699.

Sincerely,



Glenn Shankle, Executive Director  
Texas Commission on Environmental Quality

Enclosure

## Federal and State Control Measures Applicable in the Central Texas Area

<b>Federal Measures</b>	<b>Descriptions</b>
Federal Area/Non-Road Measures	EPA has implemented a series of strategies for area and non-road sources. Some of these include the gas engine rule and marine recreational engine standards.
Federal On-Road Measures	EPA has implemented a series of strategies for on-road vehicles. Tier 1 and Tier 2 vehicle standards, low-sulfur diesel standards, National Low Emission Vehicle standards, and reformulated gasoline.
<b>State Measures</b>	<b>Descriptions</b>
California Gasoline Engines	California standards for non-road gasoline engines 25 horsepower or larger.
Gas-Fired Heaters and Small Boilers	Rule limiting nitrogen oxide (NO <sub>x</sub> ) emissions from these small-scale residential and industrial sources.
Texas Low Emission Diesel – TxLED	Requires all diesel for both on-road and non-road use to have a lower aromatic content and a higher cetane number.
Texas Emission Reduction Plan – TERP	TERP provides grant funds for heavy-duty diesel engine replacement/retrofit. Replaces construction restrictions and Tier 2 and Tier 3 accelerated purchases.
Portable Fuel Containers Rule	Establishes new design “no spill” criteria requirements for portable fuel containers sold, offered for sale, manufactured, and/or distributed in Texas.
Inspection and Maintenance – I/M	I/M requires the regular inspection of vehicles 2–24 years old in Travis and Williamson Counties. Vehicles must be inspected through Department of Public Safety–certified inspection stations for emissions of nitrogen oxide (NO <sub>x</sub> ), volatile organic compounds (VOCs) and carbon monoxide (CO).
Low-Income Vehicle Repair Assistance Program – LIRAP	Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) in Travis and Williamson Counties
Low Reid Vapor Pressure Gasoline – Low RVP	Low RVP gasoline is fuel that is refined to have a lower evaporation rate and lower volatility than conventional gasoline. It also reduces the evaporative emissions generated during vehicle refueling and therefore decreases the emissions of volatile organic compounds (VOCs) and other ozone-forming emissions.

<p>Stage I Vapor Recovery for stations with greater than or equal to 25,000 gallon per month output</p>	<p>Stage I vapor recovery is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air.</p>
<p>Solvent Using Processes – Degreasing</p>	<p>Volatile organic compound (VOC) control strategy for solvent-cleaning operations in batch-loaded cold cleaners, open-top vapor degreasers, conveyORIZED degreasers, and air-tight and airless cleaning systems.</p>
<p>Cutback Asphalt Restrictions</p>	<p>Volatile organic compound (VOC) solvents used in conventional cutback asphalt for the paving of roadways, driveways, or parking lots is restricted to no more than 7.0 percent of the total annual volume averaged over a two-year period. This applies to asphalt used by or specified by any state, municipal, or county agency that uses or specifies the type of asphalt application from April 16 – September 15.</p>
<p>Idling Restrictions on Heavy-Duty Vehicle Engines</p>	<p>Limits heavy-duty motor vehicle idling to five consecutive minutes from April through October within the political jurisdiction of any local government that has signed a memorandum of agreement with the commission to delegate enforcement to a local enforcement agency.</p>

# **Appendix B**

## **Emission Reduction Measures**



<b>Emission Reduction Measure</b>	<b>City of Austin</b>	<b>Travis County</b>	<b>City of Round Rock *</b>	<b>Williamson County</b>	<b>City of San Marcos *</b>	<b>Hays County *</b>	<b>City of Bastrop *</b>	<b>City of Elgin *</b>	<b>Bastrop County *</b>	<b>City of Lockhart *</b>	<b>City of Luling *</b>	<b>Caldwell County *</b>
Expedited permitting for mixed use, transit oriented or in-fill development							X	X				
Fueling of Vehicles in the Evening	X	X	X	X		X			X	X	X	X
Landscaping voluntary start at noon on high ozone days (education program)										X		
Low Emission Vehicles	X	X	X	X						X		X
Low VOC Asphalt		X	X									
Low VOC Roadway Striping Material	X	X	X	X		X	X	X		X		
Open Burning Restrictions			X				X	X				
Ozone Action Day Program, includes:	X	X	X	X	X	X	X	X	X	X	X	X
• Employee Education Program	X	X	X	X	X	X	X	X	X	X	X	X
• Public Education Program	X	X	X	X	X	X	X	X	X	X	X	X
• Ozone Action Day Notification Program	X	X	X	X	X	X	X	X	X	X	X	X
• Ozone Action Day Response Program	X	X	X	X		X						X
Resource Conservation	X	X	X	X	X	X					X	
Shaded Parking	X	X										
Shift the electric load profile	X											
Texas Low Emission Diesel (TxLED) Equivalent for Fleets	X	X										
Transit-Oriented Development	X											
Transportation Emission Reduction Measures (TERMs)	X	X	X		X		X	X				
Tree Planting	X	X	X	X	X	X	X	X		X		
Urban Heat Island/Cool Cities Program	X											
Vehicle Maintenance	X	X	X	X	X	X			X			X

\* Denotes local government EAC commitments continued for the 8-hour O3 Flex Program, contingent on local government confirmation.

**Appendix B DRAFT**  
**8-Hour O3 Flex Program Participating Agency Emission Reduction Measures**

<b>Emission Reduction Measure</b>	<b>Capital Metro</b>	<b>CAMPO</b>	<b>TxDOT Headquarters*</b>	<b>TxDOT Austin*</b>	<b>TCEQ</b>	<b>CAPCOG</b>	<b>LCRA</b>	<b>CTRMA</b>
Transportation Emission Reduction Measures (TERMs)	X			X				
Access Management				X				
Low VOC Striping Material	X			X				X
Tree Planting				X			X	X
Commute Alternatives, including:								
• Compressed Work Week	X	X		X	X			
• Flexible Work Schedule	X	X		X	X	X		
• Carpool or Alternative Transportation, may include incentives	X				X		X	
• Employer Subsidized Transit	X	X						
• Teleworking (full time)								
• Teleworking (part time)		X		X	X			
• Bicycle and Pedestrian Facilities							X	
Direct Deposit	X	X		X	X	X	X	X
e-Government and/or Available Locations	X	X			X	X		
Fueling of Vehicles in the Evening	X			X				X
Resource Conservation	X	X		X	X	X	X	X

<b>Emission Reduction Measure</b>	<b>Capital Metro</b>	<b>CAMPO</b>	<b>TxDOT Headquarters*</b>	<b>TxDOT Austin*</b>	<b>TCEQ</b>	<b>CAPCOG</b>	<b>LCRA</b>	<b>CTRMA</b>
Ozone Action Day Education Program, includes:								
Employee Education Program	X	X		X	X	X	X	X
Public Education Program	X	X		X	X			X
Ozone Action Day Notification Program	X	X		X	X	X	X	X
Ozone Action Day Response Program								
Alternative Fuel Vehicles	X			X	X			
Right Sizing	X							
5-minute Limit on Diesel Idling	X						X	
Cleaner Diesel	X		X				X	
Vehicle Maintenance	X				X		X	
Vapor Recovery on Pumps	X							
Low VOC Asphalt	X							
Low-Emission Vehicles	X		X		X		X	
TERP (Texas Emission Reduction Program)	X		X					
Transit-Oriented Development	X							X
Shaded Parking					X			X

\* Denotes agency EAC commitments continued for the 8-hour O3 Flex Program, contingent on agency confirmation.

# **Appendix C**

## **TERP**

Applicant	Area	Approved Amount	Total Projected NOx Reduction	Tons per Day NOx Reduced	Projected cost per ton	Category	Description
Capital Excavation Company	Austin	\$ 130,911	11.20	0.007	\$ 11,687	Non-Road	PURCHASE (1) MOTOR GRADER AND LEASE (4) EXCAVATORS
Jimmy Evans Company, Ltd	Austin	\$ 42,361	3.57	0.003	\$ 11,857	Non-Road	PURCHASE (1) WHEEL LOADER, (1)MOTOR GRADER
Del Webb Corporation	Austin	\$ 14,450	1.85	0.002	\$ 7,807	Non-Road	LEASE (1) WHEEL LOADER
Capital Metropolitan Transportation Authority	Austin	\$ 92,181	24.79	0.099	\$ 3,718	On-Road	TXLED
JC Evans Construction Holding, Inc. (dba JC Evans)	Austin	\$ 47,278	3.99	0.003	\$ 11,837	Non-Road	Lease 2 Non-Road Graders
K & K Enterprises	Austin	\$ 17,480	2.50	0.002	\$ 7,000	Non-Road	REPLACEMENT OF 1 JOHN DEERE 655C TRACK LOADER
B & B Truck Tractor & Parts	Austin	\$ 13,045	1.86	0.001	\$ 7,000	On-Road	REPLACEMENT OF 1 KENWORTH T300
Texas Landfill Management, LLC	Austin	\$ 160,625	23.01	0.018	\$ 6,979	Non-Road	REPLACEMENT OF 1 SCRAPER AND 1 COMPACTOR
Texas Lehigh Cement Company, LP	Austin	\$ 57,407	8.66	0.007	\$ 6,626	Non-Road	REPOWER OF 1 LOADER
Texas Lehigh Cement Company, LP	Austin	\$ 455,254	95.63	0.055	\$ 4,761	Non-Road	REPLACEMENT OF 3 TRUCKS
BFI Waste Systems Of North America, Inc.	Austin	\$ 204,000	29.19	0.023	\$ 6,989	Non-Road	REPOWER OF 9 DOZERS AND SCRAPERS
Dean Word Company, Ltd.	Austin	\$ 331,000	47.42	0.027	\$ 6,981	Non-Road	REPLACEMENTS OF 6 DOZERS AND GRADERS
Texas Landfill Management, LLC	Austin	\$ 36,398	7.35	0.006	\$ 4,955	Non-Road	DOZER
Elgin Butler Brick Company	Austin	\$ 65,380	9.34	0.007	\$ 7,004	Non-Road	REPLACEMENT OF VOLVO L150E AND DRESSER 520B
Centex Materials, LLC	Austin	\$ 141,411	17.79	0.014	\$ 7,949	Non-Road	REPOWER OF 2 LOADERS AND 1 DOZER
Yarrington Road Materials LP	Austin	\$ 98,000	14.00	0.008	\$ 6,998	Non-Road	REPLACEMENT OF 2 LOADERS
Austin Engineering Company, Inc.	Austin	\$ 9,310	1.33	0.001	\$ 7,023	Non-Road	REPLACEMENT OF 1 CAT 930
KBJ Partnership	Austin	\$ 48,826	6.98	0.005	\$ 7,000	Non-Road	REPLACEMENT OF 1 EXCAVATOR
KBJ Partnership	Austin	\$ 6,000	2.25	0.002	\$ 2,665	Non-Road	REPLACEMENT OF 1 BACKHOE LOADER
K & K Enterprises	Austin	\$ 21,394	3.06	0.002	\$ 7,000	Non-Road	REPLACEMENT OF 1 CAT 953C
Cunningham Constructors & Associates, Inc.	Austin	\$ 22,878	3.27	0.002	\$ 7,000	Non-Road	REPLACEMENT OF 1 KOMATSU PC200LC-7
K & K Enterprises	Austin	\$ 24,001	3.43	0.003	\$ 7,000	Non-Road	REPLACEMENT OF 1 CAT 225B
Centex Materials, LLC	Austin	\$ 22,533	3.22	0.003	\$ 7,000	Non-Road	REPLACEMENT OF 1 MICHIGAN 75E WHEEL LOADER
Texas Lehigh Cement Company, LP	Austin	\$ 96,670	13.81	0.011	\$ 7,000	Non-Road	REPLACEMENT OF 1 SHUTTLEWAGON RAIL CAR MOVER
Dean Word Company, Ltd.	Austin	\$ 396,000	56.62	0.032	\$ 6,994	Non-Road	REPLACEMENT & REPOWER OF 10 EXCAVATORS
Schroeder Construction Company, Ltd	Austin	\$ 38,805	4.65	0.004	\$ 8,341	Non-Road	REPLACEMENT OF 2 EXCAVATORS
Ella Contracting' Inc.	Austin	\$ 112,381	16.05	0.013	\$ 7,000	Non-Road	REPLACEMENT OF 4 DOZERS
Odeen Hibbs Trucking Company	Austin	\$ 292,740	41.83	0.033	\$ 6,998	On-Road	REPLACEMENT OF 8 TRUCKS
Texas Aggregates, LP	Austin	\$ 463,000	66.21	0.053	\$ 6,993	Non-Road	REPLACEMENT OF 1 DRAGLINE, 2 TRUCKS AND 1 BACKHOE
ID/Guerra L.P.	Austin	\$ 30,407	4.37	0.002	\$ 6,966	Non-Road	REPLACEMENT OF 1 EXCAVATOR
Aguado Stone, Inc.	Austin	\$ 49,377	7.05	0.006	\$ 7,000	Non-Road	REPLACEMENT OF 1 KOMATSU WA250 WHEEL LOADER
Haegelin Construction Company, Ltd	Austin	\$ 81,970	10.86	0.009	\$ 7,550	Non-Road	REPLACEMENT OF 3 EXCAVATORS
Austin White Lime Company	Austin	\$ 594,096	84.87	0.049	\$ 7,000	Non-Road	Replace 1 Non-Road Bore/Drill Rig, 2 Non-Road Forklifts, 2 Non-Road Off-Highway Trucks, 2 Non-Road Rubber Tire Loaders
Austin White Lime Company	Austin	\$ 112,104	16.84	0.013	\$ 6,657	Non-Road	REPOWER OF 2 HAUL TRUCKS
Cemex Construction Materials, LP	Austin	\$ 149,730	21.42	0.012	\$ 6,990	On-Road	REPLACEMENT OF 11 INTERNATIONAL 5600I CEMENT MIXERS
Shumaker Enterprises, Inc.	Austin	\$ 45,913	6.56	0.005	\$ 7,000	Non-Road	REPLACEMENT OF 1 KOMATSU PC 400-5 EXCAVATOR
Shumaker Enterprises, Inc.	Austin	\$ 208,950	29.87	0.017	\$ 6,995	Non-Road	REPLACEMENT OF 2 LOADERS
Schroeder Construction Company, Ltd	Austin	\$ 28,431	4.06	0.002	\$ 7,000	Non-Road	REPLACEMENT OF 1 KOMATSU PC200LC-6 EXCAVATOR
Black Sheep Independ Dba Denvers Towing	Austin	\$ 7,366	1.05	0.001	\$ 7,000	On-Road	REPLACEMENT OF 1 FORD F350 TRUCK
S & M Business, Inc. Dba Austin Land Service	Austin	\$ 71,924	10.27	0.006	\$ 7,000	Non-Road	REPLACEMENT OF 1 LOADER
Weisman Equipment Company, Ltd.	Austin	\$ 10,272	1.47	0.001	\$ 7,000	Non-Road	REPOWER OF 1 LOADER
Weisman Equipment Company, Ltd.	Austin	\$ 92,540	13.22	0.008	\$ 6,999	Non-Road	REPLACEMENT OF 3 GRADERS
Weisman Equipment Company, Ltd.	Austin	\$ 81,694	11.75	0.006	\$ 6,954	Non-Road	REPLACEMENT OF 12 PAVER, LOADERS, DOZERS
Cashway Building Materials	Austin	\$ 7,490	2.16	0.001	\$ 3,468	Non-Road	Replace 1 Non-Road Forklift
Capitol Beverage	Austin	\$ 7,900	1.58	0.001	\$ 5,000	Non-Road	Replace 1 Non-Road Forklift
Capitol Beverage	Austin	\$ 12,670	2.54	0.002	\$ 4,988	Non-Road	Replace 1 Non-Road Forklift
Capitol Beverage	Austin	\$ 7,490	1.50	0.001	\$ 4,993	Non-Road	Replace 1 Non-Road Forklift
Capitol Beverage	Austin	\$ 12,960	2.59	0.002	\$ 5,004	Non-Road	Replace 1 Non-Road Forklift
Capitol Beverage	Austin	\$ 6,730	1.79	0.001	\$ 3,760	Non-Road	Replace 1 Non-Road Forklift
Stark's Welding	Austin	\$ 4,750	0.95	0.001	\$ 5,000	Non-Road	Replace 1 Non-Road Forklift
Taylor Compress	Austin	\$ 8,290	1.66	0.001	\$ 4,994	Non-Road	Replace 1 Non-Road Forklift
Taylor Compress	Austin	\$ 3,010	0.60	0.000	\$ 4,992	Non-Road	Replace 1 Non-Road Forklift
Southeastern Freight Lines, Inc.	Austin	\$ 10,590	2.12	0.002	\$ 4,996	Non-Road	Replace 1 Non-Road Forklift
Southeastern Freight Lines, Inc.	Austin	\$ 6,620	1.33	0.001	\$ 4,992	Non-Road	Replace 1 Non-Road Forklift
Texas Lehigh Cement Company, LP	Austin	\$ 259,185	41.72	0.024	\$ 6,212	Non-Road	Replace one 1989 CAT Rubber Tire Loader with a 2005 CAT Rubber Tire Loader
BFI Waste Services of Texas, LP	Austin	\$ 60,778	13.51	0.008	\$ 4,500	On-Road	Replace 6 On-Road Trucks
City of Austin	Austin	\$ 205,000	29.30	0.017	\$ 6,996	On-Road	Slow Fill & Fast Fill CNG Refueling Station For City Refuse Trucks, Replace 6 On-Road Trucks

Martin A. Hernandez	Austin	\$ 114,408	13.83	0.008	\$ 8,272	On-Road	Replacement of 1989 Peterbilt with 2005 Peterbilt
Capital Metropolitan Transportation Authority	Austin	\$ 428,852	85.80	0.049	\$ 4,998	On-Road	Re-power 36 Urban Buses
Joe L Cook	Austin	\$ 70,263	8.27	0.007	\$ 8,500	On-Road	Replacement Of 1982 Ford With 2005 Peterbilt
Louis Vasquez Gutierrez	Austin	\$ 105,961	12.47	0.007	\$ 8,500	On-Road	Replacement Of 1990 Freightliner With 2006 Freightliner
Kathleen S. Bush	Austin	\$ 128,843	16.44	0.009	\$ 7,836	On-Road	Replacement Of 1989 International With 2005 International
Rocking C Trucking	Austin	\$ 46,974	5.53	0.003	\$ 8,500	On-Road	Replacement Of 1993 Freightliner With 2004 Kenworth
Houshang Ostadian	Austin	\$ 82,635	9.72	0.006	\$ 8,500	On-Road	Replacement Of 1981 International With 2005 Freightliner
Blair Trucking, Inc.	Austin	\$ 100,370	14.34	0.011	\$ 7,000	On-Road	Replace 3 Trucks
K B J Partnership	Austin	\$ 30,805	4.47	0.004	\$ 6,894	Non-Road	Replace One Wheel Loader
Dean Allen Sauer	Austin	\$ 68,500	12.59	0.008	\$ 5,442	On-Road	Replacement Of 1989 Peterbilt With 2002 Peterbilt
Jackson Trucking	Austin	\$ 89,000	18.84	0.015	\$ 4,724	On-Road	Replace 1 On-road Truck
Ray McEachern	Austin	\$ 99,000	24.66	0.020	\$ 4,015	On-Road	Replace 7 On-road Trucks
K & K Enterprises	Austin	\$ 42,403	6.15	0.005	\$ 6,894	Non-Road	Replace 3 Wheel Loaders
Austin Engineering Company, Inc.	Austin	\$ 23,833	3.46	0.003	\$ 6,894	Non-Road	Replace 1 Wheel Loader
Leonardo Avila	Austin	\$ 34,015	9.60	0.006	\$ 3,543	On-Road	Replacement Of 1988 Kentworth With 1999 Fit
Robert Juarez	Austin	\$ 96,779	11.39	0.009	\$ 8,500	On-Road	Replacement Of 1989 Freightliner With 2005 Mack
Hays Consolidated Independent School District	Austin	\$ 79,345	11.33	0.006	\$ 7,000	On-Road	Replace 11 School Buses ( Verification Forms Are Signed By Authorized Official Of The Application; Certification Forms Have See Attached)
Austin Bridge & Road, LP	Austin	\$ 71,122	14.42	0.012	\$ 4,931	Non-Road	Replace 1 Cold Milling Machine
Eugene R Kinde, Dba Minn Tex Transportation	Austin	\$ 94,438	15.83	0.009	\$ 5,967	On-Road	Replacement Of 1987 Kenworth With 2004 Peterbilt
Charles Dirk Talbot	Austin	\$ 108,277	12.74	0.007	\$ 8,500	On-Road	Replace 1 On-Road Truck
Coors of Austin, LP	Austin	\$ 73,783	10.54	0.006	\$ 7,000	On-Road	Replace 10 Trucks
Trans Global Solutions, Inc.	Austin	\$ 1,090,000	206.78	0.109	\$ 5,271	Locomotive	Retro-fit Of 5 Switcher Locomotives
Juan R. Berberena	Austin	\$ 51,386	8.53	0.005	\$ 6,026	On-Road	Replace 1 Truck
Ester Marshall dba Marshall Trucking	Austin	\$ 95,200	12.97	0.007	\$ 7,342	On-Road	Replace 1 On Road Truck
Robert M. Sullivan, Jr.	Austin	\$ 84,758	12.49	0.007	\$ 6,784	On-Road	Replace 1 On Road Truck
Pablo Jaimes Martinez	Austin	\$ 67,200	9.45	0.005	\$ 7,112	On-Road	Replace 1 On Road Truck
Oscar L. Barnes	Austin	\$ 103,200	14.55	0.008	\$ 7,092	On-Road	Replace 1 On Road Truck
Eladio Jaimes	Austin	\$ 67,148	8.64	0.007	\$ 7,768	On-Road	Replace 1 On Road Truck
TXI Operations, LP (Austin Green S & G)	Austin	\$ 45,700	12.37	0.007	\$ 3,694	Non-Road	Repower 2 Non Road Truck Engines
Edward Rogers	Austin	\$ 103,200	12.96	0.007	\$ 7,965	On-Road	Replace 1 On Road Truck
La Fuente Trucking	Austin	\$ 82,275	18.51	0.011	\$ 4,445	On-Road	Replace 1 On Road Truck
Moises Rosales	Austin	\$ 104,598	17.52	0.010	\$ 5,972	On-Road	Replace 1 Dump Truck
Arnold T. Sanchez	Austin	\$ 62,833	12.58	0.007	\$ 4,997	On-Road	Replace 1 Truck
J.D. Abrams, LP	Austin	\$ 8,748	2.45	0.002	\$ 3,577	Non-Road	Repower 1 Crane Engine
Darral G. Henderson	Austin	\$ 91,558	16.90	0.014	\$ 5,418	On-Road	Replace 1 Truck
Jose F. Solorzano	Austin	\$ 95,597	12.09	0.007	\$ 7,909	On-Road	Replace 1 Truck
Liberty Excavation	Austin	\$ 102,185	22.87	0.013	\$ 4,469	On-Road	Replace 1 Haul Truck And 1 Dump Truck
Jose B. Pedroza	Austin	\$ 80,091	16.17	0.009	\$ 4,954	On-Road	Replace 1 Truck
Carlos Garcia	Austin	\$ 77,000	14.44	0.008	\$ 5,333	On-Road	Replace 1 Truck
M & M Trucking (Henry Medel)	Austin	\$ 69,000	12.93	0.007	\$ 5,335	On-Road	Replace 1 Truck
M & M Trucking (Henry Medel)	Austin	\$ 69,000	13.10	0.007	\$ 5,266	On-Road	Replace 1 Truck
Edwin Clay Polasek	Austin	\$ 89,786	17.03	0.010	\$ 5,271	On-Road	Replace 1 Truck
Edwin Clay Polasek	Austin	\$ 89,786	17.32	0.010	\$ 5,183	On-Road	Replace 1 Truck
Thomas P. Strazza	Austin	\$ 80,000	15.24	0.009	\$ 5,248	On-Road	Replace 1 Truck
Alfonso Orocio	Austin	\$ 62,000	12.64	0.007	\$ 4,906	On-Road	Replace 1 Truck
Feliciano Mendoza	Austin	\$ 63,000	12.03	0.007	\$ 5,236	On-Road	Replace 1 Truck
Roy Paredes Trucking	Austin	\$ 70,000	13.47	0.008	\$ 5,195	On-Road	Replace 1 Truck
Ramiro Hernandez	Austin	\$ 69,062	14.44	0.008	\$ 4,784	On-Road	Replace 1 Truck
Sergio Nino	Austin	\$ 81,000	16.56	0.009	\$ 4,891	On-Road	Replace 1 Truck
Capital Metropolitan Transportation Authority	Austin	\$ 357,234	72.90	0.042	\$ 4,900	On-Road	Re-Power 34 Buses
Capital Metropolitan Transportation Authority	Austin	\$ 209,204	42.69	0.024	\$ 4,900	On-Road	Re-Power 28 Buses
Sammie J. Kellough	Austin	\$ 148,000	27.94	0.016	\$ 5,297	On-Road	Replace 2 Trucks
Raymond Vallejo, Jr.	Austin	\$ 73,000	14.01	0.008	\$ 5,210	On-Road	Replace 1 Truck
Wright Distributing Company	Austin	\$ 67,500	13.45	0.008	\$ 5,019	On-Road	Replace 4 Delivery Trucks
Bobby D. Alba	Austin	\$ 80,000	17.11	0.010	\$ 4,677	On-Road	Replace 1 Truck
Bobby D. Alba	Austin	\$ 90,000	16.89	0.010	\$ 5,330	On-Road	Replace 1 Truck
Bobby D. Alba	Austin	\$ 90,000	17.40	0.010	\$ 5,173	On-Road	Replace 1 Truck
Bobby D. Alba	Austin	\$ 90,000	17.11	0.010	\$ 5,261	On-Road	Replace 1 Truck
Adam Melendrez	Austin	\$ 80,949	15.29	0.009	\$ 5,296	On-Road	Replace 1 Truck
Dirk McCune Trucking	Austin	\$ 172,728	32.46	0.022	\$ 5,321	On-Road	Replace 3 Trucks
Leon Kellough, Jr.	Austin	\$ 72,000	13.47	0.008	\$ 5,344	On-Road	Replace 1 Dump Truck
Juan DeAnda, Jr.	Austin	\$ 69,000	13.34	0.008	\$ 5,173	On-Road	Replace 1 Truck
Babette's Trucking	Austin	\$ 73,650	20.41	0.012	\$ 3,608	On-Road	Replace 1 Truck
Isidoro A. Martinez	Austin	\$ 77,000	14.56	0.008	\$ 5,289	On-Road	Replace 1 Dump Truck
Gloria Crowder	Austin	\$ 74,000	17.58	0.010	\$ 4,208	On-Road	Replace 1 Truck
Isidoro A. Martinez	Austin	\$ 77,000	14.86	0.008	\$ 5,181	On-Road	Replace 1 Dump Truck
Miguel Negrete	Austin	\$ 76,000	17.96	0.010	\$ 4,231	On-Road	Replace 1 Truck
Tex Mix Partners, Ltd. (dba Tex Mix Concrete)	Austin	\$ 15,250	3.47	0.002	\$ 4,400	On-Road	Replace 1 Truck
R.T.I. Hot Mix, Ltd.	Austin	\$ 105,649	22.31	0.016	\$ 4,734	Non-Road	Repower 1 Off-Highway Truck and 1 Eagle Portable Rock Plant
Schwab Excavation, Inc.	Austin	\$ 386,718	75.49	0.043	\$ 5,123	On-Road	Replace 3 on-road tractors and 1 non-road grader
I Bar Enterprises, Ltd.	Austin	\$ 69,492	18.34	0.010	\$ 3,789	On-Road	Replace 1 Truck
Centex Materials, LLC	Austin	\$ 1,683,000	348.00	0.199	\$ 4,836	Non-Road	Replace 5 Off-Highway Trucks, Replace 4 Wheel Loaders
V&G Luna Construction, LLC (dba L&L Construction)	Austin	\$ 68,995	12.74	0.007	\$ 5,416	On-Road	Replace 1 Truck

Centex Materials, LLC	Austin	\$ 747,000	143.42	0.082	\$ 5,209	On-Road	Replace 18 Cement Trucks
Texas Aggregates, LP	Austin	\$ 399,894	83.02	0.047	\$ 4,817	Non-Road	Replace 1 Dragline & 2 Off Highway Truck
Douglas R. Wiggins, Jr.	Austin	\$ 84,000	17.96	0.010	\$ 4,676	On-Road	Replace 1 Truck
Trans Global Solutions, Inc.	Austin	\$ 896,000	199.13	0.078	\$ 4,500	Locomotive	Retrofit/Add-On 4 Switchers
GH Contracting, Inc.	Austin	\$ 24,016	4.80	0.003	\$ 5,000	Non-Road	Replace 1 Excavator
McKinney Drilling Company	Austin	\$ 1,303,535	275.67	0.158	\$ 4,729	Non-Road	Repower 1 Haul Truck, Replace 6 Compressors, Repower 11 Cranes, Repower 20 Drilling Rigs, Repower 1 Water Truck, Repower 1 Pump, Repower 1 Welder
Leander Independent School District	Austin	\$ 19,466	6.47	0.004	\$ 3,010	On-Road	Replace 5 School Busses
BPM Leasing, LLC	Austin	\$ 48,808	8.87	0.005	\$ 5,500	On-Road	Replace haul truck
BPM Leasing, LLC	Austin	\$ 49,443	8.99	0.005	\$ 5,500	On-Road	Replace haul truck
Bedrock Stone & Design, Inc.	Austin	\$ 49,443	8.99	0.005	\$ 5,500	On-Road	Replace flatbed truck
Blair Trucking, Inc.	Austin	\$ 76,513	13.91	0.008	\$ 5,500	On-Road	Replace haul truck
Genaro Guerrero	Austin	\$ 50,712	9.22	0.005	\$ 5,500	On-Road	Replace dump truck
Daniel Briseno	Austin	\$ 50,289	9.14	0.005	\$ 5,500	On-Road	Replace dump truck
Ray Crain Trucking	Austin	\$ 74,119	13.48	0.008	\$ 5,500	On-Road	Replace haul truck
Ray Crain Trucking	Austin	\$ 73,820	13.42	0.008	\$ 5,500	On-Road	Replace haul truck
Ray Crain Trucking	Austin	\$ 73,820	13.42	0.008	\$ 5,500	On-Road	Replace haul truck
Ray Crain Trucking	Austin	\$ 77,410	14.07	0.008	\$ 5,500	On-Road	Replace haul truck
Ray Crain Trucking	Austin	\$ 74,119	13.48	0.008	\$ 5,500	On-Road	Replace haul truck
P.C.W. Construction, Inc.	Austin	\$ 55,854	10.16	0.006	\$ 5,500	On-Road	Replace dump truck
P.C.W. Construction, Inc.	Austin	\$ 55,220	10.04	0.006	\$ 5,500	On-Road	Replace dump truck
Hence W. Irby, Jr.	Austin	\$ 70,766	13.42	0.008	\$ 5,272	On-Road	Replace haul truck
Jose J. Cancino (dba Estrella Trucking Co., Inc.)	Austin	\$ 19,639	3.57	0.002	\$ 5,500	On-Road	Replace dump truck
Alberto Carrillo	Austin	\$ 49,443	8.99	0.005	\$ 5,500	On-Road	Replace dump truck
Vera's Trucking	Austin	\$ 73,521	13.37	0.008	\$ 5,500	On-Road	Replace haul truck
William Marshal Copeland	Austin	\$ 73,521	13.37	0.008	\$ 5,500	On-Road	Replace dump truck
Poldrack Grain & Cattle	Austin	\$ 58,379	11.41	0.007	\$ 5,117	On-Road	Replace haul truck
James R. Brown	Austin	\$ 76,513	13.91	0.008	\$ 5,500	On-Road	Replace haul truck
Eduardo Bustillos	Austin	\$ 76,513	13.91	0.008	\$ 5,500	On-Road	Replace dump truck
Felix P. Loza	Austin	\$ 55,576	10.10	0.006	\$ 5,500	On-Road	Replace dump truck
Greg D. Werchan	Austin	\$ 50,289	9.14	0.005	\$ 5,500	On-Road	Replace dump truck
Simon P. Macias	Austin	\$ 53,672	9.76	0.006	\$ 5,500	On-Road	Replace haul truck
Balli Trucking, Inc.	Austin	\$ 73,820	13.42	0.008	\$ 5,500	On-Road	Replace haul truck
David Fenske	Austin	\$ 73,521	13.37	0.008	\$ 5,500	On-Road	Replace haul truck
Don Farmer	Austin	\$ 79,504	14.46	0.008	\$ 5,500	On-Road	Replace haul truck
H & H Foradory Construction, Inc.	Austin	\$ 73,521	13.37	0.008	\$ 5,500	On-Road	Replace haul truck
<b>TOTAL/AVERAGE</b>		<b>\$ 20,332,917</b>	<b>3684.30</b>	<b>2.26</b>	<b>\$ 5,934</b>	<b># of PROJECTS</b>	<b>165</b>

# **Appendix D**

## **TERMS**

## Appendix D Primary Terms

### Traffic Signal Improvements

SPONSORING AGENCY	PROJECT NAME	PROJECT DESCRIPTION	PROJECT LOCATION	IMPLEMENTATION. DATE	# SIGNALIZED INTERSECTIONS
City of Austin	Signal Synchronization	* Annual synchronizations include an average of 250 signals, within 30 to 35 signalized segments or segment groups.	Various	2008	250
City of Austin	Signal Synchronization	* Annual synchronizations include an average of 250 signals, within 30 to 35 signalized segments or segment groups.	Various	2009	250
City of Round Rock	Signal Improvement	Install New Traffic Signals	Various	2008	3
TxDOT	Signal improvements	Install New Traffic Signals	Various	2008	3

### Intersection Improvements

SPONSORING AGENCY	PROJECT NAME	PROJECT DESCRIPTION	PROJECT LOCATION	IMPLEMENTATION. DATE	# INTERSECTIONS
City of Round Rock	Sam Bass Rd.	Construct new thru lane	At IH 35 SB frontage	2008	1
City of Round Rock	Sam Bass Rd.	Construct RT Lane and 2 LT lanes	At Chisolm Trail	2008	1
TxDOT	FM 973	Construct continuous LT lane	From SH 71 to Pearce Ln.	2008	2
TxDOT	IH 35	Frontage Road Improvements & Turn Arouds	At RM 620 to S of McNeil	2008	1
TxDOT	US 183	Construct Grade Separation Structure	@ FM 672 in Caldwell County	2008	1
TxDOT	IH 35	Construct Turn Arouds	At SH 29 in Williamson County	2008	1

### Bicycle and Pedestrian Projects

SPONSORING AGENCY	PROJECT NAME	PROJECT DESCRIPTION	PROJECT LOCATION	IMPLEMENTATION. DATE	PROJECT LENGTH (miles)
City of Round Rock	CR 122/Red Bud Lane	Construct sidewalks	From US 79 to Gattis School Rd.	2008	1.44

### Intelligent Transportation System (ITS)

SPONSORING AGENCY	PROJECT NAME	PROJECT DESCRIPTION	PROJECT LOCATION	IMPLEMENTATION. DATE	PROJECT LENGTH (miles)
TxDOT	US 290	Install Conduit and Detection and Freeway Transportation Mgmt. System	From SPRR To US 183	2009	2.7
TxDOT	US 183	Complete Conduit and Detection and Freeway Transportation Mgmt System	From Lakeline Blvd to Travis County line	2009	4.5

# **Appendix E**

## **TTI Study**

# **Emissions Comparison Between Dirt Roads and Paved Roads Using Portable Emissions Measurement Systems**

By

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July 2005

## EXECUTIVE SUMMARY

The overall goal of this study was to determine the possible increase in vehicular emissions as a result of traveling on a dirt road versus a paved road. The approach followed in the study was to use portable emissions measurement system (PEMS) equipment onboard two light-duty vehicles (2000 Ford Explorer and 1998 Ford F150) that have extensive dirt road mileage and to perform several tests on a dirt road and a paved road while the vehicles were equipped with both dirty and clean air filters. A consistent drive cycle was used and emissions were collected on a second-by-second basis. A distance measurement instrument (DMI) with special driver assistance software was used to enable the driver to follow a consistent drive cycle. Comparisons were made between the emissions of vehicles with dirty and clean air filters and vehicles driving on the paved and dirt roads, while controlling for the vehicle type and drive cycle. The study concluded the following:

- The dirt road resulted in higher emissions than the paved road for all the pollutants tested.
- Emissions from the older Ford F-150 were consistently higher than those from the newer Ford Explorer for all pollutants.
- The dirty air filter resulted in higher NO<sub>x</sub> and CO<sub>2</sub> emissions than the clean air filter for all the scenarios and vehicles tested.
- The dirty air filter resulted in lower VOC emissions for all the scenarios and vehicles tested (due to the “open loop effect” from high engine loads placed by the selected drive cycle).
- In 16 of the 20 scenarios, the dirty air filter resulted in higher emissions than the clean air filter for CO and PM (the four counter intuitive CO and PM results are due to measurement error).
- Fuel consumption appears to be higher with a dirty air filter than with a clean air filter and higher on a dirt road than on a paved road, particularly for older vehicles (based on CO<sub>2</sub> emissions).

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## INTRODUCTION

Rural counties and cities across the U.S. typically have large percentages of dirt roads as compared to more urbanized counties and cities (1). In addition to the well documented safety concerns related to dirt roads (propensity for potholes, reduced visibility due to dust, reduced traction, and reduced geometric standards), there has been recent discussion to also consider the air quality aspects related to dirt roads. Dirt roads generate fugitive dust due to traffic. This dust contains a broad range of particulates including fine particulate matter (PM). In addition to concerns about dust, there are questions concerning the possible negative impacts of dirt roads on tailpipe emissions of vehicles extensively using such roads (2).

Caldwell County, which is located south of Austin, Texas is an example of a county that is not only concerned about the PM emissions due to the dust caused by its dirt roads, but also the possible negative impact that these dirt roads have on the tailpipe emissions of the vehicles that use them on a regular basis. To examine these concerns, the Capital Area Council of Government (CAPCOG) commissioned the Texas Transportation Institute (TTI) to analyze the possible negative impacts of dirt roads on tailpipe emissions from light-duty gasoline vehicles.

The overall approach followed in the study was to use portable emissions measurement system (PEMS) equipment onboard two light-duty vehicles that have extensive dirt road mileage and to perform several tests on a dirt road and a paved road while the vehicles were equipped with both dirty and clean air filters. A consistent drive cycle was used and emissions were collected on a second-by-second basis. A distance measurement instrument (DMI) with special driver assistance software was used to enable the driver to follow a consistent drive cycle. Comparisons could be made between the emissions of vehicles with dirty and clean air filters and vehicles driving on the paved and dirt roads, while controlling for the vehicle type and drive cycle.

The paper is divided into the following five sections. The first section contains the introductory remarks. The second section describes the approach used in this study. The third section describes the results of the study. The fourth section contains the concluding remarks and the fifth section contains recommendations for future research in this area.

## **APPROACH**

The following sections provide a more detailed description of the various components of this study.

### **Test Sites**

This study was conducted in Caldwell County where the city of Lockhart is the county seat. Lockhart has a population of approximately 12,500 and is located approximately 25 miles south of Austin, Texas. This county has 360 lane miles of paved roads and 506 lane miles of dirt roads (3). The relatively high percentage of dirt roads (almost 60%) is typical of rural Texas. For testing purposes, the study team selected a two-mile stretch of a typical dirt road (FM 179) and a two-mile stretch of typical paved road (FM1185). Care was taken to select test sections that were fairly level and straight with very little traffic. The dirt road is covered with pit run gravel, which has a fine dust that is distributed into the air under traffic conditions.

### **Test Vehicles**

The study team used two light-duty gasoline vehicles with considerable mileage on the county's dirt roads as test vehicles. The first test vehicle was a 2000 model year Ford Explorer with 4.0L engine and 95,480 accumulated miles. This vehicle is used by the county as a 911 dispatch vehicle and is often driven on the dirt roads. The second test vehicle was a 1998 model year Ford F-150 pickup truck with a 4.6L engine and 130,523 accumulated miles. This vehicle is used by the county for transporting people and materials and is often driven on the dirt roads. The county's maintenance department performs the maintenance on these vehicles replacing the air filters on these vehicles every 3,000 miles. The county maintenance department indicated that at the time of the study both vehicles had accumulated approximately 3,000 miles on their current air filters. Figure 1 shows a picture of the test vehicles on the dirt road.

### **Test Dates**

The testing was performed from Thursday, June 16 to Tuesday, June 21, 2005. These testing dates could be considered as typical summer days in central Texas. The conditions were mostly dry and sunny with temperatures in the mid 90 degrees Fahrenheit, resulting in very dusty driving conditions along the dirt road.

### **Drive Cycle**

There are numerous drive cycles available that were developed for different purposes. The most famous drive cycle is the so-called Federal Test Procedure (FTP) that was

established in the 1960s to represent urban driving behavior (4). Other examples of modern drive cycles are the Highway Fuel Economy Driving Schedule (HWFET), New York City Cycle (NYCC), and LA92 Dynamometer Driving Schedule, often called the Unified driving schedule (5). These drive cycles each have unique applications that are not necessarily consistent with the focus of this study. Specifically, the study team sought a drive cycle that would be representative of driving conditions on a rural dirt road and at the same time be simple enough to replicate easily.

The United Nations Economic Commission for Europe (UN/ECE) Part 1 and Part 2 drive cycles developed in Europe showed the most potential for achieving the criteria set for the ideal drive cycle (5). The study team used these drive cycles as a basis and developed a new rural dirt road drive cycle for this study. Figure 2 shows a graph of this drive cycle, which includes typical driving behaviors that can be expected on a rural dirt road including acceleration, deceleration, cruising, and idling. The drive cycle also is simple enough so that it can be replicated through actual driving conditions, especially considering that it only takes approximately six minutes to drive and covers a distance of 2.04 miles.

## **Test Equipment**

### *Portable Emissions Measurement System*

The PEMS unit used in this study was the OEM-2100 “Montana” system manufactured by Clean Air Technologies International, Inc. and is shown in Figure 3. The OEM-2100 system is comprised of a gas analyzer, a PM measurement system, an engine diagnostic scanner, a global positioning system (GPS), and an on-board computer. The gas analyzer measures the volume percentage of oxides of nitrogen (NO<sub>x</sub>), hydrocarbons (HC), carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>), and oxygen (O<sub>2</sub>) in the vehicle exhaust. The PM measurement capability includes a laser light scattering detector and a sample conditioning system. The engine scanner is connected to the data link of electronically controlled vehicles, from which engine and vehicle data can be downloaded during vehicle operation (6). Intake airflow, exhaust flow, and mass emissions are estimated using a method reported by Vojtisek-Lom and Cobb (7).

### *DMI*

A DMI was used to track the drive cycle of the test vehicles as they were driven on the test roads. A sensor of the electronic DMI is attached to a test vehicle’s transmission where it receives consecutive pulses while the vehicle is in motion. A DMI typically can provide distances and instantaneous speeds up to every 0.5 seconds. This detailed travel time information can be downloaded automatically to a portable computer in an easy-to-use data format (8).

The study team used the RAC 200 DMI system from JAMAR, Inc. for this study. Ridge Engineering developed a custom-designed software program to enable the driver of a test

vehicle to follow a pre-selected drive cycle. The driver assistance software was installed on a laptop computer and connected to the RAC 200. The laptop computer would display a graph and a table with the desired speeds for each second of the drive cycle. While the test vehicle is driven, the actual speeds would be shown in conjunction with the desired speeds on both graphical and tabular formats. A person seated in the passenger seat of the test vehicle can observe this output and provide verbal instructions to the driver about the correct acceleration, deceleration, speeds, and cruising to most accurately track the desired drive cycle. Figure 2 shows an example of the screen provided by the DMI and customized software as well as data where the drive cycle is being tracked during actual driving conditions.

A follower vehicle with a yellow flashing light on its roof was used to follow the test vehicle to ensure that it did not get rear ended by vehicles not expecting the fairly erratic driving of the test vehicle being driven according to the drive cycle.

### **Test Protocol**

The study team developed a test protocol that would provide the best opportunity to test the emissions differences as a result of prolonged driving on dirt roads versus paved roads. The effect of dirt road driving was captured in two ways:

- the test vehicles were driven with air filters that had not been changed for approximately 3,000 miles as well as with brand new air filters; and
- the test vehicles were driven on both the paved and dirt test routes.

Each test scenario was driven four times and the emissions, engine, and speed data was collected on a second-by-second basis. The four test runs in each case were divided between two runs in each direction to reduce the possibility of directional bias. Figure 4 shows a flow diagram illustrating the test protocol used in this study. Each test scenario was repeated four times resulting in 32 test runs.

## **RESULTS**

### **Drive Cycle**

By using the DMI and the customized software described above, the driver was provided with continuous instructions from a passenger on how to most accurately follow the pre-selected drive cycle. Figure 5 shows a comparison between the pre-selected drive cycle with the actual speed profile superimposed on the pre-selected drive cycle. Figure 5 illustrates how, with the aid of the DMI and the customized software, the driver was able to follow the pre-selected drive cycle.

To determine the deviation between the desired and actual speeds over time, the mean absolute speed difference (MASD) metric was used. Equation 1 shows how the MASD metric was calculated.

$$MASD = \frac{1}{N} \sum_{i=1}^{n_i} [|V_{di} - V_{ai}|] \quad (1)$$

Where:

- $N$  = Total number of observations (number of seconds over time period);
- $V_{di}$  = Desired speed at time interval  $i$ ; and
- $V_{ai}$  = Actual speed at time interval  $i$ .

It was found that the MASD ranged from 1.7 to 4 mph for the various runs with an average of approximately 2 mph. Considering that the average speed of the drive cycle is almost 20 miles per hour, it can be determined that the average driving error is approximately 10 percent, which is within reasonable bounds for a study of this nature.

## **Emissions**

### *Accumulated Emissions*

Emissions were collected under the various scenarios as outlined in Figure 4 using the PEMS equipment while the driver followed the pre-selected drive cycle. Pollutants of NO<sub>x</sub>, VOC, CO, PM, and CO<sub>2</sub> were collected with the PEMS equipment on a second-by-second basis. Table 1 shows the accumulated emissions results for the various scenarios. The sample mean of the four runs were taken and the standard deviations and coefficients of variations were calculated in each case. The coefficient of variation is defined as the standard deviation divided by the sample mean and is used as a metric to show the relative stability of the individual samples.

In Table 1, the coefficients of variations are, in almost all cases, less than one (standard deviations are less than the sample mean). This result shows some data stability even though the sample sizes were very small. The relative differences between the various scenarios can be compared by examining the sample means. However, a clearer picture can be obtained by examining Figures 6, 7, and 8. These figures show the comparison between the dirty air filter and the clean air filter as well as the dirt road and paved road for the two test vehicles and for all the pollutants tested. The CO<sub>2</sub> emissions are shown separately in Figure 8 because it is not a criteria pollutant. The following can be concluded from these figures.

### Overall Findings

- The emissions of the older Ford F-150 are higher than that of the Ford Explorer for all the pollutants tested. This result is as expected because newer vehicles are subject to more stringent emissions standards.

- The dirt road resulted in higher emissions than the paved road for all the pollutants tested. This is due to the fact that there is less traction on a dirt road causing the vehicle's engine to work harder to follow the same drive cycle. Driving on the dirt road is also more difficult than on a paved road possibly causing more use of the breaks and the accelerator causing more strain on the engine. Finally, due to the lower geometric standards on dirt roads it is possible to have more grade changes on such roads even though they might not easily be noticeable.
- In 16 out of the 20 scenarios the dirty air filter resulted in higher emissions than the clean air filter.

### NOx Emissions

Both the Explorer and the F-150 recorded higher NOx emissions with the dirty air filter versus the clean air filter on both the dirt road and paved road. Both vehicles had higher emissions on the dirt road than the paved road.

### VOC Emissions

Both the Explorer and the F-150 had higher VOC emissions with the clean air filter versus the dirty air filter on the dirt road, whereas higher VOC emissions were recorded with the dirty air filter on the paved road. Both vehicles recorded higher emissions on the dirt road than on the paved road. The lack of a clear pattern and the slightly intuitive results with the VOC emissions can be attributed to the operation of the oxygen sensors under different load conditions. The selected drive cycle requires acceleration to 50 mph in a short period of time, placing a very high load on the engine. Under these conditions, the oxygen sensor is bypassed and the engine moves into the "open loop mode" where a large amount of fuel is provided for combustion to reach the required power levels (9). Under this open loop mode, the level of VOC emissions is very high and unpredictable, resulting in very inconsistent readings between the various scenarios.

### CO Emissions

Both the Explorer and the F-150 recorded higher CO emissions with the dirty air filter on the paved road versus the clean air filter. In the dirt road scenario, the F-150 produced slightly higher CO emissions with the clean air filter than with the dirty air filter. The slightly higher CO emissions for the F-150 with the clean filter on the dirt road are possibly due to measurement errors. Both vehicles had higher emissions on the dirt road than the paved road.

### PM Emissions

Both the Explorer and the F-150 recorded higher PM emissions with the dirty air filter versus the clean air filter on the dirt road. In the paved road scenario, the Explorer produced slightly higher PM emissions with the clean air filter than with the dirty air filter. The difference is again small, and it should be noted that gasoline-powered vehicles do not typically emit PM and the levels detected by the PEMS equipment are, therefore, extremely low resulting in the possibility of finding slightly counter intuitive results. Both vehicles produced higher emissions on the dirt road than the paved road.

### CO<sub>2</sub> Emissions

Both the Explorer and the F-150 produced higher CO<sub>2</sub> emissions with the dirty air filter versus the clean air filter on both the paved road and on the dirt road. Both vehicles recorded higher emissions on the dirt road than the paved road. Research has shown that there is a very strong correlation between CO<sub>2</sub> emissions and fuel consumption (10). This result shows that the fuel consumption is higher with a dirty filter than with a clean filter and higher on a dirt road than on a paved road, particularly for older vehicles.

### *Emission Patterns*

#### Dirty Air Filter versus Clean Air Filter

Figure 9 shows the NO<sub>x</sub> and VOC emissions rate comparisons between dirty and clean air filters on the dirt road, whereas Figure 10 shows the same comparison on the paved road. In addition to the emissions, these figures also show the mean speed profile driven by the test vehicles. In Figure 9, the emissions for NO<sub>x</sub> and VOC are generally higher when the dirty air filter is in place for both test vehicles. The VOC emissions difference is most prevalent on the Ford Explorer. Notably, the emissions generally track the speed profile, i.e., increase when the test vehicle accelerates and decrease when the test vehicle decelerates. Consistent driving therefore would result in lower total emissions.

#### Dirt Road versus Paved Road

Figure 11 shows the NO<sub>x</sub> and VOC emissions rate comparisons between dirt and paved roads using the dirty air filter, whereas Figure 12 shows the same comparison using the clean air filter. Figure 11 shows that the emissions for NO<sub>x</sub> and VOC are generally higher on the dirt road versus the paved road. The difference is again most prevalent for VOC emissions from the Explorer. The same trend is noticed in Figure 12 with the dirt road generally resulting in higher emissions.

## CONCLUSIONS

This study was one of the first of its kind and resulted in interesting findings in terms of the methodology as well as the results. The following could be concluded from this study.

- The dirt road resulted in higher emissions than the paved road for all the pollutants tested.
- The dirty air filter resulted in higher NO<sub>x</sub> and CO<sub>2</sub> emissions than the clean air filter for all the scenarios tested.
- The dirty air filter resulted in lower VOC emissions for all the scenarios tested (due to the “open loop effect” from high engine loads placed by the selected drive cycle).
- In 16 of the 20 scenarios, the dirty air filter resulted in higher emissions than the clean air filter for CO and PM (the four counter intuitive CO and PM results resulting from measurement error).
- The dirty air filters used in the testing have accumulated only 3,000 miles each, which could be lower than for air filters used in most vehicles traveling on dirt roads in Caldwell County. The observed effect of dirty air filters is therefore probably conservative (i.e., less than would occur in actual conditions).
- As expected, the emissions of the older Ford F-150 were consistently higher than that of the newer Ford Explorer for all pollutants.
- Based on the CO<sub>2</sub> emission results it could be inferred that the fuel consumption is higher with a dirty air filter than with a clean air filter and higher on a dirt road than on a paved road, particularly for older vehicles.

## **FUTURE RESEARCH**

Following are ideas for future research in this area.

- A larger sample size (on the order of 10 to 15 runs per scenario) will ensure much greater stability and possibly statistical significance of the results.
- A broader range of vehicle types should be tested to assess the possible impact of different vehicle types.
- The possibility of using tape or other means to manually clog the air filter and thereby creating constant air filter flow between the tests should be considered.
- Other vehicle and engine parameters that might be impacted by driving on dirt roads should be investigated.
- The selected drive cycle should be simplified even further to make it easier to replicate in real driving conditions.
- The acceleration, deceleration, cruising, and idling sections of the simplified drive cycle should be isolated and analyzed separately to develop more accurate emissions profiles per driving mode.
- In addition to tailpipe emissions, the ambient air quality should also be monitored at the time of emissions testing.

## **ACKNOWLEDGEMENTS**

This paper was based on research performed for the Capital Area Council of Government (CAPCOG). The authors would like to thank the Honorable Judge H.T. Wright and Mr. Bill Alexander from the CAPCOG staff for all their support during the project. The authors would also like to thank Mr. Bill Gill and Ms. Cathy Stephens for their support and guidance. Finally, the authors would like to thank Bhushan Gokhale, Tim Forrest, and Kangwook Kim for assisting with the data collection.

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**Table 1. Accumulated Emissions Results (grams).**

Pollutant	Parameter	Ford Explorer				Ford F-150			
		Dirt Road		Paved Road		Dirt Road		Paved Road	
		Dirty Filter	Clean Filter	Dirty Filter	Clean Filter	Dirty Filter	Clean Filter	Dirty Filter	Clean Filter
NOx	Mean	709	443	345	219	1,991	1,359	1,576	1,050
	Stdev*	404	150	388	341	295	402	223	270
	CV**	0.6	0.3	1.1	1.6	0.1	0.3	0.1	0.3
VOC	Mean	115	173	120	118	241	275	313	142
	Stdev	45	100	54	54	182	170	115	73
	CV	0.5	0.4	0.5	0.5	0.8	0.6	0.4	0.5
CO	Mean	2,581	1,975	1,416	1,206	25,659	27,706	18,116	9,740
	Stdev	725	577	1,101	693	20,366	23,862	9,480	7,298
	CV	0.3	0.3	0.8	0.6	0.8	0.9	0.5	0.7
PM	Mean	0.6	0.3	0.3	0.4	3.2	2.2	1.1	0.9
	Stdev	0.2	0.2	0.4	0.1	3.1	1.8	0.9	0.4
	CV	0.4	0.8	1.2	0.2	1.0	0.8	0.8	0.4

\* Standard Deviation

\*\* Coefficient of Variation



**Figure 1. Photo of Test Vehicles on Dirt Road.**

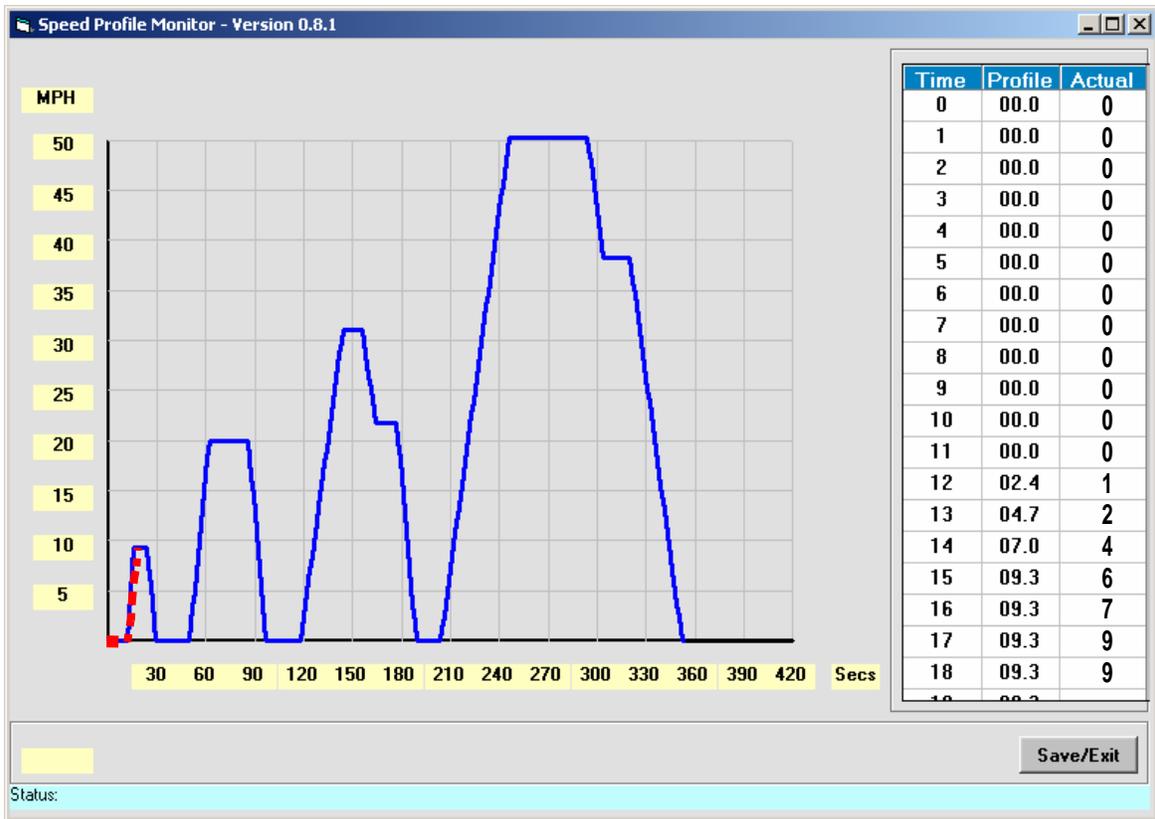
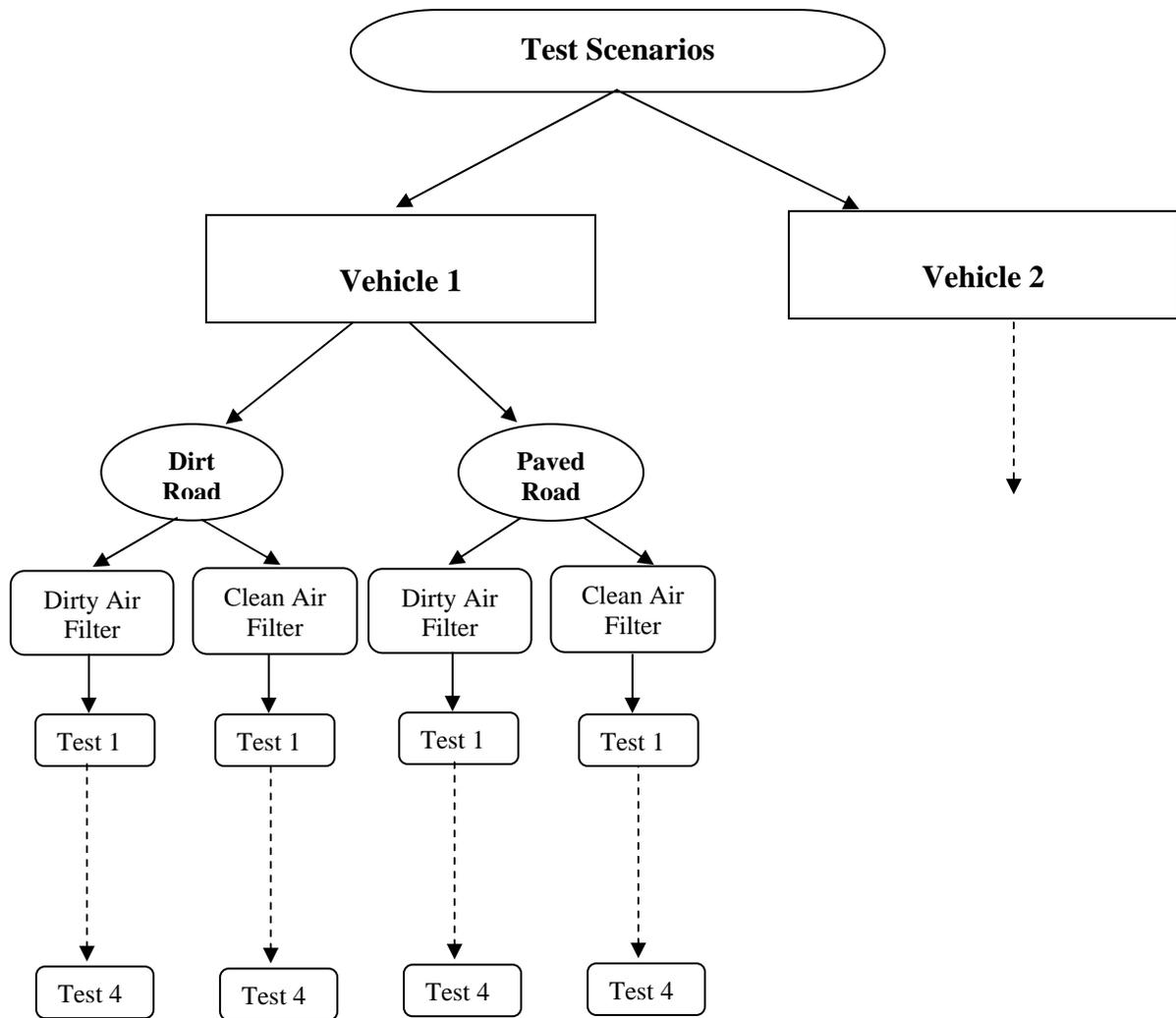


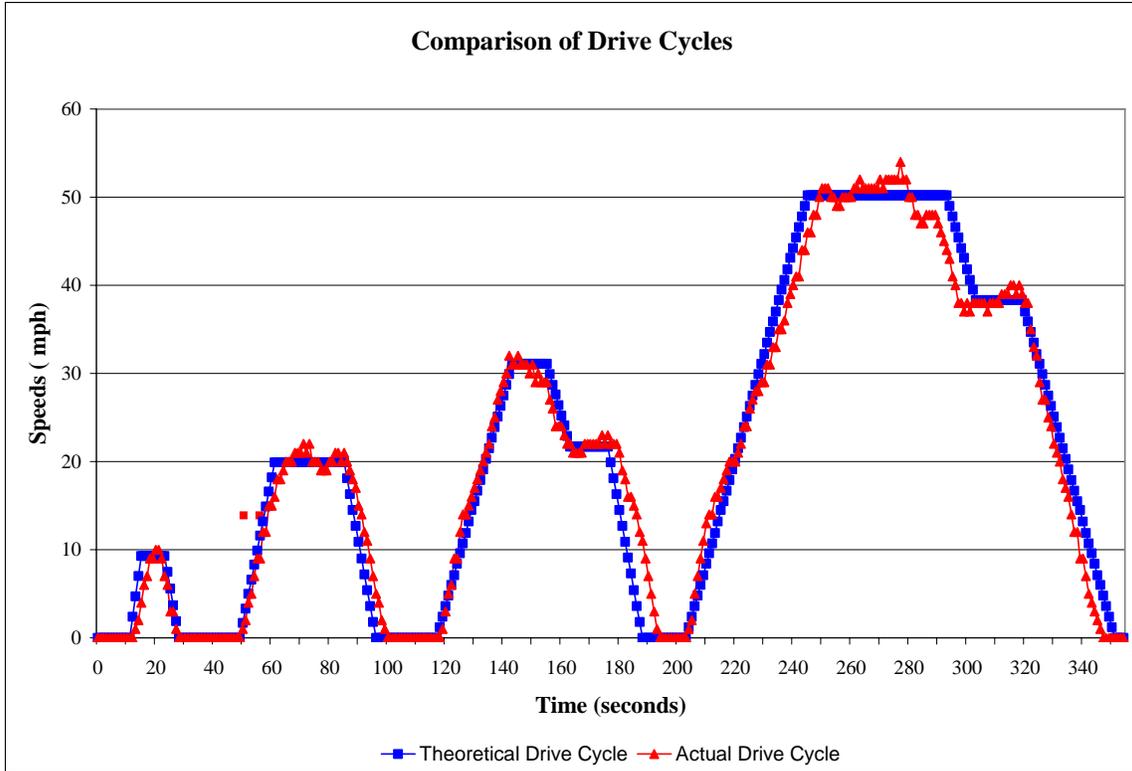
Figure 2. Screen Shot Created By the DMI and Customized Software.



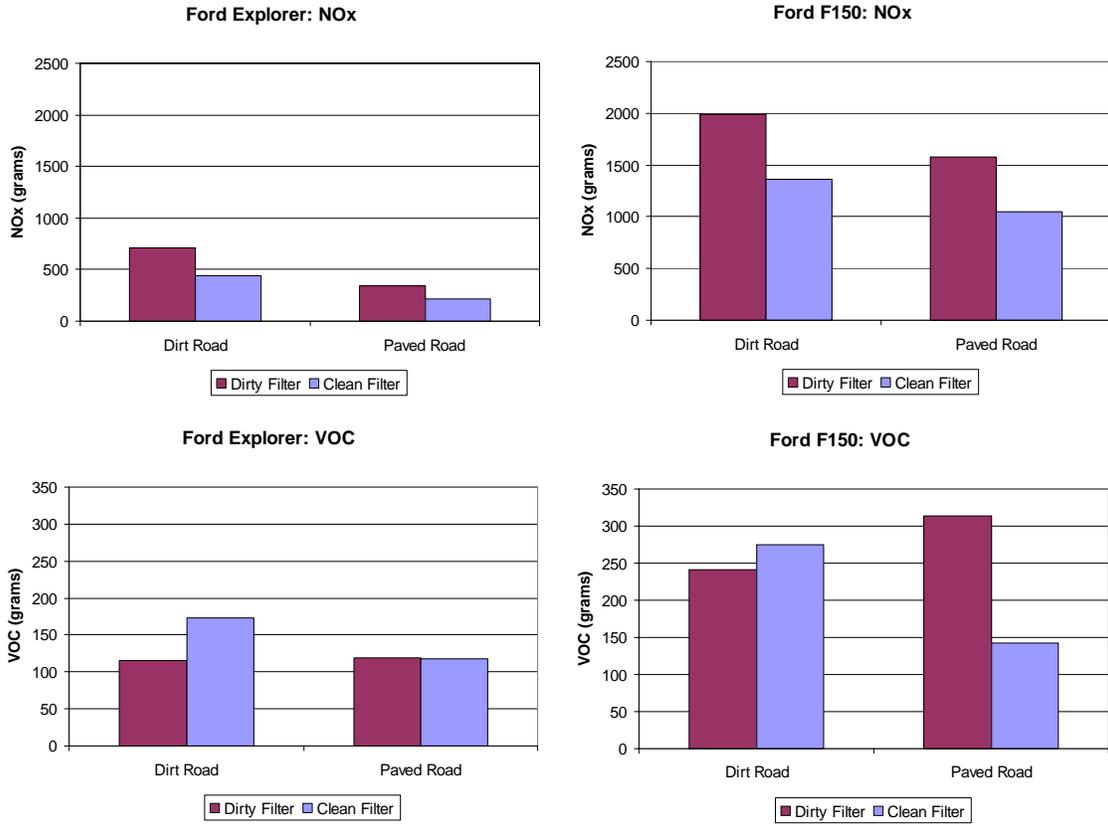
**Figure 3. Photos of PEMS Equipment Connected to Test Vehicle.**



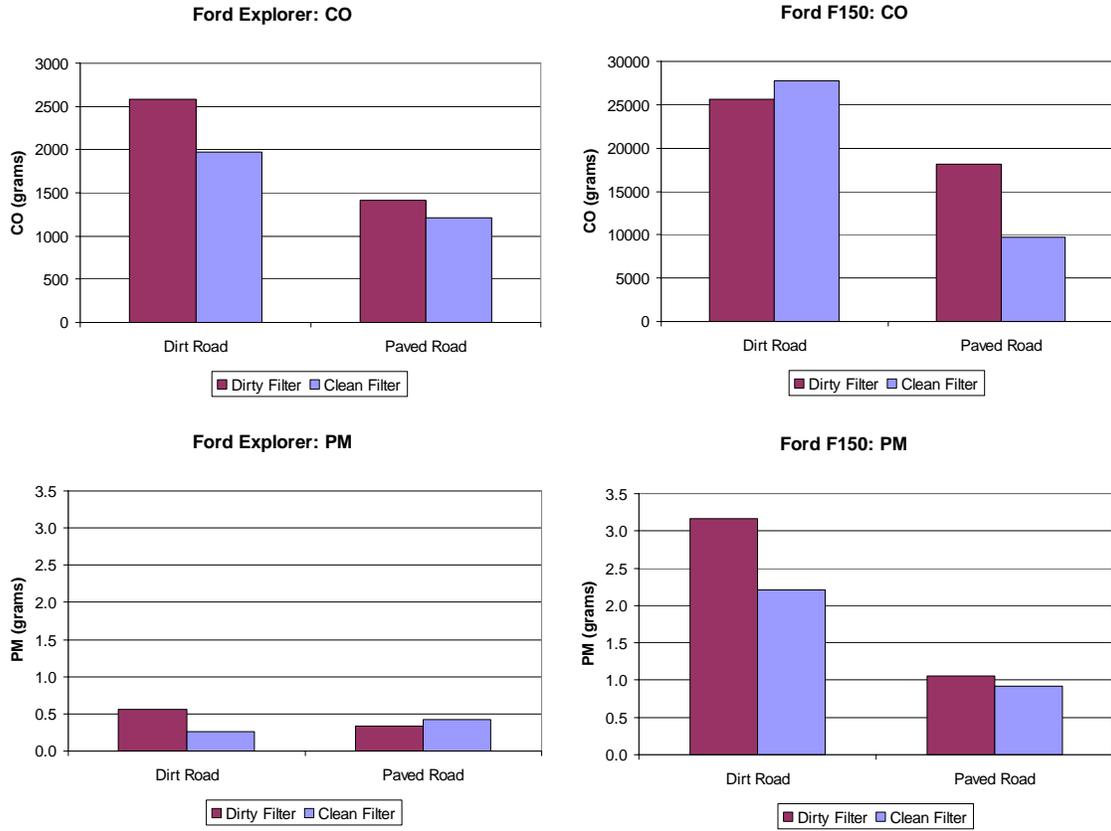
**Figure 4. Flow Chart of the Test Protocol.**



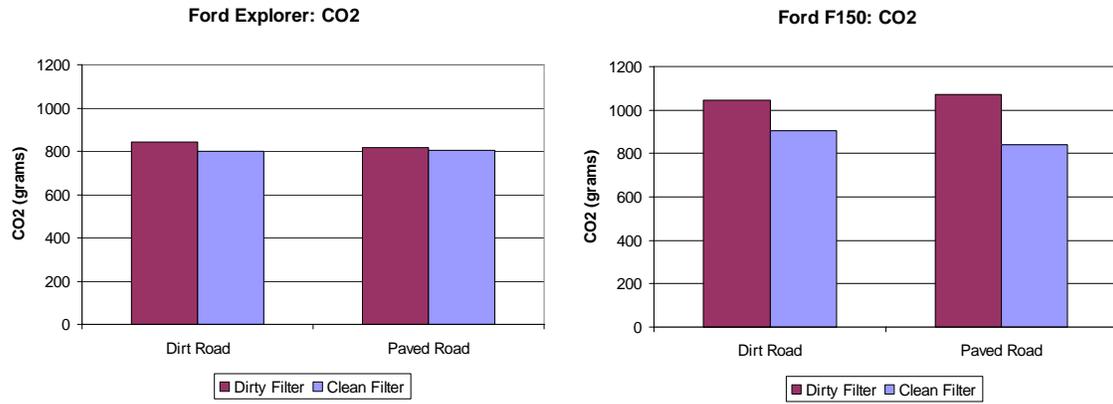
**Figure 5. Comparison Between the Pre-Selected Drive Cycle and Actual Driving.**



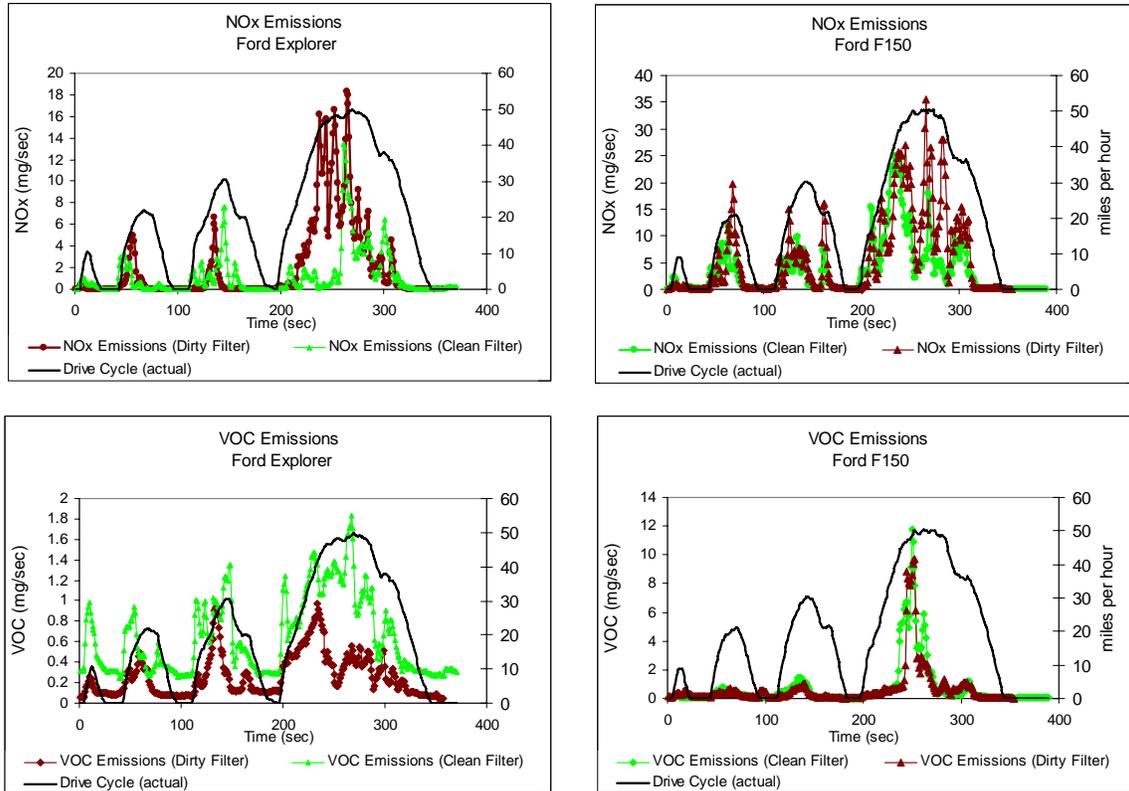
**Figure 6. Comparisons of Mean Accumulated Emissions for NOx and VOC.**



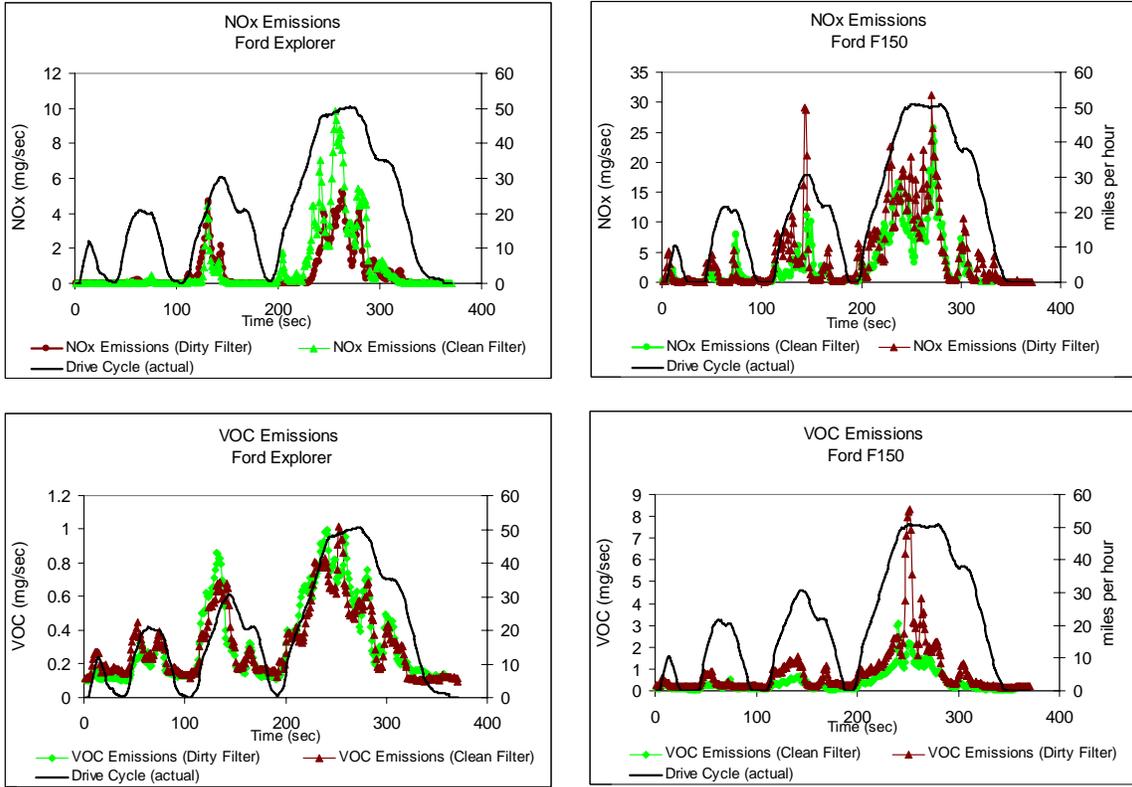
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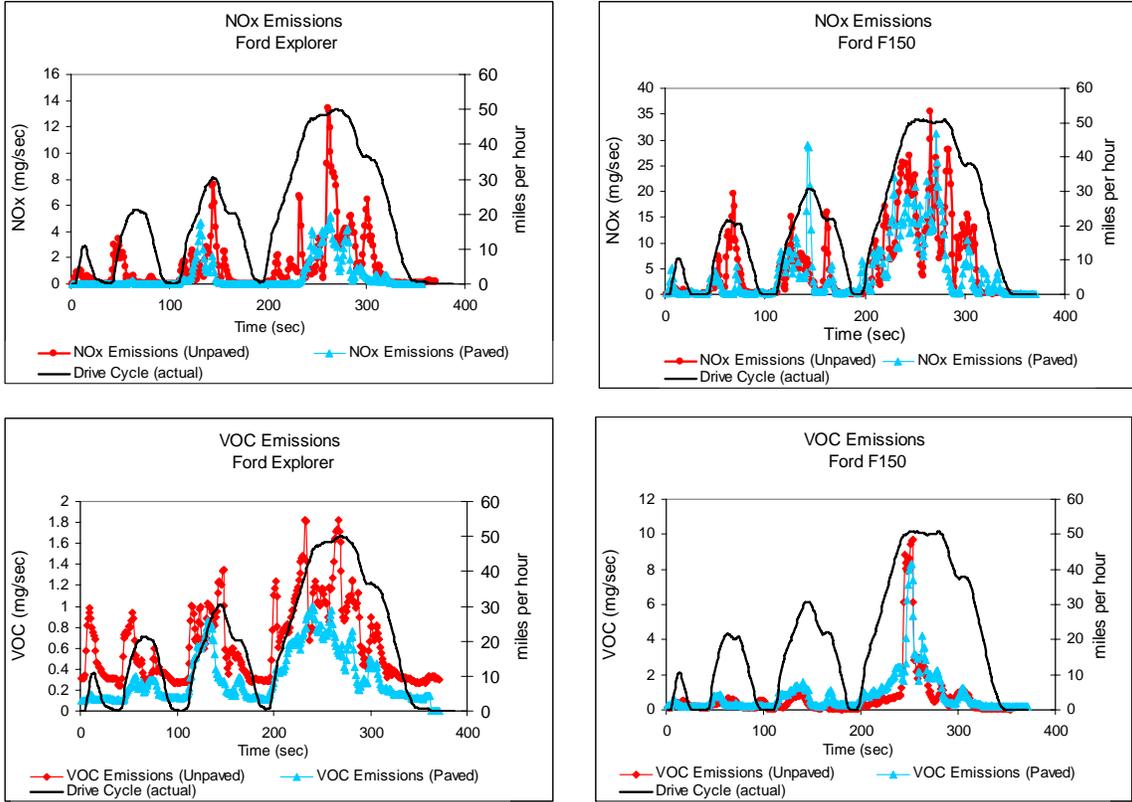
**Figure 8. Comparisons of Mean Accumulated Emissions for CO<sub>2</sub>.**



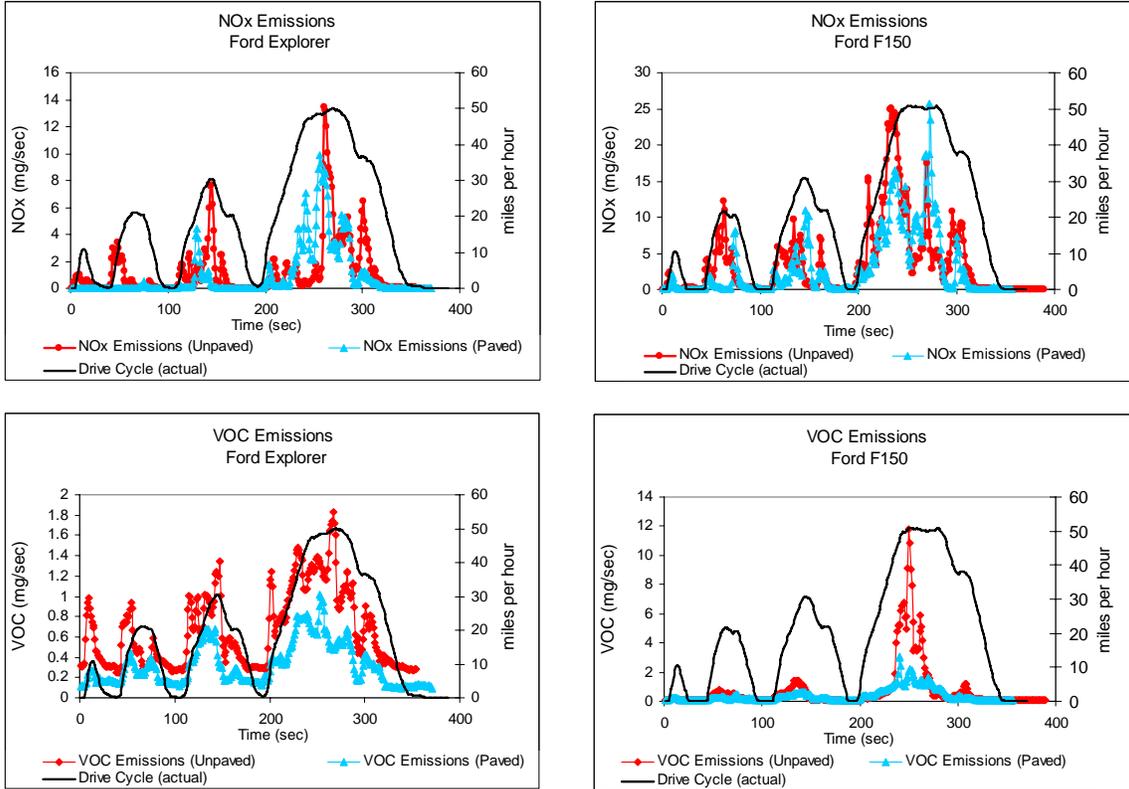
**Figure 9. Emission Rate Comparisons between Dirty and Clean Air Filters on Dirt Road.**



**Figure 10. Emission Rate Comparisons between Dirty and Clean Air Filters on Paved Road.**



**Figure 11. Emission Rate Comparisons between Dirt and Paved Road with Dirty Air Filters.**



**Figure 12. Emission Rate Comparisons between Dirt and Paved Road with Clean Air Filters.**

# **Appendix F**

## **Public Participation**



**8-Hour O3 Flex CAF News Ad Campaign Comments  
October 25<sup>th</sup>, 2007**

<b>Travis County</b>	<p><b>Dale Bulla-</b></p> <ul style="list-style-type: none"> <li>-no idle zones at schools</li> <li>-install wind turbines and/or solar panels on school grounds</li> <li>-bio-diesel for buses</li> <li>-“walking days” encouraging students to walk to school</li> <li>-plant school gardens</li> <li>-outdoor butterfly garden</li> </ul>
<b>Travis County</b>	<p><b>Colleen Brush-</b></p> <ul style="list-style-type: none"> <li>-provide a tax incentive for reducing miles driven in a given time period, possibly annually</li> </ul>
<b>Travis County</b>	<p><b>Marcus Fry-</b></p> <ul style="list-style-type: none"> <li>-more right turn lanes on roadways</li> </ul>
<b>Travis County</b>	<p><b>Robert Baker-</b></p> <ul style="list-style-type: none"> <li>-incentives for pumping gas after dark</li> <li>-penalties on Ozone Action days i.e. higher gas prices, a surcharge</li> <li>-large incentives for alternative fuels/electric lawn equipment</li> <li>-signs at ALL drive through encouraging people to cut their engines</li> </ul>
<b>Hays County</b>	<p><b>William Bentley-</b></p> <ul style="list-style-type: none"> <li>-sky shielding of outdoor lighting</li> </ul>
<b>Travis County</b>	<p><b>Dieter Grether-</b></p> <ul style="list-style-type: none"> <li>-mandatory for all air ducts in both residential and commercial buildings be located inside conditioned space so as to not lose the temperatured air in transit to its location</li> </ul>
<b>Williamson County</b>	<p><b>Brian Lilly-</b></p> <ul style="list-style-type: none"> <li>-CART offer free/reduced fares on Ozone Action Days</li> </ul>
<b>Travis County</b>	<p><b>Peter Shen-</b></p> <ul style="list-style-type: none"> <li>-greatly enforce anti-idling</li> </ul>
<b>Travis County</b>	<p><b>Pat Armstrong-</b></p> <ul style="list-style-type: none"> <li>-focus on ways to evolve more people and companies into greener living and working practices</li> <li>-weekly newspaper spot dedicated to reader's ideas-possibly a contest, involve local schools as well as provide recognition/prize for winning ideas as well as additional commentary on how this winning idea will have an impact environmentally</li> </ul>



# Got a new idea?

## **Be a Part of the Solution.**

Share your ideas on how we can improve **Air Quality**. The Clean Air Coalition of Central Texas needs your help updating the air quality plan for Bastrop, Caldwell, Hays, Travis and Williamson counties.

Visit **[www.cleanairforce.org](http://www.cleanairforce.org)** to see the proposed plan, share your comments, and offer new ideas.

Everyone who submits comments or ideas by November 8th will receive a 15 Watt Compact Fluorescent bulb for their participation!



### 03 Flex Ads

	Distribution	Cost	Run Date	Copy Deadline
<b>Austin American Statesman</b>	Bastrop, Caldwell, Hays, Travis, Williamson	\$1,803.38	Thursday October 25 <sup>th</sup>	Tuesday October 23 <sup>rd</sup>
<b>Round Rock Leader</b>	Williamson	\$255.15	Thursday October 25 <sup>th</sup>	10am Monday October 22 <sup>nd</sup>
<b>Pflugerville Pflag</b>	Williamson	\$255.15	Thursday October 25 <sup>th</sup>	“
<b>Lake Travis View</b>	Travis	\$255.15	Thursday October 25 <sup>th</sup>	“
<b>Westlake Picayune</b>	Travis	\$255.15	Thursday October 25 <sup>th</sup>	“
<b>Bastrop Advertiser</b>	Bastrop	\$255.15	Thursday October 25 <sup>th</sup>	“
<b>San Marcos Record</b>	Hays	\$303.98	Thursday October 25 <sup>th</sup>	12pm Tuesday October 23 <sup>rd</sup>
<b>Lockhart Post-Register</b>	Caldwell	\$220.50	Thursday October 25 <sup>th</sup>	Tuesday October 23 <sup>rd</sup>
<b>TOTAL COST</b>		<b>\$3,603.61</b>		



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. F.4  
**Consideration To Appoint A Council Representative And Alternate To The Capital Area Council of Governments ("CAPCOG") Central Texas Clean Air Coalition.**

**Commentary:**



## CITY COUNCIL AGENDA

Date:1-26-2012

Subject: Agenda Item No. F.5  
**Consideration To Approve Continued Participation By The City Of Cedar Park In The Adopt-Unit Program. (Fuller)**

### **Commentary:**

**Background:** The City of Cedar Park, along with Williamson County and the other cities in Williamson County, have participated in the Adopt-a-Unit program since 2007. Williamson County and its cities "adopted" the 4th Aviation Brigade, 4th Infantry Division, Ft Hood, Texas, in 2007. The City of Cedar Park adopted the 4th Attack Reconnaissance Battalion ("Gambler Guns"), one of the Battalions in the 4th Aviation Brigade. The City partnered with the Cedar Park Chamber of Commerce over the past four years during the unit's deployment to Iraq from April 2008-June 2009 and its deployment to Afghanistan from October 2010- October 2011. The 4th Aviation Brigade is now located at Ft Bliss, TX in the El Paso area.

The Adopt-a-Unit program is an initiative of the Congressman John Carter and the Association of the United States Army. Jonas Miller from Congressman Carter's office convened a meeting of representatives of Williamson County and its cities in December 2011 and inquired about continued interest in the program and adopting another unit from Ft Hood and also supporting Texas Army National Guard units in Round Rock and Taylor.



**CITY COUNCIL AGENDA**

Date:1-26-2012

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



**CITY COUNCIL AGENDA**

Date:1-26-2012

- Subject:           Agenda Item No. G.1
- Section 551.071(2) Of The Texas Local Government Code Consultation With City Attorney Concerning Legal Matters For Which He Has A Duty to Discuss As Covered By The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas.**
- a. Legal Issues Concerning Agreements For The Water Park Project.**



**CITY COUNCIL AGENDA**

Date:1-26-2012

Subject: Agenda Item No. G.2

**Section 551.087 Deliberation Regarding Economic Development Negotiations**

**a. Legal Issues Regarding An Economic Development Infrastructure Reimbursement Agreement For A Major Retail Development.**

**b. Legal Issues Regarding An Economic Development Agreement Between The City Of Cedar Park And DR Horton.**



**CITY COUNCIL AGENDA**

Date:1-26-2012

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:1-26-2012

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



**CITY COUNCIL AGENDA**

Date: 1-26-2012

Subject: Agenda Item No. H.2  
**Adjournment.**