AGENDA
REGULAR CITY COUNCIL
CITY OF LEANDER, TEXAS

Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas

Thursday ~ June 20, 2013 at 7:00 PM

Mayor – Christopher Fielder
Place 1 – Andrea Navarrette **Place 4 – Michell Cantwell**
Place 2 – Kirsten Lynch **Place 5 – Jason Dishongh (Mayor Pro Tem)**
Place 3 – Simon Garcia **Place 6 – David Siebold**
City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance

2. Roll Call

3. Staff Comments:

4. Citizen Comments: Three (3) minutes allowed per speaker
   Please turn in speaker request form before the meeting begins.

5. Proclamation designating July 2013 as "Heroes Night Out" month in the City of Leander.
   Sponsored by Council Member Cantwell

6. Presentation by the Williamson County Regional Animal Shelter

7. Presentation from Austin Peters regarding Compensation Analysis

CONSENT AGENDA: ACTION

8. Approval of the minutes: Regular Meeting: June 6, 2013

9. Second Reading of an Ordinance on Zoning Case #13-Z-005: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at 208 S. Brushy St., Leander, Williamson County, Texas

10. Second Reading of an Ordinance on Zoning Case #13-Z-008: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at 350 Bagdad Road North, Leander, Williamson County, Texas

11. Second Reading of an Ordinance on Zoning Case #13-Z-011: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at 205 Brushy Street Leander, Williamson County, Texas

12. Consider a Resolution approving and adopting rate schedule "RRM – Rate Review Mechanism" for Atmos Energy Corporation

PUBLIC HEARING: ACTION

13. **a. Public Hearing** on Zoning Case #13-TOD-001: Consider a zoning change for 21.80 acres, more or less, for two parcels generally located 300 feet north of the intersection of CR273/Mel Mathis and RM 2243 from PUD/TOD, Planned Unit Development/Transit Oriented Development to an amended PUD/TOD, Leander, Williamson County, Texas
Applicant: Jeff Musgrove on behalf of TVI, LTD.

b. Action on Zoning Case # 13-TOD-001: amending Ordinance 05-026-00, Smart Code for two parcels generally located 300 feet north of the intersection of CR273/Mel Mathis and RM 2243, Leander, Williamson County, Texas

14. **a. Public Hearing** on Zoning Case #13-Z-016: Consider an amendment to the Comprehensive Plan and the rezoning of 11.49 acres, more or less, located on the northwest and northeast corners of RM 2243 and CR273/Mel Mathis from PUD/TOD, Planned Unit Development/Transit Oriented Development to GC-3-C, General Commercial, Leander, Williamson County, Texas
Applicant: Doyle Leslie, Sawtooth Enterprises, LTD

b. Action on Zoning Case #13-Z-008: amending the Comprehensive Plan and Ordinance #05-018, the Composite Zoning Ordinance for two parcels located on the northwest and northeast corners of RM 2243 and CR273/Mel Mathis, Leander, Williamson County, Texas
This item has been postponed at the request of the applicant

15. **a. Public Hearing** on Zoning Case #13-Z-014: Consider a zoning change for 15.41 acres, more or less, for three parcels located at 10820 and 10824 E. Crystal Falls Parkway from LC-1-B, Local Commercial, MF-2-B, Multi-Family and SFC-2-B, Single Family Compact to LC-1-C, Local Commercial and SFC-2-B, Single Family Compact, Leander, Williamson County, Texas
Applicant: John Avery Jr. on behalf of CWHS 272 LTD and CS Leander I, LTD

b. Action on Zoning Case #13-Z-014: amending Ordinance #05-018, the Composite Zoning Ordinance for three parcels located at 10820 and 10824 E. Crystal Falls Parkway, Leander, Williamson County, Texas

16. **a. Public Hearing** on Zoning Case #13-Z-015: Consider a zoning change for .41.40 acres, more or less, for a parcel located at approximately 6,000 feet to the northeast of the intersection of RM 1431 and Nameless Road in Crystal Falls West, Section One from SFU-2-A, Single Family Urban, SFS-2-A, Single Family Suburban, and SFE-2-A, Single Family Estate to SFC-2-A, Single Family Compact, SFU-2-A, Single Family Urban and SFS-2-A, Single Family Suburban, Leander, Williamson County, Texas
Applicant: Samuel Kiger on behalf of Travisso, Ltd.

b. Action on Zoning Case #13-Z-015: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at approximately 6,000 feet to the northeast of the intersection of RM 1431 and Nameless Road in Crystal Falls West, Section One, Leander, Williamson County, Texas
This item has been postponed at the request of the applicant

17. **a. Public Hearing** on Zoning Case #13-Z-017: Consider a zoning change for .1.65 acres, more or less for a parcel located at Lot 22, Block B, Leander Heights, Section 2, 503 Horseshoe Drive from SFU/MH-2-B. Single Family Urban/Manufactured Home to TF-2-B, Two Family, Leander, Williamson County, Texas
Applicant: Gary Eli Jones, P.E. on behalf of Ricky Shipman

b. Action on Zoning Case #13-Z-017: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at 503 Horseshoe Drive, Leander, Williamson County, Texas

REGULAR AGENDA

18. Consider Award Bid for the Financing of One 2013 Pierce Dash CF 1250 Pumper for the City Of Leander Fire Department.

19. Consider an Ordinance prohibiting pedestrian and bicycle use on portions of Old 2243 West between Bagdad Road and West Broade Street

20. Consider appointments to the Mayor's Committee for Persons with Disabilities

21. Consider appointments to the BCRUA Board

EXECUTIVE SESSION

22. Convene into executive session pursuant to Section 551.071, Tex. Gov't Code and Section 1.05, Tex. Disciplinary Rules of Professional Conduct, to consult with legal counsel regarding the BCRUA Regional Water Treatment Plant

23. Reconvene into open session to take action as deemed appropriate in the City Council's discretion regarding the BCRUA Regional Water Treatment Plant

24. Council Members Closing Statements

25. Adjournment

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 512/ 528-2743 for information**. Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512/ 528-2800. I certify that the above agenda for this Meeting of the City Council of the City of Leander, Texas, was posted on the bulletin board at City Hall, in Leander, Texas, on the 14th day of June, 2013 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.

Debbie Haile

Debbie Haile, TRMC, City Secretary

PROCLAMATION

WHEREAS, on September 6, 2012, the Leander City Council voted unanimously to designate every other month to support a Local Charity benefiting the citizens of Leander; and

WHEREAS, the City Council encourages all residents of Leander to support Local Charities with donations of their goods, money and time; and

WHEREAS, the City of Leander benefits from the services provided by a variety of local charities; and

WHEREAS, when residents support local charities it helps build a sense of community;

NOW, THEREFORE; the City of Leander does hereby proclaim July 2013 as:

"HEROES NIGHT OUT" MONTH

WHEREAS, Heroes Night Out is a non-profit organization that acknowledges the sacrifices not only of the wounded warrior, but the dedication of the family as well.

WHEREAS, Heroes Night Out provides an Appreciation Wallet that contains $50.00 gift cards to local restaurants or venues that provides our Heroes with valuable family time and an opportunity to heal their hearts.

WHEREAS, With support from local communities, Heroes Night Out hosts BBQs or social activities on or near military bases with medical facilities where wounded warriors and their families are receiving recovery care.

WHEREAS, Heroes Night Out provides peer support in a comfortable, real and safe place.

WHEREAS Heroes Night Out provides the warrior and their family a day or night away from the daily routine while recovering from their injuries.

Signed this 20th day of June, 2013.

Attest:

Christopher Fielder, Mayor

Debbie Haile, City Secretary

City of Leander

Leander, Texas
Human Resources Assessment
Governing Body Report (Draft)

June 13, 2013

The Austin Peters Group, Inc.
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Elizabeth Tatarko, Vice President
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Acknowledgements

This report and study are made possible through a cooperative effort of employees, department heads, management team support, and governing body involvement. The recommendations are tailored with the existing employees in mind, who have contributed and will continue to contribute to the organization's success. The Austin Peters Group, Inc. would especially like to thank Cindy Hignite, Human Resources, and Kent Cagle, City Manager, who patiently facilitated the project.

Executive Summary

The governing body approved engagement of The Austin Peters Group, Inc. in 2012 to conduct a human resources assessment for full time positions in the City government. The proposal included: 1) writing and rewriting job descriptions; 2) job classification analysis for all positions into pay ranges; 3) compensation analysis and any market adjustments; and 4) performance appraisal analysis.

After several months of on-going meetings with employees, department heads and the management team, the consulting team submits the attached report.

The findings of the consulting team are briefly outlined below:

The specific findings of the study are:

- Implement the new ranges for full time positions when feasible which are designed to meet the market at the 60th percentile, meaning four employers will pay more than the City and six employers will pay less than the City.
- Move employees to the minimum of the proposed ranges when financially feasible for a total financial impact of $149,634 (base wages) and spread the fire department range adjustments over a four year period.
- Going forward consider how to provide a 2.98% adjustment which totals $241,856.
- In lieu of a 2.98% adjustment consider an alternative pay compression adjustment for employees who are behind in their range relative to the market totaling $225,563.
- Provide specific adjustments by employee and by position for Fair Labor Standards Act exempt and non-exempt status changes.
- Continue to work with departments on making final adjustments to job descriptions that reflect assignment of current duties and functions, plus adoption of the pay plan findings.

I. Background and Introduction

The City engaged the services of The Austin Peters Group, Inc., based in Overland Park, Kansas. The service engagement was for the purposes of: 1) writing and rewriting job descriptions; 2) job classification analysis for all positions into pay ranges; 3) compensation analysis and any market adjustments; and 4) performance appraisal analysis.

II. Methodology and Process

Step 1: Interviewing all employees and managers
The Austin Peters Group, Inc. began the process with a review of all job descriptions and a discussion with employees during one-on-one interviews. Employee interviews were held over several days to provide job description comments and reevaluate employees' positions. Management interviews were also conducted for the purpose of assessing the employee's responsibilities, decision-making, supervisory responsibility, knowledge, budget responsibility, contact with the public, and physical and working environmental factors. The purpose of the interview was to make comments for changes in job descriptions, and to obtain necessary details so that an adequate evaluation and classification of the position could be made. Additional meetings were conducted with department heads to validate and clarify information, along with department and worksite visits.

Step 2: Ranking Positions based on Factors
The next step in the process was to evaluate each position based on the following factors and weighted percentages:

1) Decision-making -- 25%
2) Supervisory -- 25%
3) Knowledge -- 20%
4) Budget Impact -- 10%
5) Contacts -- 10%
6) Physical Skills -- 5%
7) Working Conditions -- 5%

Once each position was evaluated and scored, a total ranking was performed, and each position was then placed into recommended ranges based upon the ranking and the market analysis.

Step 3: Clarification with Department Heads
This step of the process involved exchanging information with the department heads to ensure that the consulting team had adequately placed positions internally in the most appropriate range and scored the position appropriately with regard to the above-mentioned factors.

Step 4: Collection of Salary and Benefit Data
The salary and benefit study was completed with data collected from the following benchmark communities: Counties of Travis and Williamson; Cities of Austin, Cedar Hill, Cedar Park, Georgetown, Grapevine, Hutto, Jonestown, Keller, Kyle, Lago Vista, Lakeway, Manchaca, Manor, Mansfield, Missouri City, New Braunsfels, Pearland, Pflugerville, Rockwall, Rollingwood, Round Rock, Rowlett, Schertz, Sugar Land, Sunset Valley, The Hills, West Lakes Hills, Wylie, Town of Flower Mound, Village of Volente, two private sector participants; and the State of Texas. Additional data was collected or used including Texas Wage Survey Data, U.S. Bureau of Labor Statistics, and International City and County Managers Association. Response data from Austin and Travis County were not used in the final market calculations.

Step 5: Development of Pay Ranges
The development of pay ranges involved reviewing the salary and benefit survey results, additional salary survey sources when appropriate, the rankings that the consultant assigned each position in step 3, and the internal hierarchy and needs of the organization in order to determine placement and range amounts. The ranges developed provide for internal equity and hierarchy across the organization.

Employees were placed into the ranges based on whether they were required to be brought up to the minimum of the range. Future employee movement through the ranges will need to be determined. No employees received a proposed decrease in pay.

Step 6: Opportunity to Meet with Governing Body
The consultants will present the findings to the governing body.

III. Findings Background

A. Internal Equity

Using the factors of decision making, supervisory, knowledge, budget, contacts, physical skills, and working conditions, all positions were ranked by the point totals and placed into grades with employees of similar skills, experience and nature of work.

Once pay adjustments are implemented, ranges require annual adjustment based on an index that accounts for budgeted movement in ranges for cities and appropriately describes the government salary expenses.

The job evaluation process assumes that "(1) it is logical to pay the most for jobs contributing the most toward attainment of organizational goals and objectives; (2) people feel more fairly treated if wages are based on the relative worth of jobs; and (3) the goals of the enterprise are furthered by maintaining a job structure based on relative worth."[1]

Organizations like the City depend on the contribution of their employees in making the organization successful and in effectively delivering services that citizens have come to expect. Employee compensation is the single greatest expense in doing business, and it requires a strategy and planning that is well thought out and well organized.

The reason compensation systems exist is to reward employees, retain employees, and provide avenues for their growth and development through motivation. The job evaluation process provides a tool for measuring, evaluating and comparing jobs. The question answered is: "What is this job worth in comparison to other jobs?"

Once pay practices and grades have been established there are a number of administrative issues that may arise. First, it is important to avoid situations where employees are paid inappropriately relative to the pay range. The purpose of establishing a pay range is to signify and clarify what the position is worth to the organization. Given this, it is important that red-circling, or paying those at a rate above the range maximum, not be allowed. Likewise, green-circling should also be avoided unless the purpose is to retain employees who do not meet the minimum qualifications as set out in the job description, or unless the City over time is working to resolve the issue. Green-circling is a practice where qualified employees are paid below the bottom of the range. The most

[1] French, Wendell, The personnel management Process, Human Resources Administrative and Development.

common method for avoiding this is to bring employees up to the bottom of the range when there is a discrepancy, and the recommendations here provide for adjustments where employees would otherwise be green-circled. In order to avoid employees hitting the top of the range, the pay ranges should be reviewed on an annual basis and adjusted accordingly.[2]

[2] Society for Human Resource Management, Compensation and Benefits Practices, pp. 60-70.

B. Market Adjustments
Once the rankings and ranges were set, a review of the market was necessary to ensure external competitiveness.

Determination of Market
The determination of the appropriate market is based on three factors: 1) occupation (similar jobs or positions that require similar knowledge, skills and abilities); 2) geography (the distance that people are willing to commute to work); and 3) industry (competing with employers that have a similar product line). With regard to occupation, the comparisons selected here are direct one-to-one matches for positions. In the survey conducted, most positions had an occupation match, which means that across organizations the titles and positions carry similar degrees of knowledge, skills, and ability.

The second factor in determining the market is geography and the distance that people are willing to commute to work.

The third element is competition with employers who have a similar product line. In this case, this would include other full service counties that have a similar population.

C. Market and Cost of Living

The peer group in the market survey was outlined in the methodology section. The consulting team reviewed how the communities were similar and different, and reviewed data such as cost of living by City to assure that the group was not too dissimilar overall.

D. Health Insurance and other Questions
The benefits survey was designed to determine whether the City has a competitive salary and benefits structure when compared with peers. There are no changes recommended immediately in the benefit structure; however, this information is an important framework for moving forward with future packages. Details of the benefit survey results are on file with the Administration.

Table 1: Fringe Benefits

Fringe Related Item	City Share	Benchmark Group Share
Health Insurance (employee)	100%	96%
Health Insurance (employee plus children)	65%	65%
Health Insurance (employee plus spouse)	59%	59%
Health Insurance (employee plus family)	53%	64%

IV. Summary of Findings

Internal Equity and Market Competition – This involves moving employees up in pay to the bottom of the range and implementing the pay ranges recommended in Table 2. The pay ranges reflect the market average at the 60th percentile of the market. The ranges were developed by looking at the market average for the benchmark positions and the benchmark communities that were in the pay range at the 60th percentile, and establishing a pay range with a width similar to today's current pay practices. Details for the market survey instrument may be found in Appendix B, and details for each position may be found in Appendix A.

The cost to bring employees into alignment with the market is as follows (costs are provided in base wages):

- **Finding:** It is recommended that employees below the recommended range minimum be brought up to the range minimum. The cost for this step of the process is $149,634.94. This affects approximately 42 employees out of 168 or nearly 25% of the workforce. There are four employees who will be at or above the new range maximum (most of these employees are at or above the current range too).
- **Finding:** With these recommendations, about three fourths of the workforce will receive no adjustment. Peer communities are pursuing on average a 2.98% adjustment. If the governing body only pursued a 2.98% adjustment like the peer communities, the total impact for full time employees would be $241,856.60.
- **Finding:** Consider in lieu of a 2.98% adjustment moving some employees who are behind in their position relative to the market and their time with the City. This would push employees along in the range.
- **Considerations by Department and Fund:** The cost breakdown at the 60th percentile of market by department and fund are outlined below.

Table 2: Recommended Ranges

Department	Title	Recommended Title Change	Current Range Minimum	Current Range Maximum	New Range Minimum	New Range Maximum
Police	Officer I	Police Officer I	$20.64	$27.66	$21.63	$28.97
Police	Officer II	Police Officer II	$22.56	$30.23	$22.93	$30.71
Police	Officer III	Police Officer III	$24.49	$32.82	$24.49	$32.82
Police	Officer III (Warrant Officer)	Police Officer II/III - Warrant/Bailiff Officer	$24.49	$32.82	$24.49	$32.82
Police	Detective	Investigator - Criminal Investigation Division	$24.49	$32.82	$25.09	$33.61
Police	Sergeant	Sergeant - Support Services (non-supervisory)	$25.98	$34.82	$25.09	$29.44
Police	Detective - Sergeant	Detective	$25.98	$34.82	$25.09	$29.44
Police	Officer III - Corp	Corporal - Uniform Services	$25.07	$33.40	$25.68	$34.39
Police	Officer III - Corp – SRO	Corporal - SRO	$25.07	$33.40	$25.68	$34.39
Police	Detective - Sergeant		$25.98	$34.82	$26.19	$35.07
Police	Sergeant-SRO	Sergeant - SRO	$25.98	$34.82	$27.23	$36.47
Police	Sergeant	Sergeant - Uniform Services	$25.98	$34.82	$27.23	$36.47
Police	Lieutenant	Lieutenant - Uniform Services	$31.39	$42.06	$31.39	$42.06
Police	Lieutenant	Lieutenant - Criminal Investigation Division	$31.39	$42.06	$31.39	$42.06
Police	Lieutenant	Lieutenant - Support Services	$31.39	$42.06	$31.39	$42.06
Police	Asst. Police Chief		$37.61	$50.41	$38.34	$51.35
Fire	Firefighter Trainee		$13.76	$18.44	$13.45	$18.02
Fire	Firefighter		$13.76	$18.44	$14.95	$20.02
Fire	Driver/Pump Operator		$15.60	$20.90	$17.58	$23.54
Fire	Fire Inspector		$18.42	$24.67	$18.42	$24.67
Fire	Lieutenant Fire		$17.89	$23.97	$20.18	$27.02
Fire	Training Coordinator		$17.89	$23.97	$20.18	$27.02
Fire	Captain (future position)		n/a	n/a	$22.70	$30.40
Fire	Training Officer		$22.46	$30.10	$22.70	$30.40
Fire	Battalion Chief		$22.46	$30.10	$26.95	$36.09

Department	Title	Recommended Title Change	Current Range Minimum	Current Range Maximum	New Range Minimum	New Range Maximum
Fire	Prevention - Fire Marshal		$22.46	$30.10	$26.95	$36.09
Fire	Assistant Fire Chief		n/a	n/a	$28.02	$37.53
Parks	Maint I / Janitorial / Pks	Maintenance I	$12.66	$16.97	no change	no change
Golf Course	Cart Attendant		$10.39	$13.92	no change	no change
Golf Course	Grill Attendant		n/a	n/a	$10.38	$13.92
Municipal Court	Court Clerk		n/a	n/a	$12.66	$16.97
Police	Front Desk Clerk - Pd	Records Clerk/Receptionist	$12.66	$16.97	no change	no change
Public Works	Mechanic / Maint 1 / Pw		$12.66	$16.97	no change	no change
Golf Course	Greenskeeper I		$11.47	$15.37	no change	no change
Parks	Maint I / Pks	Maintenance I	$12.66	$16.97	no change	no change
Golf Course	Pro Shop		$11.47	$15.37	no change	no change
Municipal Court	Deputy Court Clerk	Sr. Deputy Court Clerk	$13.93	$18.66	no change	no change
Utility Billing	Utility Billing Clerk		$12.66	$16.97	no change	no change
Police	Dispatcher I		$16.85	$22.58	no change	no change
Parks	Admin Assistant	Administrative Assistant	$18.54	$24.84	no change	no change
Finance	Accounting Clerk		$18.54	$24.84	no change	no change
Utility Billing	Meter Reader		$11.47	$15.37	$13.92	$18.66
Parks	Maint II / Janitorial / Pks	Maintenance II	$16.85	$22.58	no change	no change
Parks	Maint II / Pks	Maintenance II	$16.85	$22.58	no change	no change
Public Works	Maint I / Pw	Maintenance I	$12.66	$16.97	no change	no change
Public Works	Maint II / Pw	Maintenance II	n/a	n/a	$13.92	$18.66
Public Works	Utility Maint I	Utility Maintenance I	$15.32	$20.53	no change	no change
Fire/Permits	Permit Clerk		$13.93	$18.66	no change	no change
Utility Billing	Utility Billing Clerk II		n/a	n/a	$13.92	$18.66

Department	Title	Recommended Title Change	Current Range Minimum	Current Range Maximum	New Range Minimum	New Range Maximum
Police	Dispatcher II		$18.54	$24.84	no change	no change
Finance	Admin. Assistant To Fin. Dir.	Administrative Assistant	$18.54	$24.84	no change	no change
Finance	Accountant		n/a	n/a	$16.85	$22.58
Fire	Admin Asst	Administrative Assistant	$18.54	$24.84	no change	no change
Police	Admin Asst	Administrative Assistant	$18.54	$24.84	no change	no change
Planning	Planning Coordinator		$18.54	$24.84	no change	no change
Administration	Admin Asst / Receptionist	Administrative Assistant	$13.93	$18.66	$16.85	$22.58
Department	Title	Recommended Title Change	Current Range Minimum	Current Range Maximum	New Range Minimum	New Range Maximum
Public Works	Admin Asst Public Works	Administrative Assistant	$18.54	$24.84	no change	no change
Public Works	W/WW Plant Opr I		$18.54	$24.84	no change	no change
BCRUA	Bcrua - Operator I		$16.85	$22.58	no change	no change
Public Works	Utility Maint II	Utility Maintenance II	n/a	n/a	$16.85	$22.58
Golf Course	Asst Golf Pro		$11.47	$15.37	$16.85	$22.58
Permits	Plan Reviewer		$22.33	$29.92	no change	no change
Police	Evidence Tech		$15.32	$20.53	no change	no change
Police	Animal Control Officer II		$16.85	$22.58	no change	no change
Fire/Permits	Code Enforcement Officer		$20.39	$27.33	no change	no change
Police	Dispatcher III		$20.39	$27.33	no change	no change
Police	Animal Control Officer III		$18.54	$24.84	no change	no change
BCRUA	W/WW Opr II Bcrua		$20.39	$27.33	no change	no change
Public Works	W/WW Service Tech		$16.85	$22.58	no change	no change
Parks	Maint II - Crewleader / Pks	Maintenance II - Crewleader	$16.85	$22.58	no change	no change
Parks	Athletics & Rec Programer		$18.54	$24.84	no change	no change
Public Works	W/WW Service Tech		$16.85	$22.58	no change	no change

Department	Title	Recommended Title Change	Current Range Minimum	Current Range Maximum	New Range Minimum	New Range Maximum
Engineering	Inspector / Field Rep		$26.77	$35.88	no change	no change
Public Works	Mechanic		$20.39	$27.33	no change	no change
Golf Course	Golf Maint Mechanic		$20.39	$27.33	no change	no change
Public Works	W/WW Pnt Operator III		$22.33	$29.92	no change	no change
Public Works	Crewleader / PW		$16.85	$22.58	$18.53	$24.84
Public Works	Crewleader I		$16.85	$22.58	$18.53	$24.84
Public Works	W/WW Crewleader I		$16.85	$22.58	$18.53	$24.84
Police	Dispatcher III - Corp	Dispatcher III - Shift Supervisor	$25.07	$33.40	no change	no change
Golf Course	Grill Manager	Grill Supervisor	$16.85	$22.58	$18.53	$24.84
Golf Course	Asst Golf Superintendent	Assistant Golf Course Superintendent	$15.32	$20.53	$18.53	$24.84
Police	Admin Office Manager	Records Supervisor	$18.54	$24.84	no change	no change
Fire/Permits	Senior Inspector		$26.77	$35.88	no change	no change
Engineering	E.I.T.		$20.39	$27.33	$24.44	$32.76
Engineering	Gis Coordinator		$29.45	$39.47	no change	no change
Administration	City Secretary		n/a	n/a	$24.44	$32.76
Finance	Purchasing Agent		$26.77	$35.88	no change	no change
Finance	Sr. Accountant		n/a	n/a	$24.44	$32.76
Director of Development	Eco Dev Manager		$24.45	$32.76	no change	no change
Planning	Planner		$24.45	$32.76	no change	no change
Municipal Court	Court Administrator	Court Supervisor	$24.45	$32.76	no change	no change
Finance	Supervisor	Utility Billing Supervisor	$20.39	$27.33	$24.44	$32.76
Golf Course	Golf Course Superintendent	Golf Course Supervisor	$26.77	$35.88	no change	no change
Police	Communications Supervisor		$22.33	$29.92	$24.44	$32.76
Parks	Parks Maint. Supervisor		$20.39	$27.33	$26.77	$35.87

Public Works	Utility Operations Supervisor		$29.45	$39.47	no change	no change
Golf Course	Head Golf Pro		$20.39	$27.33	$26.77	$35.87
Public Works	Streets - Supervisor		$22.33	$29.92	$26.77	$35.87
Fire	Building Official		$35.31	$47.32	no change	no change
Fire	Emergency Planning Coordinator		n/a	n/a	$32.24	$43.21
Public Works	Public Works Superintendent	Public Works Supervisor	$24.45	$32.76	$34.46	$46.15
Engineering	Asst City Engineer		$35.31	$47.32	$34.46	$46.15
City Manager	Hr Administrator	Human Resource Director	$26.77	$35.88	$34.46	$46.15
Planning	Director Planning		n/a	n/a	$34.46	$46.15
BCRUA	Regional W/Plant Superintendent	Director Regional Water Plant	$29.45	$39.47	$34.46	$46.15
Parks	Parks Director		n/a	n/a	$34.46	$46.15
Golf Course	Retail Operations Manager		$29.45	$39.47	$34.46	$46.15
Department	Title	Recommended Title Change	Current Range Minimum	Current Range Maximum	Market Target	Market Target
Finance	Finance Director		$29.45	$39.47	$51.17	$51.17
Director of Development	Director Development Services		n/a	n/a	$51.17	$51.17
Police	Police Chief		n/a	n/a	$51.17	$51.17
Engineering	Engineer		n/a	n/a	$51.17	$51.17
Public Works	Director Of Public Works		n/a	n/a	$51.17	$51.17
Fire	Fire Chief & Emer Mgmt		n/a	n/a	$51.17	$51.17
Table 2: Total Cost for Range Minimum $149,634.94						

Table 3: Alternatives			
Department	2.98% Only	Bring Current Employees to Range Minimum in Table 2	Provide a Pay Compression Adjustment
Administration	$5,539	$17,691	$8,746
Building	$7,441	$0	$3,813
City Secretary	$1,974	$0	$73
Court	$3,815	$0	$2,670
Economic Development	$1,527	$0	$647
Engineering	$11,244	$2,906	$3,636
Finance	$6,897	$0	$3,179
Fire	$47,934	$70,869	$70,651
Golf Course	$6,603	$4,247	$2,716
Golf Course	$1,124	$817	$2,019
Golf Course	$7,004	$13,479	$13,400
Parks and Recreation	$12,781	$8,893	$9,687
Planning	$6,029	$0	$156
Police Administration	$9,624	$0	$6,850
Police Animal Control	$2,363	$0	$1,473
Police Dispatch	$22,857	$0	$22,085
Police Investigation	$9,020	$0	$6,088
Police Patrol	$34,828	$5,901	$38,585
Public Works	$15,365	$5,698	$13,238
Public Works Wastewater	$10,472	$5,229	$4,967
Public Works Wastewater Plant	$1,933	$0	$4,174
Urban Development	$3,015	$0	$0
Utility Billing	$6,427	$13,903	$6,380
Water Plant	$6,040	$0	$331
Grand Total	$241,857	$149,635	$225,563

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Appendix A

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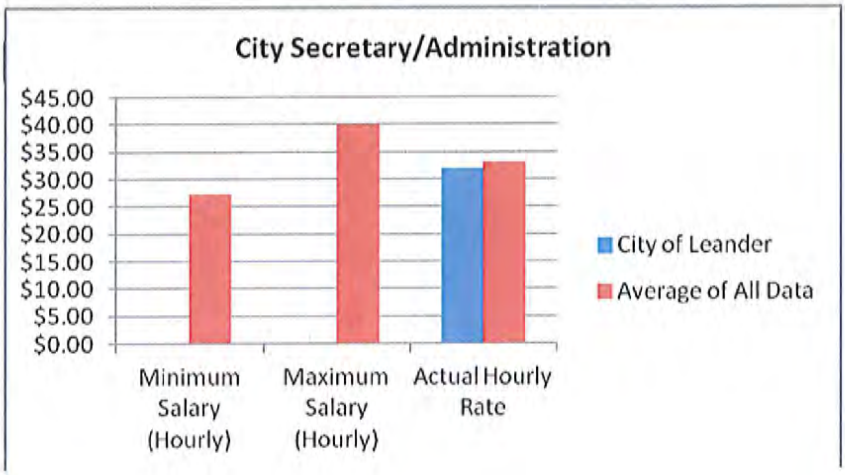
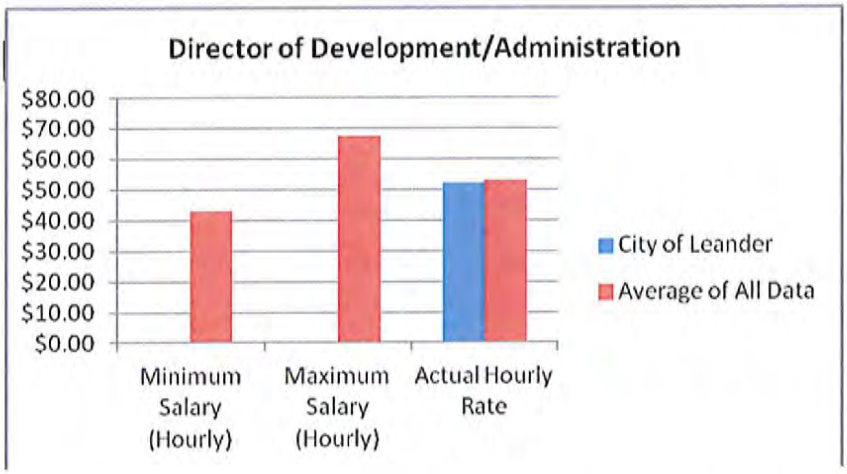
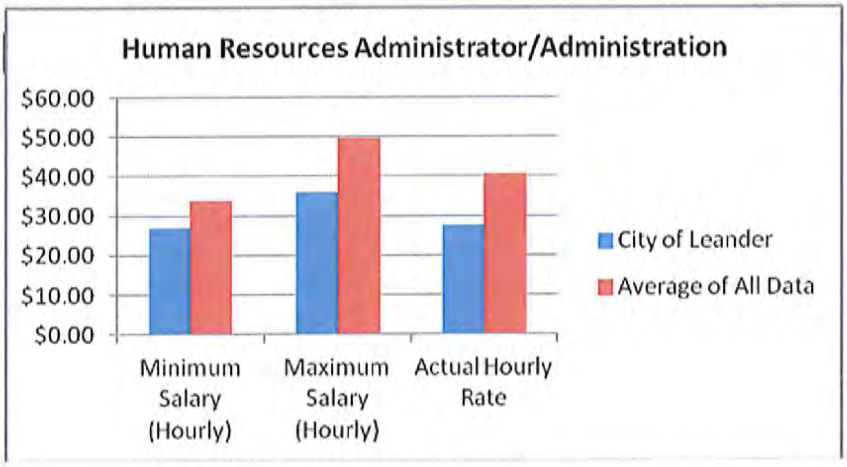
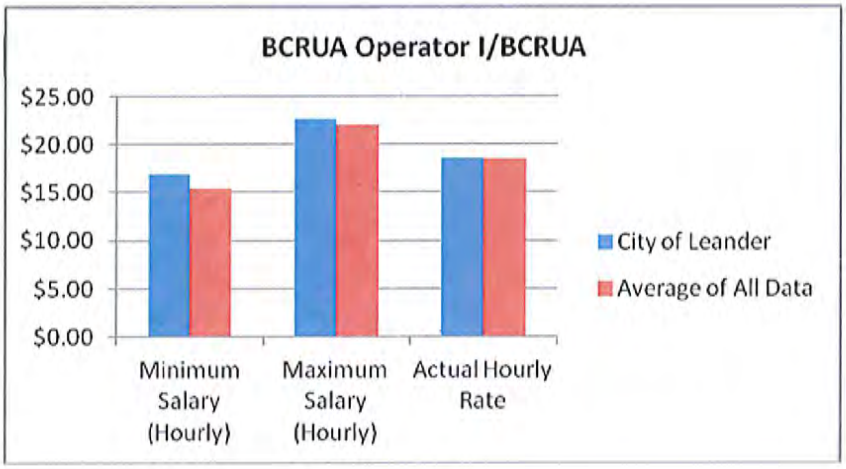
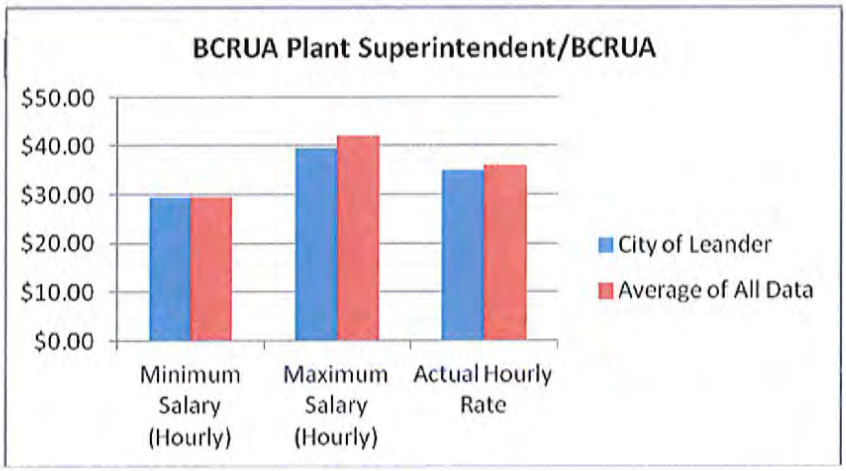
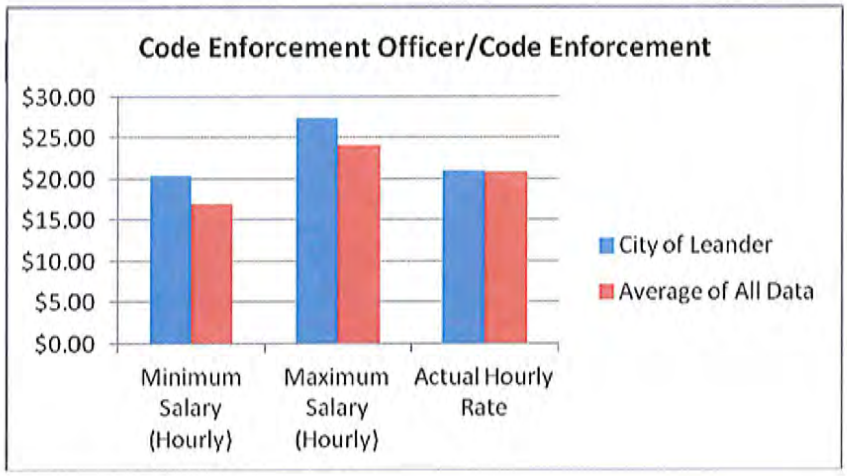

City Secretary/Administration
$45.00
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

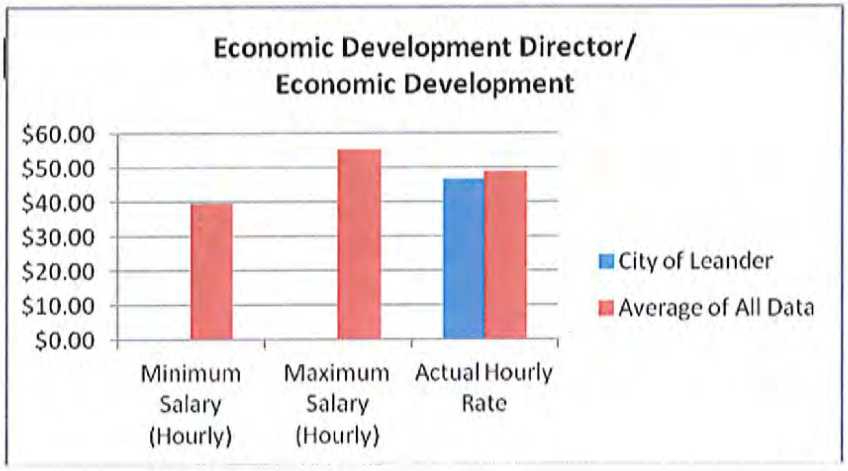

Director of Development/Administration
$80.00
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

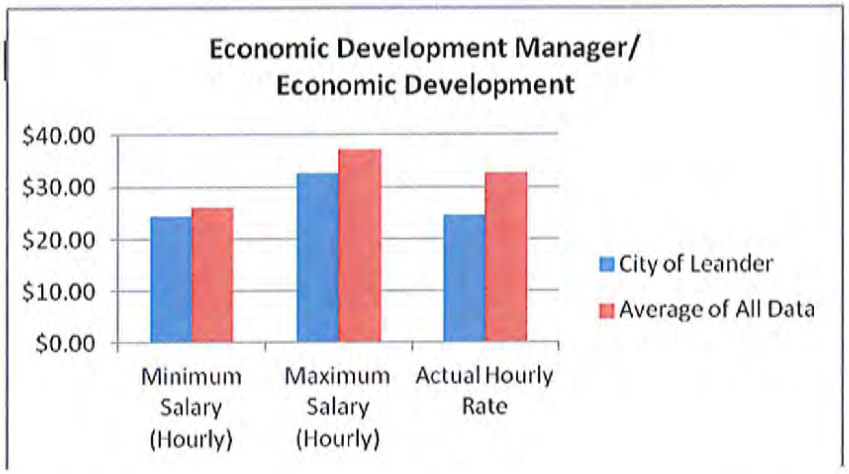

Human Resources Administrator/Administration
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


BCRUA Operator I/BCRUA
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


BCRUA Plant Superintendent/BCRUA
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Code Enforcement Officer/Code Enforcement
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Economic Development Director/
Economic Development
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Economic Development Manager/
Economic Development
$40.00
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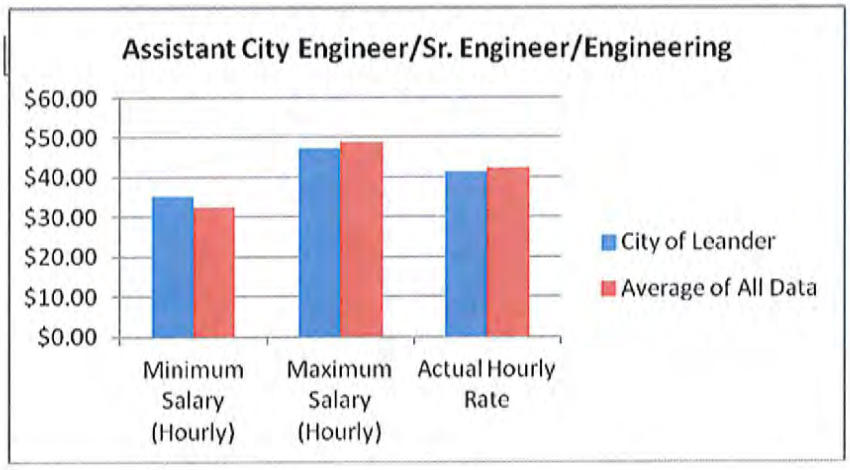
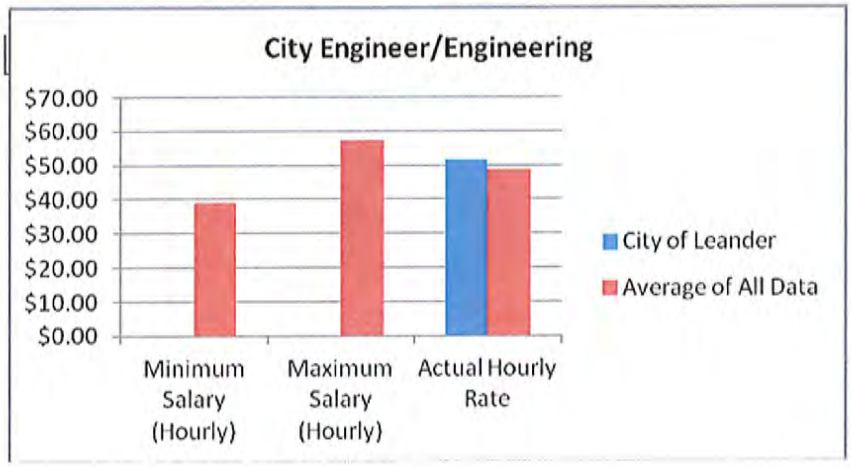
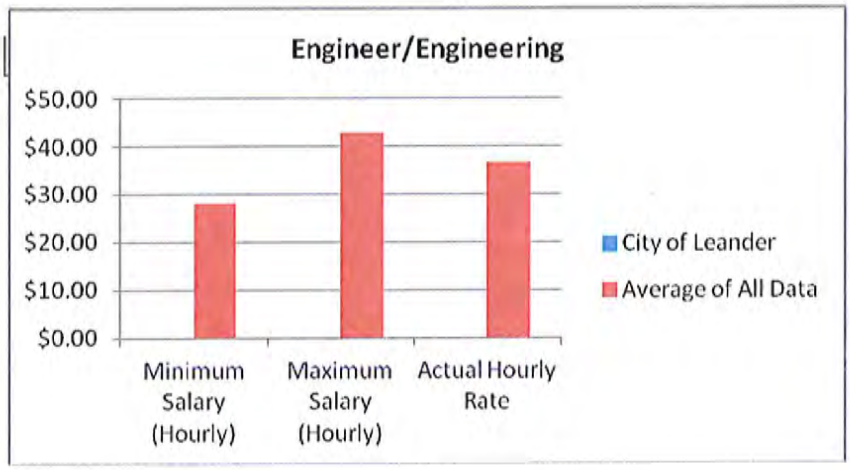
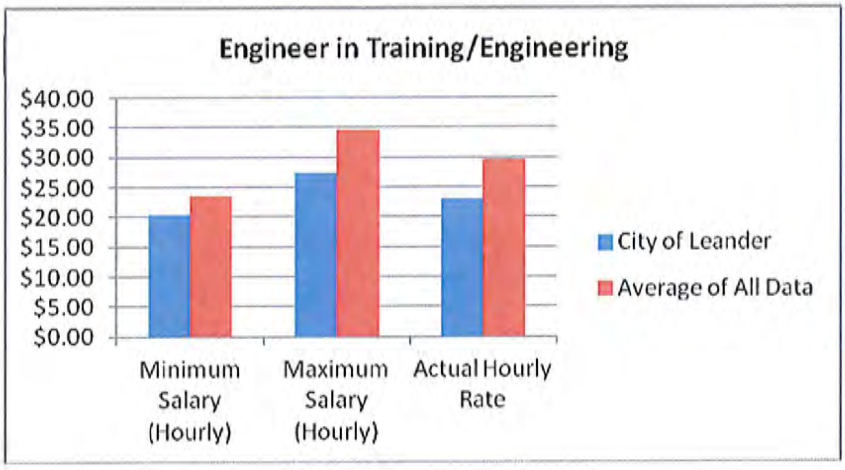
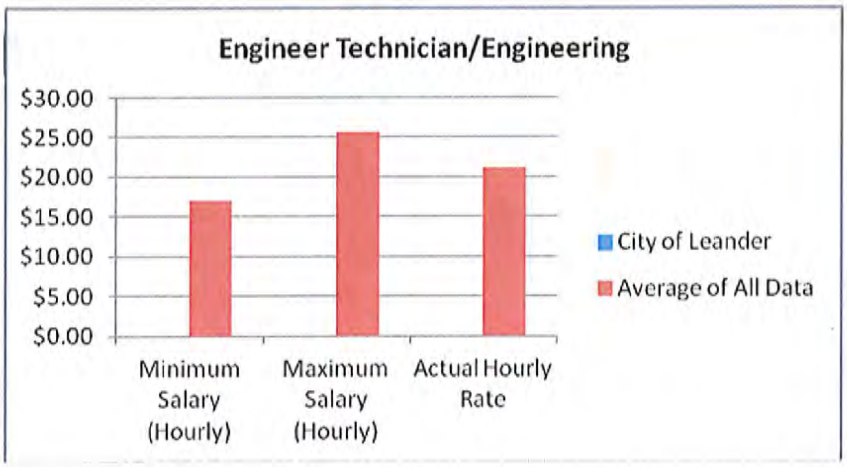
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

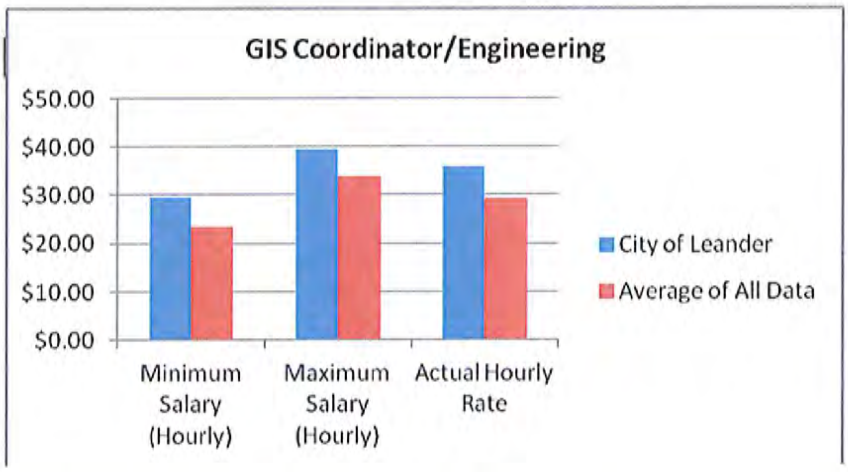

Assistant City Engineer/Sr. Engineer/Engineering
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

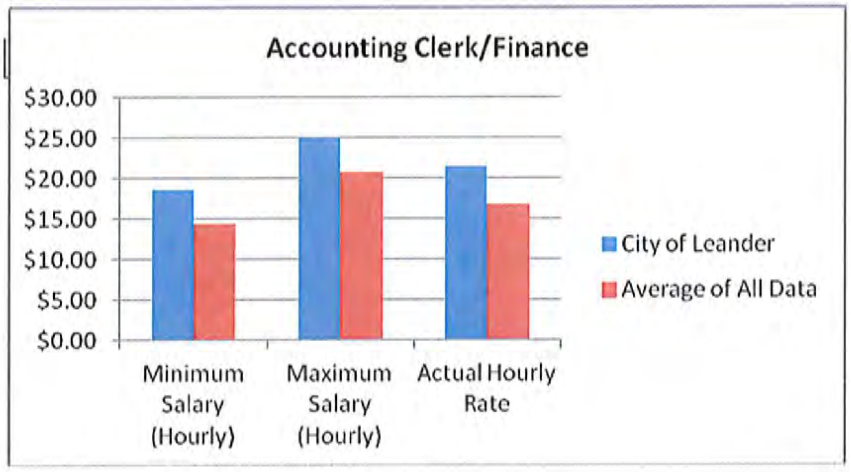

City Engineer/Engineering
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

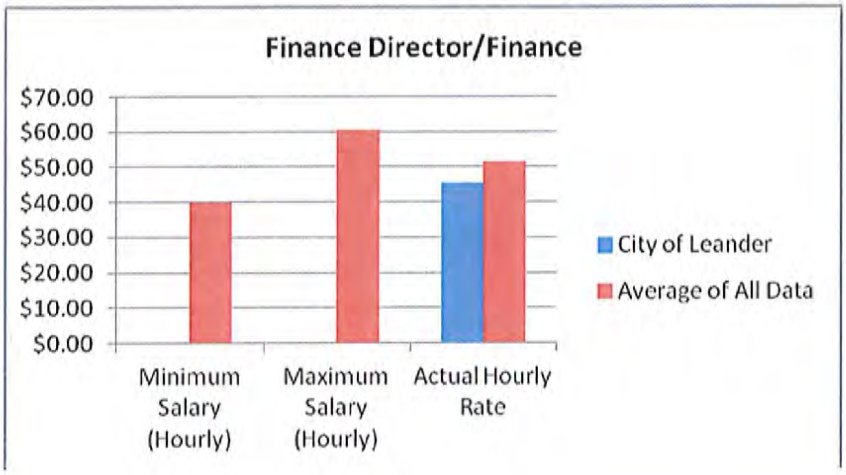

Engineer/Engineering
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

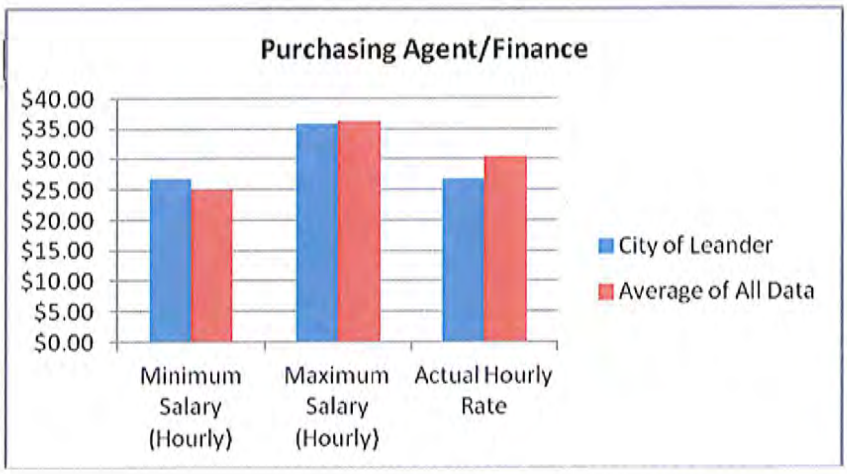

Engineer in Training/Engineering
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

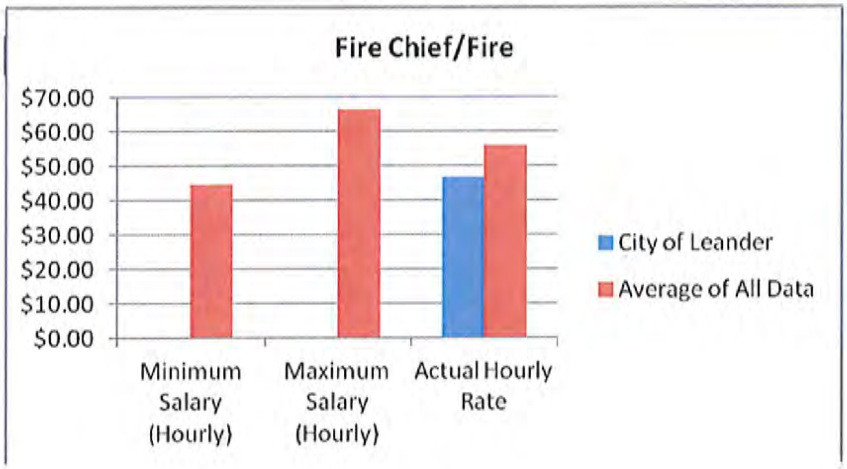

Engineer Technician/Engineering
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

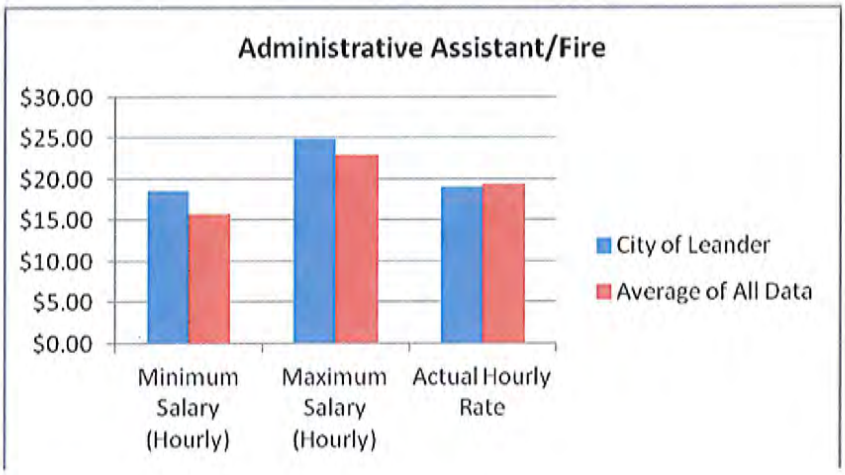

GIS Coordinator/Engineering
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

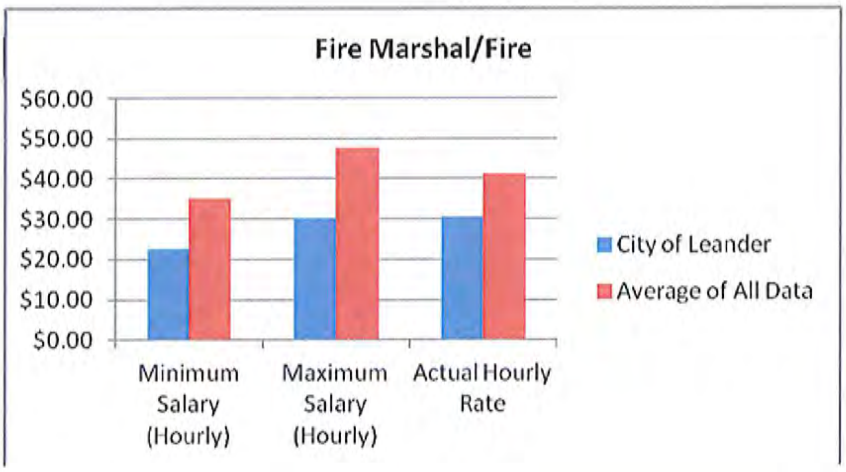

Accounting Clerk/Finance
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

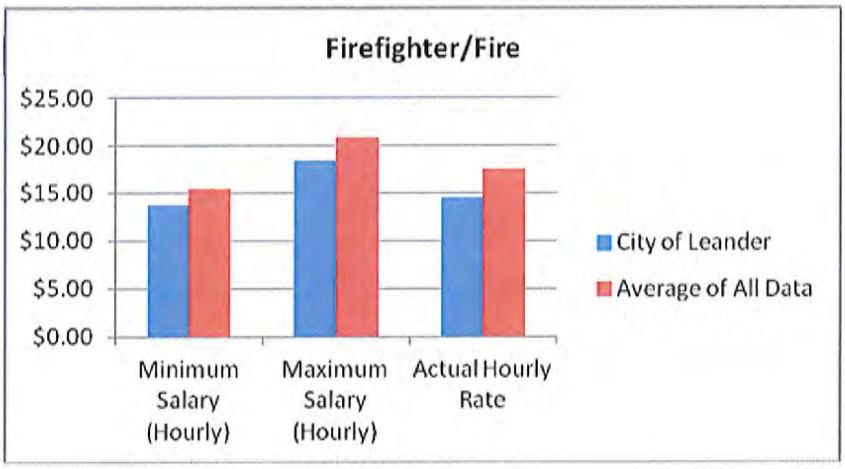

Finance Director/Finance
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

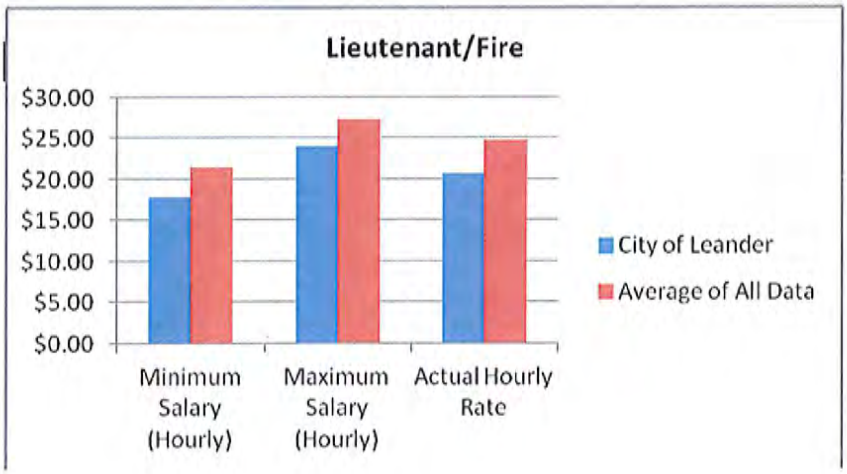

Purchasing Agent/Finance
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

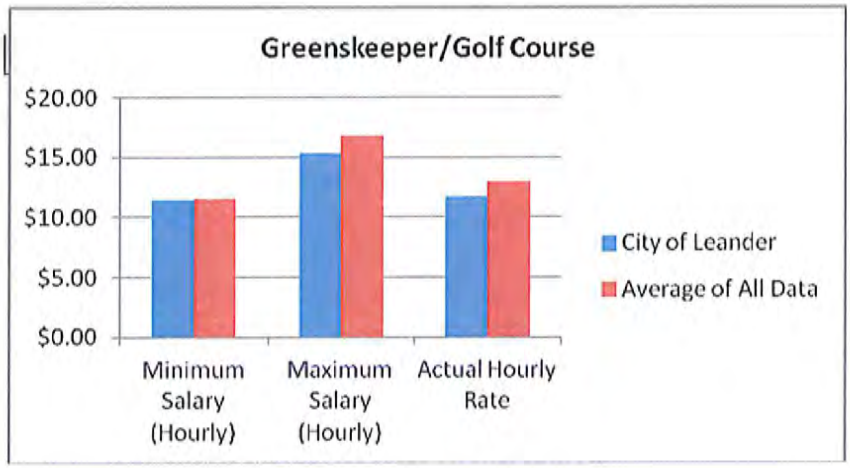

Fire Chief/Fire
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Administrative Assistant/Fire
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

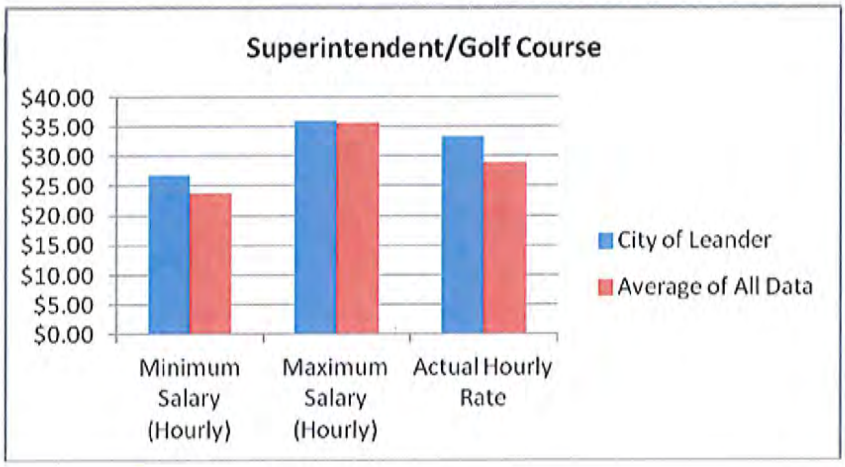

Fire Marshal/Fire
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

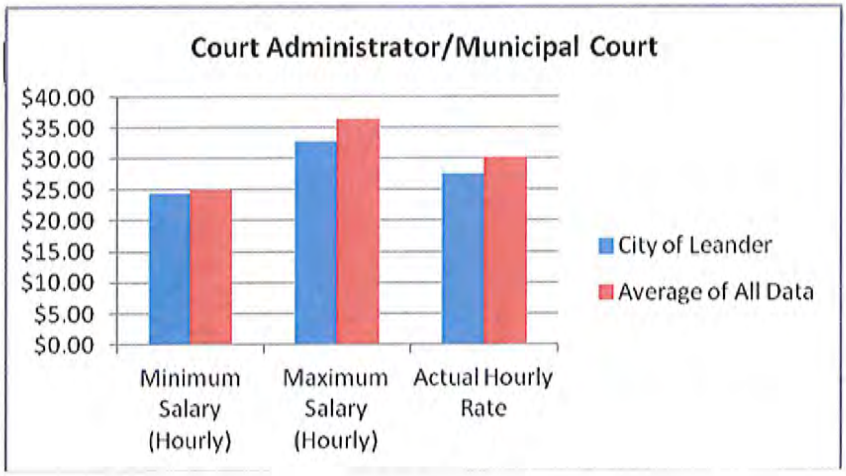

Firefighter/Fire
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

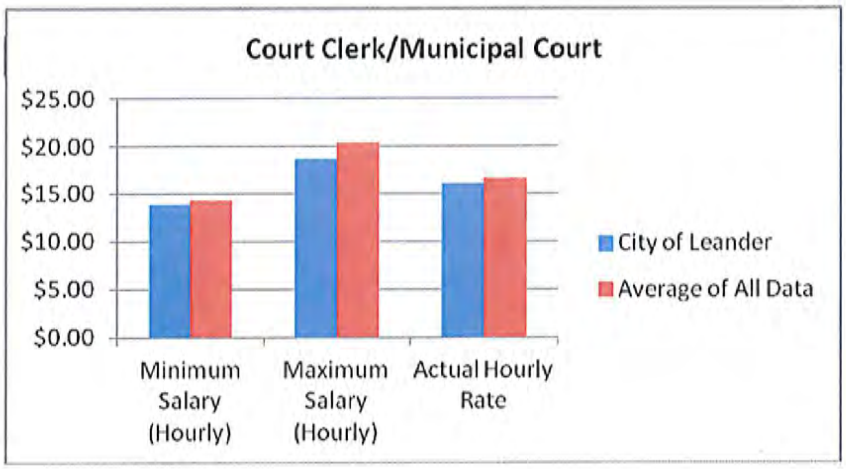

Lieutenant/Fire
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

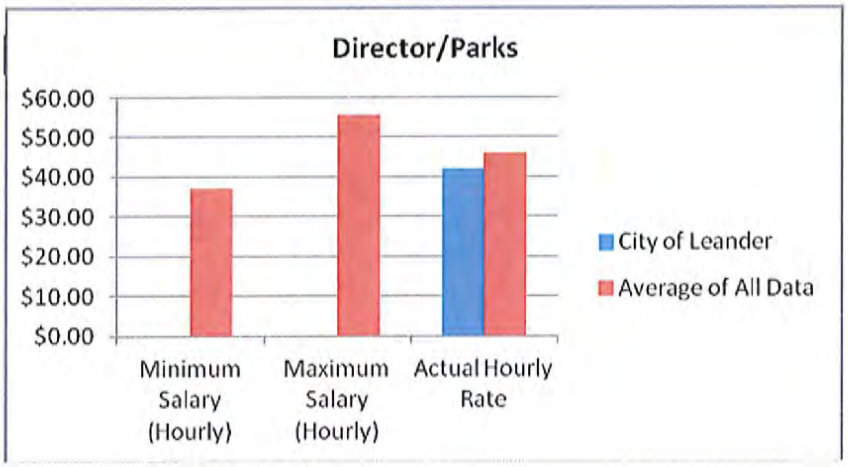

Greenskeeper/Golf Course
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

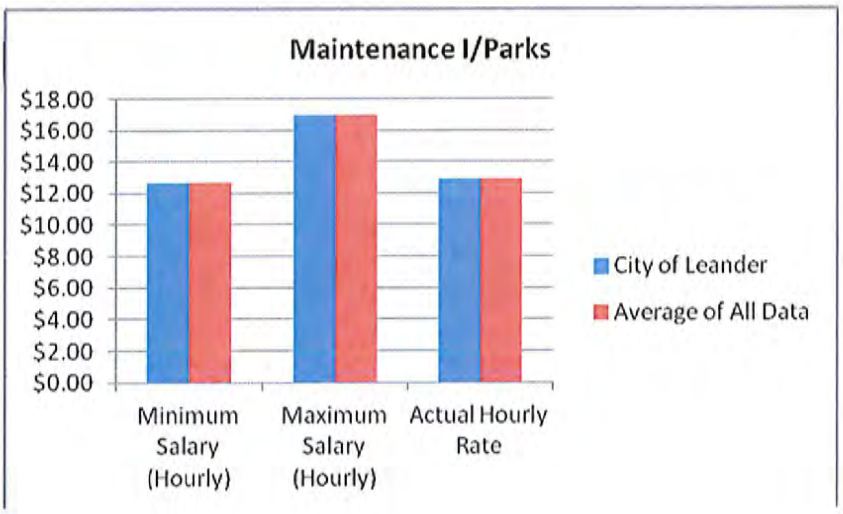
Head Golf Pro/Golf Course
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

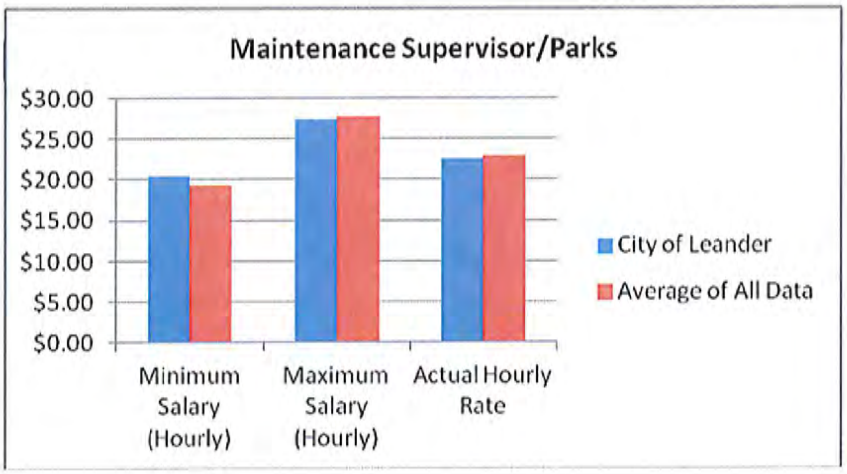

Superintendent/Golf Course
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

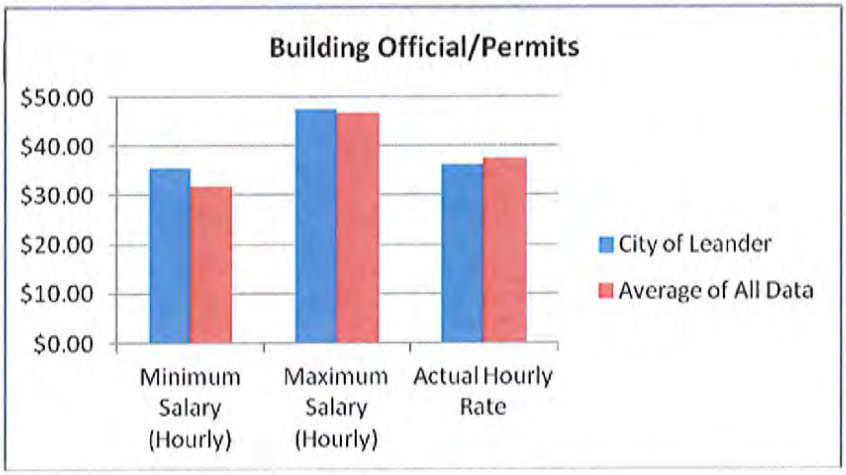

Court Administrator/Municipal Court
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

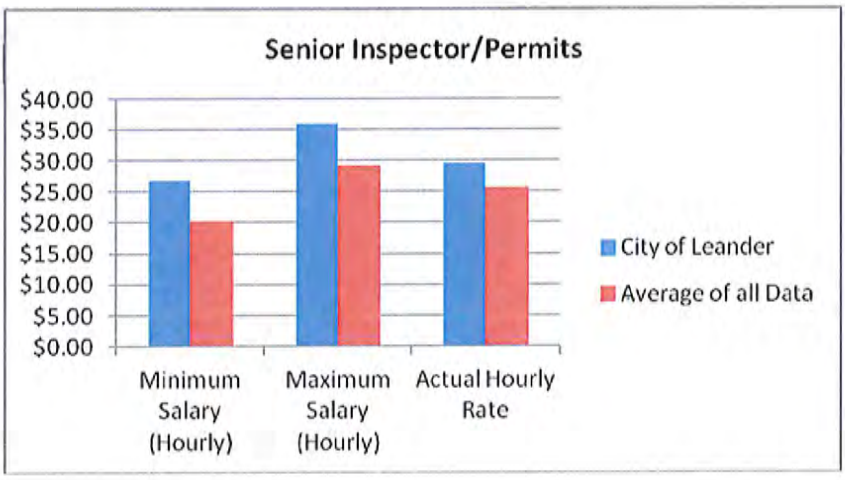

Court Clerk/Municipal Court
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

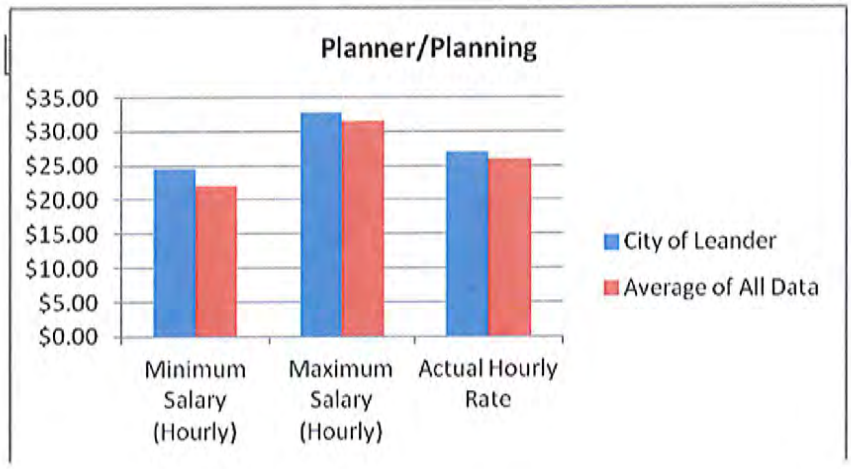

Director/Parks
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

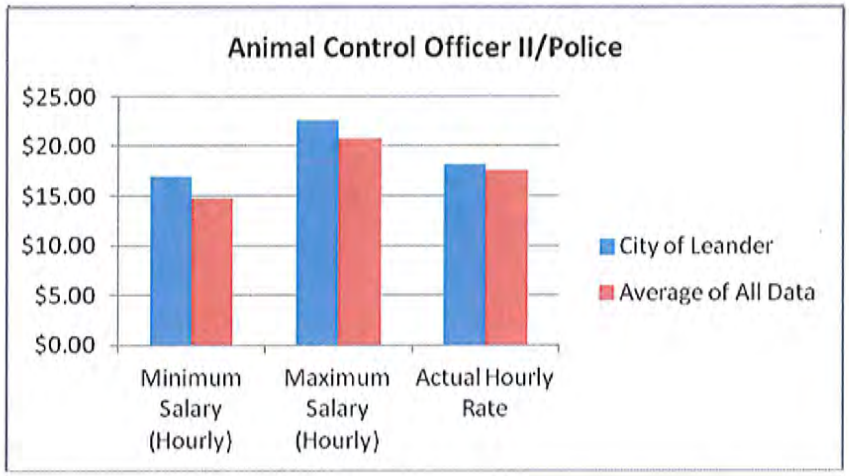

Maintenance I/Parks
$18.00
$16.00
$14.00
$12.00
$10.00
$8.00
$6.00
$4.00
$2.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

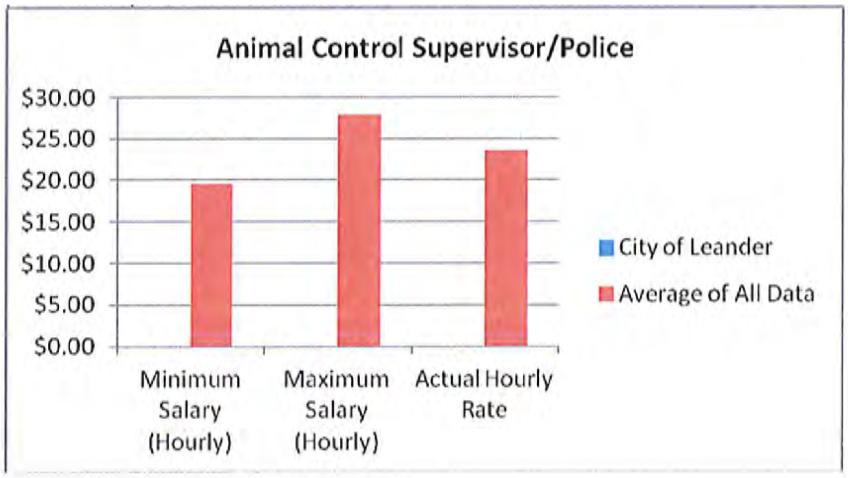

Maintenance Supervisor/Parks
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

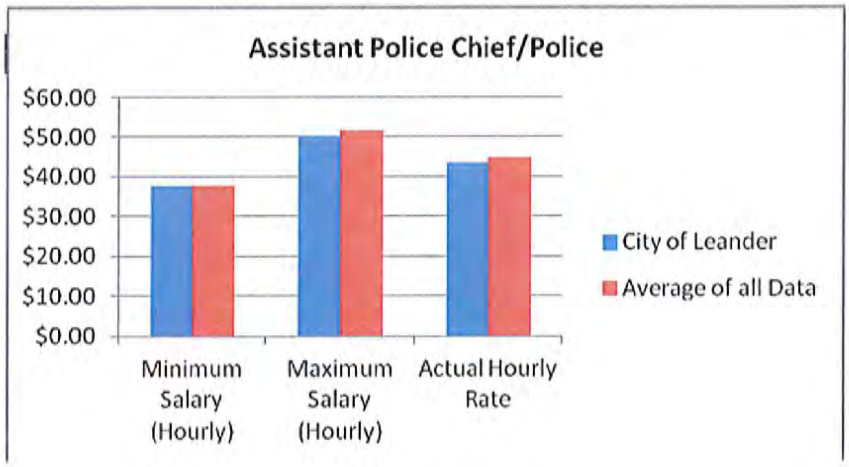

Building Official/Permits
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

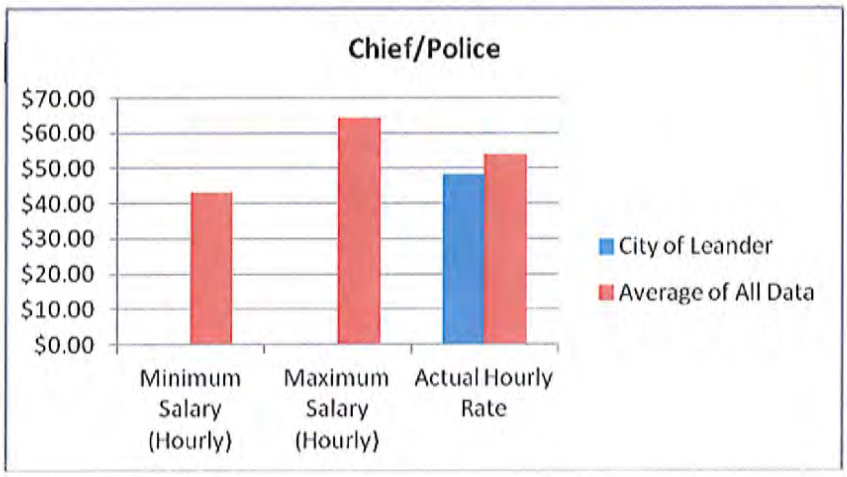

Senior Inspector/Permits
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of all Data

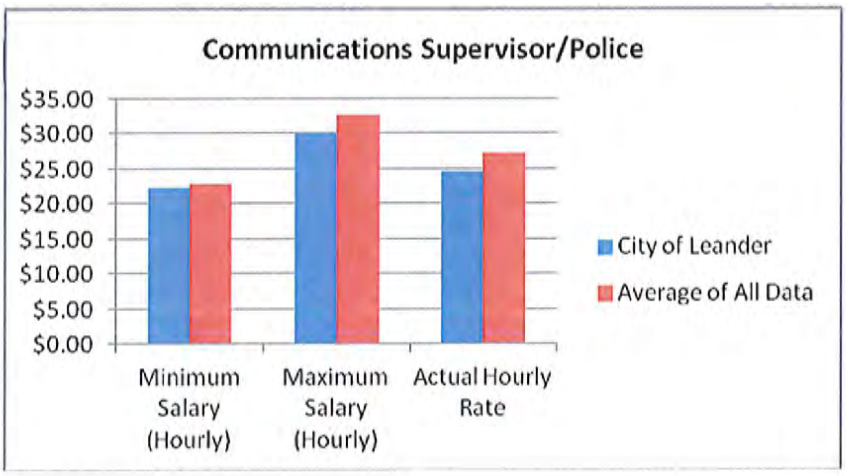

Planner/Planning
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

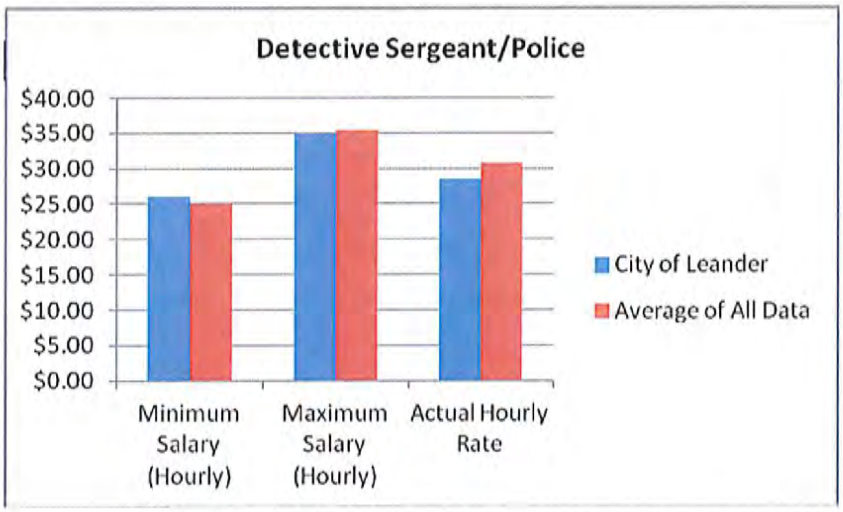

Animal Control Officer II/Police
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

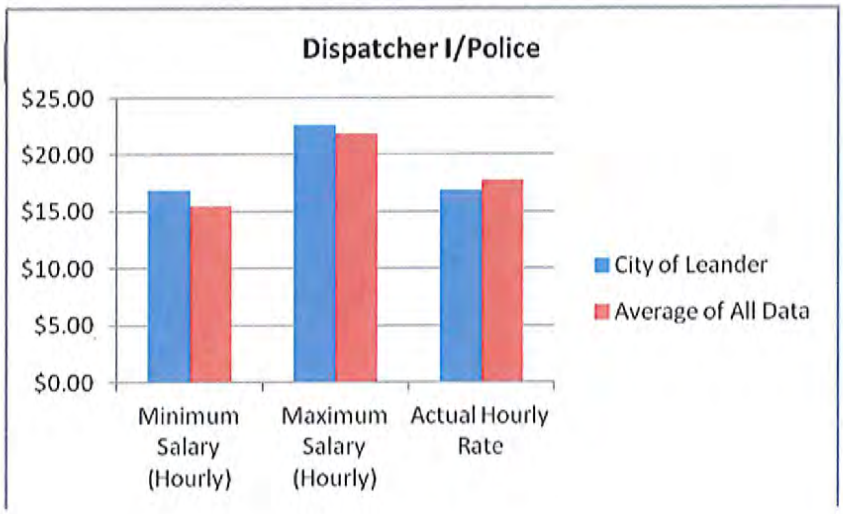

Animal Control Supervisor/Police
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

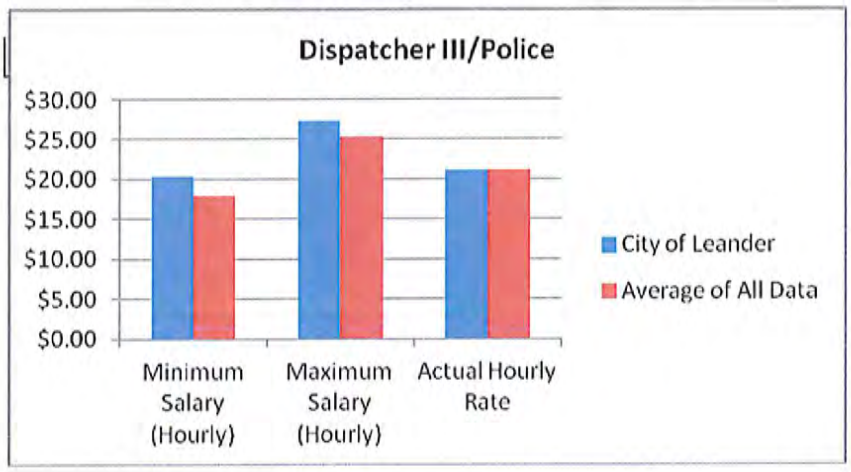

Assistant Police Chief/Police
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of all Data

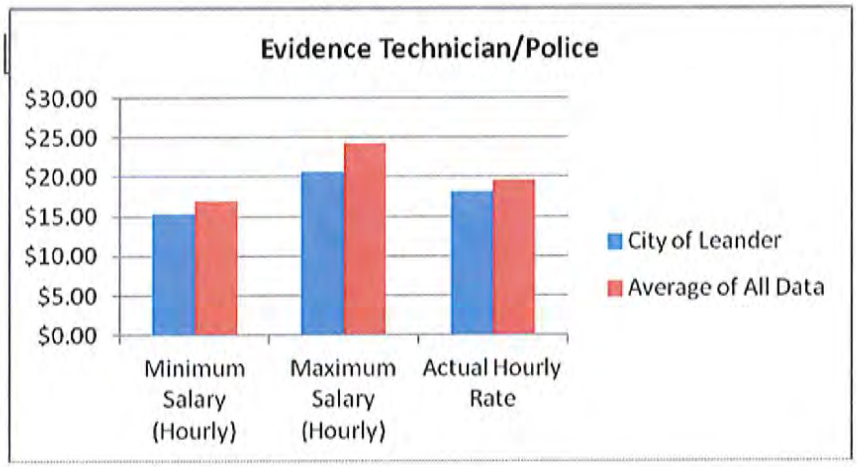

Chief/Police
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

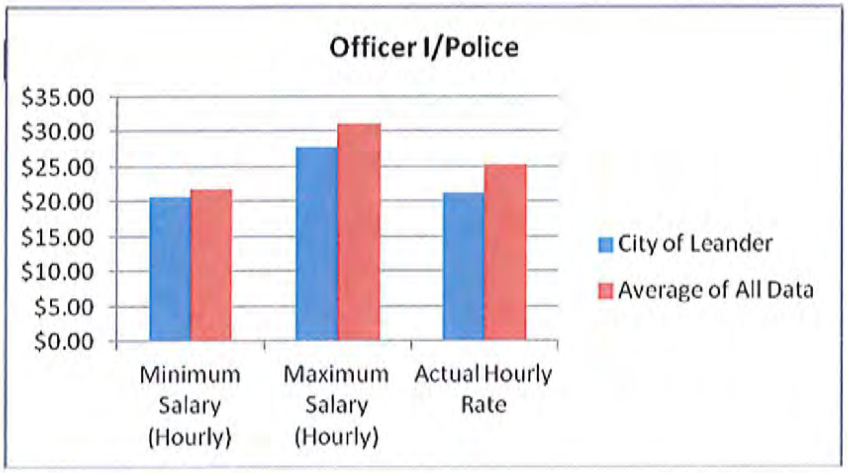

Communications Supervisor/Police
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

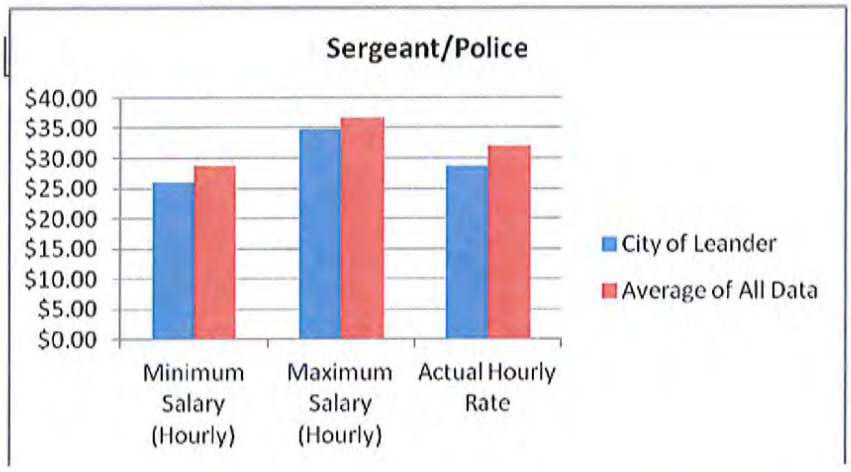

Detective Sergeant/Police
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

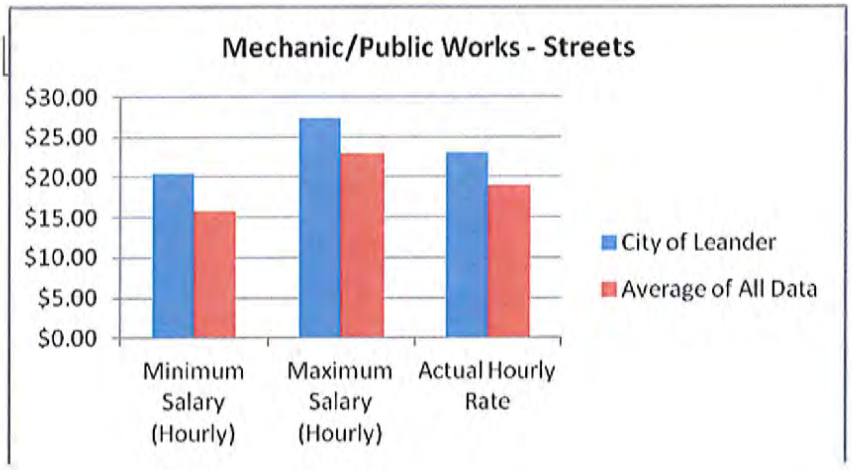

Dispatcher I/Police
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

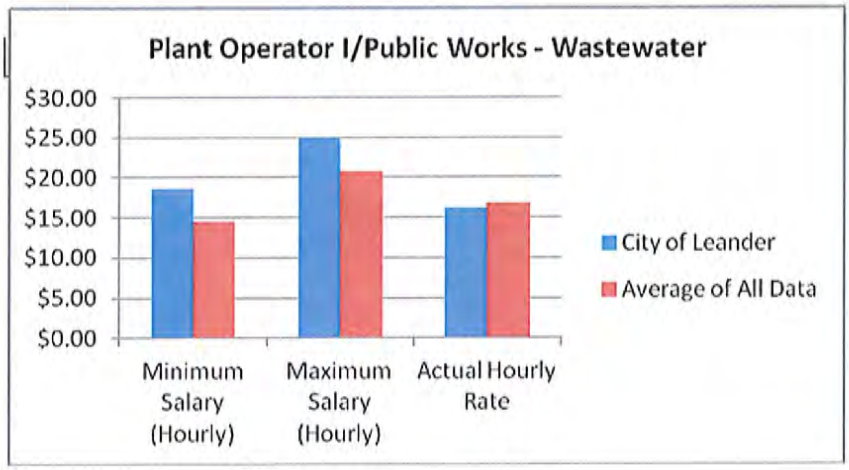

Dispatcher III/Police
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

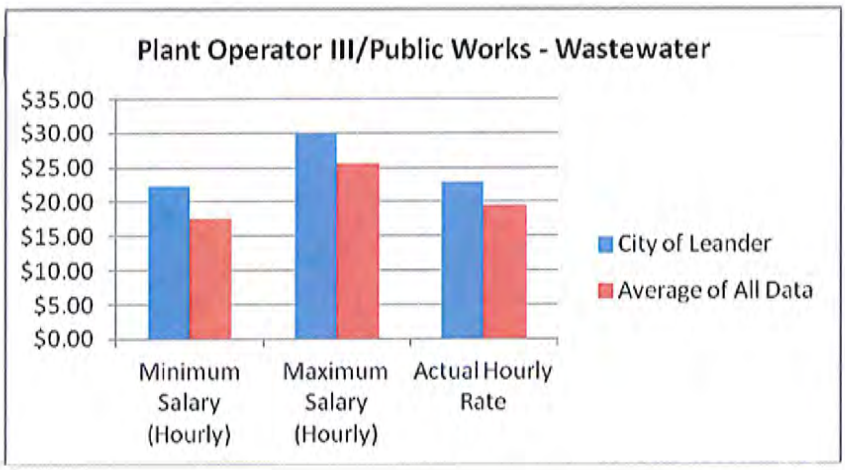

Evidence Technician/Police
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

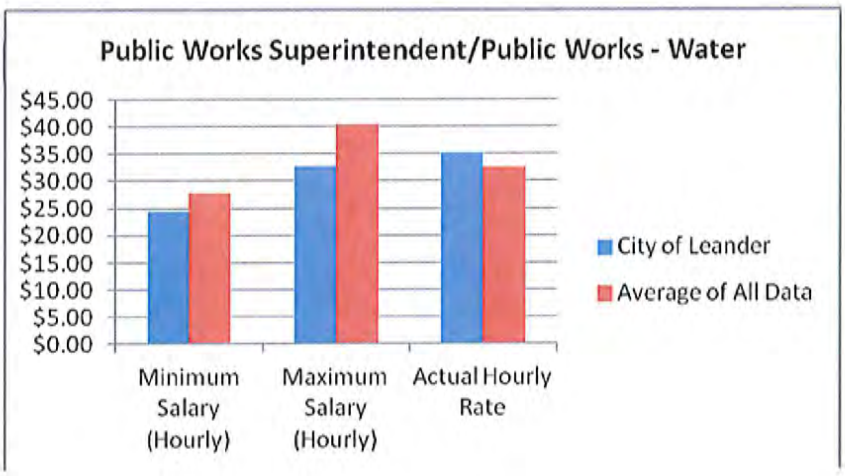

Officer I/Police
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

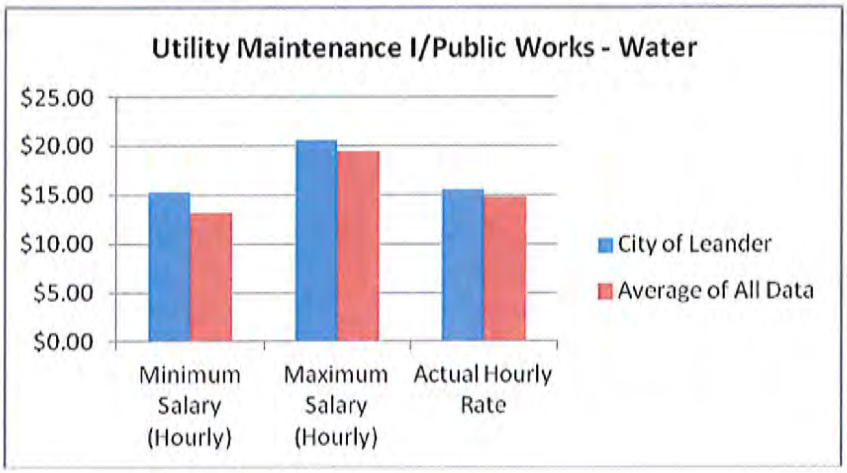

Sergeant/Police
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

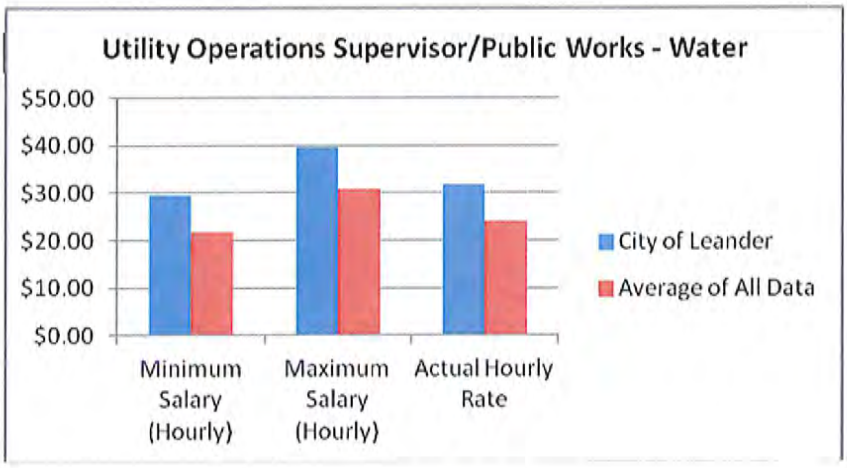

Mechanic/Public Works - Streets
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

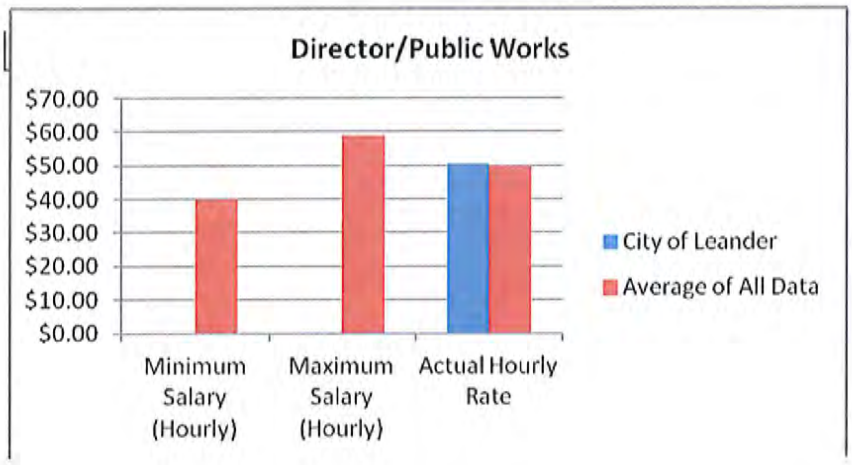

Plant Operator I/Public Works - Wastewater
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

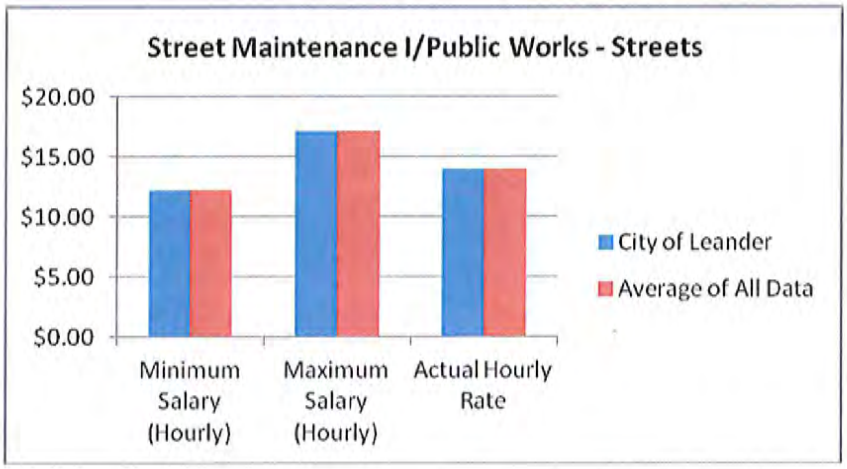

Plant Operator III/Public Works - Wastewater
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

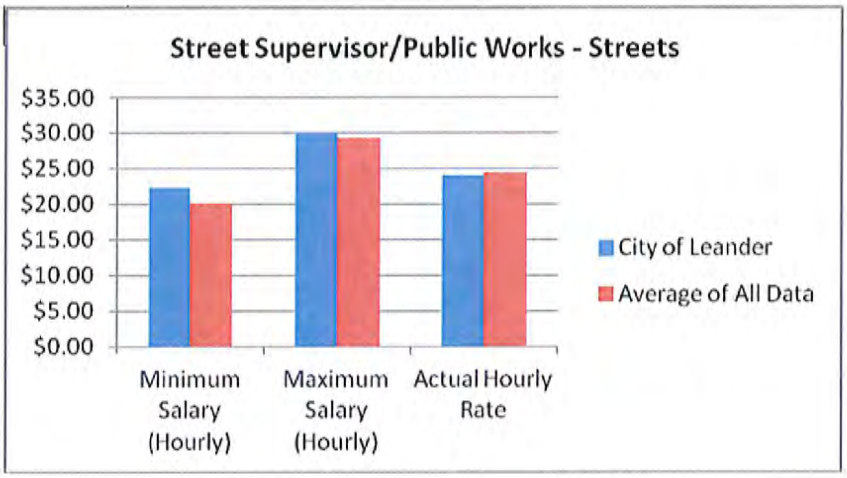

Public Works Superintendent/Public Works - Water
$45.00
$40.00
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

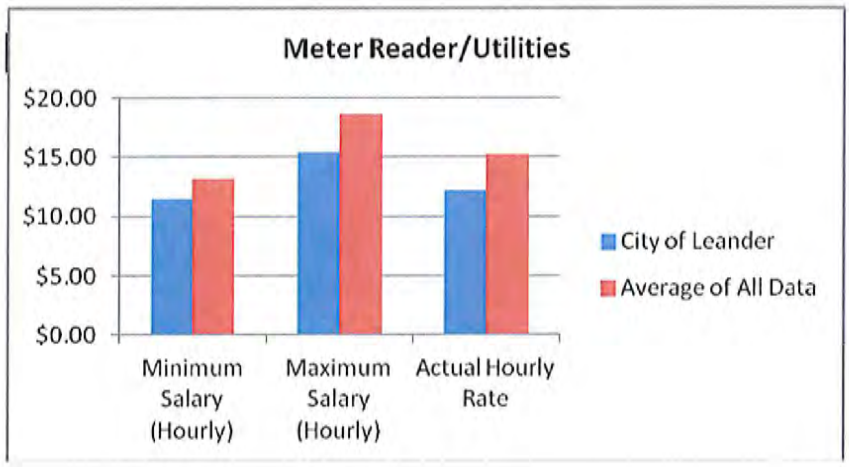

Utility Maintenance I/Public Works - Water
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

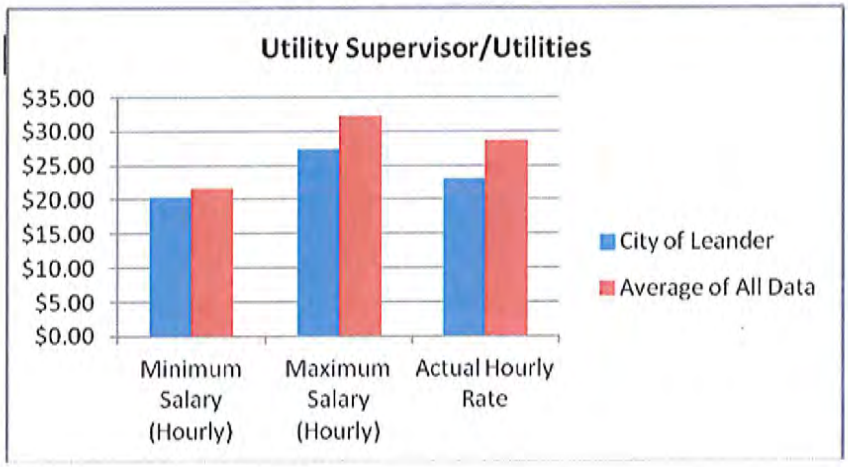

Utility Operations Supervisor/Public Works - Water
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Director/Public Works
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Street Maintenance I/Public Works - Streets
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Street Supervisor/Public Works - Streets
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Meter Reader/Utilities
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data


Utility Supervisor/Utilities
$35.00
$30.00
$25.00
$20.00
$15.00
$10.00
$5.00
$0.00
Minimum Salary (Hourly)
Maximum Salary (Hourly)
Actual Hourly Rate
City of Leander
Average of All Data

Salary and Benefits Survey

For

Leander, Texas

Survey Deadline February 15, 2013
Survey Information as of January 1, 2013

The Austin Peters Group, Inc.
785-537-1690 (telephone)
913-851-7529 (fax)
www.austinpeters.com
dsturd@austinpeters.com

Directions for Completing Salary and Benefits Survey

1. Each position that is being studied with this survey is briefly described on the worksheets. Please review each brief position description.

2. If your organization uses a different position title, or if the job falls within a different department or area than the one listed, please indicate the title and department you use in the Column 2. If you do not have such a position, indicate N/A (not applicable).

3. In Column 3, determine whether the position described is a Very Close Match (1), Close Match (2), Fair Match (3), Poor Match (4), or No Match (5) with the same position in your organization.

4. In Column, 4, 5, and 6 for each position, please provide the following information as of **January 1, 2013**. Please provide the requested information on an **hourly basis**. When making conversions to hourly rates please take the annual amount of salary paid to the position and divide that amount by **actual hours worked**. For example, if you have a park maintenance position who is paid $18,000 on an annual basis, but works 1,040 hours per year, the hourly rate reported should be $17.31. Please indicate the **minimum** and **maximum** hourly range for each position. If you do not have salary ranges, please indicate N/A (not applicable).

5. In Column 6, please indicate the **actual** hourly rate for each position. And if you have multiple people filling a position, use the **average** rate for all employees in that position to report actual hourly rate. Please tell us how many people are in the position as well.

6. In Column 7, please indicate the number of people this position supervises. A supervisor is someone who regularly provides direction; does complete or assist in performance evaluations; does participate in hiring and firing decisions; and does participate in discipline of employees. If this position does not supervise anyone, indicate a zero.

7. In Column 8, indicate if this position is Exempt or Non-exempt.

Thank you for your time. The Austin Peters Group, Inc. and Leander greatly appreciate your participation in this important study.

SURVEY QUESTIONS

Name of Organization: _____

Survey Completed By: _____

For Private Employers: ____ (check this box if you would like your response kept confidential and not distributed back to the county, but only counted in summary data)

For all Participants: ____ (check this box if you would like a copy emailed back to you) provide email address here: _____

Number of Full-time Equivalent employees –

- Regular FT (excluding temporary and seasonal) _____
- Regular PT _____

Benefits:

Item	Employer Share %	Employee Share %	Carrier Name	Self-insured Y/N
Health Insurance (employee)				
Health Insurance (employee plus children)				
Health Insurance (employee plus spouse)				
Health Insurance (employee plus family)				
Vision (employee)				
Vision (employee plus children)				
Vision (employee plus spouse)				
Vision (employee plus family)				
Dental (employee)				
Dental (employee plus children)				
Dental (employee plus spouse)				
Dental (employee plus family)				

For 2013, will you have –

Item	All Employees - Y/N	% Increase
COLA		
Step Increase		
Longevity		
Merit		
Other _____		

Will any of the following apply in 2013? (check box for "yes"):

- ☐ Hiring freeze
- ☐ Reduction in workforce
- ☐ Staffing levels to remain static
- ☐ Increase in staffing levels
- ☐ Other - _____

Leander, TX Job Summaries

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7	COLUMN 8
Department/Title/Description	Your Title/ Department	Rate how well your position matches the description in Column 1, 1=Very Close 2=Close Match 3=Fair Match 4=Poor Match 5=No Match	Minimum Salary Range (Hourly)	Maximum Salary Range (Hourly)	Actual Hourly Rate/ Number of Employees that hold this position?	How many people does this position supervise?	Is this position Exempt or Non-Exempt?
Administration: City Manager – Chief executive and administrative officer of the City, this position is responsible for administration of all City affairs. Enforces laws and ordinances. Appoints, suspends and removes employees of the City. Prepares annual budget. Prepares yearly fiscal reports. Advises mayor and city council.							
Administration: City Secretary – Manages and supervises assigned operations. Communicates with general public. Files ordinances and resolutions. Serves as custodian of City records and public documents. Administers issuance of licenses. Conducts all City elections. Prepares reports.							
Administration: Director of Development – Position provides support to city manager working on special projects and assignments; also oversees multiple departments including engineering, planning, parks, golf course, and economic development. Responsible for facilitating the development process for public and private entities.							
Administration: HR Administrator – Directs personnel functions, including employment, benefits admin, compensation, and records. Recruits, performs orientation, and processes employees. Assists with development of job descriptions, posts job announcements, and tracks applicants. Monitors Employee Performance Evaluations. Assists with budget plans. Does workers' comp reporting. Prepares and processes department purchase orders.							

BCRUA: BCRUA Operator I – Maintains and operates water treatment plant, raw water delivery system, and treated water delivery system. Conducts routine tests and instrument readings. Calibrates and monitors equipment. Records data. Cleans equipment and facilities. Prepares reports.							
BCRUA: BCRUA Plant Superintendent – Directs, manages, evaluates and coordinates operation and maintenance of plant and systems. Directs staff and employee training. Assists with development of goals and plans. Assists with budget development. Participates in planning, design, construction, operation and maintenance of new facilities.							
Code Enforcement: Code Enforcement Officer – Enforces city ordinances for high grass, weeds, junk and/or abandoned vehicles, dangerous buildings, and signs. This position will assist in minor plan review and permitting on signs and fences.							
Economic Development: Econ Dev. Manager - Economic and business analysis, compiling and analyzing information. Prepares reports and tracks projects. Assists Director in the development of goals, objectives and policies. Responds to inquiries. Assists with planning, marketing and directing business recruitment.							
Engineering: Engineer – formulates short and long range plans to meet needs in all areas of responsibility, including sanitation, street water, wastewater, drainage, fleet maintenance and environmental needs. Supervises the review of private project development plans for compliance with codes, regulations, and standards, adequacy of applications for permits and compliance with approved plans. Oversees project management for the construction of the municipal public works projects.							
Engineering: Engineer in Training— Reviews plans, conducts inspections, coordinates meetings with developers for site and subdivision development, Coordinates City CIP (capital improvement projects), performs CAD work, answers inquiries, maintains plan files and performs traffic studies.							
Engineering: GIS Coordinator – Performs mapping and data analysis related to GIS/CAD/Aerial to coordinate and maintain street addressing system. Creates programs for development of mapping products. Maintains the City's land-based management database systems. Compiles data for geographic statistics to incorporate into documents and reports. Analyzes relationships between data. Drafts construction plans.							

Finance: Accounting Clerk – Assists with accounts payable and accounts receivable. Does journal entries and payroll verification. Enters annual budget into system. Distributes mail. Writes monthly journal entries. Makes deposits. Maintains filing system.							
Finance: Finance Director – Directs, manages and supervises operations. Oversees payroll and accounts payable processing. Supervises collection of taxes, fees and other receipts. Maintains financial records and prepares reports. Oversees investment of City funds. Responsible for audit preparations.							
Finance: Purchasing Agent – Manages the purchase of goods and services for the City. Implements and manages policies and procedures. Reviews all purchases. Prepares Invitations to Bid and RFPs. Develops and maintains purchase order system.							
Fire: Fire Chief – Plans, directs, organizes and reviews activities of suppression, prevention, and EMS. Supervises staff and assigns work. Develops and administers policies. Prepares and administers departmental budget.							
Fire: Admin. Asst – Provide general office and clerical support for the Fire Department; processes purchasing; data entry; mail distribution; payroll summation; and provide support for department.							
Fire: Fire Marshal – Supervises and coordinates fire prevention and inspection activities of the department. Reviews plans and specifications. Supervises staff. Oversees safety inspections. Attends training. Investigates complaints. Responds to fires as assigned. Directs and conducts investigation at fire scenes. Conducts fire code compliance follow-ups.							
Fire: Firefighter – Responds to rescue, fire suppression, medical and non-medical emergency calls. Maintains equipment, apparatus, hydrants, quarters and grounds. Prepares reports. Performs hazardous material containment. Conducts public education.							
Fire: Lieutenant – Commands a fire company during an assigned shift to include: participation in and directing personnel in rescue, fire suppression, fire prevention, station and equipment maintenance, training, and emergency medical care.							
Golf Course: Greenskeeper – Maintains grounds, irrigation, equipment and clubhouse. Operates heavy mowing equipment. Cleans and maintains equipment.							

Golf Course: Head Golf Pro – Head of pro shop operations, merchandising, tournament promotion, planning and operations, promotion of events, instruction. PGA Class A member.							
Golf Course: Superintendent—Creates and implements maintenance budget. Maintains policies and procedures. Hires and supervises staff. Oversees scheduling, maintenance and repairs. Records data. Oversees and assists with mowing.							
Municipal Court: Court Administrator – Plans, schedules and coordinates clerical activities of the court. Oversees deputy court clerks. Acts as liaison between defendants, police, and prosecuting attorney. Assists Judge. Administers the Clerk's office. Maintains records and writes reports. Handles all court correspondence.							
Municipal Court: Court Clerk - assists Court Administrator in the discharge of his/her duties and relieves the Court Clerk of all administrative duties possible. Answers all incoming telephone calls to the court. Opens all court mail. Administers oaths regarding affidavits and complaints. Assigns violation codes to all tickets. Assigns dates due and maintains files accordingly.							
Parks: Director – Directs and oversees Parks and Recreation programs. Supervises staff. Manages all recreation facilities. Plans and develops new programs. Administers grant programs. Responds to inquiries from the public. Prepares annual budget.							
Parks: Maintenance I – Performs manual labor. Prepares and maintains athletic fields, irrigation systems, and horticultural areas. Maintains and repairs parks and facilities. Cleans and repairs swimming pools and playscapes.							
Parks: Maintenance Supervisor – Oversees and directs crews performing manual labor. Prepares and maintains athletic fields, irrigation systems, and horticultural areas. Maintains and repairs parks and facilities. Cleans and repairs swimming pools and playscapes.							
Permits: Building Official – Supervises all activities of the Building Inspection Department. Advises City and the Public on building code requirements. Directs staff on review of residential and commercial construction plans. Ensures compliance with codes. Assists with preparation of the annual budget. Prepares and writes reports.							

Permits: Senior Inspector Inspects residential and commercial construction plans, ensuring structural, electrical, plumbing, and mechanical compliance with city zoning, building, fire, and other related codes.							
Planning: Planner – Coordinates planning activities. Reviews subdivisions, zoning and site development. Assists with Comprehensive Plan updates. Drafts ordinances. Prepares written reports.							
Police: Animal Control Officer II – Protects residents and educates community on stray or vicious animals. Assists with operation of holding facility. Captures, relocates, sedates, euthanizes, and disposes of animals. Maintains records. Supervises staff. Patrols community.							
Police: Asst. Police Chief – Protects residents and property. Enforces laws and ordinances. Plans, organizes and directs activities of divisions. Enforces policies and procedures. Supervises staff. Assists with budgeting. Creates and implements policies and procedures. Responds to emergency calls.							
Police: Chief – Directs law enforcement program. Reviews department performance. Directs staff. Prepares reports. Directs investigations. Develops and administers annual budget.							
Police: Communications Supervisor – Coordinates and supervises activities of the Communications section. Develops and implements policies and procedures. Coordinates training programs. Schedules and evaluates employees. Recommends budgetary needs of the section. Responds to inquiries from the public.							
Police: Detective Sergeant – Protects residents and property. Enforces laws and ordinances. Investigates criminal acts. Directs investigations. Prepares cases for jury and coordinates prosecution. Responds to emergency calls.							
Police: Dispatcher I – Entry level dispatch for emergency communications. Dispatches police and fire. Receives 911 calls from the public and dispatches and communicates with appropriates responders and agencies. Enters information into TLETS/TCIC/ NCIC.							
Police: Dispatcher III – Serves as emergency communication dispatcher for police and fire. Trains other staff. Enters information into TLETS/TCIC/ NCIC. Has two years experience in emergency communications dispatch.							

Police: Evidence Technician – Maintains property and evidence seized by department. Collects, protects and processes evidence at crime scenes. Maintains asset inventory and in-car digital repository. Acts as court liaison. Maintains records. Writes reports.							
Police: Officer – Patrols areas to enforce laws and protect citizens. Directs traffic and issues citations. Apprehends persons suspected of criminal acts. Responds to calls for service. Assists with investigations. Keeps records and makes reports.							
Police: Sergeant – Protects residents and property and enforces laws and ordinances. Facilitates, plans, coordinates and directs personnel. Supervises personnel. Coordinates prosecution with attorneys. Responds to emergency calls. Responds to inquiries from the public.							
Public Works, Street: Mechanic – Maintains vehicles and equipment. Repairs, replaces, and services mechanical and automotive equipment. Diagnoses problems. Operates equipment as required.							
Public Works, Wastewater: Plant Operator 1 – Maintains and operates wastewater treatment plant system. Conducts routine tests and records data. Calibrates and monitors equipment. Cleans facilities and grounds. Collects samples.							
Public Works, Wastewater: Plant Operator III – Maintains and operates wastewater treatment plant system. Conducts routine tests and records data. Calibrates and monitors equipment. Cleans facilities and grounds. Collects samples.							
Public Works, Water: PW Superintendent - Provides overall administration and supervision for employees engaged in; construction, operation and maintenance of streets, signage, public right-of-way, and storm water detention ponds, traffic signals and drainage systems. Oversight of Fleet Maintenance Services, development, maintenance and compliance with safety procedures and usage of safety equipment.							
Public Works, Water: Utility Maint 1 – Assists with water and wastewater repair, replacement, excavation, meter installation and taps. Operates equipment. Maintains and operates wastewater treatment plan system. Cleans and prepares pipe and wastewater lines. Maintains tools and equipment.							

Public Works, Water: Utility Operations Supervisor – Supervises and assigns work activities and personnel. Maintains compliance with rules and regulations. Operates heavy equipment. Enforces safety requirements. Performs job performance evaluations. Reviews plans and specifications.							
Public Works: Director – Evaluates needs and formulates plans to meet needs, including sanitation, street water, wastewater, drainage, fleet maintenance and environmental needs. Supervises staff. Supervises plans for code compliance, regulations, standards and adequacy of applications for permits. Responds to inquiries from the public. Coordinates plans and specifications, and advertising for bids. Prepares reports.							
Public Works: Street Maint 1 – Performs manual labor for the department, including construction, repair and maintenance. Maintenance tasks include mowing, concrete work, painting, sandblasting, and street repair.							
Public Works: Street Supervisor – Oversees employees engaged in construction, operation and maintenance of streets, signage, public right-of-way, traffic signals and drainage systems. Develops department's annual budget. Enforces traffic controls and safety procedures. Prepares staff performance evaluations. Schedules repairs Oversees operations and maintenance of vehicles and equipment. Investigates and resolves complaints from the public.							
Utilities: Meter Reader – Reads water meters and assists with re-reads and cut-offs. Reports problems. Changes meters and meter boxes.							
Utilities: Utility Supervisor – Directs daily operation of Utilities Office. Supervises and coordinates collection efforts. Supervises employees. Reconciles and monitors all cash activity. Compiles data. Assists with budget management.							

THE
AUSTIN PETERS
GROUP, INC.

OVERLAND PARK, KS OFFICE: P.O. Box 27196 Overland Park, KS 66225 *Phone:* (913) 851-7530 *Fax:* (913) 851-7529
MANHATTAN, KS OFFICE: 509 Edgerton Ave. Manhattan, KS 66502 *Phone:* (785) 537-1690 *Fax:* (785) 537-0467
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May 1, 2013

Cindy Hignite, PHR
Human Resource Manager
City of Leander Texas
200 W. Willis
Leander, TX 78641

Dear Cindy,

The City of Leander, Texas has requested our services to evaluate the classification of positions pursuant to the Fair Labor Standards Act Classifications of Exempt and Non-exempt. As you know, the possible categories that positions can be classified into include: computer exemption, executive, administrative, and learned professional for this consideration. The positions covered in the review are listed below, in the analysis where a position was close to either category a more conservative recommendation of non-exempt was provided as it best protects the employer's financial interest. If a position is not on the list, but currently exempt, the recommendation is that the position remain exempt. The court interpretation of exemptions has been very narrow and the burden is on the employer to prove that the position meets each test criteria within a category of classification, moreover, even if one position with a job title meets the criteria a person with the same job title, but slightly different functions for whatever reason may not meet the exemption; thus the review has to be case by case and should not be generalized. The review here does not include meeting of the salary requirement minimums for each exemption.

The positions covered in this report are as follows along with their current and recommended classification:

Position Title	Current FLSA Status	Recommended FLSA Status
Court Administrator	Exempt	Exempt
Planner	Exempt	Exempt
Streets - Supervisor	Exempt	Exempt
Public Works Superintendent	Exempt	Exempt
Utility Operations Supervisor	Exempt	Exempt
Athletics & Recreation Programmer	Exempt	Non Exempt
Parks Maintenance Supervisor	Exempt	Exempt

Assistant Police Chief	Exempt	Exempt
Lieutenant, Police	Exempt	Exempt
Building Official	Exempt	Exempt
Assistant Golf Superintendent	Non Exempt	Non Exempt
Golf Course Superintendent	Exempt	Exempt
Grill Manager	Exempt	Non Exempt
Head Golf Pro	Exempt	Exempt
Retail Operations Manager	Exempt	Exempt
Utility Billing Supervisor	Exempt	Exempt
Purchasing Agent	Exempt	Exempt

Sincerely,

Becky

Rebecca G. Crowder, President

Report for City of Leander, Texas
FLSA Review

May 3, 2013

The Austin Peters Group, Inc.
Rebecca G. Crowder, President
Elizabeth Tatarko, Vice President
P.O. Box 27196
Overland Park, Kansas 66225
913-851-7530
913-851-7529 (fax)
bcrowder@austinpeters.com (email)

1. Methodology

For each position under consideration, the human resource department forwarded current copies of job descriptions. The department supervisor for each position filled out a questionnaire designed to specifically guide questions and answers for determining classification status. After receiving and reviewing the questionnaires along with the job descriptions, a phone interview was held with the supervisor to go over the responses, ask additional questions, and in some cases for additional information to be considered. All of that information combined to form the recommendations seen in this report.

2. Classification Categories Considered – Computer, Executive, Administrative, Learned Professional

Computer Employee Exemption

To qualify for the computer employee exemption, all of the following tests must be met:

- ✓ The employee must be compensated either on a salary or fee basis at a rate not less than $455 per week or, if compensated on an hourly basis, at a rate not less than $27.63 an hour;
- ✓ The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- ✓ The employee's primary duty must consist of:
  1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
  2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
  3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
  4) A combination of the aforementioned duties, the performance of which requires the same level of skills.

Example of exempt positions: those meeting 1-4 above and hourly requirements.

Example of non-exempt positions: those not meeting 1-4 above and not meeting hourly requirements.

Key Differences: A note of caution in this review – working with computers does not equal an exemption. For example, help desk employees may be educating and assisting users in how to use software, printers, maneuver screens; or support specialists may be researching and resolving a complex problem, these activities do not alone qualify for an exemption.

Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

- ✓ The employee must be compensated on a salary basis (as defined in the regulations) at a rate not less than $455 per week;
- ✓ The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- ✓ The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- ✓ The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

Example of exempt positions: Plant Quarry Manager, Shop Foreman, Assistant Store Manager, Construction Superintendent, Chief Chef, Assistant Restaurant Manager, Printing Production Supervisor, Receiving Department Foreman, EMS Director, Bank Collection Team Leader, Deputy Fire Chief, Coffee Shop Manager, Convenience Store Manager, Store Manager.

Example of non-exempt positions: Delinquent Account Collection Manager, Correction Foreman, Housing Inspector, Truck Supervisor, Working Foreman, Drive through Grocery Store Manager, Store Managers.

Key Differences: If they were really supervising and managing, and whether the primary duty consists of managing the enterprise.

Administrative Exemption

To qualify for the administrative employee exemption, all of the following tests must be met:

- ✓ The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than $455 per week;
- ✓ The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- ✓ The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

Example of exempt positions: Insurance Claims Adjusters, Financial Service Marketing Representative, Team Leader, Executive Assistant, Administrative Assistant, Human Resource Manager, Purchasing Agent, Office Manager, Shipping Director, Assistant Fire Chief, Oil Pipeline Field Inspector, Air Traffic Controller, Bank Vice President, Complaint Investigator, Accounting Manager, EMS Director, Production Editor, Academic Counselor, Sales Representative, Field Engineer, Event Supervisor, Insurance Appraiser, Technical Nuclear Power Plant Writer, Insurance Adjuster, Customer Relations Manager, Private

Investigator, Law Specialist, School Resource Officer, Chief Jailer, Pharmaceutical Sales Representative.

Example of non-exempt positions: Inspectors, Examiners, Graders, Comparison Shoppers, Personnel Clerks, Mortgage Loan Officers, Work Order Processor, Radio Station Engineer, Factor Foreman, Delinquent Account Collector, Bookkeeper, T.V. Reporter, Probably Officer, Inside Salesperson, Payroll Administrator, Maintenance Supervisor, Medical Investigator, Planning Technician, Site Manager, Real Estate Closer, Loan Underwriter, Advertising Salesperson, Pharmaceutical Sales Representative.

Key Differences: Here as prior, it is not the title that determines exempt status, but rather whether the primary duty was office or non-manual work directly related to the management or general business operations of the employer or customers; and whether the primary duty included the exercise of discretion and judgment on matters of significance. The use of discretion involves comparing and evaluating courses of conduct, action, decisions. The use of a manual does not preclude the exemption from carrying forward if the use of the manual is highly technical, scientific, legal, financial that it can only be interpreted by those with advanced or specialized knowledge or skills.

Learned Professional Exemption

To qualify for the learned professional employee exemption, all of the following tests must be met:

- ✓ The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than $455 per week;
- ✓ The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- ✓ The advanced knowledge must be in a field of science or learning; and
- ✓ The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

Example of exempt position fields of a learning profession: law, medicine, theology, accounting, actuarial computation, engineering, architecture, teaching, physical science, chemical science, biological science, pharmacy, nursing (registered or above), registered or certified medical technologists, dental hygienists, physician assistants, pharmacists, teachers, accountants, chefs, athletic trainers, funeral directors, embalmers, journalists, pilots, social service case manager. The Department of Labor states that possessing an appropriate academic degree is the best on the face of it case that a position qualifies as a learned professional exemption, however, this category too is a case-by-case analysis.

Example of non-exempt positions: Paramedics and Emergency Medical Technicians, Paralegals, X-ray technician, Probation Officer, Medical Assistant, Case Manager for Disabled, Draftsman, Social Workers (who were not required to have a degree or course of study).

Key Differences: Whether the primary duty (over 50% in general), requires an advance type of science or learning and the employee must consistently exercise discretion and judgment.

---

3. Recommendations

The positions covered in this report are as follows along with their current classification and in table 1 and a Yes or No under the category of exemption if it applies:

Table 1: Exemptions by Title	Computer	Executive	Administration	Professional
Court Administrator	No	No	Yes	No
Planner	No	No	No	Yes
Streets - Supervisor	No	Yes	Yes	No
Public Works Superintendent	No	Yes	Yes	No
Utility Operations Supervisor	No	Yes	Yes	No
Athletics & Recreation Programmer	No	No	No	No
Parks Maintenance Supervisor	No	Yes	Yes	No
Assistant Police Chief	No	No	Yes	No
Lieutenant	No	Yes	Yes	No
Building Official	No	Yes	Yes	No
Assistant Golf Superintendent	No	No	No	No
Golf Course Superintendent	No	Yes	Yes	No
Grill Manager	No	No	No	No
Head Golf Pro	No	No	No	Yes
Retail Operations Manager (Operations Manager)	No	Yes	Yes	No
Utility Billing Supervisor	No	Yes	Yes	No
Purchasing Agent	No	No	Yes	No

4. Appendix – Questionnaire for Department Heads

Computer Employee Exemption

To qualify for the computer employee exemption, the following tests must be met:

Computer Exemption _____ _____	(list position) (your name and email)
Yes or No (please circle)	Is the person employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field? *"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole.*
Yes or No (please circle)	The employee's primary duty must consist of: The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
Yes or No (please circle)	The employee's primary duty must consist of: The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
Yes or No (please circle)	The employee's primary duty must consist of: The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
Yes or No (please circle)	Or, do the employee's primary duty consist of: A combination of the aforementioned duties, the performance of which requires the same level of skills.

Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

Executive Exemption – Please circle yes or no in relationship to the non italicized statement (the italicized statements are meant to provide direction) _____ (list position) _____ (your name and email)	
Yes or No (please circle)	The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise; *"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole.* *Generally, "management" includes, but is not limited to, activities such as interviewing, selecting, and training of employees; setting and adjusting their rates of pay and hours of work; directing the work of employees; maintaining production or sales records for use in supervision or control; appraising employees' productivity and efficiency for the purpose of recommending promotions or other changes in status; handling employee complaints and grievances; disciplining employees; planning the work; determining the techniques to be used; apportioning the work among the employees; determining the type of materials, supplies, machinery, equipment or tools to be used or merchandise to be bought, stocked and sold; controlling the flow and distribution of materials or merchandise and supplies; providing for the safety and security of the employees or the property; planning and controlling the budget; and monitoring or implementing legal compliance measures.* *The phrase "a customarily recognized department or subdivision" is intended to distinguish between a mere collection of employees assigned from time to time to a specific job or series of jobs and a unit with permanent status and function.*
Yes or No (please circle)	The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and *The phrase "customarily and regularly" means greater than occasional but less than constant; it includes work normally done every workweek, but does not include isolated or one-time tasks.*

	The phrase "two or more other employees" means two full-time employees or their equivalent. For example, one full-time and two half-time employees are equivalent to two full-time employees. The supervision can be distributed among two, three or more employees, but each such employee must customarily and regularly direct the work of two or more other full-time employees or the equivalent. For example, a department with five full-time nonexempt workers may have up to two exempt supervisors if each supervisor directs the work of two of those workers.
Yes or No (please circle)	The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight. *Factors to be considered in determining whether an employee's recommendations as to hiring, firing, advancement, promotion or any other change of status are given "particular weight" include, but are not limited to, whether it is part of the employee's job duties to make such recommendations, and the frequency with which such recommendations are made, requested, and relied upon. Generally, an executive's recommendations must pertain to employees whom the executive customarily and regularly directs. It does not include occasional suggestions. An employee's recommendations may still be deemed to have "particular weight" even if a higher level manager's recommendation has more importance and even if the employee does not have authority to make the ultimate decision as to the employee's change in status.*

Administrative Exemption
To qualify for the administrative employee exemption, all of the following tests must be met:

Administrative Exemption – Please circle yes or no in relationship to the non italicized statement (the italicized statements are meant to provide direction) _____ (list position) _____ (your name and email)	
Yes or No (please circle)	The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and *"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole.* *To meet the "directly related to management or general business operations" requirement, an employee must perform work directly related to assisting with the running or servicing of the business, as distinguished, for example from working on a manufacturing production line or selling a product in a retail or service establishment. Work "directly related to management or general business operations" includes, but is not limited to, work in functional areas such as tax; finance; accounting; budgeting; auditing; insurance; quality control; purchasing; procurement; advertising; marketing; research; safety and health; personnel management; human resources; employee benefits; labor relations; public relations; government relations; computer network, Internet and database administration; legal and regulatory compliance; and similar activities.* *An employee may qualify for the administrative exemption if the employee's primary duty is the performance of work directly related to the management or general business operations of the employer's customers. Thus, employees acting as advisors or consultants to their employer's clients or customers — as tax experts or financial consultants, for example — may be exempt.*
Yes or No (please circle)	The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

	In general, the exercise of discretion and independent judgment involves the comparison and the evaluation of possible courses of conduct and acting or making a decision after the various possibilities have been considered. The term must be applied in the light of all the facts involved in the employee's particular employment situation, and implies that the employee has authority to make an independent choice, free from immediate direction or supervision. Factors to consider include, but are not limited to: whether the employee has authority to formulate, affect, interpret, or implement management policies or operating practices; whether the employee carries out major assignments in conducting the operations of the business; whether the employee performs work that affects business operations to a substantial degree; whether the employee has authority to commit the employer in matters that have significant financial impact; whether the employee has authority to waive or deviate from established policies and procedures without prior approval, and other factors set forth in the regulation. The fact that an employee's decisions are revised or reversed after review does not mean that the employee is not exercising discretion and independent judgment. The exercise of discretion and independent judgment must be more than the use of skill in applying well-established techniques, procedures or specific standards described in manuals or other sources. The term "matters of significance" refers to the level of importance or consequence of the work performed. An employee does not exercise discretion and independent judgment with respect to matters of significance merely because the employer will experience financial losses if the employee fails to perform the job properly. Similarly, an employee who operates very expensive equipment does not exercise discretion and independent judgment with respect to matters of significance merely because improper performance of the employee's duties may cause serious financial loss to the employer.

To qualify for the learned professional employee exemption, all of the following tests must be met:

Learned Professional Exemption – Please circle yes or no in relationship to the non italicized statement (the italicized statements are meant to provide direction) _____ (list position) _____ (your name and email)	
Yes or No (please circle)	The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment; *"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole.* *"Work requiring advanced knowledge" means work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgment. Professional work is therefore distinguished from work involving routine mental, manual, mechanical or physical work. A professional employee generally uses the advanced knowledge to analyze, interpret or make deductions from varying facts or circumstances. Advanced knowledge cannot be attained at the high school level.*
Yes or No (please circle)	The advanced knowledge must be in a field of science or learning; and *Fields of science or learning include law, medicine, theology, accounting, actuarial computation, engineering, architecture, teaching, various types of physical, chemical and biological sciences, pharmacy and other occupations that have a recognized professional status and are distinguishable from the mechanical arts or skilled trades where the knowledge could be of a fairly advanced type, but is not in a field of science or learning.*
Yes or No (please circle)	The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction. *The learned professional exemption is restricted to professions where specialized academic training is a standard prerequisite for entrance into the profession. The best evidence of meeting this requirement is*

	having the appropriate academic degree. However, the word "customarily" means the exemption may be available to employees in such professions who have substantially the same knowledge level and perform substantially the same work as the degreed employees, but who attained the advanced knowledge through a combination of work experience and intellectual instruction. This exemption does not apply to occupations in which most employees acquire their skill by experience rather than by advanced specialized intellectual instruction.

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February 12, 2013

To: Cindy Hignite, Human Resource Director

Fr: Beth Tatarko, Vice President

Re: Results of Employee Survey

The results of the employee survey showed the most important items to employees are their Wages, Health Insurance, and Retirement Benefits. The least important items to employees are Tuition Reimbursement, Flexible Spending Accounts, and Uniforms. There was very good participation in the survey with 132 responses.

Department	Responses
Fire	12
Police	43
Development Serv.	38
Engineering	1
Public Works	23
Finance	11
Unknown	3
Total	132

Leander Employee Survey February 12, 2013			
	Rank as Most Important	**Rank as Least Important**	**Rate from 1 to 5 (1=Not Important; 5=Very Important)**
Survey Item			**Average**
1. Wages	First (106 responses)		4.83
2. Health benefits	Second (93 responses)		4.79
3. Dental benefits			4.36
4. Retirement system	Third (81 responses)		4.79
5. Flexible work environment			3.92
6. Paid time off			4.38
7. Pay reward for a job well done			3.75
8. Pay reward for longevity			4.05
9. Pay reward for cross-training of jobs			3.75
10. Overtime pay			4.27
11. Equal pay for an equal job			4.23
12. Pay plan that provides upward mobility			4.40
13. Pay plan that lets me know where I will be in 5, 10, 15 years			3.98
14. Support from my boss			4.67
15. Providing training/education for my job			4.45
16. Flexible spending account (medical/savings/childcare)		Second (65 responses)	3.19
17. Tuition reimbursement		First (87 responses)	3.13
18. Uniform allowance		Third (59 responses)	3.45

City of Leander

WELCOME

Performance Management Appraisal
Supervisor Training 2013

By The Austin Peters Group, Inc.

Performance Appraisal

Provide tools and resources to department heads, supervisors and employees to effectively implement a performance appraisal system.

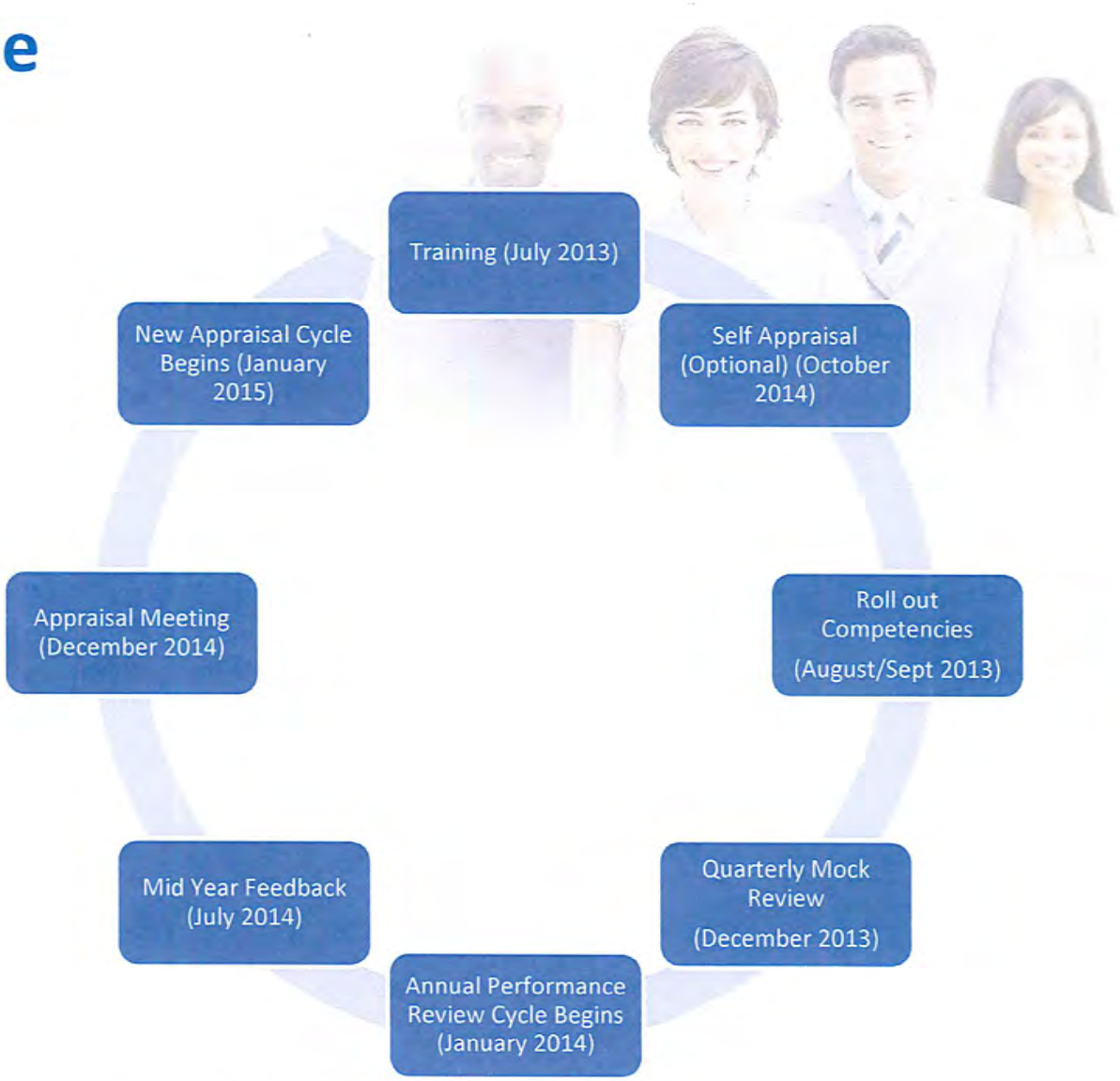
Timeline

- Survey all employees about performance evaluation system (January 2013)
- Plan with department heads (December through May 2013)
- Identify competencies by position with department heads (April – May 2013)
- Roll out supervisor performance evaluation training (Summer 2013)
- Roll out competencies/mock run (Fall 2013)
- Begin appraisal process with competencies (January 2014)
- Begin appraisal process with performance goals (January 2015)

Training Purpose

- Expectations
- Responsibilities
- Timeline
- Tools and Resources
- Questions

Cycle



The Austin Peters Group, Inc. –
providing the best in people services

Performance Appraisal

- Competencies
- Performance Goals
- Development Goals
- Comment & Signature
- Self-appraisal
- Performance Improvement Plan

Core Competencies

- Customer Service
- Dependability
- Job Knowledge
- Quality
- Teamwork

Management Competencies

- Leadership
- Managing People

Specialized Competencies

- Analytical Skills
- Communications
- Cooperation
- Delegation
- Initiative
- Innovation
- Judgment
- Personal Appearance

Specialized Competencies

- Planning and Organization
- Problem Solving
- Project Management
- Quantity
- Safety and Security
- Strategic Thinking

Goals & Objectives

- **S**pecific
- **M**easurable
- **A**chievable
- **R**ealistic
- **T**imebound

Development Goals

- Used for individual or career development
- May be growth-oriented or used to support areas of need for improvement
- Must use this section if with a "Needs Improvement" or "Unsatisfactory"

Comments & Signatures

- Space provided for both the employee and supervisor to comment.
- Employees must acknowledge the appraisal has been reviewed with them.
- Employee, supervisor and department head sign.

Self-appraisal

- A chance to provide input into the appraisal process.
- An opportunity to document achievements.
- A place to demonstrate success or discuss challenges.

Performance Now

- Software demonstration

Performance Improvement Plan

- May be initiated at anytime by a supervisor.
- Human Resource Manager is available to provide support.
- Not the same as the Development Goal plan.

Questions?

THANK YOU!

AGENDA ITEM # 8

MINUTES

CITY COUNCIL
CITY OF LEANDER, TEXAS

Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas

Thursday ~ June 6, 2013 at 7:00 PM

Mayor – Christopher Fielder
Place 1 – Andrea Navarrette **Place 4 – Michell Cantwell (Mayor Pro Tem)**
Place 2 – Kirsten Lynch **Place 5 – Jason Dishongh**
Place 3 – Simon Garcia **Place 6 – David Siebold**
City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance
   Mayor Fielder opened the meeting at 7:00 p.m. and welcomed those in attendance. Council Member Dishongh delivered the invocation

2. Roll Call
   All present

3. Staff Comments: Jim Bechtol to introduce Tom Yantis, Planning Director
   Jim Bechtol introduced Tom Yantis and welcomed him to the City
   Wayne Watts to recognize Sean Lafferty
   Wayne Watts recognized Sean Lafferty for receiving GISP Certification
   Steve Bosak, talk about Trail Grant
   Steve Bosak spoke about the Trail Grant of $56,000 from Texas Parks and Wildlife and Suddenlink will be sponsoring the Bluegrass Festival

4. Citizen Comments: Three (3) minutes allowed per speaker
   Please turn in speaker request form before the meeting begins.

   Shiloh Rowe- 1402 Encino Drive – spoke about "Operation Stand Down" in support of Austin Homeless Veterans

5. Presentation by the Williamson County Financial Stability Coalition
   LeaAnn Powers from United Way thanked Leander for their assistance and partnership and the use of the Library for tax preparation assistance

6. Proclamation recognizing July 2013 as Parks & Recreation month
   Council Member Dishongh read the Proclamation. Steve Bosak talked about Liberty Fest on July 4th and announced that the Cory Morrow Band will be playing at the event. He also announced the other activities planned for the month of July.

7. Swearing in of newly elected City Council Members for Place 1, Place 3 and Place 5
Mayor Fielder will call for a short break at this time

Municipal Judge Travis Lucas swore in newly elected Council Members, Andrea Navarrette for Place 1, Simon Garcia for Place 3 and Jason Dishongh for Place 5.

Mayor Fielder called for a break at 7:35 p.m.
Council returned from break at 7:43 p.m.

CONSENT AGENDA: ACTION

8. Approval of the minutes: Regular Meeting: May 16, 2013

9. Second Reading of an Ordinance on Zoning Case #13-Z-013: amending Ordinance #05-018, the Composite Zoning Ordinance for three parcels located at 303 & 451 CR 179, Leander, Williamson County, Texas

10. Second Reading of an Ordinance on Zoning Case #13-Z-012: amending Ordinance #05-018, the Composite Zoning Ordinance for three parcels located at 9200, 9204, & 9210 RM 2243, Leander, Williamson County, Texas

11. Second Reading of an Ordinance on Zoning Case #13-Z-010: amending Ordinance #05-018, the Composite Zoning Ordinance for four parcels located at the intersection of Peregrine and Sonny Drive, Leander, Williamson County, Texas

12. Consider authorization of purchase of 2013 Chevy Tahoe for the Police Department

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Garcia
Motion passes, all voting "aye"

PUBLIC HEARING: ACTION

13. **a. Public Hearing** on Subdivision Case #12-CP-001: Consider a Concept Plan for 5.876 acres, more or less, for NWC Crystal Falls at 183A, Leander, Williamson County, Texas
Applicant/ Agent: T. Walter Hoysa, P.E. (Longaro & Clarke) on behalf of 2951 Williams Drive, Ltd.
Tom Yantis, Planning Director explained

No speakers

b. Action on Subdivision Case #12-CP-001: a Concept Plan for NWC Crystal Falls at 183 A, Leander, Williamson County, Texas

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Dishongh
Motion passes, all voting "aye"

14. **a. Public Hearing** on Zoning Case #13-Z-011: Consider a zoning change for 0.355 acres, more or less, for a parcel located at 205 S. Brushy Street from SFU-2-B, Single Family Urban to PUD/TOD, Planned Unit Development/Transit Oriented Development, Leander, Williamson County, Texas
Applicant: Holly Harris
Tom Yantis, Planning Director explained

No speakers

b. Action on Zoning Case #13-Z-011: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at 205 Brushy Street, Leander, Williamson County, Texas

Motion made by Council Member Garcia to approve. Second by Council Member Navarrette Motion passes, all voting "aye"

15. **a. Public Hearing** on Zoning Case #13-Z-005: Consider a zoning change for .2686 acres, more or less, for a parcel located at 208 S. Brushy Street from SFU-2-B. Single Family Urban to PUD/TOD, Planned Unit Development/Transit Oriented Development, Leander, Williamson County, Texas
Applicant: Michael A. Irene
Tom Yantis, Planning Director explained

No speakers

b. Action on Zoning Case #13-Z-005: amending Ordinance #05-018, the Composite Zoning Ordinance for three parcels located at 208 S. Brushy Street, Leander, Williamson County, Texas

Motion made by Council Member Navarrette to approve. Second by Mayor Pro Tem Cantwell Motion passes, all voting "aye"

16. **a. Public Hearing** on Zoning Case #13-Z-008: Consider a zoning change for .0.941 acres, more or less, for a parcel located at 350 Bagdad Road from GC-3-C. General Commercial to LI-5-C, Light Industrial, Leander, Williamson County, Texas
Applicant: Darren Quick on behalf of V & J Properties, LTD
Tom Yantis, Planning Director explained

No speakers

b. Action on Zoning Case #13-Z-008: amending Ordinance #05-018, the Composite Zoning Ordinance for three parcels located at 350 Bagdad Road, Leander, Williamson County, Texas

Motion made by Council Member Lynch to approve. Second by Council Member Garcia Motion passes, all voting "aye"

REGULAR AGENDA

17. Consider authorizing staff to negotiate a Development Agreement and Financing Plan for X-Park for Council consideration
Council Member Dishongh recused himself as his employer may be involved with the Title Work

Kent Cagle, City Manager explained

Motion made by Council Member Siebold to authorize staff to move forward with a Development Agreement and Financing Plan to be brought back to Council. Second by Council Member Navarrette. Motion passes, 4 to 2 with Council Member Lynch and Mayor Pro Tem Cantwell voting against.

18. Consider License Agreement with Capital Metropolitan Transportation Authority for E. Crystal Falls Parkway
Wayne Watts, City Engineer explained

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Siebold Motion passes, all voting "aye"

19. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for The Bluffs At Crystal Falls Section 2, Phase 2A
Wayne Watts, City Engineer explained

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Dishongh Motion passes, all voting "aye"

20. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for The Fairways At Crystal Falls Section 2, Phase 2
Wayne Watts, City Engineer explained

Motion made by Council Member Navarrette to approve. Second by Mayor Pro Tem Cantwell Motion passes, all voting "aye"

21. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for Benbrook Ranch – Section 3 – Phase 1
Wayne Watts, City Engineer explained

Motion made by Council Member Siebold to approve. Second by Council Member Dishongh Motion passes, all voting "aye"

22. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for Benbrook Ranch/LISD Shared Lift Station
Wayne Watts, City Engineer explained

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Garcia Motion passes, all voting "aye"

23. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for Benbrook Ranch – Section 3 – Shared Facilities
Wayne Watts, City Engineer explained

Motion made by Council Member Garcia to approve. Second by Council Member Siebold Motion passes, all voting "aye"

24. Consider Partial Dedication and Acceptance of Subdivision Infrastructure Improvements for LISD Benbrook Ranch
Wayne Watts, City Engineer explained

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Garcia Motion passes, all voting "aye"

25. Consider appointment to the Planning & Zoning Commission to fill a vacancy
Motion made by Mayor Pro Tem Cantwell to appoint Joel Wixson to the Planning and Zoning Commission. Second by Council Member Siebold. Motion passes, all voting "aye"

26. Consider appointments to the Parks & Recreation Board and Public Arts Commission
Motion made by Mayor Pro Tem Cantwell to reappoint Deborah Antich to the Parks & Recreation Board. Second by Council Member Navarrette. Motion passes, all voting "aye"

Motion made by Mayor Pro Tem Cantwell to reappoint Stan Holcomb and appoint Don Bradley to the Public Arts Commission. Second by Council Member Navarrette. Motion passes, all voting "aye"

27. Consider appointment of Mayor Pro-Tem
Motion made by Mayor Pro Tem Cantwell to appoint Council Member Jason Dishongh as Mayor Pro Tem. Second by Council Member Navarrette . Motion passes, all voting "aye"

Mayor Fielder presented Michell Cantwell with a plaque and a Texas flag that was flown at City Hall during the last year. He thanked her for her service as Mayor Pro Tem.

EXECUTIVE SESSION

28. Convene into executive session pursuant to section 551.072, Texas Government Code to deliberate the purchase of an interest in real property regarding Sales Agreement for Lakeline drainage easement & temporary slope/ construction easement

Council convened into executive session at 8:12 p.m.
Council reconvened into open session at 8:20 p.m.

29. Reconvene into open session to take action as deemed appropriate in the City Council's discretion regarding the purchase of an interest in real property regarding Sales Agreement for Lakeline drainage easement & temporary slope/ construction easement

Motion made by Mayor Pro Tem Dishongh to approve the Sales Agreement for Lakeline drainage easement and temporary slope/construction easement as discussed in executive session. Second by Council Member Garcia. Motion passes, all voting "aye"

30. Council Members Closing Statements
Council gave their closing statements

31. Adjournment
With there being no further business, the meeting adjourned at 8:25 p.m.

Attest:

Christopher Fielder, Mayor

Debbie Haile, TRMC City Secretary

Executive Summary

June 20, 2013

Agenda Subject:	Zoning Case 13-Z-005: Second reading and consider action on the rezoning of a parcel located at 208 S. Brushy St., for .2686 acres more or less; Parcels #R036124. Currently, the property is zoned SFU-2-B (Single-Family Urban). The property is proposed to be zoned PUD/TOD Planned Unit Development/Transit Oriented Development, Leander, Williamson County, Texas.
Background:	This request is the final step in the rezoning process.
Origination:	Applicant: Michael A. Irene
Financial Consideration:	None
Recommendation:	See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the zoning request at the May 23, 2013 meeting. The City Council unanimously recommended approval of the zoning request at the June 06, 2013 meeting.
Attachments:	1. Planning Analysis 2. Current Zoning Map 3. Aerial Map 4. Letter of Intent 5. Letter from Pix Howell, Urban Design Officer 6. Ordinance
Prepared By:	Tom Yantis, AICP Planning Director 06/10/2013

PLANNING ANALYSIS

ZONING CASE 13-Z-005
208 S BRUSHY STREET

GENERAL INFORMATION

Owner: Michael A. Irene, Ralph F. Irene, and Geraldine M. Irene

Current Zoning: SFU-2-B (Single-Family Urban)

Proposed Zoning: PUD/TOD (Planned Unit Development/Transit Oriented Development)

Size and Location: The subject property is located at 208 S Brushy Street, for 0.2686 acres more or less.

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFU-2-B	Established Single-Family Residential
EAST	GC-3-C	Established Commercial
SOUTH	SFU-2-B	Undeveloped Property zoned for Single-Family Residential
WEST	SFU-2-B	Established Single-Family Residential

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

PUD/TOD–PLANNED UNIT DEVELOPMENT/TRANIST ORIENTED DEVELOPMENT

An Ordinance of the City of Leander established a Planned Unit Development District (PUD) called the Leander TOD. This PUD defined a form-based code and a Transect Map (or regulating plan) as the community plan and PUD plan for the geographic area set for in the ordinance. The TOD is an area where a mixed-use, pedestrian friendly requirement will prevail over the typical land-use oriented plan; where all commercial and residential land-uses may be developed by right; where streets are designed to slow traffic rather than encourage it; where residents can find neighborhood services and goods within a ten-minute walk and where there is a variety of housing types and price ranges.

T5–NEIGHBORHOOD CENTER TRANSECT ZONE

The Neighborhood Center Zone is the equivalent of a Main Street. This Zone includes mixed-use building types that accommodate retail, offices, and dwellings, including rowhouses and apartments. The T-5 Zone is a tight network of streets and blocks, with wide sidewalks, steady street tree planting, and buildings set close to the frontages.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Protect the Old Town area and assure that it maintains a pedestrian-oriented atmosphere, with a greater flexibility of land-uses as well as unique local retail services.

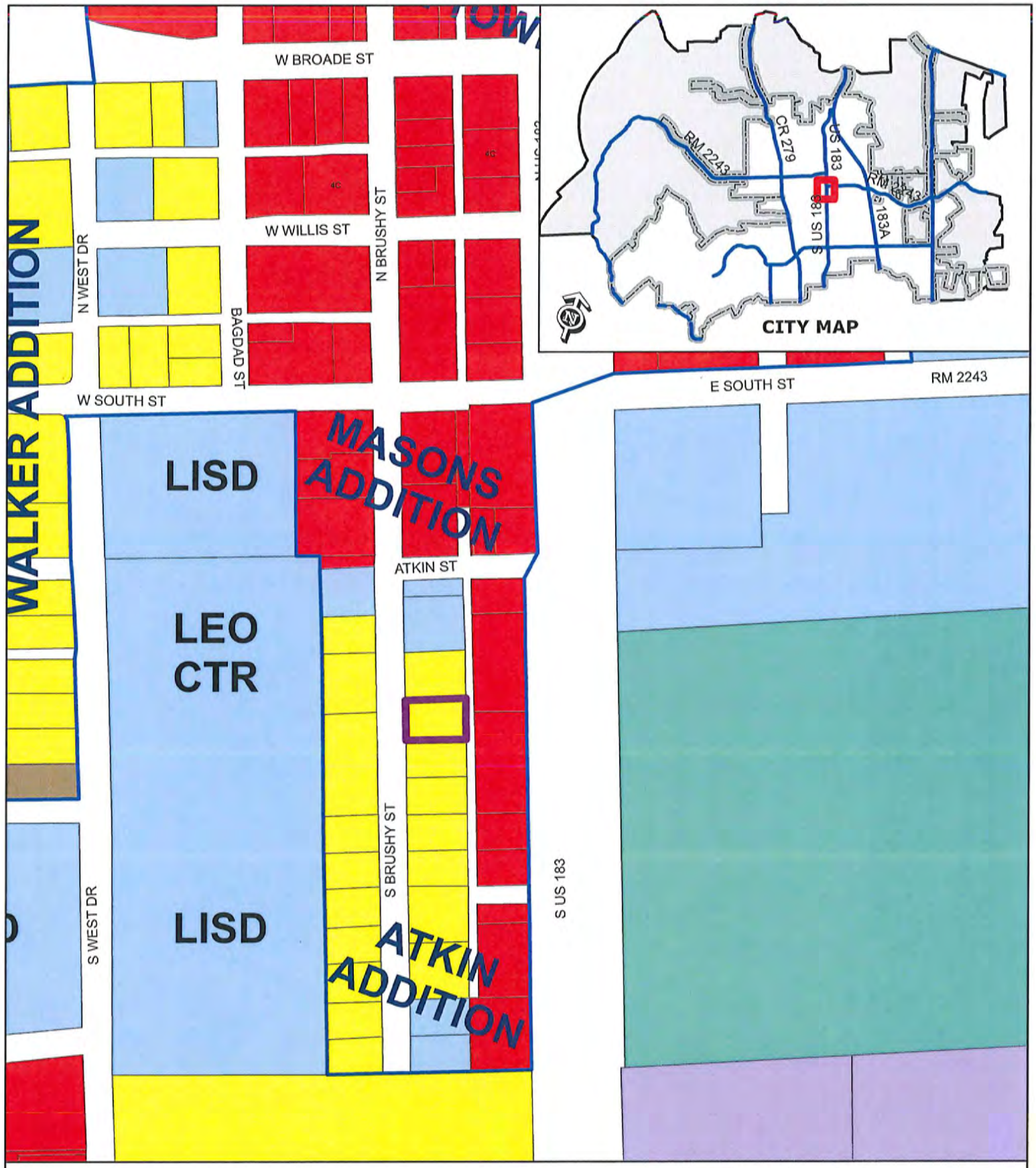
ANALYSIS:

This request was heard by the Planning & Zoning Commission on March 28, 2013. The case is before the Commission again because of a notification error.

The applicant is requesting a change of zoning from SFU-2-B to PUD/TOD in order to allow for the property owner to work from this location as a music instructor. Currently, the property is developed as single-family home.

If the zoning is approved, the SmartCode regulations will apply to this property with regards to land use, architectural design, signage, and site development. These standards will assure compatibility between the existing uses and the proposed development.

The Original Town of Leander (also known as Old Town) is included within the boundaries of the TOD (Transit Oriented Development). This rezoning will bring the property into conformance with the Smart Code.



ZONING CASE 13-Z-005

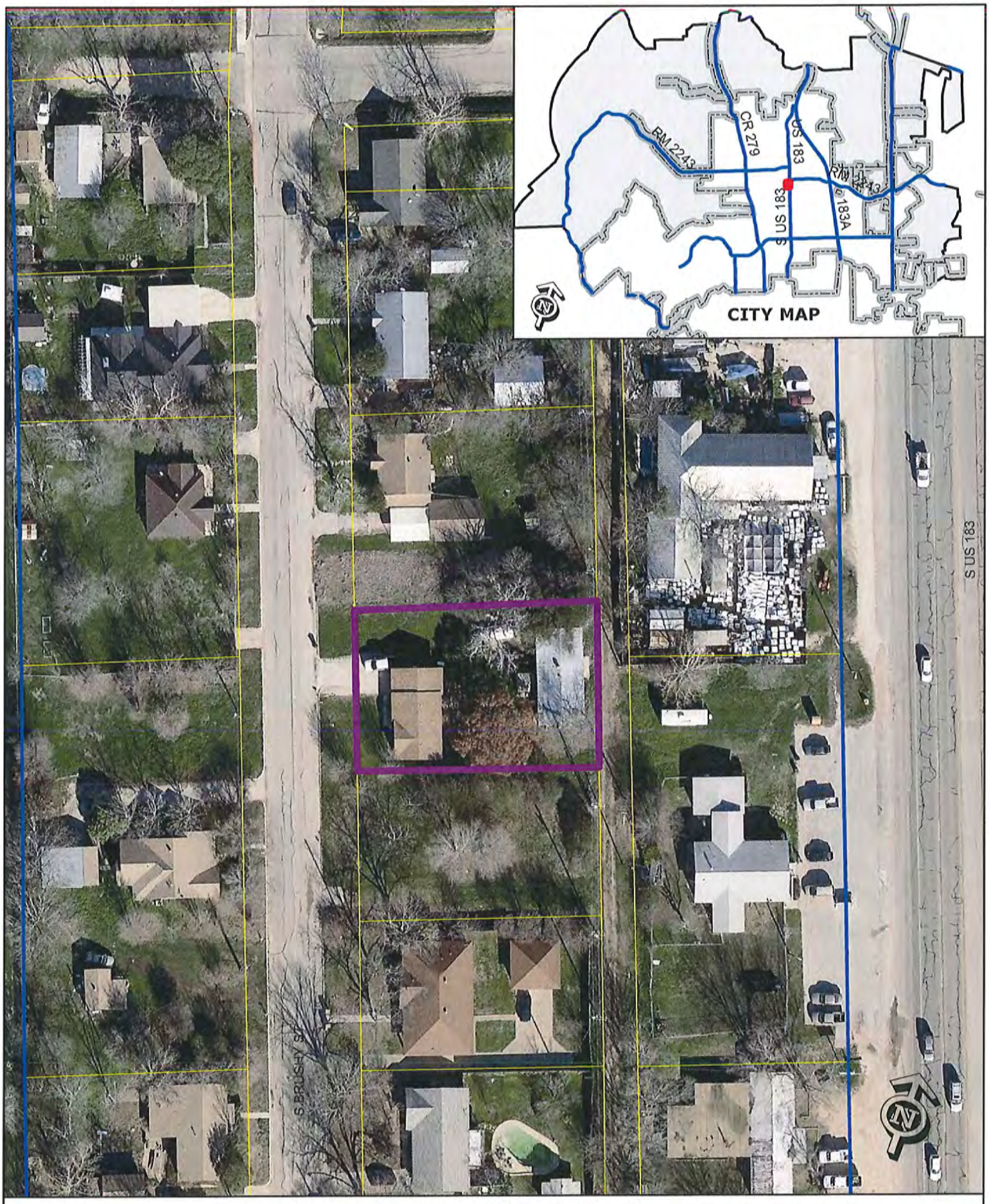
Attachment #2

Current Zoning Map
208 S Brushy St
Hit Maker Music

0 200 400
Feet

Subject Property

SFR	SFT	GC
SFE	SFU/MH	LI
SFS	TF	HI
SFU	MF	PUD
SFC	LO	
SFL	LC	



ZONING CASE 13-Z-005 Attachment #3

Subject Property

Aerial Exhibit - Approximate Boundaries
208 S Brushy - Hit Maker Music

0 200
Feet

ATTACHMENT #4

Michael Irene
208 S. Brushy St
Leander, TX 78641
512-771-8807

February 21, 2013

City of Leander Planning Dept.
104 North Brushy St
PO Box 319
Leander, TX 78646

Dear Planning Committee,

The enclosed Zoning Change Application is being submitted for 208 S. Brushy St, Leander, TX 78641. I, the owner Michael Irene, wish to change the zoning use of this property from SFU to TOD/PUD. The reason for the requested change is that I wish to work from this location as a music instructor.

I understand that this property is a good candidate for rezoning to TOD/PUD partly because of the following reasons: The property is within "Old Town" Leander City Limits. The property is adjacent to commercial properties on US 183. There are TOD/PUD zoned properties on the same block. The property has a large out building that had been used for business along back alley.

Thank you for your consideration.

Sincerely yours,

Michael Irene

ATTACHMENT #5

City of Leander

Leander TOD

March 11, 2013

Chair and Commissioners
City of Leander Planning and Zoning Commission
201 North Brushy
Leander, Texas 78

Reference: Zoning Case # 13-Z-005 - a zoning change from SFU-2-B Single Family Urban to PUD/TOD

Dear Chair and Commissioners,

The Leander TOD SmartCode and plan includes "Old Town". The intent was to give Old Town residents and property owners the maximum flexibility to realize their vision and goals by utilizing either the Composite code or the TOD code. This is another case that demonstrates this flexibility.

The TOD code provides for both short term and long term design and re-development parameters and ensures the careful transition from its current residential use to the mixed use of the SmartCode, over time, sensitive to the surrounding uses and homes.

I request that you approve this zoning change and carry on the vision of the Leander TOD.

Sincerely,

Pix Howell, AICP
Urban Design Officer

ORDINANCE NO #

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE PLANNED UNIT DEVELOPMENT KNOWN AS THE TRANSIT ORIENTED DEVELOPMENT DISTRICT BY REZONING THAT PARCEL FROM SFU-2-B TO PLANNED UNIT DEVELOPMENT WITHIN THE TODD; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned to Planned Unit Development within the Transit Oriented Development District (the "TODD");

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2.Amendment of the TODD Ordinance. Ordinance No.05-026, as amended, the TODD Ordinance, and Ordinance No. 05-018-00, the Composite Zoning Ordinance, is hereby modified and amended for the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" that certain parcel of land being 0.2686 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 208 South Brushy Street, Leander, Texas, legally described as Lots 24 and 25 S 1/2, Block 1, Atkin Addition to Leander, more particularly described in Document Number 2013013291, Official Public Records of Williamson County, Texas, and identified by tax identification number R036124.

Section 4. Property Rezoned. The TODD Ordinance is hereby amended by changing the zoning district for the Property from SFU-2-B to Planned Unit Development within the TODD. .The regulations of the T5 Zone in the Smart Code (defined in the TODD Ordinance) shall apply to the Property. The Property shall be developed and occupied in compliance with the regulations for the T5 Zone,the Smart Code, and the TODD Ordinance to the extent not amended by this Ordinance, as well as all other applicable regulations. In the event of any conflict between the TODD Ordinance, the Smart Code, or the T5 Zone regulations and the requirements for the Property set forth herein, the requirements set forth herein shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 6th day of June, 2013.
FINALLY PASSED AND APPROVED on this the 20th day of June, 2013.

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

ATTEST:

Debbie Haile, City Secretary

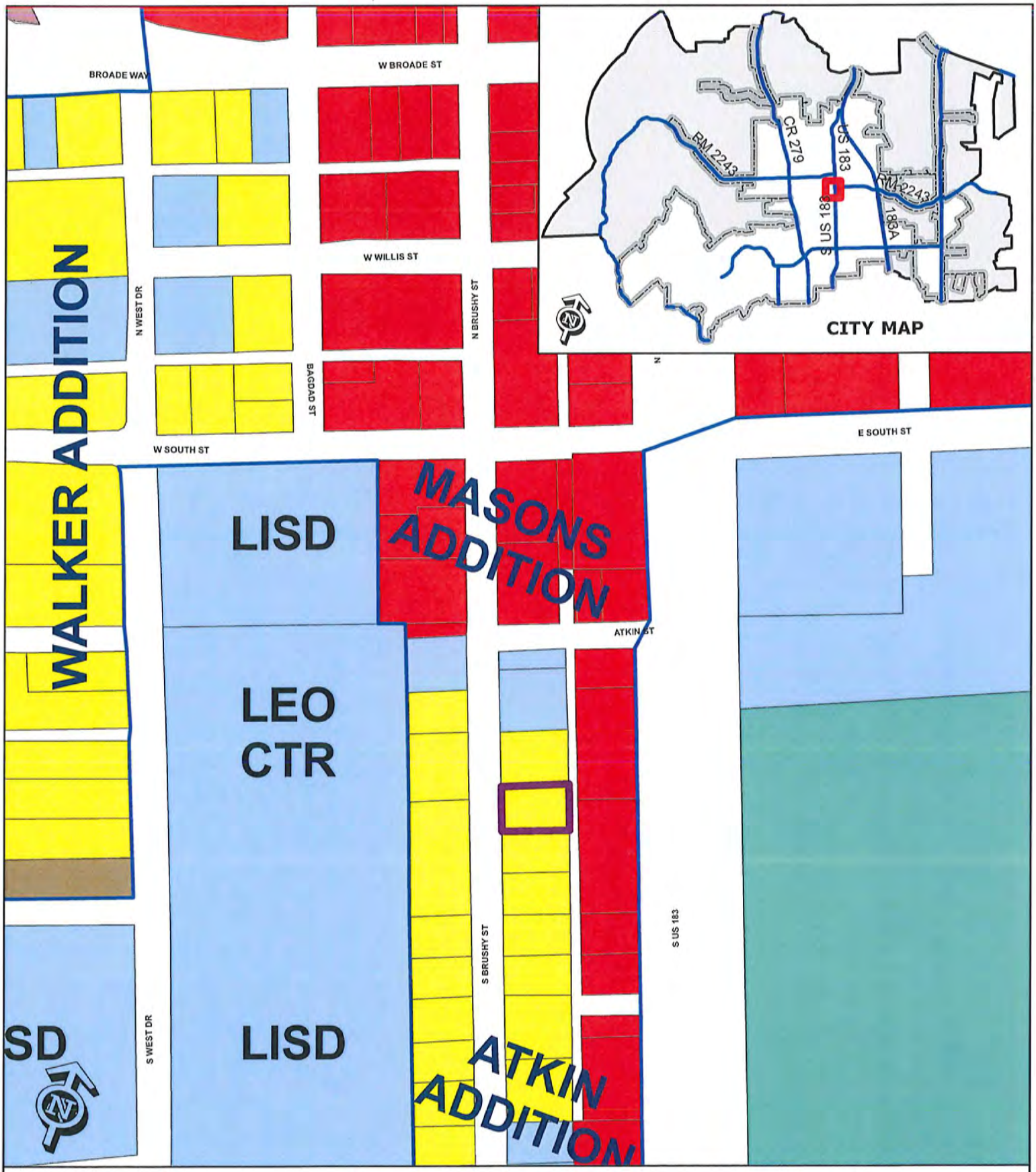


EXHIBIT A

Zoning Case 13-Z-005

208 S Brushy Street
Hit Maker Music

Subject Property
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation
City Limits

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200
Feet

City of Leander

Executive Summary

June 20, 2013

Agenda Subject:	Zoning Case 13-Z-008: Second reading and consider action on the rezoning of a parcel located at 350 Bagdad Rd. North for 0.941 acres more or less; Parcel #R031388. Currently, the property is zoned GC-3-C (General Commercial). The property is proposed to be zoned LI-5-C (Light Industrial) Leander, Williamson County, Texas.
Background:	This request is the final step in the rezoning process.
Origination:	Applicant: Darren Quick on behalf of V & J Properties, LTD.
Financial Consideration:	None
Recommendation:	See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the zoning request at the May 23, 2013 meeting. The City Council unanimously approved the zoning request at the June 06, 2013 meeting.
Attachments:	1. Planning Analysis 2. Current Zoning Map 3. Aerial Map 4. Letter of Intent 5. Ordinance
Prepared By:	Tom Yantis, AICP Planning Director 06/10/2013

PLANNING ANALYSIS

ZONING CASE 13-Z-008
350 NORTH BAGDAD ROAD

GENERAL INFORMATION

Owner: V & J Properties, LTD

Current Zoning: GC-3-C (General Commercial

Proposed Zoning: LI-5-C (Light Industrial)

Size and Location: The property is located at 350 North Bagdad Road and is approximately 0.941 acres in size.

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFU-2-B	Bagdad Cemetery
EAST	SFU-2-B	Bagdad Cemetery
SOUTH	LI-4-D	Established Industrial Use
WEST	SFU-2-B	Established Single-Family Home

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

LI – LIGHT INDUSTRIAL:

Features: Any use in GC plus commercial laundry, contractor storage yard, lumber yards, indoor manufacture, assembly and processing, mini-warehouse, RV, trailer and boat storage, testing and research, warehouse and distribution, wholesale, wrecker impoundment.

Intent: Development of a variety of light manufacturing, assembly and processing businesses, storage, warehouses and lumber sales. Access should be provided by an industrial or commercial collector street.

SITE COMPONENTS:

TYPE 5 (non-residential only):

Features: Accessory buildings; drive-thru service; outdoor fueling and washing of vehicles; overhead service doors; maximum outdoor display and storage; outdoor entertainment venues and animal boarding.

Intent:

(1) The Type 5 site component is intended to be utilized with developments that have intense outdoor site requirements and a need to utilize the outdoor site area for maximum outdoor display, storage and / or accessory buildings.

(2) This component is intended only for industrial or the heaviest commercial uses and may be combined only with GC, LI or HI use components.

(3) This site component is not intended for retail or office development not requiring the available limits of outdoor storage and accessory buildings or adjacent to residential neighborhoods where not adequately buffered from residential uses.

(4) This site component is discouraged along major thoroughfares and is intended to be utilized within industrial park developments.

ARCHITECTURAL COMPONENTS:

TYPE C (non-residential only):

Features: 35% masonry (60% street facing); 3 or more architectural features.

Intent:

(1) The Type C architectural component is intended to be utilized only in the LO, LC, GC, LI and HI use components for intermediate quality development.

(2) Combined with appropriate use and site components, this component can help to provide for harmonious land use transitions from districts that are less restricted to districts that are more restricted.

(3) This component is not intended for the majority of the LO and LC use components except those that may be adjacent to less restricted districts.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide Opportunities for coordinated, well-planned growth and development that are consistent with the Comprehensive Plan.
- Find suitable districts for industrial development so that the City may recruit additional employers and avoid locating industrial development near neighborhoods without adequate buffering.

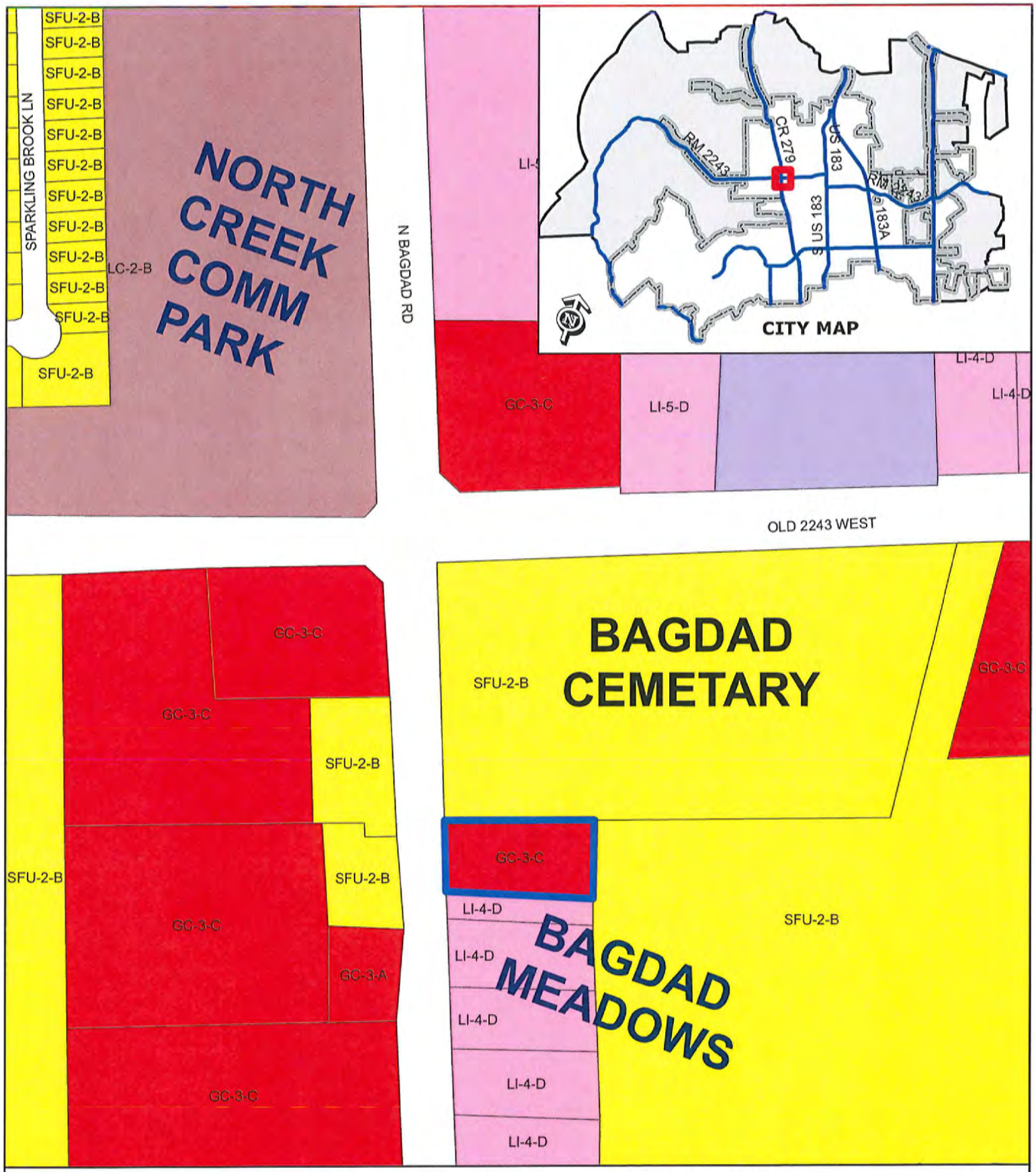
ANALYSIS:

The subject property was annexed into the City Limits in 1999. Upon annexation it was zoned interim R-1 (Single-Family Residential). A zoning request was submitted and approved on January 6, 2004 for a C-2 (Heavy Commercial). The property was converted to the current GC-3-C (General Commercial) district with the adoption of the Composite Zoning Ordinance in 2005.

There is currently an active code enforcement case associated with this property. The current building storage yard does not comply with the GC-3-C zoning. The previous C-2 (Heavy Commercial) district permitted a wide range retail, office and commercial uses. A C-3 (Intense Commercial) district would have been required to allow for the current outdoor storage on the property. In this situation, the property owner would need to rezone the property to the requested LI-5-C in order to continue the current operation.

The LI (Light Industrial) use component allows for the development of a variety of light manufacturing, assembly and processing businesses, storage, warehouses and lumber sales. All business functions are required to be performed indoors.

The proposed Type 5 site component permits unlimited outdoor storage and requires that outdoor storage is screened from view of adjacent properties and streets.



ZONING CASE 13-Z-008

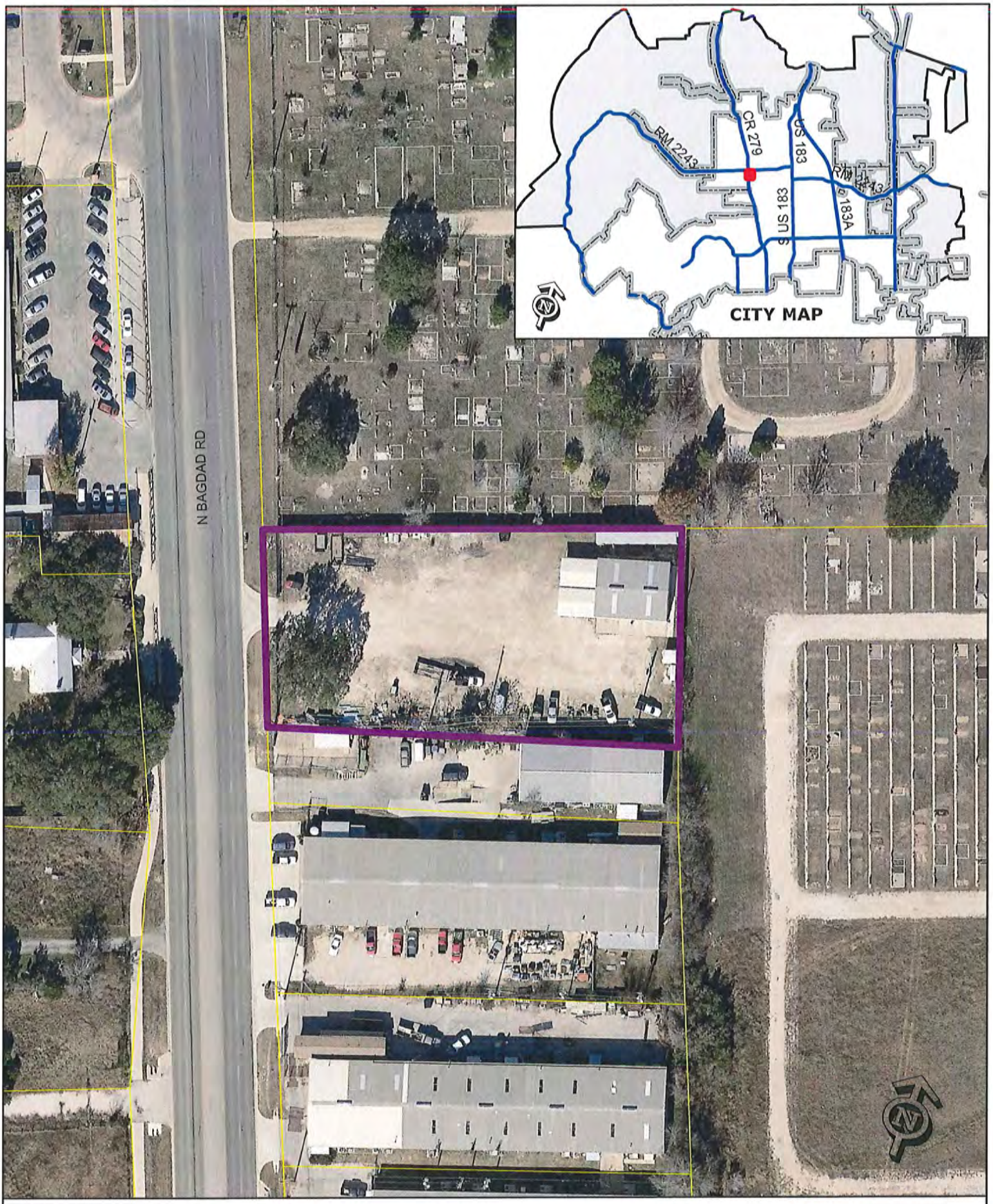
Attachment #2

Current Zoning Map
350 N Bagdad Road

0 200 400
Feet

Subject Property

SFR	SFT	GC
SFE	SFU/MH	LI
SFS	TF	HI
SFU	MF	PUD
SFC	LO	
SFL	LC	



ZONING CASE 13-Z-008 Attachment #3

Subject Property

Aerial Exhibit - Approximate Boundaries
350 North Bagdad Road

0 200
Feet

ATTACHMENT #4

1000 N. IH-35, Suite A
Round Rock, TX 78681
Tel: (512)255-3000
Fax: (512)310-0441
E-mail: darren@donquick.com

April 23, 2013

Robin Griffin
City of Leander Planning Department
P.O. Box 319
Leander, Texas 78646-0319

Re: Letter of Intent for Zoning Change for 350 Bagdad Rd, Leander (WCAD # R031388)

Dear Ms. Griffin:

On behalf of the owner of the above referenced property, please accept for consideration this Letter of Intent and the attached Zoning Change Application and Checklist. The purpose of this zoning request is to bring into compliance the referenced property.

A physical description of the property is as follows: a 2,000 SF office/warehouse building on approx. 0.94 acre, with fenced yard (solid corrugated metal fence along northern and eastern property lines; gate on western boundary of property, where property abuts Bagdad Road). Property is dirt lot, with grass along the perimeter, large tree on western boundary of property, and several smaller trees along southern boundary of property.

Existing Zoning
GC-3-C (General Commercial) limits the outdoor storage to 20% of the gross floor area of the structure. We understand the property is currently in violation, and we seek to correct this by obtaining the proposed zoning.

Proposed Zoning
LI-5-C (Light Industrial) district will allow for the type of storage needed at this location (property is being used for a building materials storage yard and office).

We thank you for your time and attention to this matter.

Sincerely,

Darren Quick
REALTOR
dq/at
Enc
cc: V & J Properties, LTD

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM GC-3-C (GENERAL COMMERCIAL) TO LI-5-C (LIGHT INDUSTRIAL); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" That certain parcel of land being 0.941 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 350 N. Bagdad Road, Leander, Texas, legally described as 0.941 acres out of the E. D. Harmon Survey, more particularly described in Document Number 2004093885, Official Public Records of Williamson County, Texas, and identified by tax identification number R031388.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from GC-3-C (General Commercial) to LI-5-C (Light Industrial).

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such

section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 6th day of June, 2013.
FINALLY PASSED AND APPROVED on this the 20th day of June, 2013.

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

ATTEST:

Debbie Haile, City Secretary

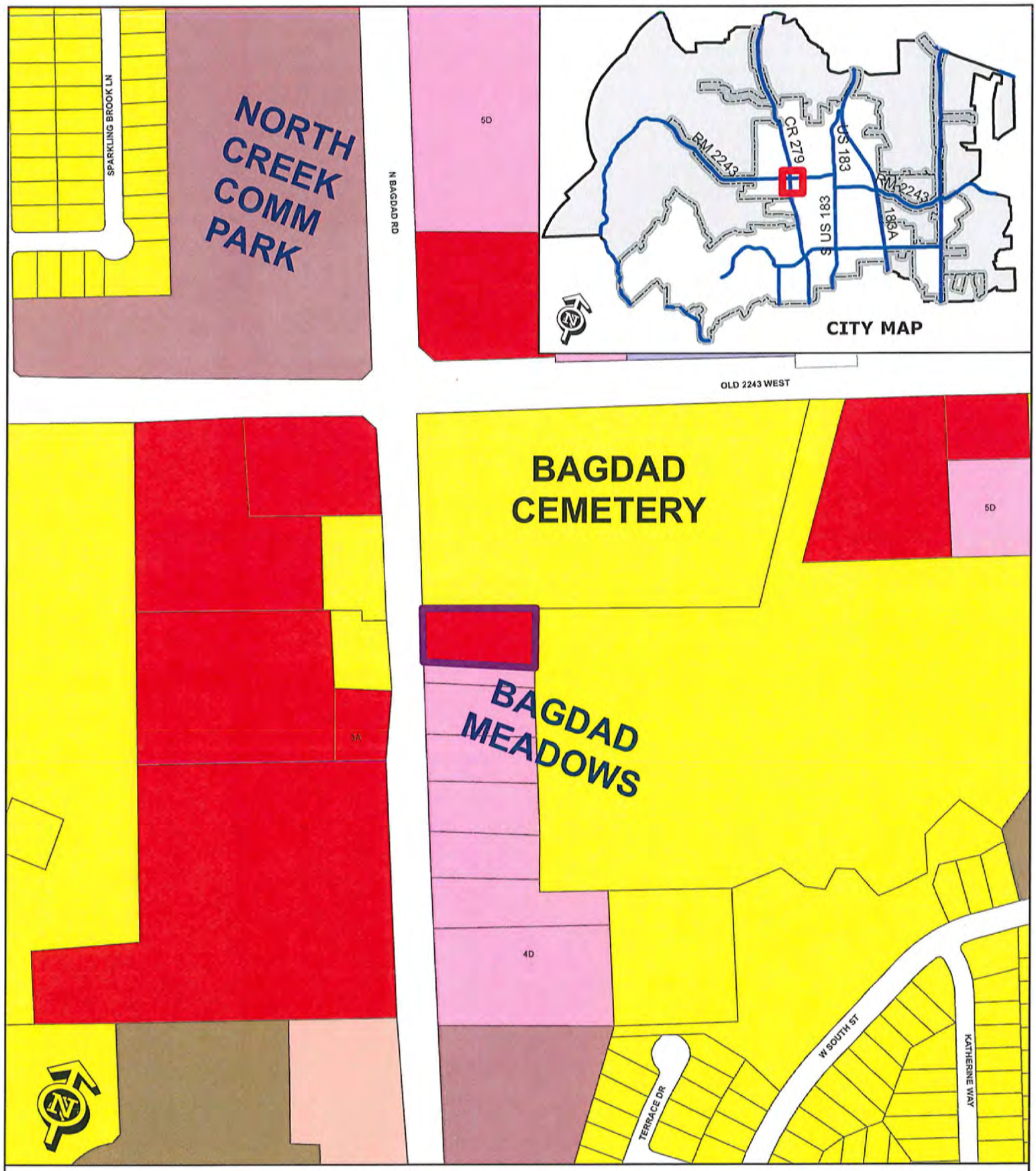


EXHIBIT A

Zoning Case 13-Z-008

350 N. Bagdad Road

Subject Property
City Limits
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200 Feet

Executive Summary

June 20, 2013

Agenda Subject: Zoning Case 13-Z-011: Second reading and consider action on the rezoning of a parcel located at 205 Brushy St. for 0.355 acres more or less; Parcels #R036130. Currently, the property is zoned SFU-2-B (Single Family Urban). The property is proposed to be zoned PUD/TOD (Planned Unit Development/Transit Oriented Development), Leander, Williamson County, Texas.

Background: This request is the final step in the rezoning process.

Origination: Applicant Holly Harris

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the zoning request at the May 23, 2013 meeting. The City Council unanimously recommended approval of the zoning request at the June 06, 2013 meeting.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Aerial Map
4. Letter of Intent
5. Letter from Pix Howell, Urban Design Officer
6. Ordinance

Prepared By: Tom Yantis, AICP
Planning Director

06/10/2013

PLANNING ANALYSIS

ZONING CASE 13-Z-011
205 S BRUSHY STREET

GENERAL INFORMATION

Owner: Holly Harris

Current Zoning: SFU-2-B (Single-Family Urban)

Proposed Zoning: PUD/TOD (Planned Unit Development/Transit Oriented Development)

Size and Location: The subject property is located at 205 S Brushy Street, for 0.355 acres more or less.

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFU-2-B	Established Single-Family Residential
EAST	SFU-2-B PUD/TOD	Established Single-Family Residential Proposed Commercial - Hit Maker Music
SOUTH	SFU-2-B	Established Single-Family Residential
WEST	PUD/TOD	LISD Property - Leo Center

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

PUD/TOD–PLANNED UNIT DEVELOPMENT/TRANIST ORIENTED DEVELOPMENT

An Ordinance of the City of Leander established a Planned Unit Development District (PUD) called the Leander TOD. This PUD defined a form-based code and a Transect Map (or regulating plan) as the community plan and PUD plan for the geographic area set for in the ordinance. The TOD is an area where a mixed-use, pedestrian friendly requirement will prevail over the typical land-use oriented plan; where all commercial and residential land-uses may be developed by right; where streets are designed to slow traffic rather than encourage it; where residents can find neighborhood services and goods within a ten-minute walk and where there is a variety of housing types and price ranges.

T5–NEIGHBORHOOD CENTER TRANSECT ZONE

The Neighborhood Center Zone is the equivalent of a Main Street. This Zone includes mixed-use building types that accommodate retail, offices, and dwellings, including rowhouses and apartments. The T-5 Zone is a tight network of streets and blocks, with wide sidewalks, steady street tree planting, and buildings set close to the frontages.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

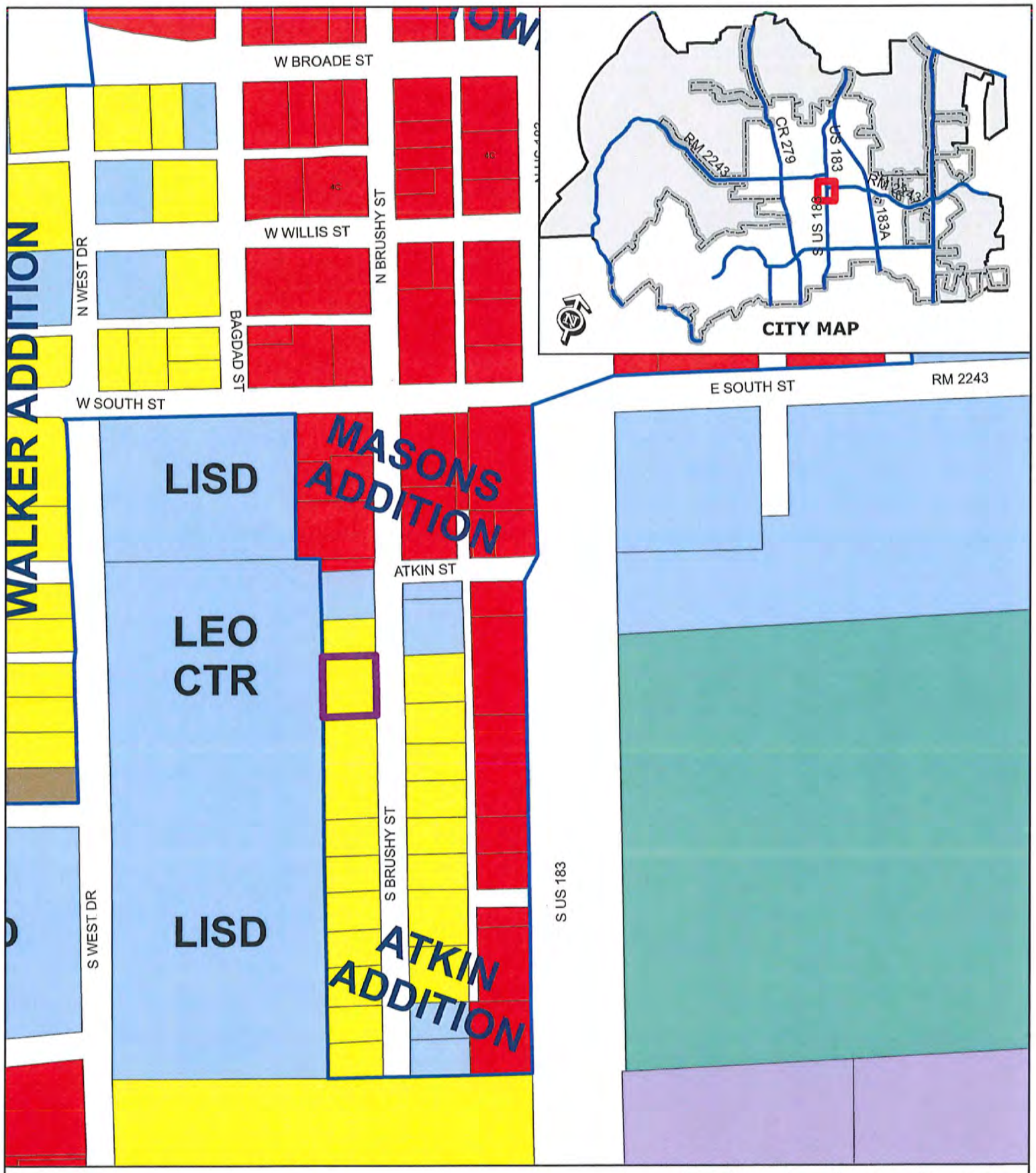
- Protect the Old Town area and assure that it maintains a pedestrian-oriented atmosphere, with a greater flexibility of land-uses as well as unique local retail services.
- Encourage development of Leander's Old Town Center area as a complete neighborhood to enhance its image to both citizens and visitors.

ANALYSIS:

The applicant is requesting a change of zoning from SFU-2-B to PUD/TOD in order to allow for the property owner to operate a children's enrichment company. Currently, the property is developed as single-family home.

If the zoning is approved, the SmartCode regulations will apply to this property with regards to land use, architectural design, signage, and site development. These standards will assure compatibility between the existing uses and the proposed development.

The Original Town of Leander (also known as Old Town) is included within the boundaries of the TOD (Transit Oriented Development). This rezoning will bring the property into conformance with the Smart Code.



ZONING CASE 13-Z-011

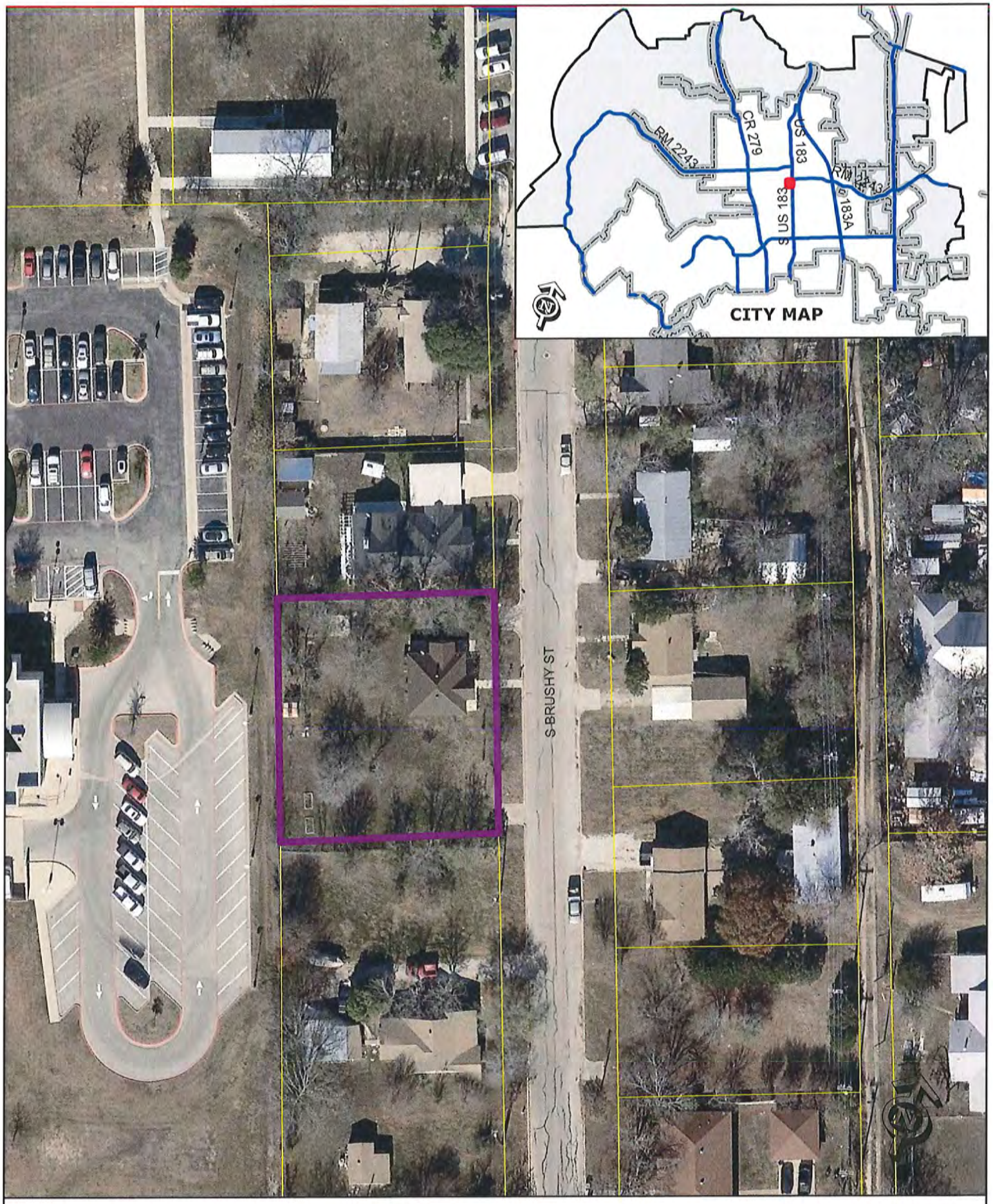
Attachment #2

Current Zoning Map
205 S Brushy St

0 200 400
Feet

Subject Property
Original Town of Leander

SFR
SFE
SFS
SFU
SFC
SFL
SFT
SFU/MH
TF
MF
LO
LC
GC
LI
HI
PUD



ZONING CASE 13-Z-011 Attachment #3

Aerial Exhibit - Approximate Boundaries
205 S Brushy Street

Subject Property

0 200
Feet

ATTACHMENT #4

City of Leander Planning Department

104 North Brushy Street

Leander Texas 78646

Re: Letter of Intent

Attn: Ellen Pizalate or Robin Griffin,

I would like to request a zoning change from residential to TOD/PUD for my property at 205 Brushy Leander, Texas 78641. This property is part of the TOD area for Leander.

I have met with the Urban Development and Zoning departments to discuss my goals for the property. Currently, I own a children's enrichment company and would like to conduct classes out of the home. My programs include, Spanish, Computers, Yoga, Art, and Science. I would also I like to conduct birthday parties out of the facility.

The current physical description of the property:

One 100% stone covered structure property that has fencing around the whole property. The property is a standard city residential home site, with no slopes or topographic conditions. The property has a mix of oak and cedar trees with various plant landscaping. We do not have a current water way on the

property.

Thank you for your consideration,

Holly Harris

19501 Apple Springs Drive

Leander, Texas 78641

512-659-9453

H.Harris@wholechild.com

ATTACHMENT #5

City of Leander

Leander TOD

April 8, 2013

Chair and Commissioners
City of Leander Planning and Zoning Commission
201 North Brushy
Leander, Texas 78

Reference: Zoning Case 13-Z-011 - a zoning change from SFU-2-B Single Family Urban to PUD/TOD

Dear Chair and Commissioners,

First, thank you for your service. I am pleased to say that there is another property wishing to convert to TOD within "Old Town". The Leander TOD SmartCode and plan includes "Old Town". The intent was to give Old Town residents and property owners the maximum flexibility to realize their vision and goals by utilizing either the Composite code or the TOD code. This is another case that demonstrates this flexibility.

The TOD code provides for both short term and long term design and re-development parameters and ensures the careful transition from its current residential use to the mixed use of the SmartCode, over time, sensitive to the surrounding uses and homes.

I request that you approve this zoning change and carry on the vision of the Leander TOD.

Sincerely,

Pix Howell, AICP
Urban Design Officer

ORDINANCE NO #

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE PLANNED UNIT DEVELOPMENT KNOWN AS THE TRANSIT ORIENTED DEVELOPMENT DISTRICT BY REZONING THAT PARCEL FROM SFU-2-B TO PLANNED UNIT DEVELOPMENT WITHIN THE TODD; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned to Planned Unit Development within the Transit Oriented Development District (the "TODD");

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of the TODD Ordinance. Ordinance No.05-026, as amended, the TODD Ordinance, and Ordinance No. 05-018-00, the Composite Zoning Ordinance, is hereby modified and amended for the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" that certain parcel of land being 0.355 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 205 South Brushy Street, Leander, Texas, legally described as Lots 3 & 4, Block 2, Atkin Addition to Leander, more particularly described in Document Number 2012059382, Official Public Records of Williamson County, Texas, and identified by tax identification number R036130.

Section 4. Property Rezoned. The TODD Ordinance is hereby amended by changing the zoning district for the Property from SFU-2-B to Planned Unit Development within the TODD. .The regulations of the T5 Zone in the Smart Code (defined in the TODD Ordinance) shall apply to the Property. The Property shall be developed and occupied in compliance with the regulations for the T5 Zone, the Smart Code, and the TODD Ordinance to the extent not amended by this Ordinance, as well as all other applicable regulations. In the event of any conflict between the TODD Ordinance, the Smart Code, or the T5 Zone regulations and the requirements for the Property set forth herein, the requirements set forth herein shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 6th day of June, 2013.
FINALLY PASSED AND APPROVED on this the 20th day of June, 2013.

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

ATTEST:

Debbie Haile, City Secretary

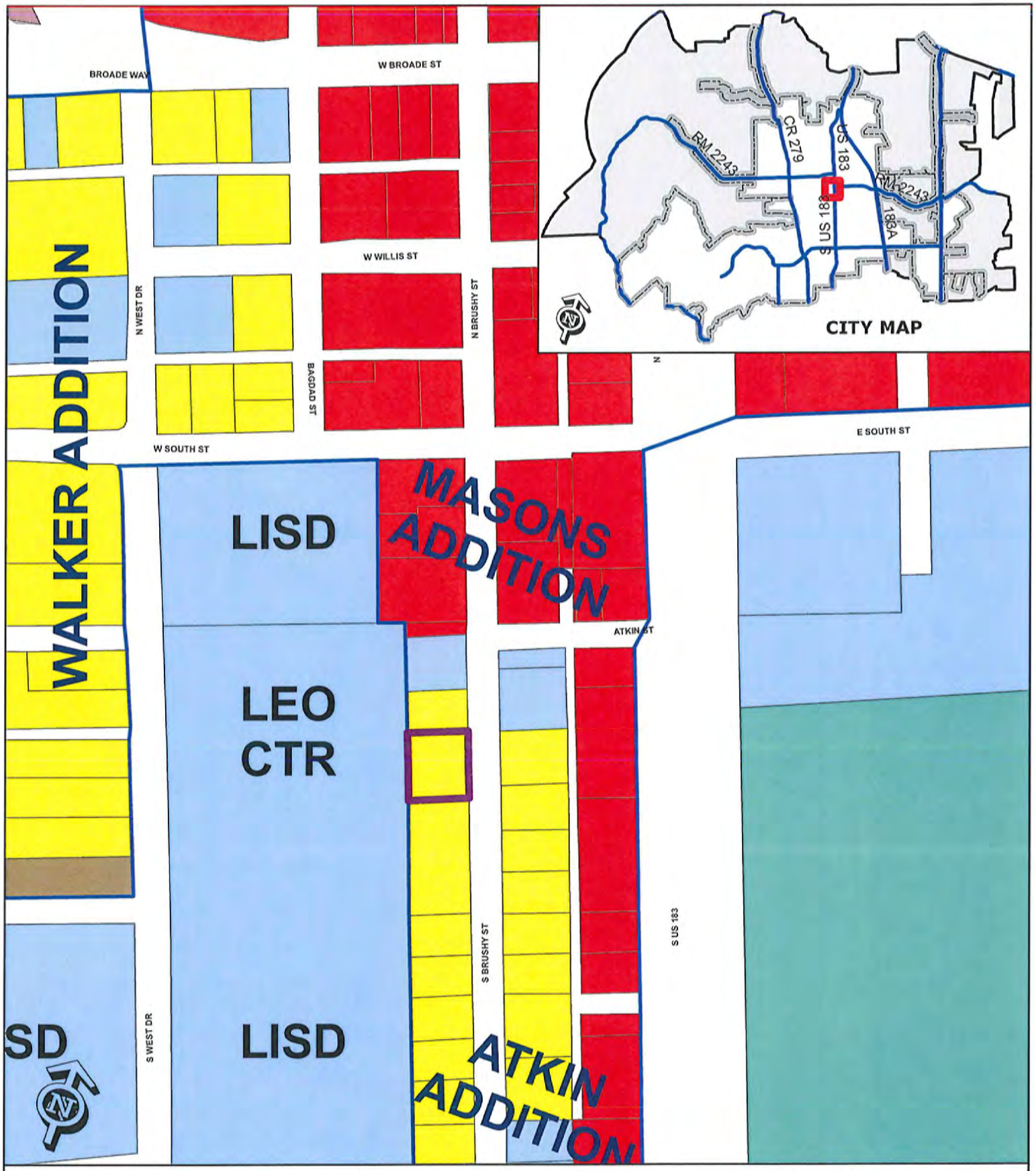


EXHIBIT A

Zoning Case 13-Z-011

205 S Brushy Street

Subject Property
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation
City Limits

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200 Feet

Executive Summary

June 20, 2013

Council Agenda Subject: Approval Of Rate Schedule "RRM – Rate Review Mechanism" For Atmos Energy Corporation, Mid-Tex Division.

Background: In 2008 the Atmos Texas Municipalities (ATM) approved the initial Rate Review Mechanism (RRM) for the Mid-Tex Division of Atmos Energy ("Atmos"). That RRM was in effect from 2008 and expired at the end of 2011. The RRM provides the ATM cities a process for reviewing Atmos' cost of service on an annual basis and is a substitute to the legislatively approved interim rate process at the Commission known as the Gas Reliability Infrastructure Program ("GRIP"). The RRM provides the City a meaningful opportunity to annually review Atmos' expenses *and* investments, whereas a GRIP filing focuses only on the incremental change in investments. Note by approving the RRM in this resolution, it would not impact rates at this time, but would instead establish the parameters of future RRM filings that Atmos would make beginning in July, 2013. Going forward, new rates would result from collaboration between Atmos and the cities it serves. Any changes in actual charges that Atmos and its cities agree to would be approved in future resolutions.

Origination: Robert G. Powers, Finance Director

Financial Consideration: n/a

Recommendation: Staff requests approval

Attachments: Resolution; correspondence

Prepared by: Robert G. Powers, Finance Director

AGENDA INFORMATION SHEET
AGENDA ITEM NO. _____

APPROVAL OF RATE SCHEDULE "RRM – RATE REVIEW MECHANISM" FOR ATMOS ENERGY CORPORATION, MID-TEX DIVISION

BACKGROUND

In 2008 the Atmos Texas Municipalities (ATM) approved the initial Rate Review Mechanism (RRM) for the Mid-Tex Division of Atmos Energy ("Atmos"). That RRM was in effect from 2008 and expired at the end of 2011. The RRM provides the ATM cities a process for reviewing Atmos' cost of service on an annual basis and is a substitute to the legislatively approved interim rate process at the Commission known as the Gas Reliability Infrastructure Program ("GRIP").

During 2011, ATM, through the law firm of Herrera & Boyle, PLLC and rate consultants retained on behalf of ATM, participated in a series of negotiations with representatives from Atmos Energy with the goal of arriving at a revised RRM. Those discussions had a deadline of December 31, 2011, but the ATM and Atmos Energy were not able to reach a new agreement on a revised RRM. Under the terms of the RRM then in place, Atmos was to file a traditional rate case with the ATM cities and the Railroad Commission of Texas (RCT) early in 2012. But the parties nonetheless agreed that once the general rate case was concluded, that they would again attempt to reach agreement on a revised RRM.

Atmos filed its general rate case in January 2012 that was processed at the Railroad Commission as GUD No. 10170. Following the conclusion of that rate proceeding, Atmos approached the cities to continue negotiations of a new RRM. Over the course of several months in 2013 the firm of Herrera & Boyle, with the assistance of expert consultants, engaged in negotiations with Atmos regarding the implementation and design of a new RRM. The negotiations resulted in a revised RRM that captures many of the decisions made by the Railroad Commission in GUD No. 10170.

The RRM replaces and all GRIP filings that Atmos would otherwise submit annually. The RRM minimizes the cost of review and avoids expenses associated with full rate proceedings. The RRM provides a city:

1. The opportunity to review all of Atmos' Operation & Maintenance (O&M) expenses for reasonableness; if a city believes an expense is unreasonable it may exclude it from recovery in rates;
2. The opportunity to review all of Atmos' capital investments for reasonableness; if a city believes a capital investment is imprudent, it may exclude it from recovery in rates;

3. A review of all of Atmos' revenues so that any increases in revenue can offset a proposed increase in rates;
4. A opportunity to seek information from the Company (that is, to conduct discovery) to help the City assess the validity of Atmos' proposed increase in rates;
5. A cap on the amount by which the customer charge can increase; rate increases cannot increase the customer charge by more than the lesser of 40% of the customer charge, or $0.50; further there will be no customer charge increase in the first RRM filing;
6. Reimbursement of the City's cost to undertake its review; and
7. In the end, a fixed reduction of $3 million to what the RRM mechanism would otherwise show to be Atmos' revenue requirement, adjusted by a percentage equal to the total percentage increase in revenue that the RRM would otherwise authorize.

By contrast, the GRIP process provides cities no meaningful opportunity to participate in setting rates or to undertake a meaningful review of the basis for the increase Atmos may seek in a GRIP filing. GRIP filings constitute single-issue ratemaking based on limited facts favoring rate increases and provide:

1. No meaningful participation by cities;
2. No review of increases in revenue that could offset the level of increase that may be needed under the GRIP filing;
3. No review of Atmos' O&M expenses that may serve to offset increases under a GRIP filing;
4. No consideration of very favorable depreciation treatment under the federal tax code that can affect the utility's accumulated deferred federal income taxes (ADFIT);
5. No reimbursement for a city's review of Atmos' filing; and
6. All increases are recovered through an increase in the customer charge.

The RRM provides the City a meaningful opportunity to annually review Atmos' expenses *and* investments, whereas a GRIP filing focuses only on the incremental change in investments.

Note by approving the RRM this resolution, it would not impact rates at this time, but would instead establish the parameters of future RRM filings that Atmos would make beginning in July, 2013. Going forward, new rates would result from collaboration between Atmos and the cities it serves. Any changes in actual charges that Atmos and its cities agree to would be approved in future resolutions.

In the first year of the RRM (2013), Atmos would file its request under the RRM on July 15, 2013 with new rates going into effect on October 15. In subsequent years, the filing would take place by March 1 with new rates going into effect on June 1 of that year. All customers would be notified of each new RRM filing by bill insert. The RRM would be in effect for a four-year period (2013-2017).

The City should take action no later than June 2013.

ATMOS TEXAS MUNICIPALITIES

The Atmos Texas Municipalities ("ATM") group was organized by a number of municipalities served by Atmos; the City is a member of the ATM coalition of cities. The law firm of Herrera & Boyle, PLLC (through Mr. Alfred R. Herrera) has previously represented the ATM in rate cases involving Atmos.

RECOMMENDATION: APPROVAL OF MID-TEX RRM – RATE REVIEW MECHANISM

ATM's Special Counsel and the consultants engaged by ATM recommend that the City approve Atmos' RRM. ATM's counsel and consulting experts have engaged in settlement negotiations and secured better terms than those initially offered by Atmos. The RRM's design is substantially more preferable than the GRIP filings.

ATM's Special Counsel and its consultants believe that the results of the negotiated RRM would provide the City a better opportunity to control the outcome of interim rate reviews over the next several years. Absent this agreement, the City will be exposed to annual GRIP filings that it will have almost no ability to review or influence. Furthermore, Atmos could also initiate another full rate proceeding and/or request that the Railroad Commission approve an RRM that Atmos has designed without the City's input. Nothing in the proposed RRM would limit the legal rights and duties of the City. A City may initiate a rate proceeding at any time to review whether the rates charges are just and reasonable. The Company also retains its right to initiate a rate proceeding in accordance with Texas Utilities Code. The City should approve the RRM.

The City should take action no later than June 2013.

RESOLUTION NO. _____

A RESOLUTION BY THE CITY OF LEANDER, TEXAS ("CITY"), APPROVING AND ADOPTING RATE SCHEDULE "RRM – RATE REVIEW MECHANISM" FOR ATMOS ENERGY CORPORATION, MID-TEX DIVISION TO BE IN FORCE IN THE CITY FOR A PERIOD OF TIME AS SPECIFIED IN THE RATE SCHEDULE; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY.

WHEREAS, the City of Leander, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "the Company"), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under § 103.001 of GURA has exclusive original jurisdiction over the rates, operations and services of Atmos Mid-Tex within the municipality; and

WHEREAS, the City as a member of the coalition of cities served by Atmos Mid-Tex known as the Atmos Texas Municipalities ("ATM"); and

WHEREAS, the City previously approved a Rate Review Mechanism ("RRM") Tariff that allows for an alternative, negotiated rate review process to facilitate annual changes in gas utility rates reflective of Atmos Mid-Tex's annual system-wide cost of providing service in lieu of an interim rate adjustment through a legislatively-constructed Gas Reliability Infrastructure Program ("GRIP"); and

WHEREAS, the RRM process permits City review of requested rate changes and provides for a review of Atmos Mid-Tex's total cost of service on an annual basis; and

WHEREAS, the initial RRM tariff expired in 2011; and

WHEREAS, ATM, through its Special Counsel in conjunction with experts retained on behalf of ATM, negotiated with Atmos Mid-Tex to develop a new RRM process that would annually adjust rates in lieu of rate adjustments through annual GRIP filings or full rate cases at the Railroad Commission; and

WHEREAS, the renewal of the RRM process may avoid costly rate case litigation; and

WHEREAS, ATM's legal counsel recommend ATM member cities approve the negotiated RRM; and

WHEREAS, the attached Rate Schedule "RRM – Rate Review Mechanism" ("RRM Tariff") provides for a reasonable rate review process that is to be utilized in lieu of GRIP filings; and

WHEREAS, the attached RRM Tariff as a whole is in the public interest;

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

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That the City Council finds that the RRM Tariff, which is attached hereto and incorporated herein as "Attachment A," is reasonable and in the public interest, and from the effective date of this Resolution is in force and effect in the City.

Section 3. That to the extent any resolution or Resolution previously adopted by the City Council is inconsistent with this Resolution, it is hereby repealed.

Section 4. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. That if any one or more sections or clauses of this Resolution is judged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 6. That this Resolution shall become effective from and after its passage.

Section 7. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Christopher Felan, Vice President of Rates and Regulatory Affairs, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1600, Dallas, Texas 75240 and to Mr. Alfred R. Herrera, Herrera & Boyle, PLLC, 816 Congress Avenue, Suite 1250, Austin, Texas 78701.

PASSED AND APPROVED this 20th day of June 2013.

_____
Christopher Fielder, Mayor

ATTEST:

_____
Debbie Haile, City Secretary

ATTACHMENT A

RATE REVIEW MECHANISM (RRM)

BILLS RENDERED ON AND AFTER OCTOBER 15, 2013

Last Annual Effective Date: June 1, 2017

RATE SCHEDULE:	RRM – Rate Review Mechanism	
APPLICABLE TO:	ALL AREAS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS CUSTOMERS	
EFFECTIVE DATE:	Bills Rendered on and after October 15, 2013	PAGE 1 OF 6

I. Applicability

Applicable to Residential, Commercial, Industrial, and Transportation tariff customers in the Mid-Tex Division of Atmos Energy Corporation ("Company") except such customers within the City of Dallas. This Rate Review Mechanism ("RRM") provides for an annual adjustment to the Company's Rate Schedules R, C, I and T ("Applicable Rate Schedules"). Rate calculations and adjustments required by this tariff shall be determined on a System-Wide cost basis.

II. Definitions

"Test Period" is defined as the twelve months ending December 31 of each preceding calendar year.

The "Effective Date" is the date that adjustments required by this tariff are applied to customer bills. The annual Effective Date is June 1. The 2013 filing Effective Date is October 15, 2013.

Unless otherwise noted in this tariff, the term "Final Order" refers the final order issued by the Railroad Commission of Texas in GUD 10170.

The term "System-Wide" means all incorporated and unincorporated areas served by the Company.

"Review Period" is defined as the period from the Filing Date until the Effective Date.

The "Filing Date" is as early as practicable but no later than March 1 of each year with the exception of 2013, which shall have a Filing Date of July 15, 2013. The last annual Effective Date is June 1, 2017.

III. Calculation

The RRM shall calculate an annual, System-Wide cost of service ("COS") that will be used to adjust applicable rate schedules prospectively as of the Effective Date. The annual cost of service will be calculated according to the following formula:

$$COS = OM + DEP + RI + TAX + CD - ADJ$$

Where:

OM = all reasonable and necessary operation and maintenance expenses from the Test Period adjusted for known and measurable items and prepared

consistent with the rate making treatments approved in the Final Order. Known and measurable adjustments shall be limited to those changes that have occurred prior to the Filing Date. OM may be adjusted for atypical and non-recurring items. Shared Services allocation factors shall be recalculated each year based on the latest component factors used during the Test Period, but the methodology used will be that approved in the Final Order.

DEP = depreciation expense calculated at depreciation rates approved by the Final Order.

RI = return on investment calculated as the Company's pretax return multiplied by rate base at Test Period end. Rate base is prepared consistent with the rate making treatments approved in the Final Order, except that no post Test Period adjustments will be permitted. Pretax return is the Company's weighted average cost of capital before income taxes. The Company's weighted average cost of capital is calculated using the methodology from the Final Order including the Company's actual capital structure and long term cost of debt as of the Test Period end (adjusted for any known and measurable changes) and the return on equity from the Final Order. However, in no event will the percentage of equity exceed 55%. Regulatory adjustments due to prior regulatory rate base adjustment disallowances will be maintained. Cash working capital will be calculated using the lead/lag days approved in the Final Order. With respect to pension and other postemployment benefits, the Company will record a regulatory asset or liability for these costs until the amounts are included in the next annual rate adjustment implemented under this tariff. Each year, the Company's filing under this Rider RRM will clearly state the level of pension and other postemployment benefits recovered in rates.

TAX = income tax and taxes other than income tax from the Test Period adjusted for known and measurable changes occurring after the Test Period and before the Filing Date, and prepared consistent with the rate making treatments approved in the Final Order.

CD = interest on customer deposits.

ADJ = Downward adjustment to the overall, System-Wide test year cost of service in the amount of $3,000,000.00, adjusted by a percentage equal to the total percentage increase in base-rate revenue sought pursuant to this tariff.

IV. Annual Rate Adjustment

The Company shall provide schedules and work papers supporting the Filing's revenue deficiency/sufficiency calculations using the methodology accepted in the Final Order. The result shall be reflected in the proposed new rates to be established for the effective period. The Revenue Requirement will be apportioned to customer classes in the same manner that Company's Revenue Requirement was apportioned in the Final Order. For the Residential Class, 40% of the increase may be recovered in the customer charge. The increase to the Residential customer charge shall not exceed $0.50 per month in any given year. The remainder of the Residential Class increase not collected in the customer charge will be recovered in the usage charge. The Company will forgo any change in the Residential customer charge with the first proposed rate adjustment pursuant to this tariff. For all other classes, the change in rates will be apportioned between the customer charge and the usage charge, consistent with the Final Order. Test Period billing determinants shall be adjusted and normalized according to the methodology utilized in the Final Order.

V. Filing

The Company shall file schedules annually with the regulatory authority having original jurisdiction over the Company's rates on or before the Filing Date that support the proposed rate adjustments. The schedules shall be in the same general format as the cost of service model and relied-upon files upon which the Final Order was based. A proof of rates and a copy of current and proposed tariffs shall also be included with the filing. The filing shall be made in electronic form where practical. The Company's filing shall conform to Minimum Filing Requirements (to be agreed upon by the parties), which will contain a minimum amount of information that will assist the regulatory authority in its review and analysis of the filing. The Company and regulatory authority will endeavor to hold a technical conference regarding the filing within ten (10) calendar days after the Filing Date.

The 2013 Filing Date will be July 15, 2013

A sworn statement shall be filed by an Officer of the Company affirming that the filed schedules are in compliance with the provisions of this Rate Review Mechanism and are true and correct to the best of his/her knowledge, information, and belief. No testimony shall be filed, but a brief narrative explanation shall be provided of any changes to corporate structure, accounting methodologies, allocation of common costs, or atypical or non- recurring items included in the filing.

VI. Evaluation Procedures

The regulatory authority having original jurisdiction over the Company's rates shall review and render a decision on the Company's proposed rate adjustment prior to the

Effective Date. The Company shall provide all supplemental information requested to ensure an opportunity for adequate review by the relevant regulatory authority. The Company shall not unilaterally impose any limits upon the provision of supplemental information and such information shall be provided within seven (7) working days of the original request. The regulatory authority may propose any adjustments it determines to be required to bring the proposed rate adjustment into compliance with the provisions of this tariff.

The regulatory authority may disallow any net plant investment that is not shown to be prudently incurred. Approval by the regulatory authority of net plant investment pursuant to the provisions of this tariff shall constitute a finding that such net plant investment was prudently incurred. Such finding of prudence shall not be subject to further review in a subsequent RRM or Statement of Intent filing.

During the Review Period, the Company and the regulatory authority will work collaboratively and seek agreement on the level of rate adjustments. If, at the end of the Review Period, the Company and the regulatory authority have not reached agreement, the regulatory authority shall take action to modify or deny the proposed rate adjustments. The Company shall have the right to appeal the regulatory authority's action to the Railroad Commission of Texas. Upon the filing of an appeal of the regulatory authority's order relating to an annual RRM filing with the Railroad Commission of Texas, the regulatory authority having original jurisdiction over the Company's rates shall not oppose the implementation of the Company's proposed rates subject to refund, nor will the regulatory authority advocate for the imposition of a third party surety bond by the Company. Any refund shall be limited to and determined based on the resolution of the disputed adjustment(s) in a final, non-appealable order issued in the appeal filed by the Company at the Railroad Commission of Texas.

In the event that the regulatory authority and Company agree to a rate adjustment(s) that is different from the adjustment(s) requested in the Company's filing, the Company shall file compliance tariffs consistent with the agreement. No action on the part of the regulatory authority shall be required to allow the rate adjustment(s) to become effective on June 1. To the extent that the regulatory authority does not take action on the Company's RRM filing by May 31, the rates proposed in the Company's filing shall be deemed approved effective June 1. (2013 filing RRM rate will be effective October 15, 2013 if no action is taken). Notwithstanding the preceding sentence, a regulatory authority may choose to take affirmative action to approve a rate adjustment under this tariff. In those instances where such approval cannot reasonably occur by May 31, the rates finally approved by the regulatory authority shall be deemed effective as of June 1.

To defray the cost, if any, of regulatory authorities conducting a review of the Company's annual RRM filing, the Company shall reimburse the regulatory authorities on a monthly basis for their reasonable expenses incurred upon submission of invoices

for such review. Any reimbursement contemplated hereunder shall be deemed a reasonable and necessary operating expense of the Company in the year in which the reimbursement is made. A regulatory authority seeking reimbursement under this provision shall submit its request for reimbursement to the Company no later than August 1 of the year in which the RRM filing is made and the Company shall reimburse regulatory authorities in accordance with this provision on or before August 30 of the year the RRM filing is made.

To the extent possible, the provisions of the Final Order shall be applied by the regulatory authority in determining whether to approve or disapprove of Company's proposed rate adjustment.

This Rider RRM does not limit the legal rights and duties of a regulatory authority. Nothing herein shall abrogate the jurisdiction of the regulatory authority to initiate a rate proceeding at any time to review whether rates charged are just and reasonable. Similarly, the Company retains its right to utilize the provisions of Texas Utilities Code, Chapter 104, Subchapter C to request a change in rates. The provisions of this Rider RRM are implemented in harmony with the Gas Utility Regulatory Act (Texas Utilities Code, Chapters 101-105).

The annual rate adjustment process set forth in this tariff shall remain in effect during the pendency of any Statement of Intent rate filing.

VII. Reconsideration, Appeal and Unresolved Items

Orders issued pursuant to this mechanism are ratemaking orders and shall be subject to appeal under Sections 102.001(b) and 103.021, et seq., of the Texas Utilities Code (Vernon 2007).

VIII. Notice

Notice of each annual RRM filing shall be provided by including the notice, in conspicuous form, in the bill of each directly affected customer no later than forty-five (45) days after the Company makes its annual filing pursuant to this tariff. The notice to customers shall include the following information:

a) a description of the proposed revision of rates and schedules;

b) the effect the proposed revision of rates is expected to have on the rates applicable to each customer class and on an average bill for each affected customer;

c) the service area or areas in which the proposed rates would apply;

d) the date the annual RRM filing was made with the regulatory authority; and

e) the Company's address, telephone number and website where information concerning the proposed rate adjustment be obtained.

Executive Summary

June 20, 2013

Agenda Subject: Zoning Case 13-TOD-001: Hold a public hearing and consider action on the rezoning of two parcels, generally located 300 feet north of the intersection of CR 273/Mel Mathis and RM 2243 for 21.80 acres more or less; Parcels #R031324 & R510026. Currently, the property is zoned PUD/TOD (Planned Unit Development/Transit Oriented Development) and the applicant is proposing an amendment to the PUD/TOD Leander, Williamson County, Texas.

Background: This request is the second step in the rezoning process.

Origination: Applicant Jeff Musgrove on behalf of TVI, LTD

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the following waivers at the June 13, 2013 meeting:

- Average lot size may be 4,000 square feet
- Garage may be located in the 2nd layer
- Parking may be located in front of the house
- 10% of the front facade shall be masonry (not including hardi-plank)

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Aerial Map
4. PUD Plan
5. Letter of Intent
6. Letter from Pix Howell, Urban Design Officer

7. Ordinance
8. Minutes - Planning & Zoning Commission June 13, 2013

Prepared By: Tom Yantis, AICP
Planning Director 06/13/2013

PLANNING ANALYSIS

ZONING CASE 13-TOD-001
CR 273/MEL MATHIS & RM 2243

GENERAL INFORMATION

Owner: TVI, LTD

Current Zoning: PUD/TOD (Planned Unit Development/Transit Oriented Development)

Proposed Zoning: Amendment to the PUD/TOD (Planned Unit Development/Transit Oriented Development)

Size and Location: The subject property is generally located 300 feet north of the intersection of CR 273/Mel Mathis and RM 2243 for 21.80 acres more or less

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	PUD/TOD	Undeveloped Land zoned PUD/TOD
EAST	PUD/TOD	Undeveloped Land zoned PUD/TOD
SOUTH	PUD/TOD	Undeveloped Land zoned PUD/TOD
WEST	GC-3-C	Established Single-Family & Commercial Properties (Old Town)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

PUD/TOD–PLANNED UNIT DEVELOPMENT/TRANIST ORIENTED DEVELOPMENT

An Ordinance of the City of Leander established a Planned Unit Development District (PUD) called the Leander TOD. This PUD defined a form-based code and a Transect Map (or regulating plan) as the community plan and PUD plan for the geographic area set forth in the ordinance. The TOD is an area where a mixed-use, pedestrian friendly requirement will prevail over the typical land-use oriented plan; where all commercial and residential land-uses may be developed by right; where streets are designed to slow traffic rather than encourage it; where residents can find neighborhood services and goods within a ten-minute walk and where there is a variety of housing types and price ranges.

T4–NEIGHBORHOOD GENERAL TRANSECT ZONE

The Neighborhood General Zone has a denser, primarily residential urban fabric. Mixed use is confined to certain corner locations. This Zone has a wide range of building types. Single, sideyard, and row houses are set close to the frontages. Streets typically define medium-sized blocks.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide Opportunities for coordinated, well-planned growth and development that are consistent with the Comprehensive Plan.

ANALYSIS:

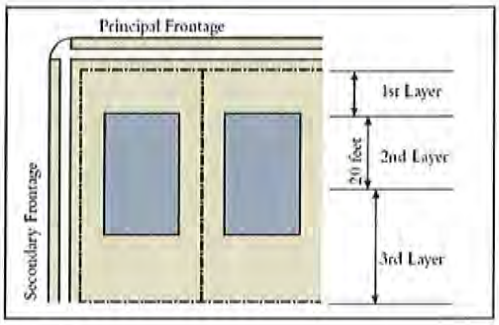
This request was heard by the Planning & Zoning Commission on April 25, 2013 and City Council on May 2, 2013. The case is before the Commission again because of a notification error. The City Council approved the request with the following waivers:

- Average lot size may be 4,000 square feet
- Garage may be located in the 2nd layer
- Parking may be located in front of the house
- 10% of the front facade shall be masonry (not including hardi-plank)

The applicant is requesting an amendment to the TOD (Transit Oriented Development) district in order to allow for a single-family project. The applicant is proposing lots that are a minimum of forty (40') feet wide and 4,000 square feet in lot area. The following waivers are requested:

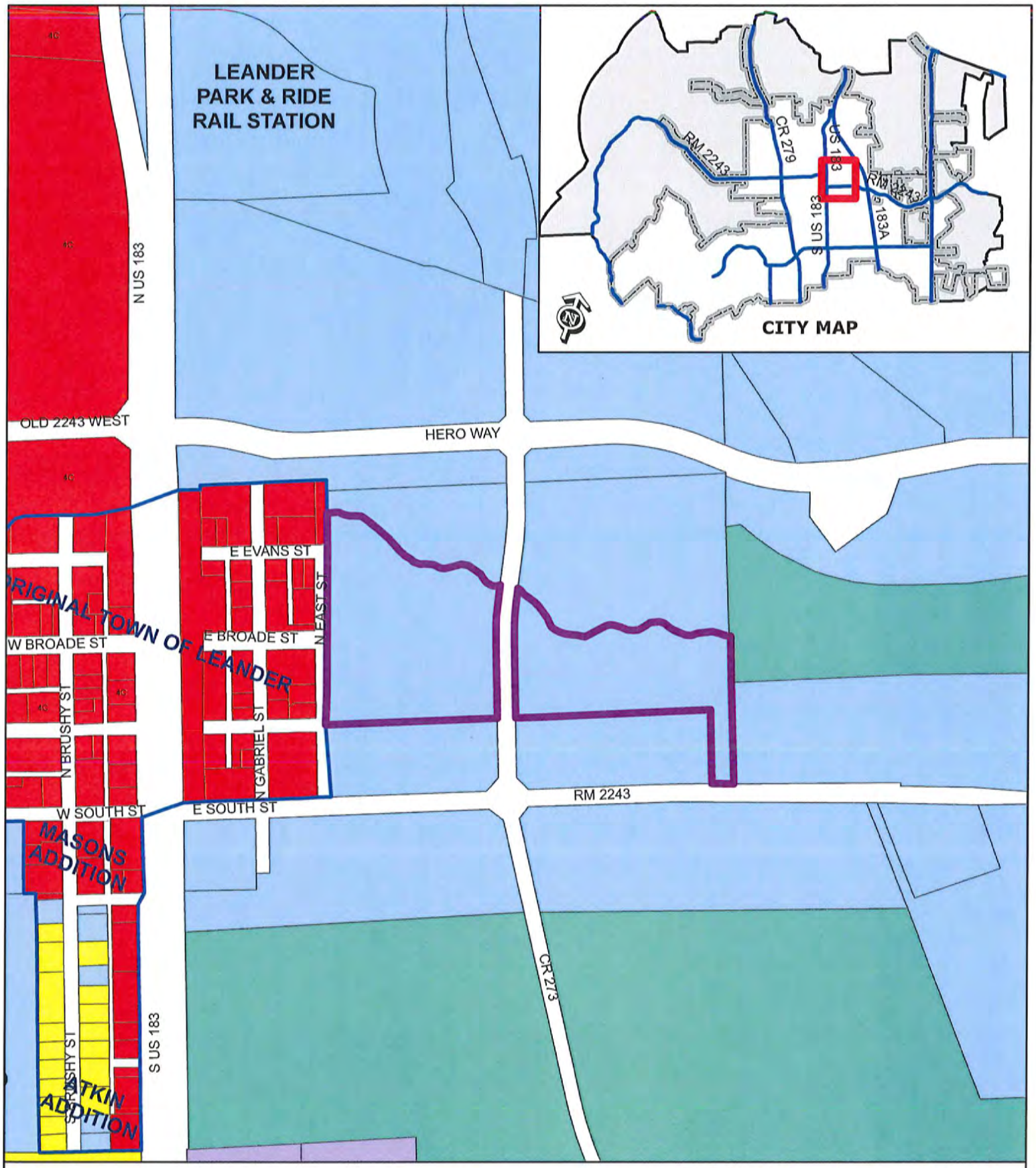
REQUIREMENT	WAIVER
Average Lot Size = 2,500 sqft	Average Lot Size = 4,000 sqft
Garage is located in the 3rd layer	Garage may be located in the 2nd layer
Parking is located behind the house	Parking may be located in front of the house

Currently, the SmartCode requires that garages are located in the 3rd Layer (see exhibit to the right). Since the applicant is not proposing alleys and rear entry garages they are requesting a waiver to allow for a front entry garage and driveway parking in front of the structure. A garage in the second layer would require that the garage is still located in line with or behind the home.



In addition, the applicant is proposing bump outs along the streets to accommodate on street parking and each home is limited to a one car garage due to the size of the lots.

If the zoning is approved, the SmartCode and subdivision regulations will apply to this property with regards to land use, architectural design, signage, and site development. These standards will assure compatibility between the existing uses and the proposed development.



ZONING CASE 13-TOD-001

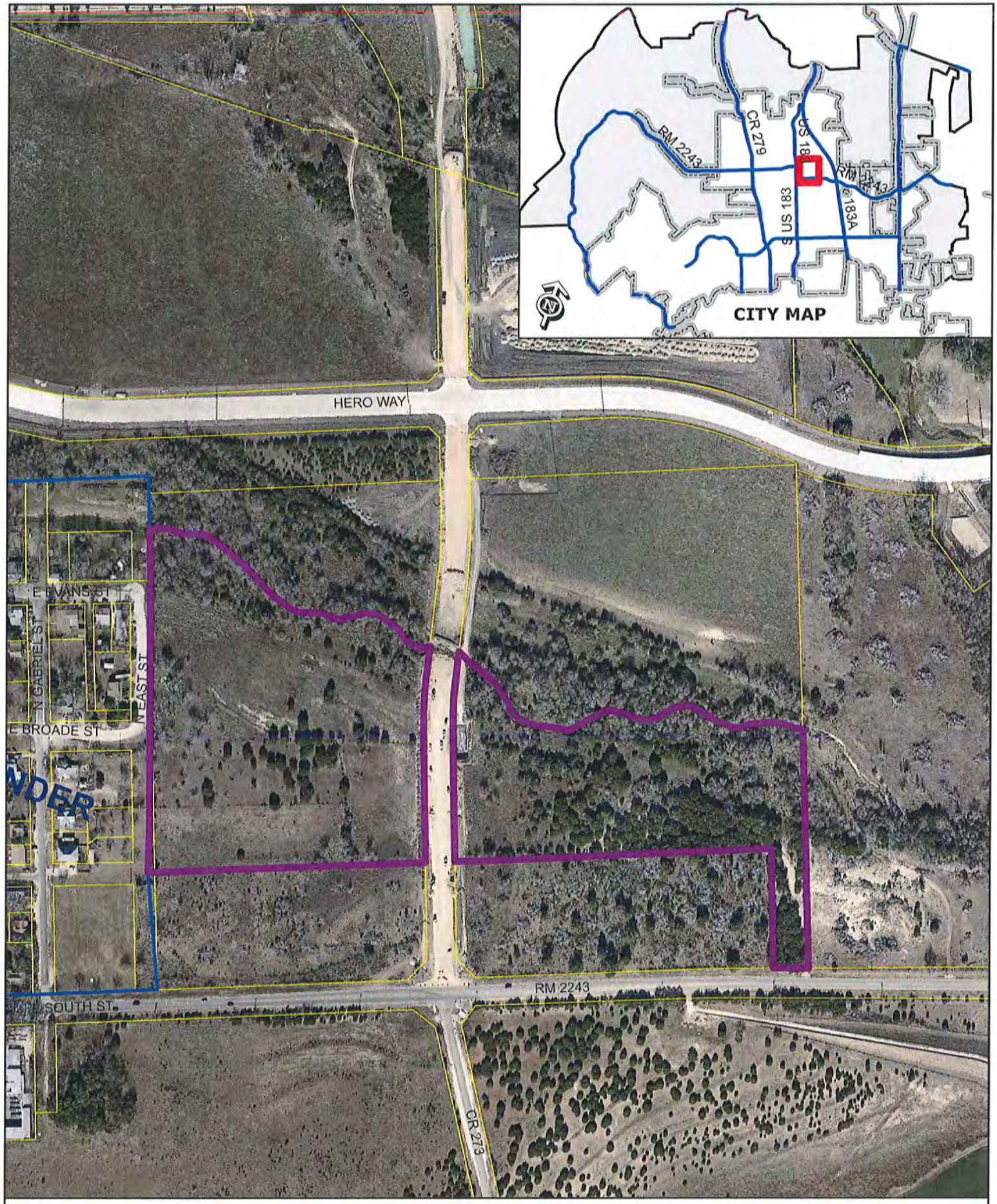
Attachment #2

Current Zoning Map
Village at Leander Station
CR 273/Mel Mathis & RM 2243

Subject Property
Original Town of Leander

SFR	SFT	GC
SFE	SFU/MH	LI
SFS	TF	HI
SFU	MF	PUD
SFC	LO	
SFL	LC	

0 200 400
Feet

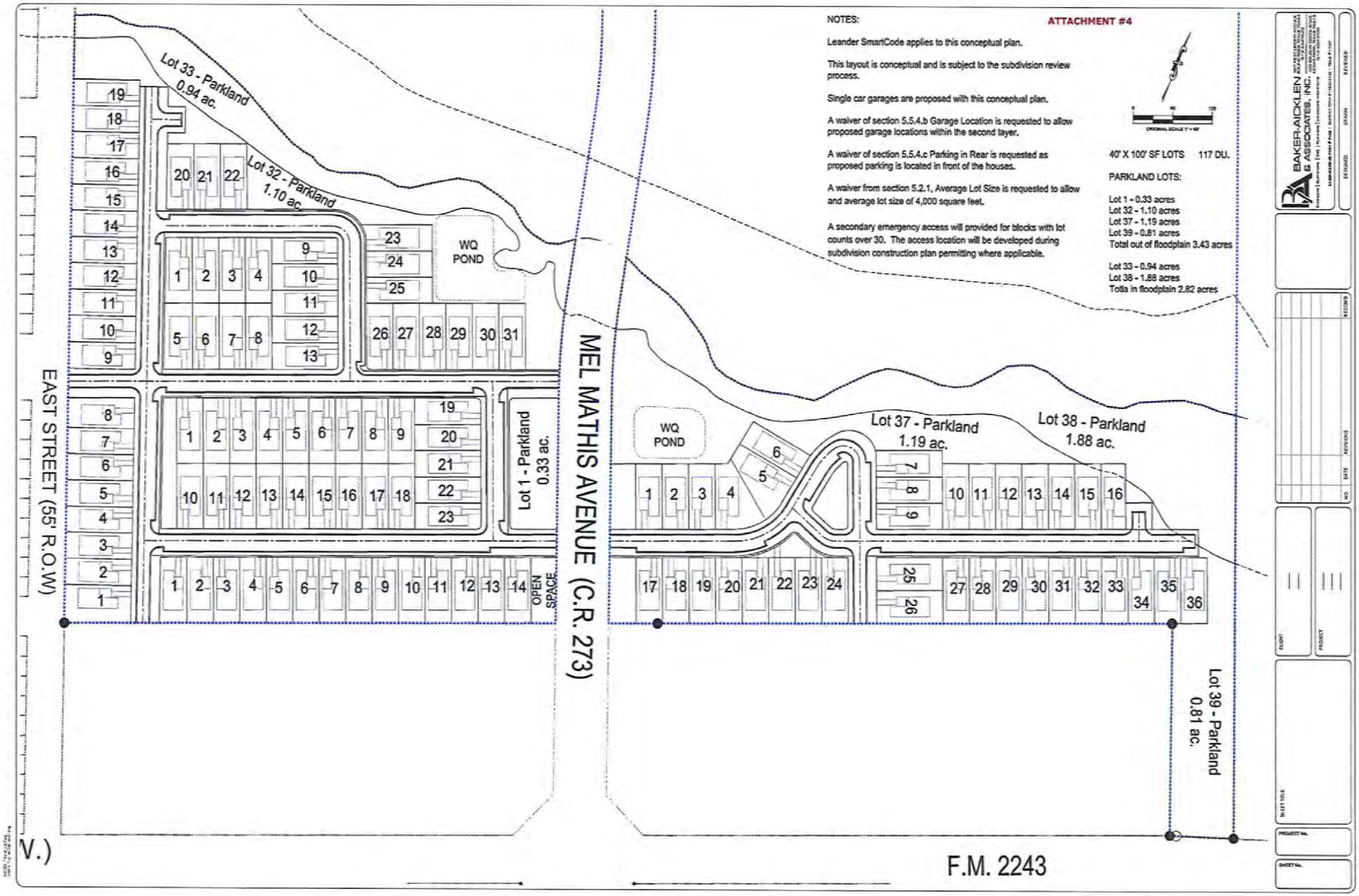


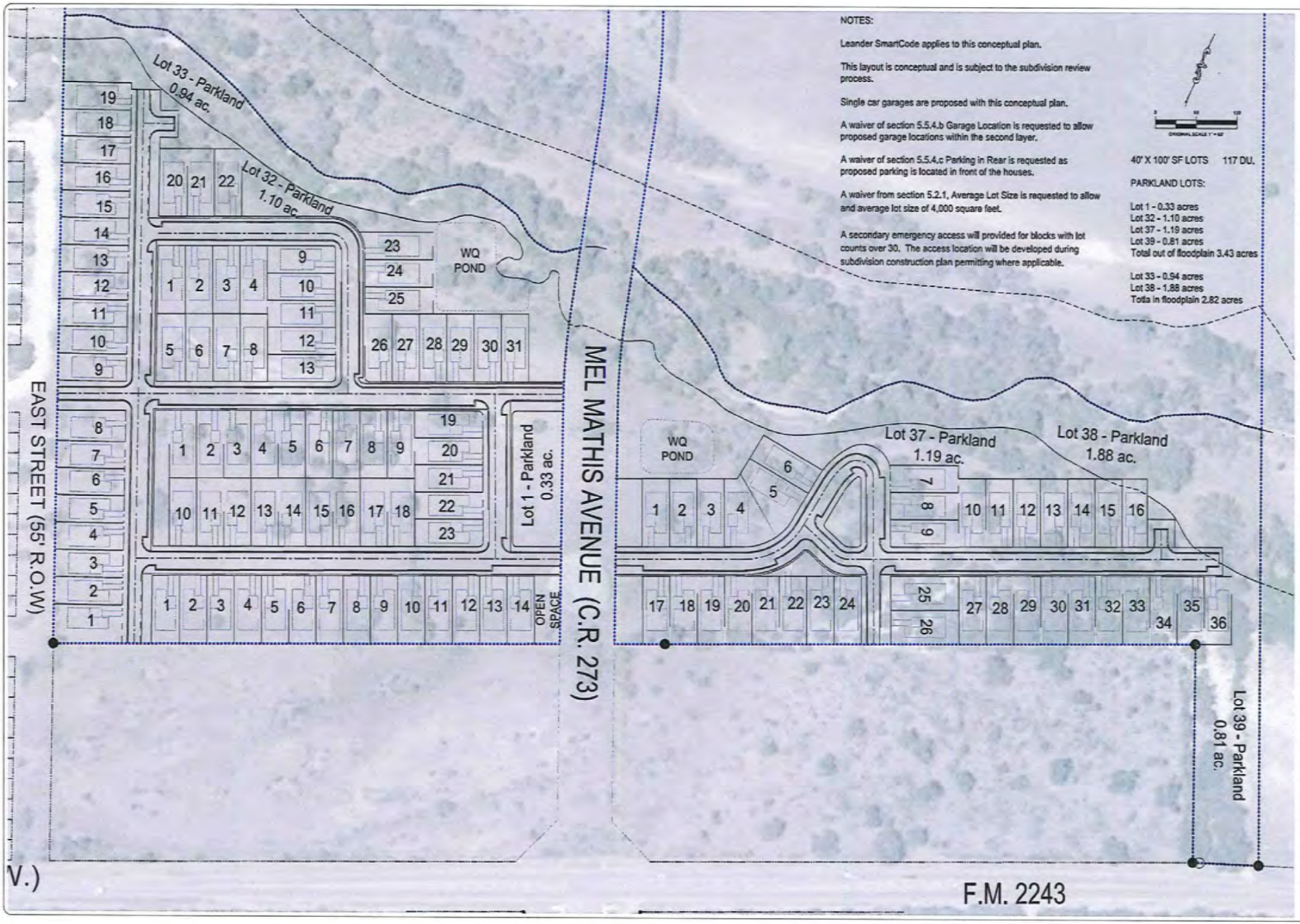
ZONING CASE 13-TOD-001 Attachment #3

Aerial Exhibit - Approximate Boundaries
Village at Leander Station - SF PUD AMD

Subject Property

0 200
Feet


ATTACHMENT #4
NOTES:
Leander SmartCode applies to this conceptual plan.
This layout is conceptual and is subject to the subdivision review process.
Single car garages are proposed with this conceptual plan.
A waiver of section 5.5.4.b Garage Location is requested to allow proposed garage locations within the second layer.
A waiver of section 5.5.4.c Parking in Rear is requested as proposed parking is located in front of the houses.
A waiver from section 5.2.1, Average Lot Size is requested to allow and average lot size of 4,000 square feet.
A secondary emergency access will provided for blocks with lot counts over 30. The access location will be developed during subdivision construction plan permitting where applicable.
40' X 100' SF LOTS 117 DU.
PARKLAND LOTS:
Lot 1 - 0.33 acres
Lot 32 - 1.10 acres
Lot 37 - 1.19 acres
Lot 39 - 0.81 acres
Total out of floodplain 3.43 acres
Lot 33 - 0.94 acres
Lot 38 - 1.88 acres
Total in floodplain 2.82 acres
Lot 33 - Parkland 0.94 ac.
Lot 32 - Parkland 1.10 ac.
WQ POND
Lot 1 - Parkland 0.33 ac.
OPEN SPACE
WQ POND
Lot 37 - Parkland 1.19 ac.
Lot 38 - Parkland 1.88 ac.
Lot 39 - Parkland 0.81 ac.
EAST STREET (55' R.O.W)
MEL MATHIS AVENUE (C.R. 273)
F.M. 2243
BAKER-AICKLEN & ASSOCIATES, INC.



NOTES:

Leander SmartCode applies to this conceptual plan.

This layout is conceptual and is subject to the subdivision review process.

Single car garages are proposed with this conceptual plan.

A waiver of section 5.5.4.b Garage Location is requested to allow proposed garage locations within the second layer.

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Total out of floodplain 3.43 acres

Lot 33 - 0.94 acres
Lot 38 - 1.88 acres
Totla in floodplain 2.82 acres

BAKER-AICKLEN & ASSOCIATES, INC.

NO	DATE	REVISIONS	RECORD

CLIENT

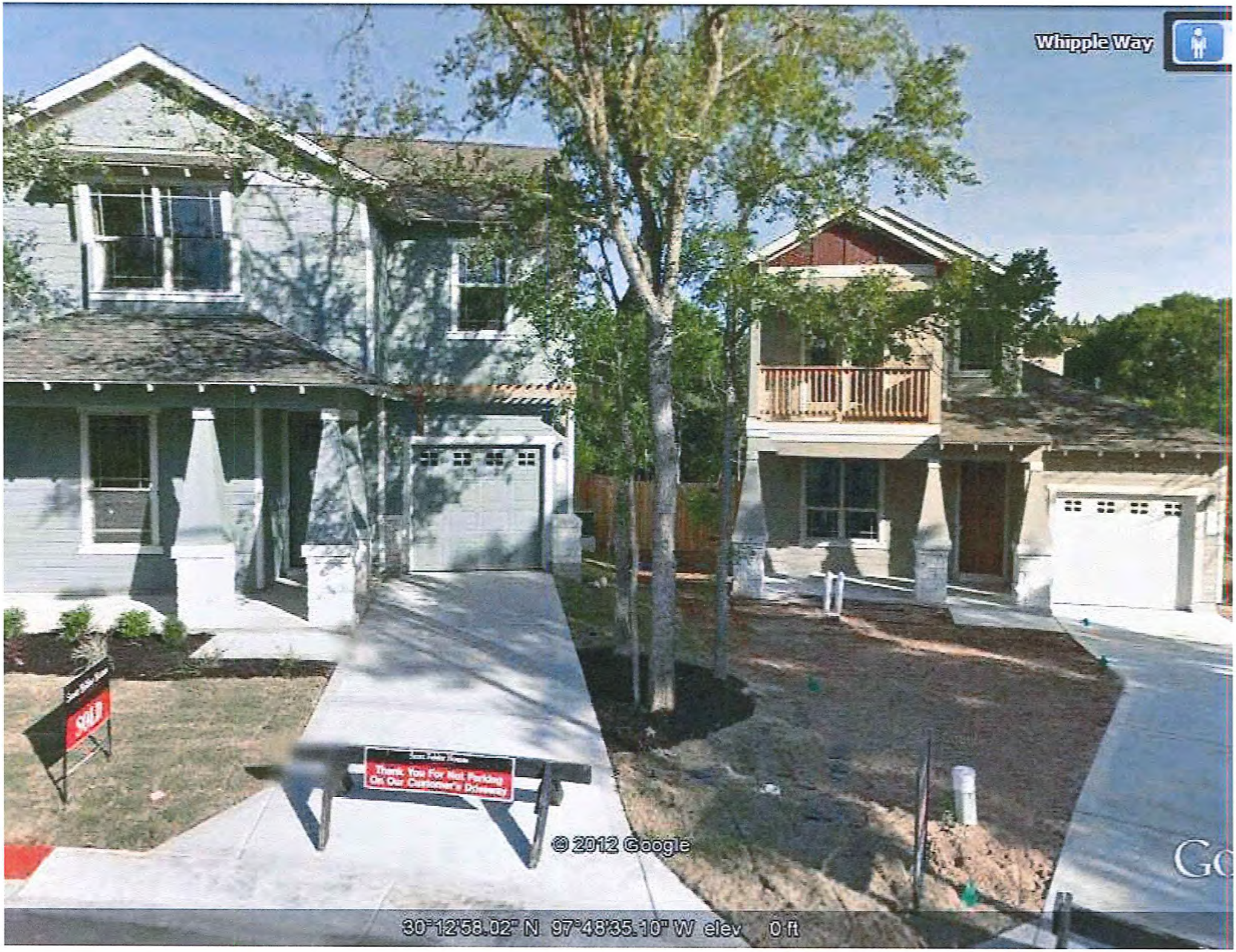
PROJECT

SHEET TITLE

PROJECT No.

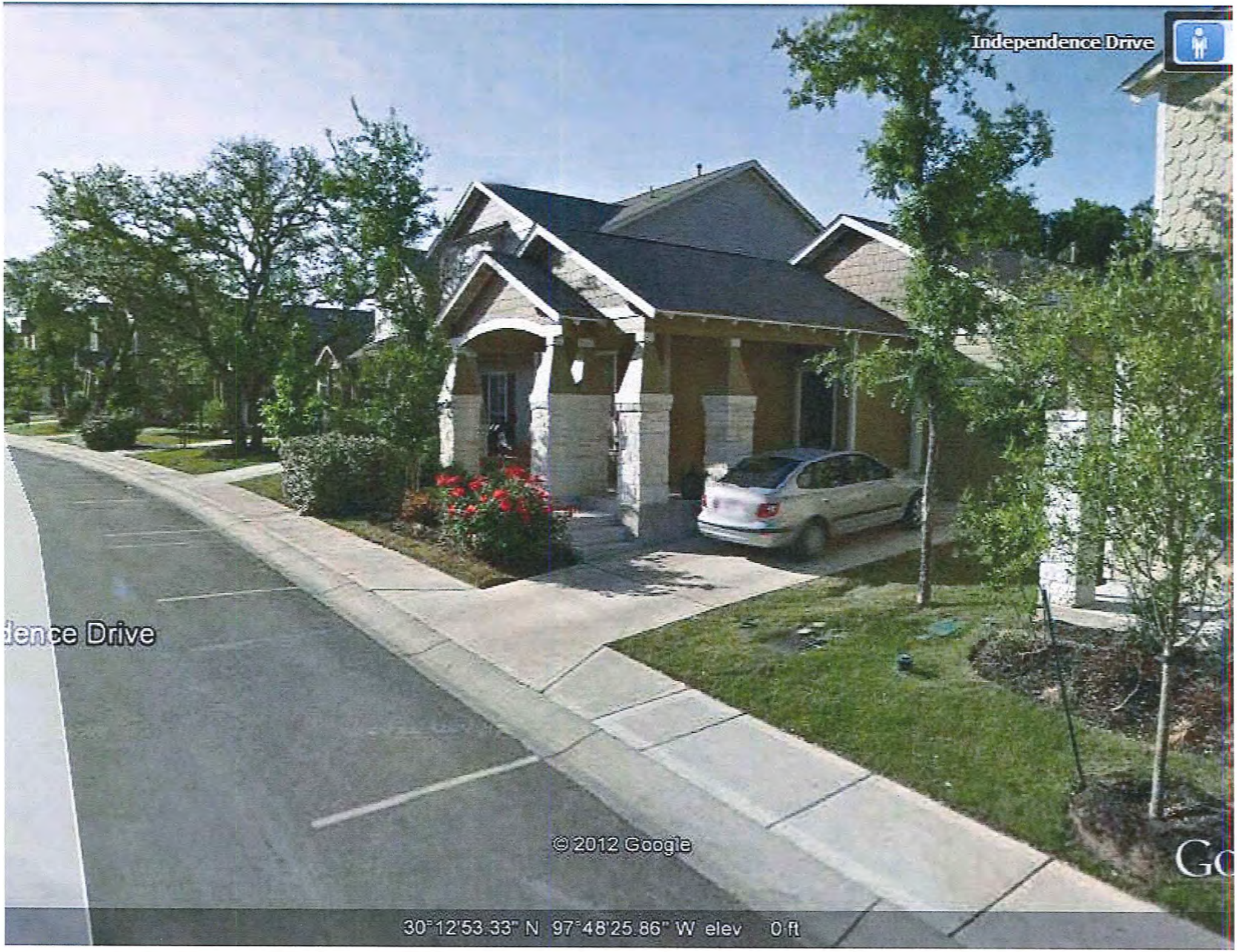
SHEET No.

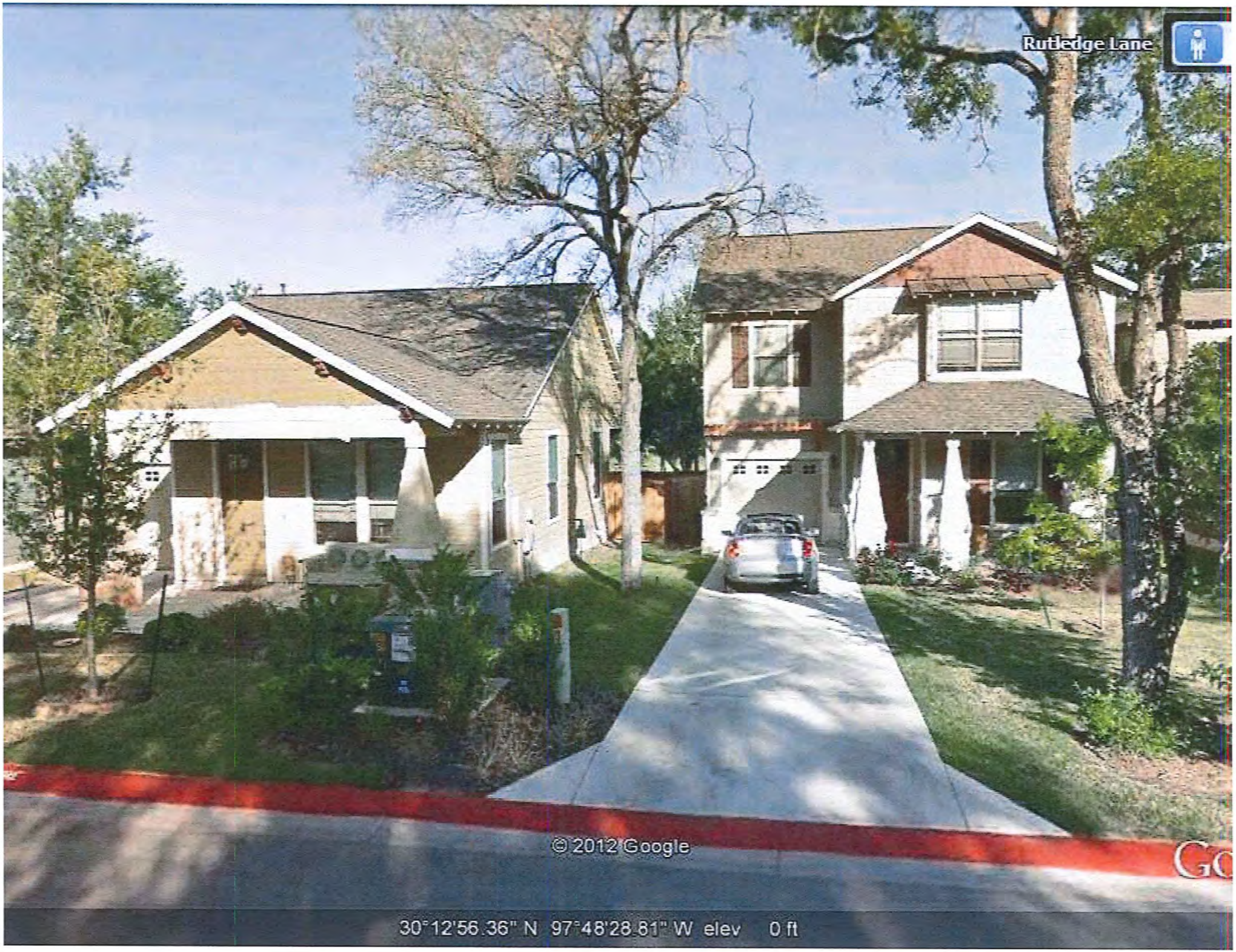
V.)

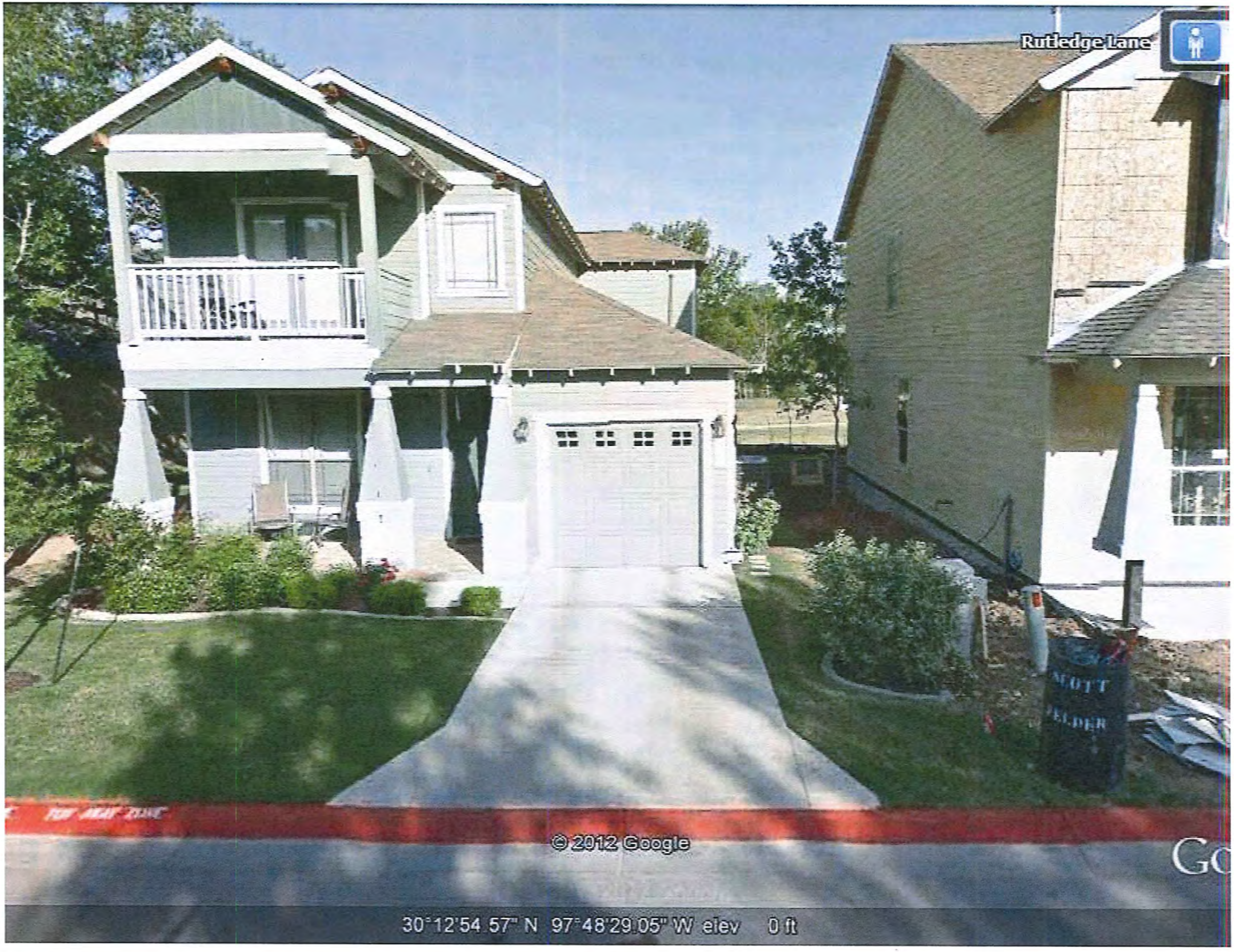

Whipple Way
SOLD
Thank You For Not Parking
On Our Customer's Driveway
© 2012 Google
30°12'58.02" N 97°48'35.10" W elev 0 ft

Amur Drive
© 2012 Google
30°12'49.57" N 97°48'24.48" W elev 5 ft

Independence Drive
© 2012 Google
30°12'54.33" N 97°48'25.08" W elev 8 ft


Independence Drive
dence Drive
© 2012 Google
30°12'53.33" N 97°48'25.86" W elev 0 ft


Rutledge Lane
© 2012 Google
30°12'56.36" N 97°48'28.81" W elev 0 ft


Rutledge Lane
© 2012 Google
30°12'54.57" N 97°48'29.05" W elev 0 ft

ATTACHMENT #5

Transit Village Investments, Ltd.
1301 Capital of Texas Hwy.
Suite A-300
Austin, Texas 78746

March 7, 2013

Pix Howell
Urban Design Officer
City of Leander
200 West Willis Street
Leander, Texas 78641

RE: Proposed Single Family development – a portion of Williamson County Tax Appraisal properties R031324 and R510026

Dear Pix:

Please accept the following as Letter of Intent to propose development with adjustments to the SmartCode, as required by the City of Leander's TOD PUD zoning application. The property described in this application is located south of the south fork of Brushy Creek and north of FM 2243. The site is two tracts of land, on both sides of Mel Mathis Blvd., approximately 8.94 acres on the east side and approximately 12.86 acres on the west side. The project is proposed to be a single family development.

Configuration of the project attempts to respect the intent of the TOD but financing requirements, market conditions, tract configuration and topography require certain elements of the site plan make strict adherence to the SmartCode problematic. The general configuration is as shown on the attached illustration.

Lots are generally 40' wide and all face proposed public streets which is within the design parameters of T4 of the Transect Map, as does the roadway cross-section and green space requirements. Proposed deviations from the SmartCode will be addressed in the accompanying information package.

All homes in the subdivision will be limited to a single wide garage doors, some homes may be constructed with "tandem" garages to accommodate two cars. Strict architectural control of facades will provide for attractive appearances.

We hereby request a PUD amendment to allow development of this project to begin as soon as possible.

Sincerely,

Jeff Musgrove, P.E.
Partner

ATTACHMENT #6

Leander TOD

April 19, 2013

Chair and Commissioners
City of Leander Planning and Zoning Commission
201 North Brushy
Leander, Texas 78646

Reference: 13-TOD-001 & 13-TOD-002 Village at Leander Station PUD/TOD Amendments

Dear Chair and Commissioners,

These two cases represent the first "New Community" developments in the TOD. As you might expect, they are not the eight story office/residential building that will someday inhabit the area around the rail station. They are, however, the types of residential elements that will make up a good portion of the TOD.

13-TOD-001 represents a hybrid approach to small lot single family. It respects the intent of the SmartCode if not complying with every element. It is important to meld current market requirements so that this first project of its type can be a success. I support the amendments and hope to demonstrate our capability to realize a project that respects the vision of the TOD.

13-TOD-002 represents another hybrid approach to medium density residential as confined by the Housing and Urban Development (HUD) guidelines for financing. The TOD will contain numerous multi-family type properties and this one will also include a phase of commercial when the market is ready. There is some irony represented here in that the administration of HUD touts the benefit of mixed use and urban planning but their guidelines are primarily suburban. The amendments address the conflicts that the HUD duplicity creates with the SmartCode. I support these amendments and think that they demonstrate the flexibility that will be necessary for many projects where the lender imposes site requirements that are not urban in nature, while respecting the intent of the TOD.

The TOD plan relies on the "pedestrian sheds" as the measure of mixed use. Both of these project are primarily a single use but the capability to ensure a vibrant mix of uses remains.

I request that you approve these zoning amendments and carry on the vision of the Leander TOD.

Sincerely,

Pix Howell, AICP
Urban Design Officer

ORDINANCE NO #

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE PUD/TOD (PLANNED UNIT DEVELOPMENT/TRANSIT ORIENTED DEVELOPMENT) DISTRICT ORDINANCE FOR TWO PARCELS OF LAND; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that PUD/TOD associated with the Property be amended;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed amendment and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant an amendment to the PUD/TOD district associated with the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of PUD/TOD Ordinance. Ordinance No. 05-026, as amended, the City of Leander PUD/TOD Ordinance, is hereby modified and amended for these Properties as set forth in Section 3.

Section 3. PUD/TOD Amendment. The PUD/TOD Ordinance is hereby amended for two parcels located generally 300 feet north of the intersection of CR 273/Mel Mathis and RM 2243. The property is approximately 21.80 acres more or less in size and includes parcels #R031324 and R0510026. The PUD/TOD associated with these parcels is hereby amended as shown in Exhibit A with the following waivers: (1) Average lot size may be 4,000 square feet (2) Garage may be located in the 2nd layer (3) Parking may be located in front of the house (4) 10% of the front facade shall be masonry (not including hardi-plank); Leander, Williamson County, Texas. (See Exhibit A).

Section 4. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 5. Open Meetings. That it is hereby officially found and determined that the meeting at

which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 20th day of June, 2013.
FINALLY PASSED AND APPROVED on this the 11th day of July, 2013.

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

ATTEST:

Debbie Haile, City Secretary

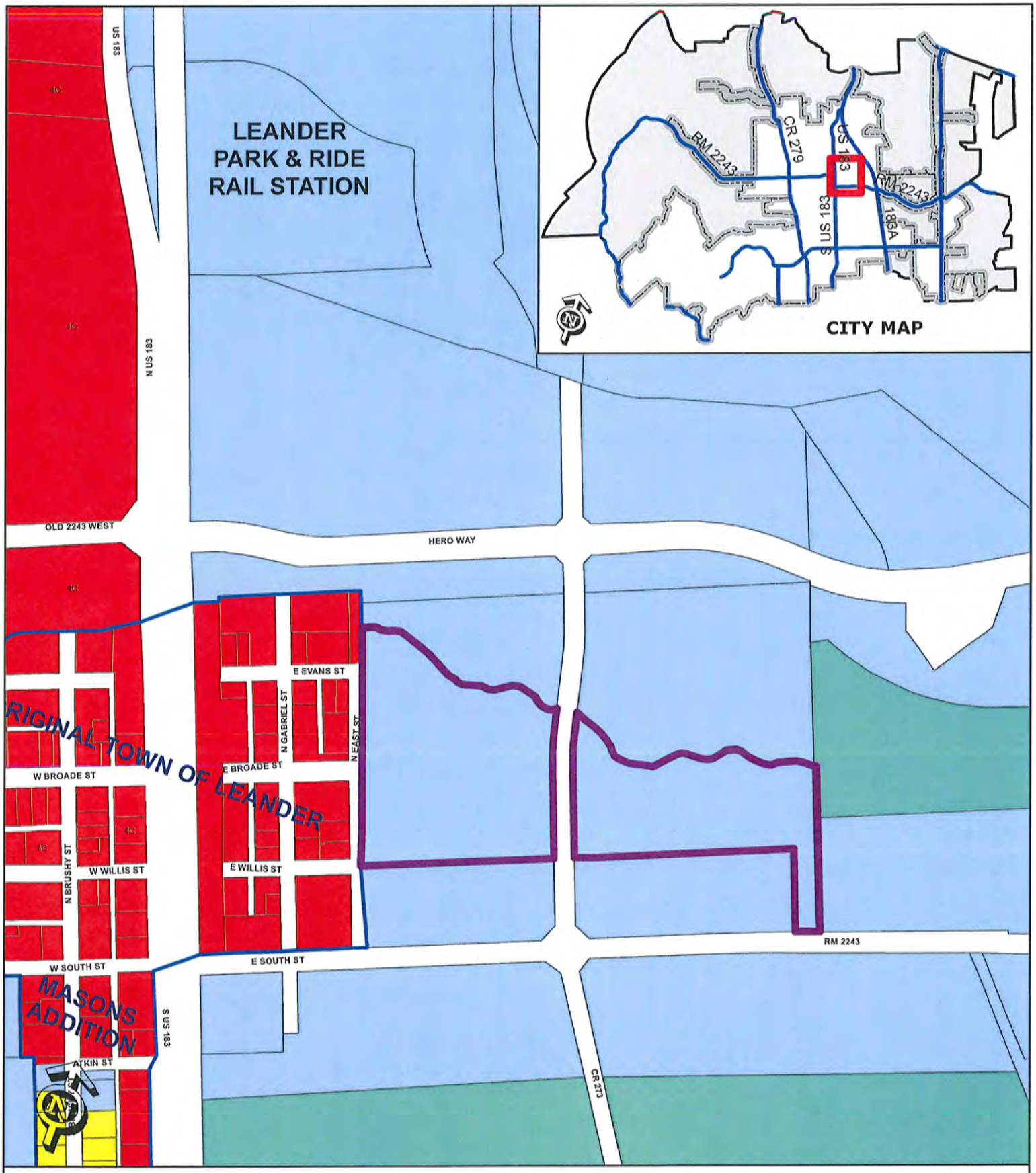


EXHIBIT A

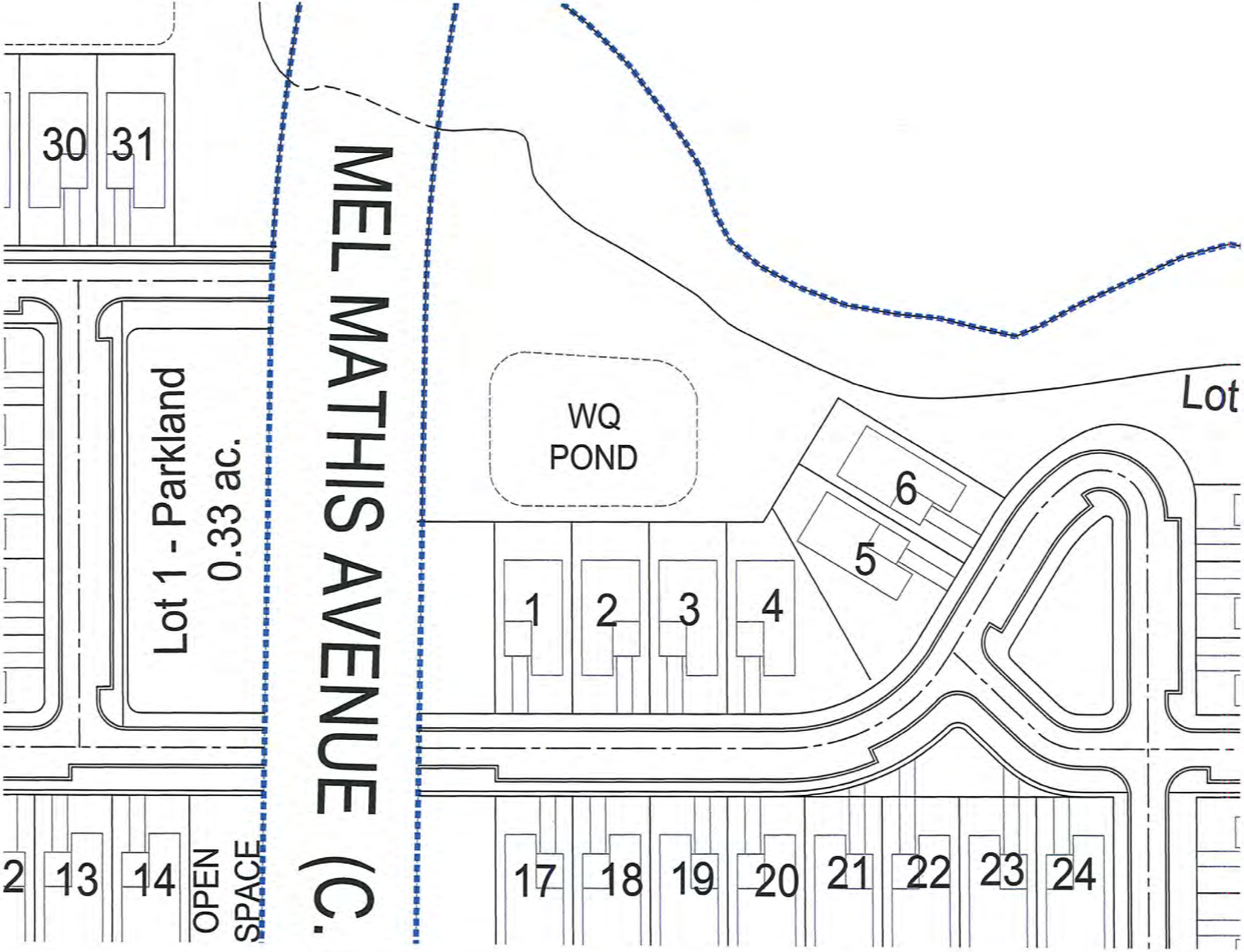
PUD/TOD Amendment
13-TOD-001

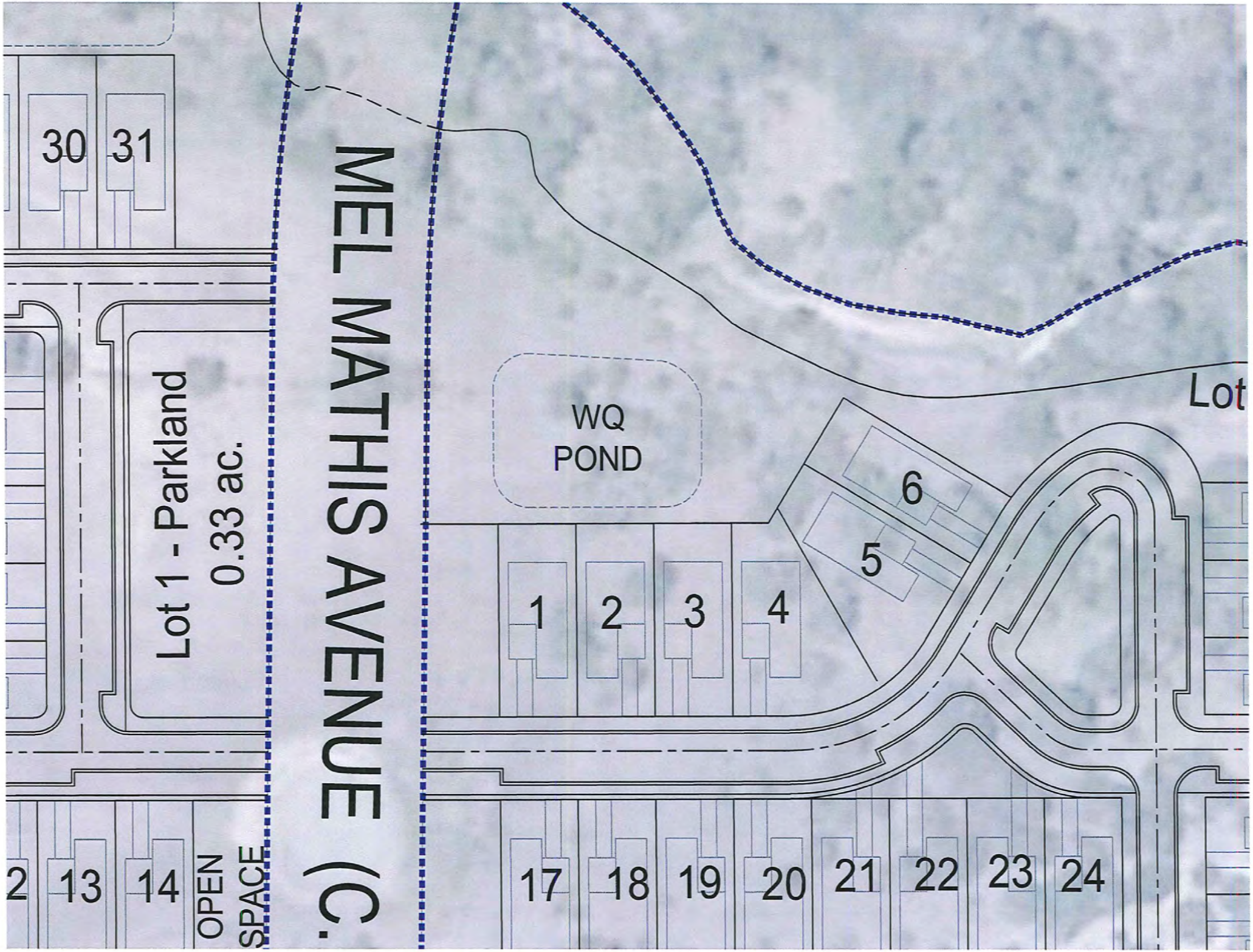
Village at Leander Station
CR 273/Mel Mathis & RM 2243

SubjectProperty
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation
City Limits

SFR
SFE
SFS
SFU
SFC
SFL
SFT
SFU/MH
TF
MF
LO
LC
GC
LI
HI
PUD

0 200
Feet


30
31
MEL MATHIS AVENUE (C.
Lot 1 - Parkland
0.33 ac.
WQ
POND
Lot
6
5
1
2
3
4
2
13
14
OPEN
SPACE
17
18
19
20
21
22
23
24


30
31
Lot 1 - Parkland
0.33 ac.
MEL MATHIS AVENUE (C.
WQ
POND
6
5
1
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3
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Lot
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SPACE
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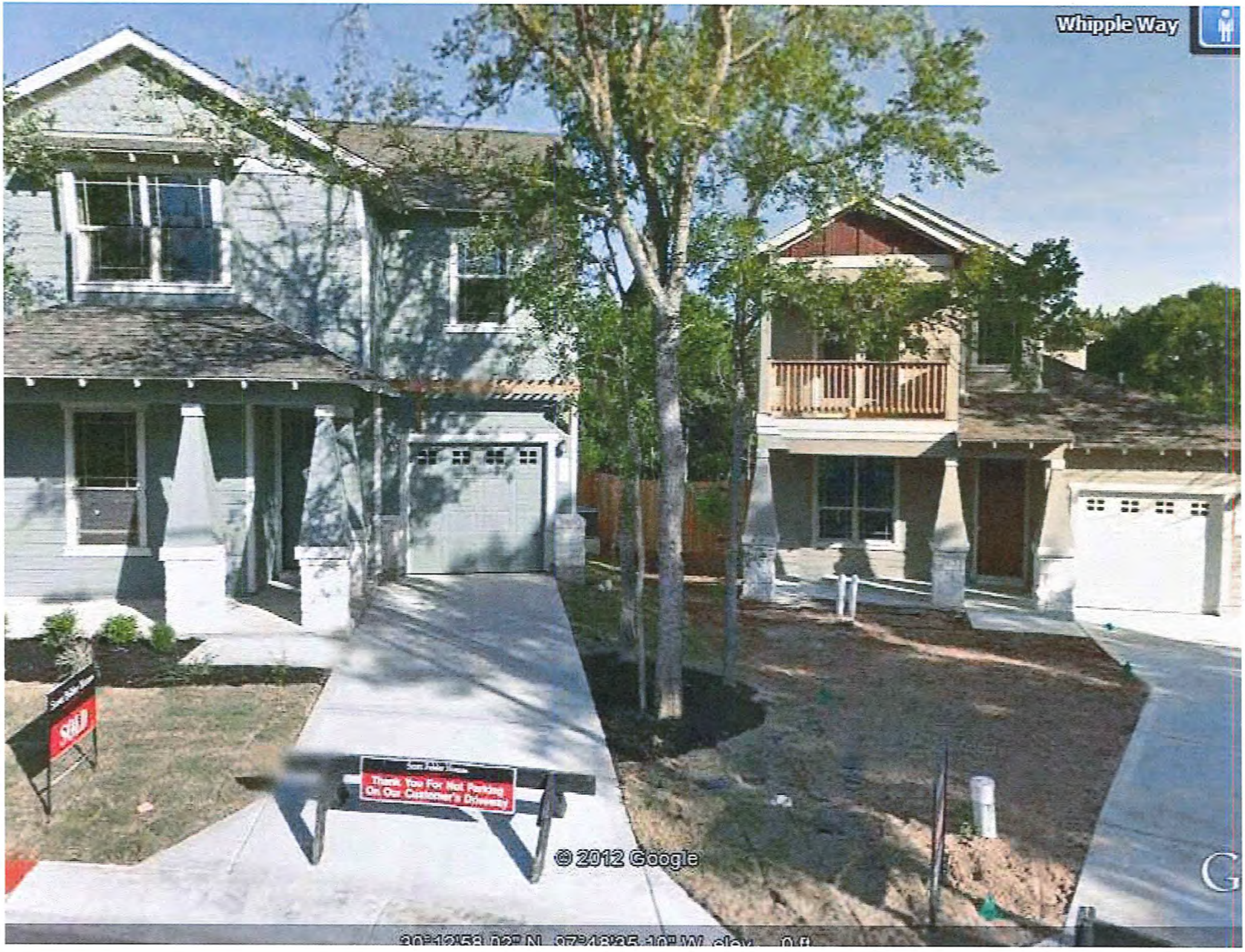
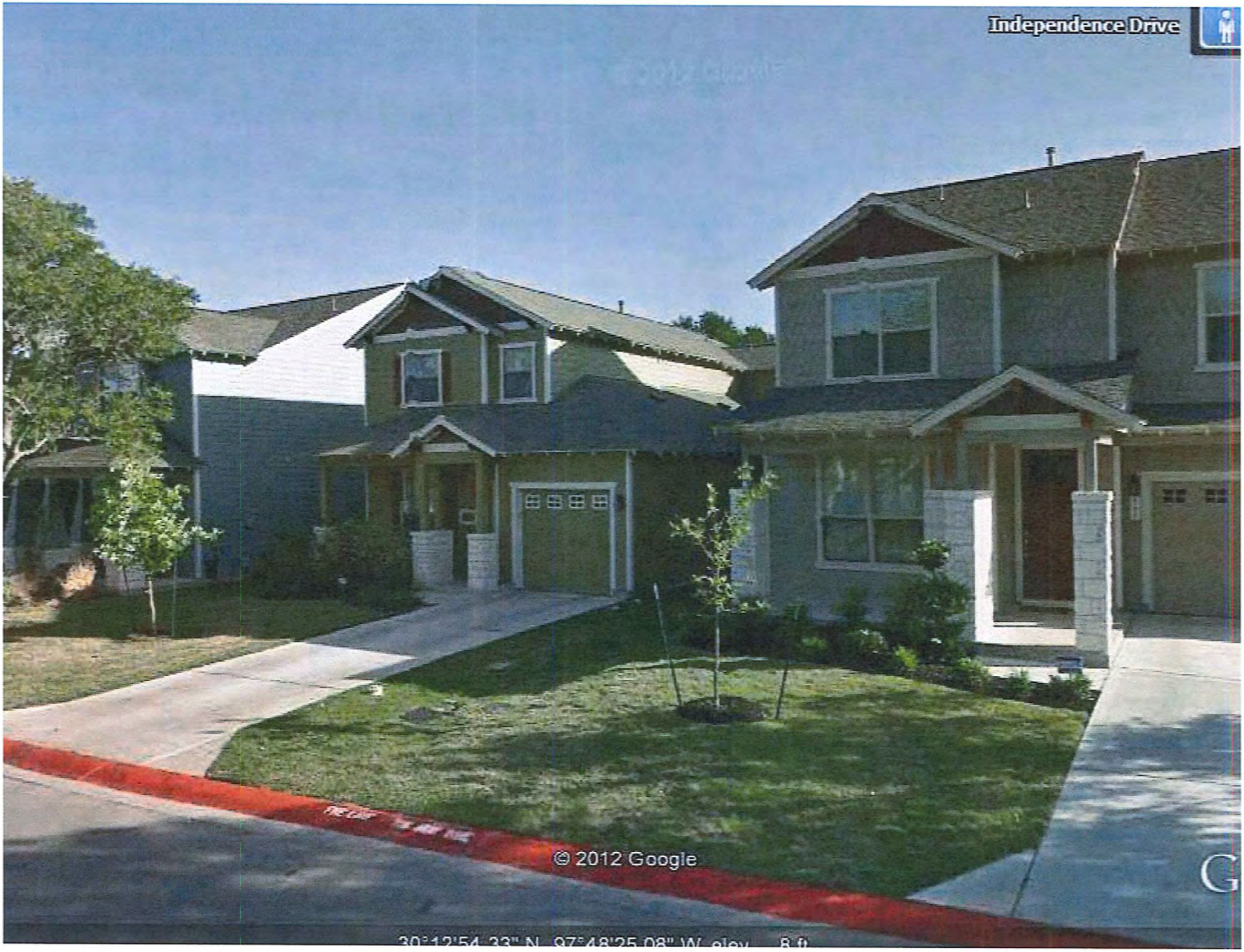
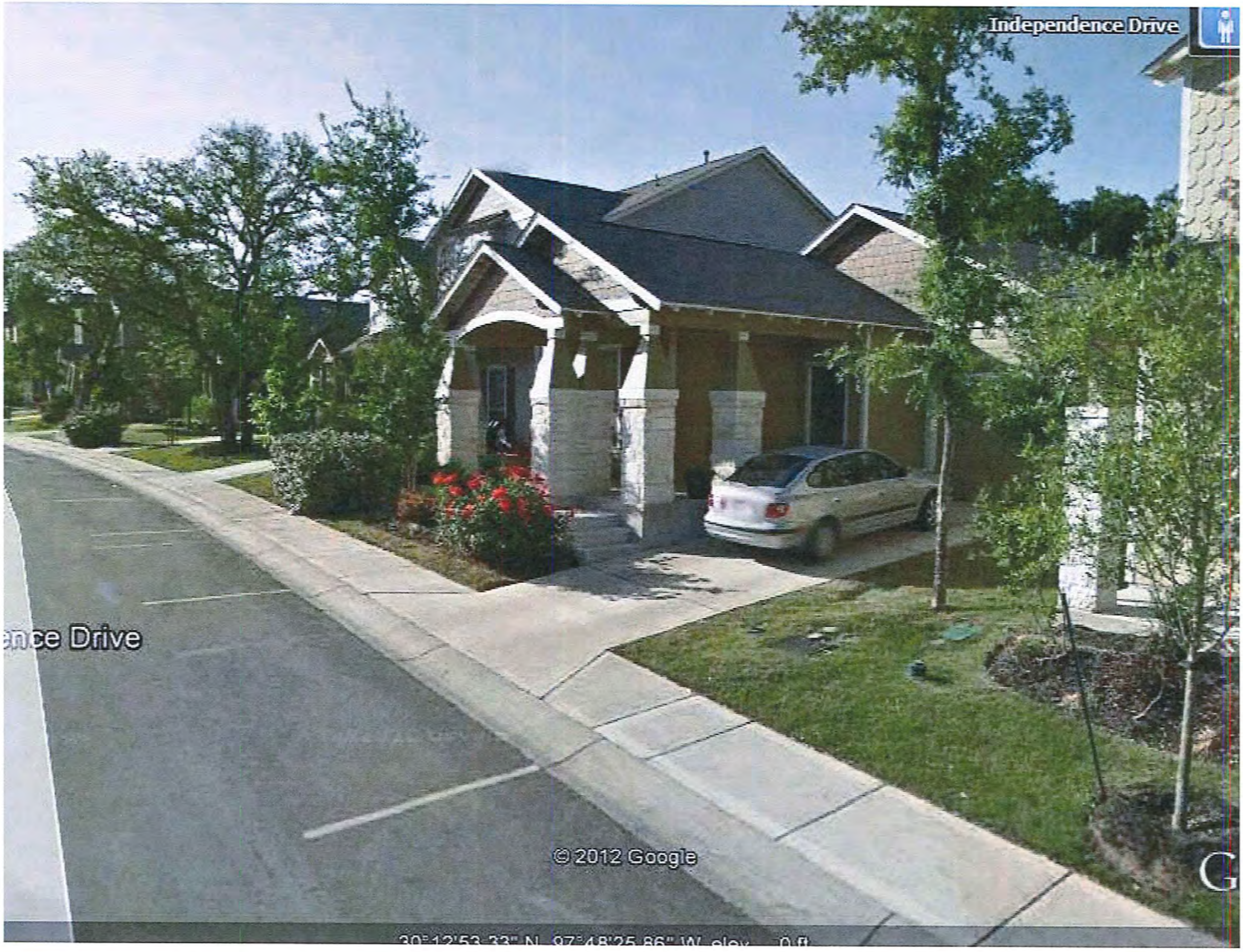

Whipple Way
SOLD
Thank You For Not Parking
On Our Customer's Driveway
© 2012 Google

Amur Drive
© 2012 Google


Independence Drive
© 2012 Google
30°12'54.33" N 97°48'25.08" W elev 8 ft


Independence Drive
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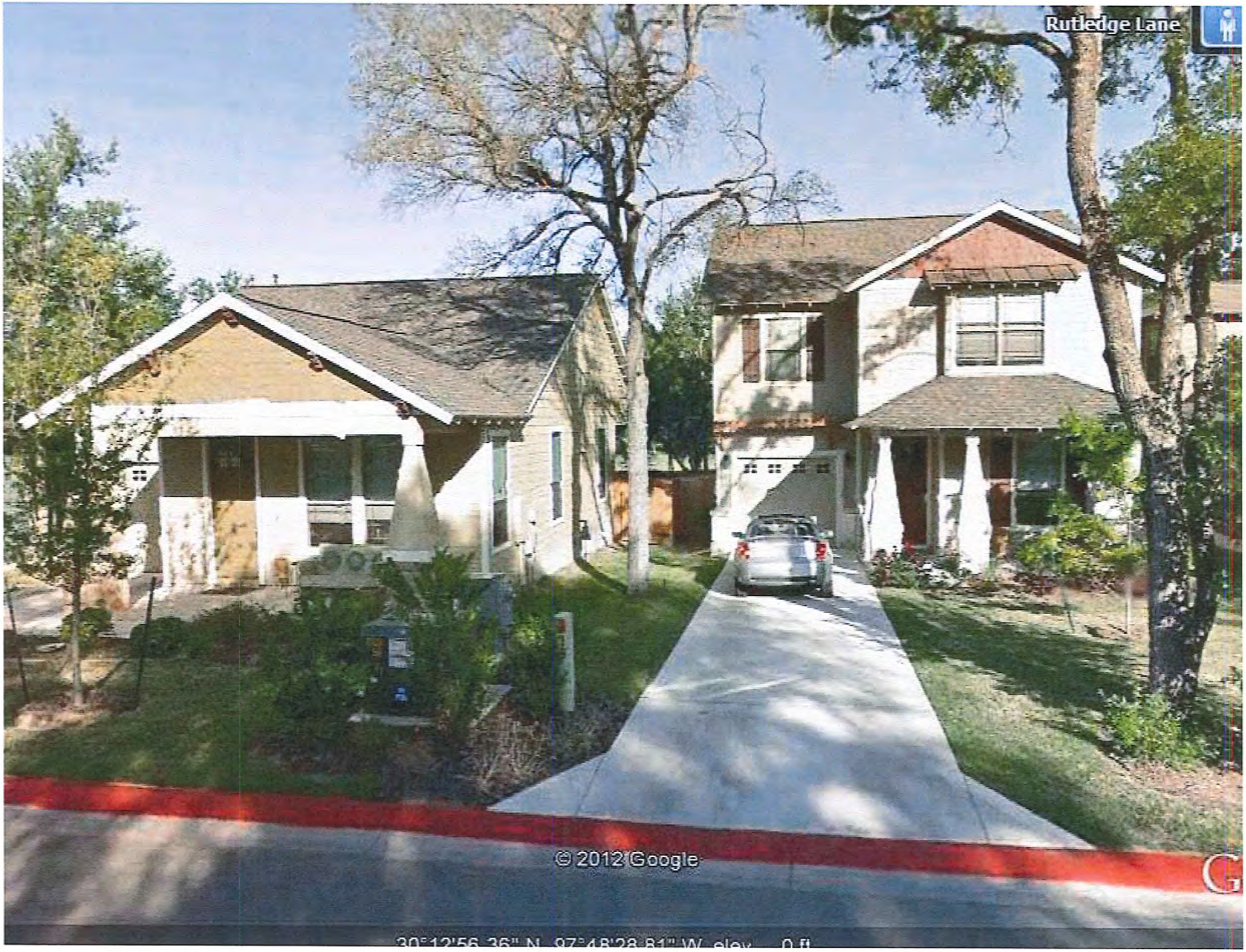
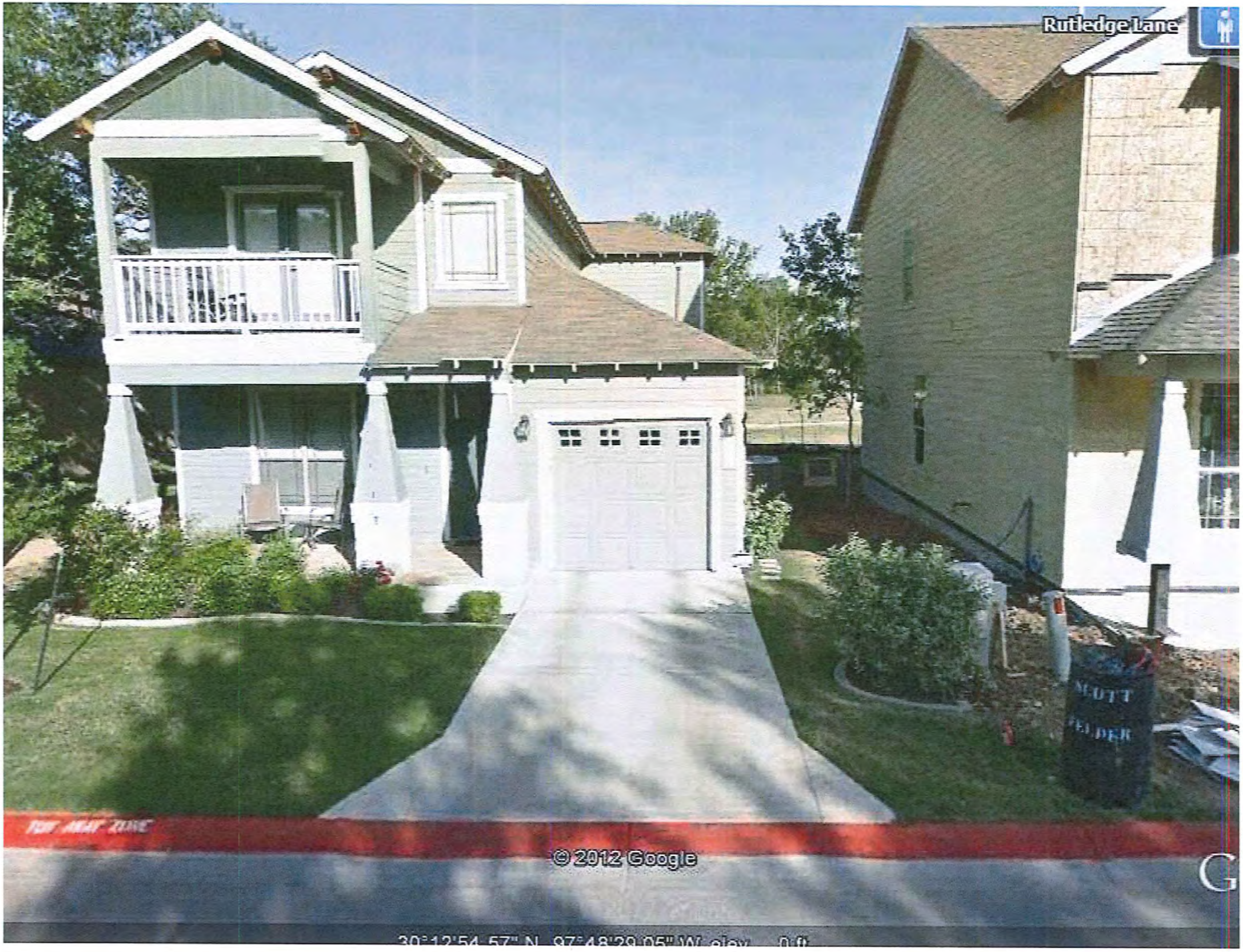
© 2012 Google


Rutledge Lane
© 2012 Google


Rutledge Lane
© 2012 Google

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.
Michael Zuclke spoke in support of the request.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Seiler moved to approve with staff recommendation, Commissioner Allen seconded the motion. Motion passed unanimously.

10. Zoning Case 13-TOD-001: Hold a public hearing and consider action on the rezoning of two parcels, generally located 300 feet north of the intersection of CR 273/Mel Mathis and RM 2243 for 21.80 acres more or less; Parcels #R031324 & R510026. Currently, the property is zoned PUD/TOD (Planned Unit Development/Transit Oriented Development) and the applicant is proposing an amendment to the PUD/TOD Leander, Williamson County, Texas. Applicant Jeff Musgrove on behalf of TVI, LTD

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Jeff Musgrove was present for questions.

c) Open Public Hearing

Chairman Abruzzese opened the public hearing
No one wished to speak.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Stephenson moved to approve, Commissioner Sokol seconded the motion with the following waivers. Motion passed unanimously.

- **Average lot size shall be 4,000 square feet**
- **Garage shall be located in the 2nd layer**
- **Parking shall be located in front of the house**
- **10% of the front facade shall be masonry (not including hardi-plank)**

Executive Summary

June 20, 2013

Agenda Subject:	Zoning Case #13-Z-016: Hold a public hearing and consider action on a Comprehensive Plan Amendment and the rezoning of two parcels located on the northwest and northeast corners of RM 2243 and Mel Mathis/CR273 for 11.49 acres more or less; Parcels #R031323 & R510300. Currently, the property is zoned PUD/TOD (Planned Unit Development/Transit Oriented Development). The property is proposed to be zoned GC-3-C (General Commercial), Leander, Williamson County, Texas.
Background:	This request is the second step in the rezoning process.
Origination:	Applicant: Doyle Leslie, Sawtooth Enterprises, LTD
Financial Consideration:	None
Recommendation:	The applicant has postponed this zoning case.
Attachments:	1. Postponement Letter
Prepared By:	Tom Yantis, AICP - Planning Director Robin M. Griffin, AICP - Planner 06/13/2013

Sawtooth Enterprises, Ltd.

3202 Greenlee Dr.

Austin, Texas 78703

512 482-8294

Date: June 14, 2013

To: Ellen Pizalate
Planning Coordinator
City of Leander

From: Sawtooth Enterprises, Ltd.
Doyle Leslie

Dear Ellen,

We request a one year postponement of out re-zoning request, as discussed at the P&Z meeting last night. We understand that additional fee will be required at the time we renew our request. It was nice meeting you and thank you for your help.

Thanks,
Doyle Leslie

11. Zoning Case #13-Z-016: Hold a public hearing and consider action on a Comprehensive Plan Amendment and the rezoning of two parcels located on the northwest and northeast corners of RM 2243 and Mel Mathis/CR273 for 11.49 acres more or less; Parcels #R031323 & R510300. Currently, the property is zoned PUD/TOD (Planned Unit Development/Transit Oriented Development). The property is proposed to be zoned GC-3-C (General Commercial), Leander, Williamson County, Texas. Applicant: Doyle Leslie, Sawtooth Enterprises, LTD

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

Pix Howell discussed the importance of this property remaining within the TOD.

b) Applicant Presentation

Doyle Leslie explained his purpose for his zoning request

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing.
No one wished to speak

e) Discussion

Discussion took place

f) Consider Action

The applicant requested to postpone his rezoning until further notice.

12. Zoning Case #13-Z-014: Hold a public hearing and consider action on the rezoning of three parcels located at 10820 and 10824 E. Crystal Falls Parkway for 15.41 acres more or less; Parcels #R031227, R432781 and R051457. Currently, the property is zoned LC-1-B (Local Commercial) MF-2-B (Multi-Family) and SFC-2-B (Single Family Compact). The property is proposed to be zoned LC-1-C (Local Commercial) and SFC-2-B (Single Family Compact) Leander, Williamson County, Texas. Applicant: John Avery, Jr. on behalf of CWHS 272 LTD and CS Leander I, LTD.

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Blake Contine explained his purpose for his zoning request

Executive Summary

June 20, 2013

Agenda Subject:	Zoning Case #13-Z-014: Hold a public hearing and consider action on the rezoning of three parcels located at 10820 and 10824 E. Crystal Falls Parkway for 15.41 acres more or less; Parcels #R031227, R432781 and R051457. Currently, the property is zoned LC-1-B (Local Commercial), MF-2-B (Multi-Family), and SFC-2-B (Single Family Compact). The property is proposed to be zoned LC-1-C (Local Commercial) and SFC-2-B (Single Family Compact) Leander, Williamson County, Texas.
Background:	This request is the first step in the rezoning process.
Origination:	Applicant: John Avery, Jr. on behalf of CWHS 272 LTD and CS Leander I, LTD.
Financial Consideration:	None
Recommendation:	See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the request with the exception that the requested LC-1-C (Local Commercial) was changed to LC-1-B (Local Commercial) at the June 13, 2013 meeting.
Attachments:	1. Planning Analysis 2. Current Zoning Map 3. Proposed Zoning Map 4. Aerial Map 5. Letter of Intent 6. Ordinance 7. Minutes - Planning & Zoning Commission June 13, 2013
Prepared By:	Tom Yantis, AICP Planning Director 06/13/2013

PLANNING ANALYSIS

ZONING CASE 13-Z-014
10820 & 10824 E CRYSTAL FALLS PKWY
CRYSTAL SPRINGS II

GENERAL INFORMATION

Owner: CWHS 272 LTD
CS Leander I, Ltd.

Current Zoning: LC-1-B (Local Commercial)
MF-2-B (Multi-Family)
SFC-2-B (Single-Family Compact)

Proposed Zoning: LC-1-C (Local Commercial)
SFC-2-B (Single Family Compact)

Size and Location: The subject property is located at 10820 and 10824 E. Crystal Falls Parkway for 15.41 acres, more or less.

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	Interim SFS-2-B	Wiley Middle School
EAST	SFC-2-B SFU-2-B	Proposed Crystal Springs Neighborhood & Established Single-Family Residential (Cold Springs)
SOUTH	SFC-2-B SFU-2-B	Proposed Crystal Springs Neighborhood
WEST	Interim SFR-1-B Interim SFS-2-B	Undeveloped Single-Family Residential (recently annexed) Undeveloped Single-Family Residential (interim zoning)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

LC – LOCAL COMMERCIAL:

Features: Any use in LO plus retail sales and services, restaurants, banks, nursery or greenhouse, grocery sales, pharmacies, fitness centers, dance and music academies, artist studio, colleges and universities, bed and breakfast. Hours of operation: 5:00 a.m. to 10:00 Sun.-Thurs., 5:00 a.m. to 11:00 p.m. Fri. and Sat.

Intent: Development of small scale, limited impact commercial, retail, personal services and office uses located in close proximity to their primary customers, which cater to the everyday needs of the nearby residents, and which may be located near residential neighborhoods. Access should be provided by a collector or higher classification street.

SFC – SINGLE FAMILY COMPACT:

Features: 5,500 sq. ft. lot min.; 1,100 sq. ft. living area min.

Intent: Development of single-family detached dwellings on small lots and for other compatible and complimentary uses. The purpose of this component is to provide regulations to maintain and protect the City's single-family residences and neighborhoods in areas with small lot sizes. Such components are generally intended to offer variety in housing opportunities and in the fabric of the neighborhoods, and to be developed on a moderate scale with a maximum district size of seventy-five (75) acres.

SITE COMPONENTS:

TYPE 1:

Features: Accessory buildings greater of 5% of primary building or 120 sq. ft.; 150% of standard landscaping; pedestrian scale signage and lighting; scale of buildings limited; mansion style multi-family; at least eighty-five percent (85%) of multi-family units are required to have at least one enclosed garage parking space; alley access to SFL and SFT; accessory dwellings for SFT and SFE.

Intent:

(1) The Type 1 site component is intended to be utilized typically for non-residential or multi-family developments that have frontage on a local residential street or residential collector street and are bounded by single-family development on at least one side. This component is also intended to be utilized for single-family and two-family residential lots backing up to or siding to a major thoroughfare.

(2) This component ensures that development will not have site intensive uses or large buildings and will ensure that development is designed to a form and scale that is compatible with residential neighborhoods.

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

(1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.
(2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.
(3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.
(4) This component is generally not intended to be utilized with LI and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

ARCHITECTURAL COMPONENTS:

TYPE B:

Features: 85% masonry 1st floor, 50% overall; 4 or more architectural features.

Intent:

(1) The Type B architectural component is intended to be utilized for the majority of residential development except that which is intended as a Type A architectural component.
(2) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions.
(3) This component may be utilized to raise the building standards and help ensure compatibility for non-residential uses adjacent to property that is more restricted.
(4) This component is intended for the majority of the LO and LC use components except those meeting the intent of the Type A or C architectural components.

TYPE C (non-residential only):

Features: 35% masonry (60% street facing); 3 or more architectural features.

Intent:

(1) The Type C architectural component is intended to be utilized only in the LO, LC, GC, LI and HI use components for intermediate quality development.
(2) Combined with appropriate use and site components, this component can help to provide for harmonious land use transitions from districts that are less restricted to districts that are more restricted.
(3) This component is not intended for the majority of the LO and LC use components except those that may be adjacent to less restricted districts.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide Opportunities for coordinated, well-planned growth and development that are consistent with the Comprehensive Plan.
- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Plan for future development that is compatible with existing residential neighborhoods.

ANALYSIS:

The applicant is proposing a mixed development project including single-family and a small amount of local commercial. This project is a continuation of the proposed Crystal Springs Subdivision. The Planning & Zoning Commission reviewed the Crystal Springs zoning request at the April 11, 2013 Planning & Zoning Commission meeting and recommended approval of the request with an exception that the requested GC-3-C was changed to GC-2-A and the LC-1-C was changed to LC-1-B with a 6 to 1 vote. The City Council unanimously recommended approval of the Planning and Zoning Commission recommendation at the April 25, 2013 meeting.

The current MF-2-B (Multi-Family) zoning associated with the subject property was unanimously approved by the Planning & Zoning Commission on August 23, 2012 and by City Council on September 20, 2013. The current LC-1-B (Local Commercial) zoning was unanimously approved by the Planning & Commission at the July 24, 2008 and City Council at the August 21, 2008.

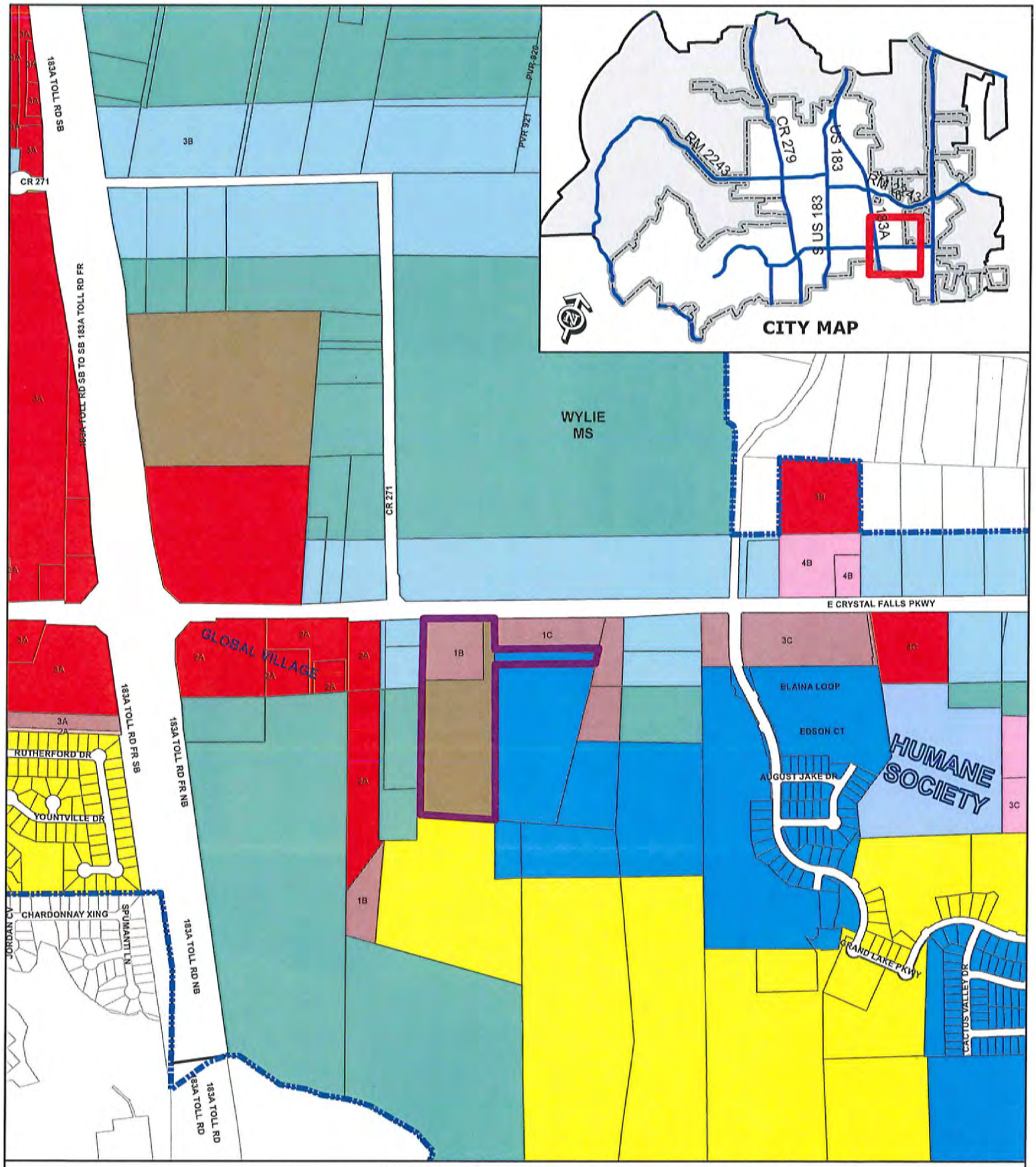
The LC (Local Commercial) use component allows for the development of small scale, limited impact commercial, retail, personal services, and office uses located in close proximity to their primary customers. The hours of operation are limited to 5:00 a.m. to 10:00 Sunday through Thursday and 5:00 a.m. to 11:00 p.m. Friday and Saturday. Access should be provided by a collector or higher classification street. In this situation, access will be provided to the site from E. Crystal Falls Parkway, an arterial street. The proposed location of the LC use component provides a transition between the proposed residential and E. Crystal Falls Parkway. The LC-2-B zoning that was established as part of the Crystal Springs zoning case was approved with the Type 2 site component and Type B architectural component.

The proposed Type 1 site component associated with the LC use component does not permit outdoor storage, outdoor display, drive-through service lanes, outdoor fuel sales, or overhead commercial service doors. Buildings shall be constructed to a residential scale and no first floor gross building area shall exceed 10,000 square feet and no building shall contain more than 20,000 gross square feet. A minimum of 150% of the standard landscape requirements for area and planting materials shall be provided.

The SFC (Single-Family Compact) use component will continue the existing residential zoning located to the east. This use component permits the following lot size minimums:

Use	Interior Lots			Corner Lots		
Component	Area	Width	Depth	Area	Width	Depth
SFC	5,500 sq. ft.	50'	105'	6,500 sq. ft.	60'	105'

The Comprehensive Plan Update establishes development nodes throughout the City of Leander. A small portion of this property is located within a Town Center node at the intersection of US 183A and E. Crystal Falls Parkway. The Town Center node is approximately one-half mile in radius and encourages density and a mix of uses including apartments, condominiums, major commercial, major retail, office and employment centers. This node plan encourages densities at major intersections.



ZONING CASE 13-Z-014

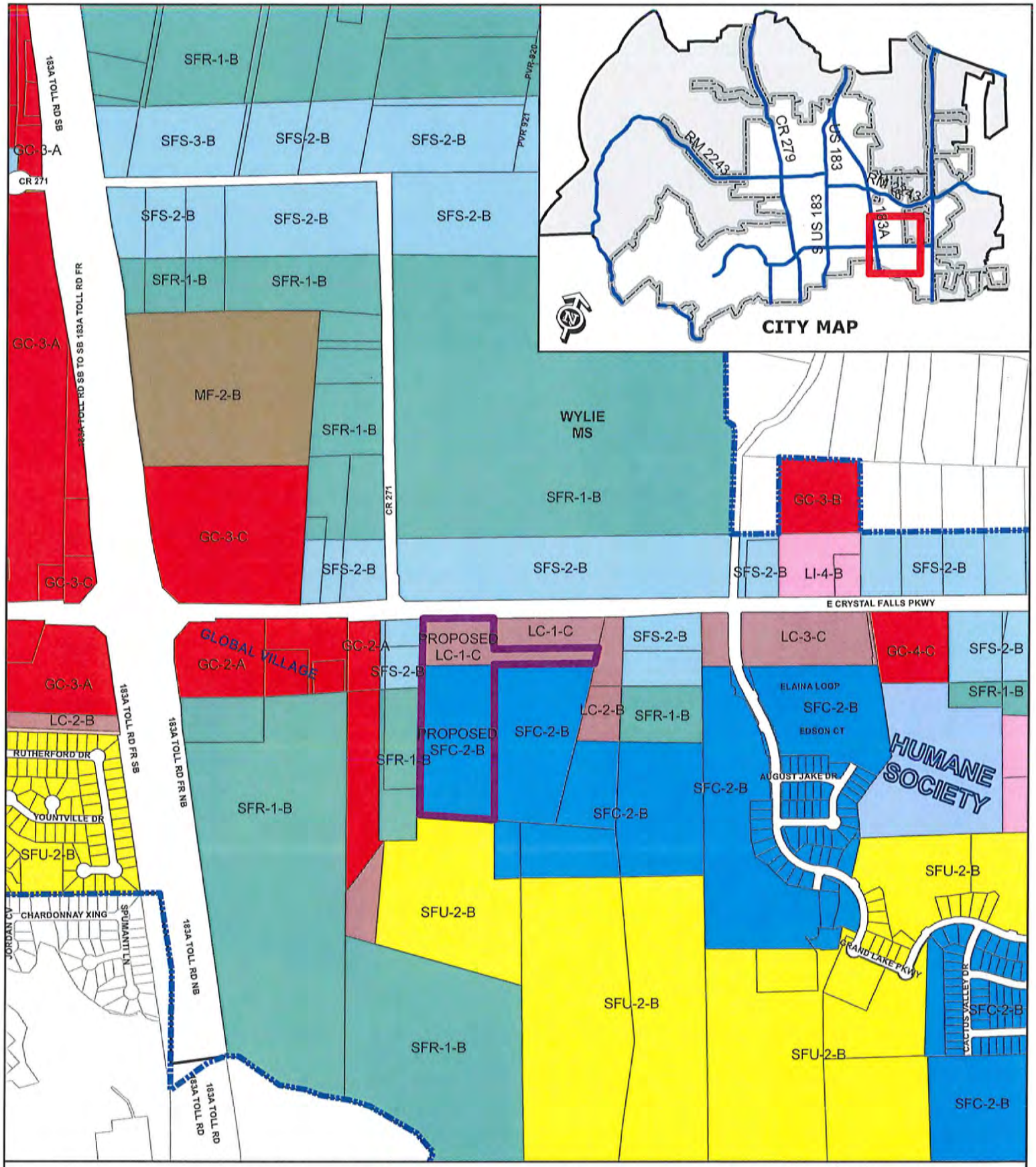
Attachment #2

Current Zoning Map
Crystal Springs II

Subject Property
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation
City Limits

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200 400
Feet



ZONING CASE 13-Z-014

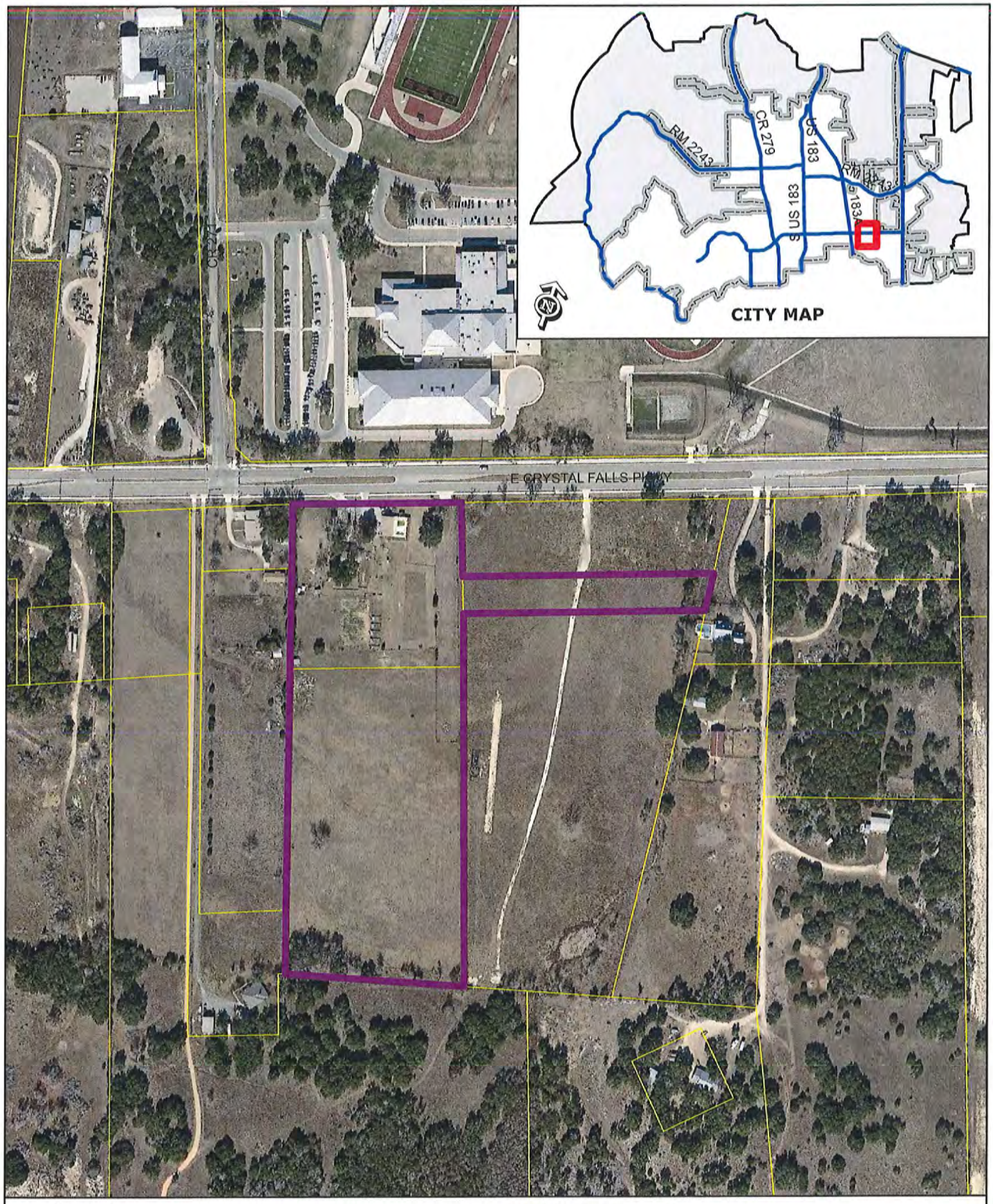
Attachment #3

Proposed Zoning Map
Crystal Springs II

Subject Property
City Limits
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200 400
Feet



ZONING CASE 13-Z-014 Attachment #4

Aerial Exhibit - Approximate Boundaries
Crystal Springs II

Subject Property

0 200
Feet

ATTACHMENT #5

John Avery Jr
1508 South Lamar
Austin, TX
March 8, 2013

Robin Griffin
Planner
City of Leander
104 N. Brushy Street
Leander, TX 78646

RE: Crystal Springs - II – Zoning Application – Letter of Intent

Dear Ms. Griffin:

This 'Letter of Intent' is in regards to the 15.41 acres located at 10824 E. Crystal Falls Pkwy and 10820 E. Crystal Falls Pkwy, more accurately depicted on the enclosed maps.

In January of 2013 CS Leander I, Ltd. purchased the 17.26 Acre Asbery Property located at 10824 E. Crystal Falls Pkwy. CS Leander recently completed a zoning change on the southern most portion of the Asbery Property, rezoning it from LI to SFC-2B. CS Leander has acquired the right to purchase the property to the west of the Asbery Property, owned by CWHS 272, LTD. and currently zoned MF. It is CS Leander's desire to rezone the majority of property to SFC-2B to match the zoning on the Asbery Property and bring it into development with the Crystal Springs Master Plan.

In addition to the SFC-2B request, CS Leander is requesting that the depth of the zoning across the frontage of Crystal Falls Pkwy. on the Asbery and CWHS 272 properties be made a consistent 300' deep and rezoned to LC-1C, consistent with neighboring zoning.

We look forward to working with the City of Leander Staff, Planning and Zoning Commission, and the City Council on this application.

If I can answer any questions or be of any assistance please do not hesitate to contact me.

Sincerely,

John Avery, Jr.

ORDINANCE NO

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING THREE PARCELS OF LAND FROM LC-1-B (LOCAL COMMERCIAL), MF-2-B (MULTI-FAMILY), AND SFC-2-B (SINGLE-FAMILY COMPACT) TO LC-1-C (LOCAL COMMERCIAL) AND SFC-2-B (SINGLE-FAMILY COMPACT); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" That certain parcel of land being 15.41 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 10820 and 10824 E. Crystal Falls Parkway, Leander, Texas, legally described as 15.41 acres out of the W. Campbell Survey, more particularly described in Document Numbers 2007080201 and 2013010436, Official Public Records of Williamson County, Texas, and identified by tax identification number R031227, R432781, and R051457.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from LC-1-B (Local Commercial), MF-2-B (Multi-Family, and SFC-2-B (Single-Family Compact) to LC-1-C (Local Commercial) and SFC-2-B (Single-Family Compact).

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 20th day of June, 2013.
FINALLY PASSED AND APPROVED on this the 11th day of July, 2013.

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

ATTEST:

Debbie Haile, City Secretary

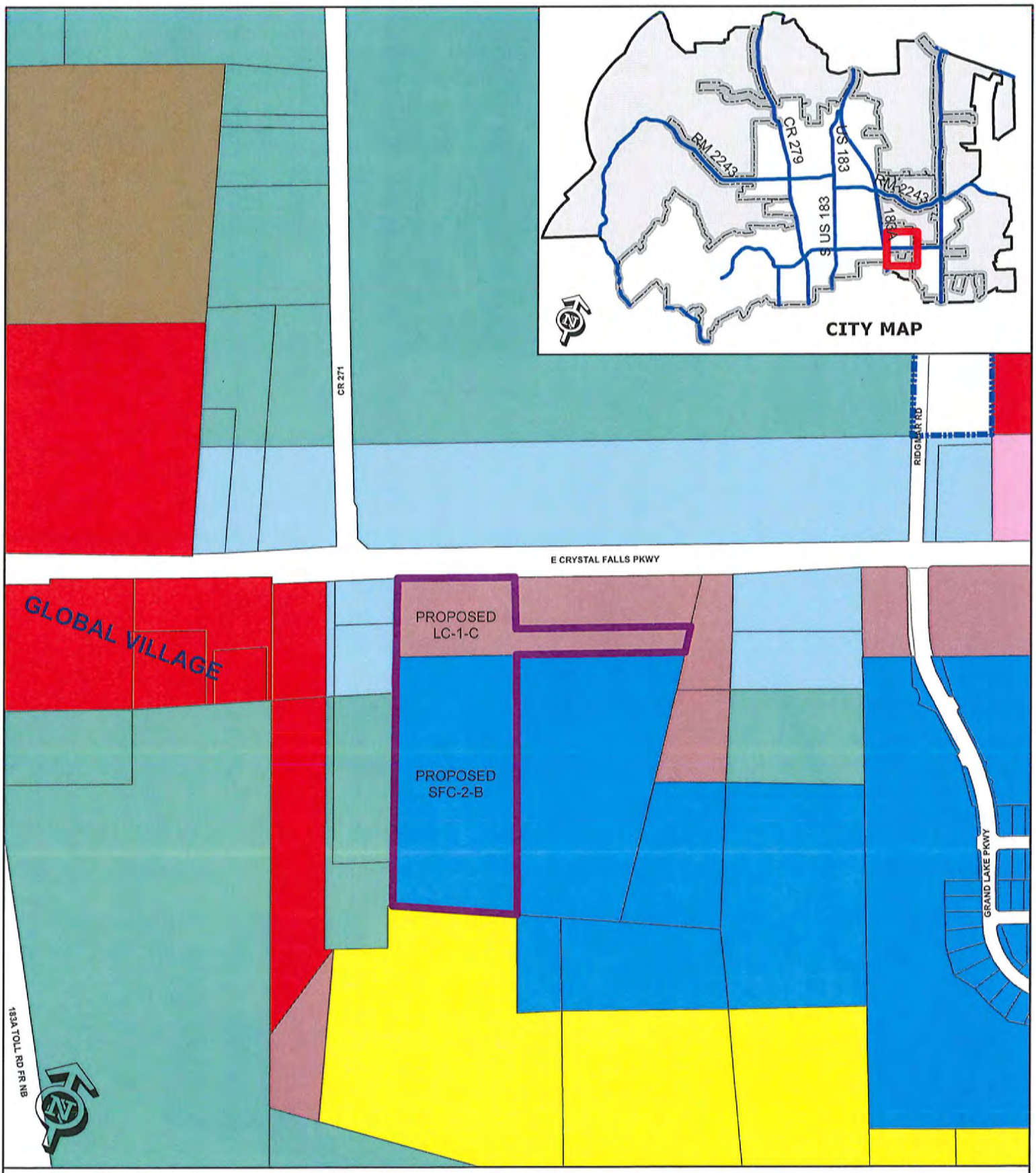


EXHIBIT A

Zoning Case 13-Z-014

Crystal Springs II

Subject Property
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation
City Limits

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200 Feet

11. Zoning Case #13-Z-016: Hold a public hearing and consider action on a Comprehensive Plan Amendment and the rezoning of two parcels located on the northwest and northeast corners of RM 2243 and Mel Mathis/CR273 for 11.49 acres more or less; Parcels #R031323 & R510300. Currently, the property is zoned PUD/TOD (Planned Unit Development/Transit Oriented Development). The property is proposed to be zoned GC-3-C (General Commercial), Leander, Williamson County, Texas. Applicant: Doyle Leslie, Sawtooth Enterprises, LTD

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

Pix Howell discussed the importance of this property remaining within the TOD.

b) Applicant Presentation

Doyle Leslie explained his purpose for his zoning request

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing.
No one wished to speak

e) Discussion

Discussion took place

f) Consider Action

The applicant requested to postpone his rezoning until further notice.

12. Zoning Case #13-Z-014: Hold a public hearing and consider action on the rezoning of three parcels located at 10820 and 10824 E. Crystal Falls Parkway for 15.41 acres more or less; Parcels #R031227, R432781 and R051457. Currently, the property is zoned LC-1-B (Local Commercial) MF-2-B (Multi-Family) and SFC-2-B (Single Family Compact). The property is proposed to be zoned LC-1-C (Local Commercial) and SFC-2-B (Single Family Compact) Leander, Williamson County, Texas. Applicant: John Avery, Jr. on behalf of CWHS 272 LTD and CS Leander I, LTD.

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Blake Contine explained his purpose for his zoning request

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing. No one wished to speak.

e) Discussion

Discussion took place

f) Consider Action

Commissioner Seiler moved to approve the zoning with the exception that the requested LC-1-C (Local Commercial) was changed to LC-1-B (Local Commercial), Commissioner Sokol seconded the motion. Motion passed unanimously.

13. Zoning Case #13-Z-015: Hold a public hearing and consider action on the rezoning of a parcel located at approximately 6,000 ft. to the northeast of the intersection of RM 1431 and Nameless Rd, in Crystal Falls West, Section One for 41.40 acres more or less; Parcel #382583. Currently, the property is zoned SFU-2-A (Single Family Urban), SFS-2-A (Single Family Suburban), and SFE-2-A (Single Family Estate). The property is proposed to be zoned SFC-2-A (Single Family Compact), SFU-2-A (Single Family Urban) SFS-2-A (Single Family Suburban), Leander, Travis County, Texas. Applicant: Samuel Kiger on behalf of Travisso, Ltd.

Postponed

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

14. Zoning Case #13-Z-017: Hold a public hearing and consider action on the rezoning of a parcel located at Lot 22, Blk, B Leander Heights, Sec. 2, 503 Horseshoe Dr. for 1.65 acres more or less; Parcel #R036483. Currently, the property is zoned SFU/MH-2-B (Single Family Urban/Manufactured Homes). The property is proposed to be zoned TF-2-B (Two-Family), Leander, Williamson County, Texas.
Applicant: Gary Eli Jones, P.E. on behalf of Ricky Shipman.

City of Leander

Executive Summary

June 20, 2013

Agenda Subject:	Zoning Case #13-Z-015: Hold a public hearing and consider action on the rezoning of a parcel located at approximately 6,000 to the northeast of the intersection of RM 1431 and Nameless Rd, in Crystal Falls West, Section One for 41.40 acres more or less; Parcel #382583. Currently, the property is zoned SFU-2-A (Single Family Urban), SFS-2-A (Single Family Suburban), and SFE-2-A (Single Family Estate). The property is proposed to be zoned SFC-2-A (Single Family Compact), SFU-2-A (Single Family Urban) SFS-2-A (Single Family Suburban), Leander, Travis County, Texas.
Background:	This request is the second step in the rezoning process.
Origination:	Applicant: Samuel Kiger on behalf of Travisso, Ltd.
Financial Consideration:	None
Recommendation:	The applicant has postponed this zoning case.
Attachments:	1. Postponement Letter
Prepared By:	Tom Yantis, AICP Planning Director 06/10/2013

JAY ENGINEERING COMPANY, INC.
P.O. Box 1220
Leander, TX 78646
(512) 259-3882
Fax 259-8016
Texas Registered Engineering Firm F-4780

ATTACHMENT #1

VIA HAND DELIVERY

June 7, 2013

Robin M. Griffin
Planner, City of Leander
P.O. Box 319
Leander, Texas 78641

Re: Re-Zoning Crystal Falls West, Section 1 Postponement Request

Dear Ms. Griffin:

The applicant wishes to postpone the Planning and Zoning Commission Hearing for the above-referenced re-zoning scheduled June 13th to the next available meeting. There are no adjacent landowners or abutting roadways; therefore no notices or signs are required. The following fees are hereby provided.

Postponement Fee -	**$200**
Notification Fee -	**$150**
Total =	**$350**

Thank you for your assistance in this matter and please contact us at the above address if you should have any questions or need additional information.

Sincerely,

Samuel D. Kiger, P.E.
SDK/s
Enclosures

pn:193-029-20

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing. No one wished to speak.

e) Discussion

Discussion took place

f) Consider Action

Commissioner Seiler moved to approve the zoning with the exception that the requested LC-1-C (Local Commercial) was changed to LC-1-B (Local Commercial), Commissioner Sokol seconded the motion. Motion passed unanimously.

13. Zoning Case #13-Z-015: Hold a public hearing and consider action on the rezoning of a parcel located at approximately 6,000 ft. to the northeast of the intersection of RM 1431 and Nameless Rd, in Crystal Falls West, Section One for 41.40 acres more or less; Parcel #382583. Currently, the property is zoned SFU-2-A (Single Family Urban), SFS-2-A (Single Family Suburban), and SFE-2-A (Single Family Estate). The property is proposed to be zoned SFC-2-A (Single Family Compact), SFU-2-A (Single Family Urban) SFS-2-A (Single Family Suburban), Leander, Travis County, Texas. Applicant: Samuel Kiger on behalf of Travisso, Ltd.

Postponed

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

14. Zoning Case #13-Z-017: Hold a public hearing and consider action on the rezoning of a parcel located at Lot 22, Blk, B Leander Heights, Sec. 2, 503 Horseshoe Dr. for 1.65 acres more or less; Parcel #R036483. Currently, the property is zoned SFU/MH-2-B (Single Family Urban/Manufactured Homes). The property is proposed to be zoned TF-2-B (Two-Family), Leander, Williamson County, Texas.
Applicant: Gary Eli Jones, P.E. on behalf of Ricky Shipman.

City of Leander

Executive Summary

June 20, 2013

Agenda Subject:	Zoning Case #13-Z-017: Hold a public hearing and consider action on the rezoning of a parcel located at Lot 22, Blk. B Leander Heights, Sec. 2, 503 Horseshoe Dr. for 1.65 acres more or less; Parcel #R036483. Currently, the property is zoned SFU/MH-2-B (Single Family Urban/Manufactured Homes). The property is proposed to be zoned TF-2-B (Two-Family), Leander, Williamson County, Texas.
Background:	This request is the second step in the rezoning process.
Origination:	Applicant: Gary Eli Jones, P.E. on behalf of Ricky Shipman.
Financial Consideration:	None
Recommendation:	See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the request at the June 13, 2013.
Attachments:	1. Planning Analysis 2. Current Zoning Map 3. Aerial Map 4. Letter of Intent 5. Ordinance 6. Minutes - Planning & Zoning Commission June 13, 2013
Prepared By:	Tom Yantis, AICP Planning Director 06/13/2013

PLANNING ANALYSIS

ZONING CASE 13-Z-017
503 HORSESHOE DRIVE

GENERAL INFORMATION

Owner: Ricky Shipman

Current Zoning: SFU/MH-2-B (Single Family Urban/Manufactured Homes)

Proposed Zoning: TF-2-B (Two-Family)

Size and Location: The subject property is located at 503 Horseshoe Drive for 1.65 acres more or less

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	TF-2-B	Established Single-Family (Manufactured Home)
EAST	TF-2-B	Undeveloped Land
SOUTH	SFU/MH-2-B	Established Single-Family (Manufactured Home)
WEST	SFU/MH-2-B	Established Single-Family (Manufactured Home)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

TF – TWO-FAMILY:

Features: 9,000 sq. ft. lot min.; 1,200 sq. ft. for s.f. home, 900 sq. ft. per unit for 2 - family.

Intent: Development of two-family dwelling structures on intermediate sized lots and for other uses that are compatible and complimentary to intermediate sized lots and two-family dwellings. Such components are generally intended to provide an orderly transition and serve as a buffer between larger lot neighborhoods and more intensive uses and to create more variety in housing opportunities and in the fabric of the neighborhoods. The goal is to avoid more than ten acres of contiguous land having a two-family component. This component should include or be located within six hundred feet of parkland or other recreational open space. To avoid street congestion due to additional on-street parking, access to lots shall be provided by a street with a ROW of fifty-six (56) feet or greater and a pavement width of thirty-six (36) feet or greater unless lots average at least one hundred feet in width or unless garage access is from an alley.

SITE COMPONENTS:

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

(1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

(2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.

(3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.

(4) This component is generally not intended to be utilized with LI and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

ARCHITECTURAL COMPONENTS:

TYPE B:

Features: 85% masonry 1st floor, 50% overall; 4 or more architectural features.

Intent:

(1) The Type B architectural component is intended to be utilized for the majority of residential development except that which is intended as a Type A architectural component.

(2) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions.

(3) This component may be utilized to raise the building standards and help ensure compatibility for non-residential uses adjacent to property that is more restricted.

(4) This component is intended for the majority of the LO and LC use components except those meeting the intent of the Type A or C architectural components.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide for a variety of sustainable housing options for all age groups and economic levels. Determine ways to successfully integrate this variety within neighborhoods so as to accommodate the different needs of families throughout their life cycle. Create more desirable and livable neighborhoods while respecting the goal of maintaining stable real estate values and housing marketability.

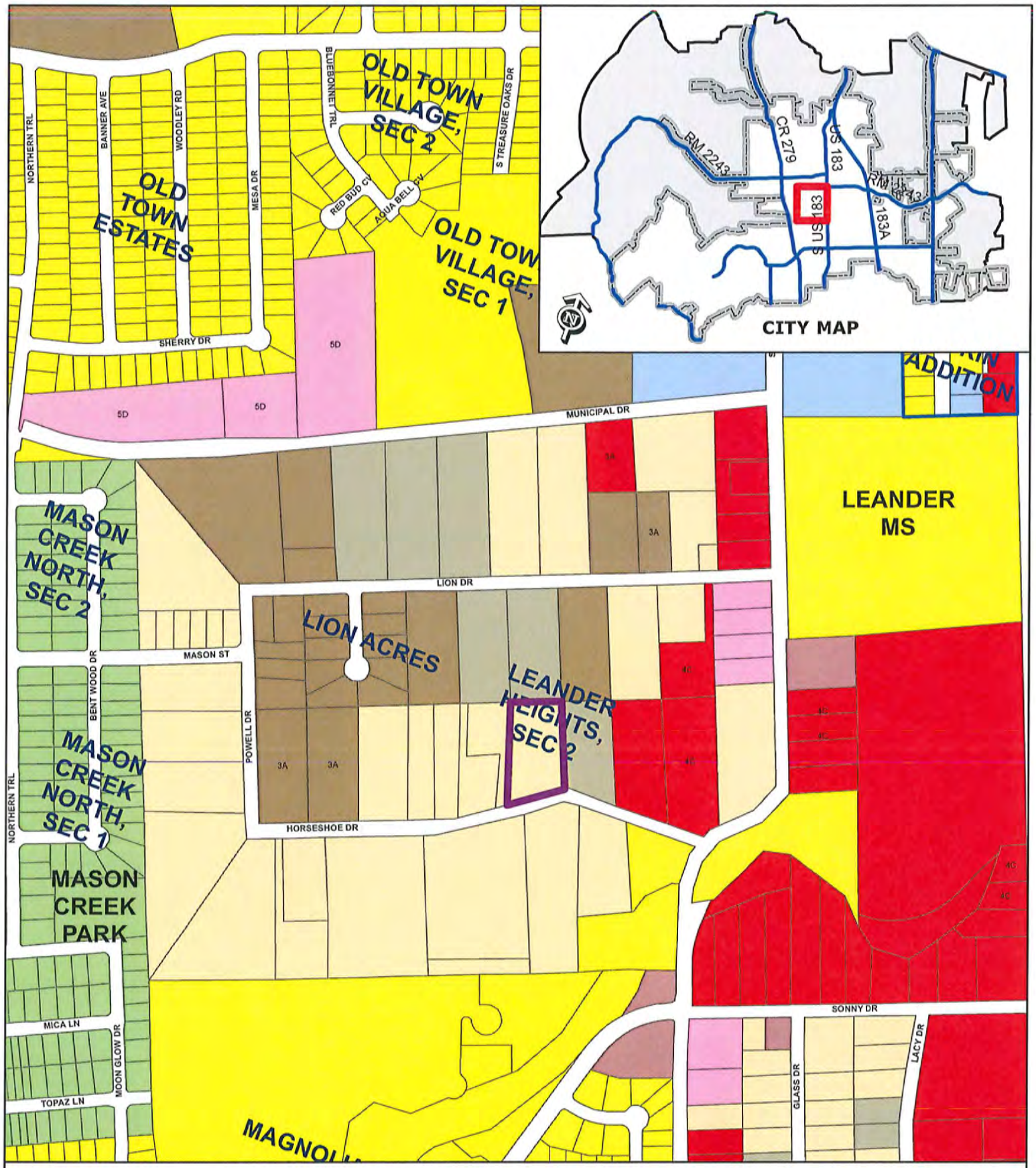
ANALYSIS:

The applicant is requesting the TF-2-B (Two Family) zoning district in order to develop the property for residential use. The applicant also owns the adjacent property to the east that is currently zoned TF-2-B.

The TF use component allows for the development of two-family dwelling structures on intermediate sized lots. The intent is to provide for a variety of housing opportunities within the fabric of the neighborhoods.

The goal is to avoid more than ten acres of contiguous land having a two-family component. This component should include or be located within six hundred feet of parkland or other recreational open space. In this situation, the property is located within six hundred feet of the Leander Middle School football field and the proposed Mason Creek Trail Corridor.

To avoid street congestion due to additional on-street parking, access to lots shall be provided by a street with a ROW of fifty-six (56) feet or greater and a pavement width of thirty-six (36) feet or greater unless lots average at least one hundred feet in width or unless garage access is from an alley. The preliminary lot layout provides lots that are greater than one hundred feet in width.



ZONING CASE 13-Z-017

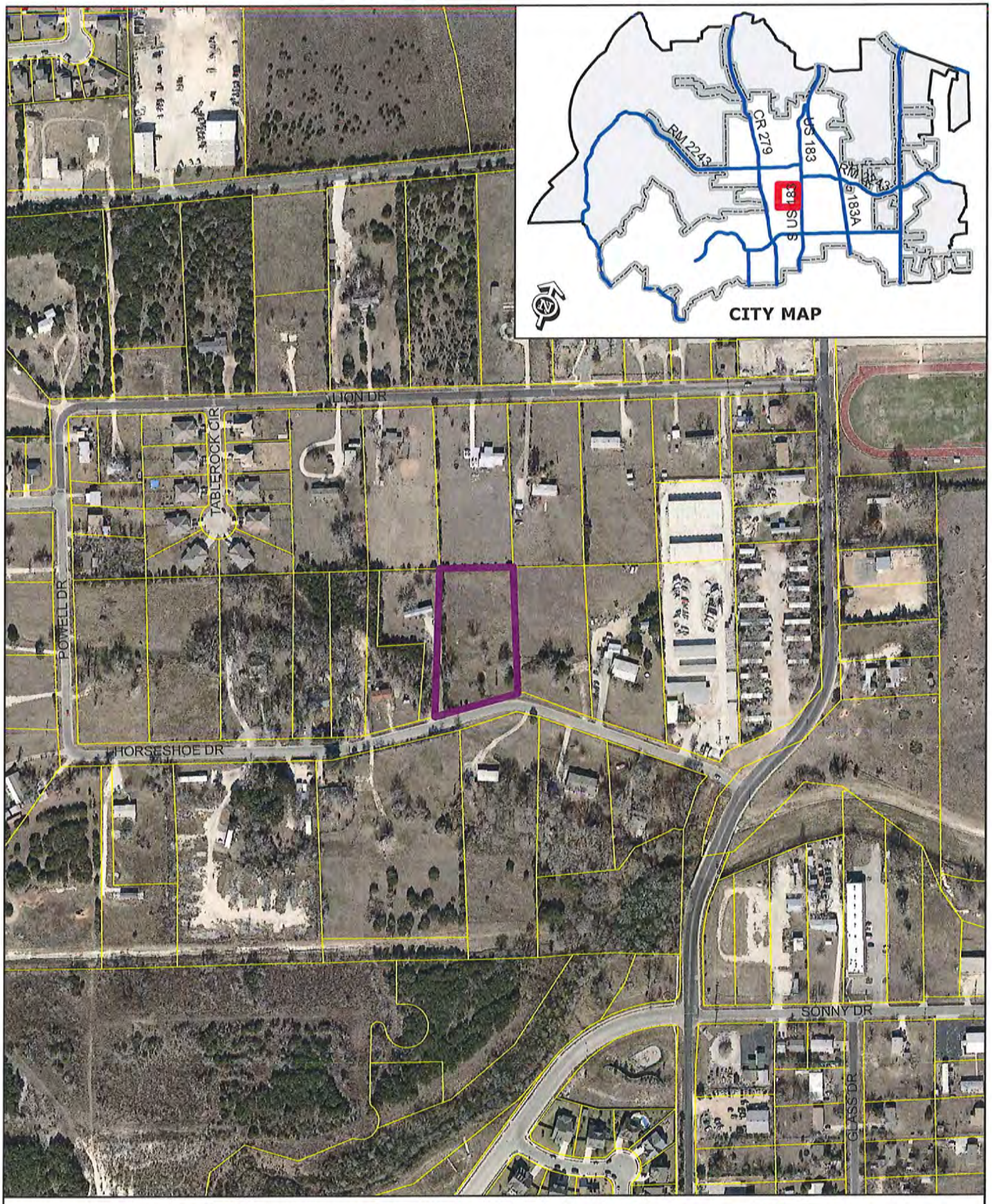
Attachment #2

Current Zoning Map
503 Horseshoe Drive

Subject Property
Future Annexation Per DA
Involuntary Annexation
Voluntary Annexation
City Limits

SFR, SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF, MF, LO, LC, GC, LI, HI, PUD

0 200 400
Feet



ZONING CASE 13-Z-017 Attachment #3

Aerial Exhibit - Approximate Boundaries
503 Horseshoe Drive

Subject Property

0 200
Feet

ATTACHMENT #4

Firm # 10967

CARTEX ENGINEERING SERVICES, INC.

April 23, 2013

City of Leander Planning Dept
104 North Brushy Street
Leander, TX 78646

Re: Zoning Change Submittal
503 Horseshoe

Transmitted herewith is the Zoning Change application and checklist for 503 Horseshoe Drive. On behalf of the Owner, we are requesting the property be rezoned from SF-2-B to TF-2-B which is consistent with the zoning on the Owner's adjacent property located just to the East on Horseshoe Dr.

If there are any questions, please do not hesitate to contact my office.

Sincerely,

Gary Eli Jones, P.E.
CarTex Engineering Services, Inc.

512-918-0819 700 Theresa Cove, Cedar Park, Texas 78613 Fax - 512-532-0560
gejTexas@gmail.com

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SFU/MH-2-B (SINGLE-FAMILY URBAN/MANUFACTURED HOME) TO TF-2-B (TWO FAMILY); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" That certain parcel of land being 1.65 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 503 Horseshoe Drive, Leander, Texas, legally described as Lot 22, Block B, Leander Heights Section 2, more particularly described in Document Number 2013000452, Official Public Records of Williamson County, Texas, and identified by tax identification number R036483.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from SFU/MH-2-B (Single-Family Urban/Manufactured Home) to TF-2-B (Two Family).

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof

ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 20th day of June, 2013.
FINALLY PASSED AND APPROVED on this the 11th day of July, 2013.

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

ATTEST:

Debbie Haile, City Secretary

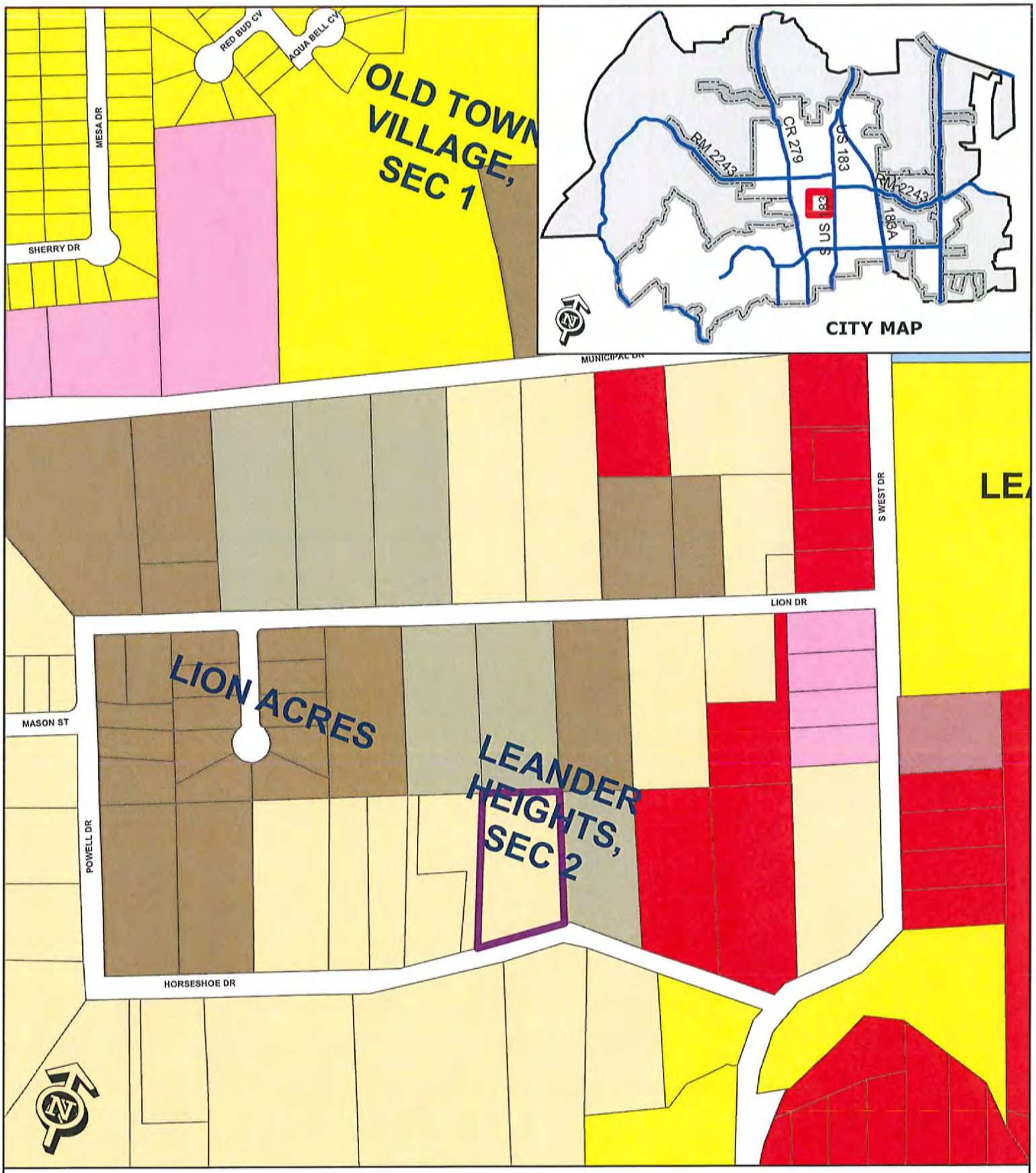


EXHIBIT A

Zoning Case 13-Z-017

503 Horseshoe Drive

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing. No one wished to speak.

e) Discussion

Discussion took place

f) Consider Action

Commissioner Seiler moved to approve the zoning with the exception that the requested LC-1-C (Local Commercial) was changed to LC-1-B (Local Commercial), Commissioner Sokol seconded the motion. Motion passed unanimously.

13. Zoning Case #13-Z-015: Hold a public hearing and consider action on the rezoning of a parcel located at approximately 6,000 ft. to the northeast of the intersection of RM 1431 and Nameless Rd, in Crystal Falls West, Section One for 41.40 acres more or less; Parcel #382583. Currently, the property is zoned SFU-2-A (Single Family Urban), SFS-2-A (Single Family Suburban), and SFE-2-A (Single Family Estate). The property is proposed to be zoned SFC-2-A (Single Family Compact), SFU-2-A (Single Family Urban) SFS-2-A (Single Family Suburban), Leander, Travis County, Texas. Applicant: Samuel Kiger on behalf of Travisso, Ltd.

Postponed

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

14. Zoning Case #13-Z-017: Hold a public hearing and consider action on the rezoning of a parcel located at Lot 22, Blk, B Leander Heights, Sec. 2, 503 Horseshoe Dr. for 1.65 acres more or less; Parcel #R036483. Currently, the property is zoned SFU/MH-2-B (Single Family Urban/Manufactured Homes). The property is proposed to be zoned TF-2-B (Two-Family), Leander, Williamson County, Texas.
Applicant: Gary Eli Jones, P.E. on behalf of Ricky Shipman.

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Gary Eli Jones explained his purpose for his zoning request

c) Open Public Hearing

Chairman Abruzzese opened the public hearing.
No one wished to speak.

d) Close Public Hearing

Chairman Abruzzese closed the public hearing.

e) Discussion

Discussion took place

f) Consider Action

Commissioner Allen moved to approve the zoning TF-2-B (Two Family), Commissioner Stephenson seconded the motion. Motion passed unanimously.

15. Discussion of future workshop topics.
    Commissioners had discussion on workshop topics.

16. Meeting Adjourned **at 8:05**

_____
Ronald Abruzzese - Chairman

ATTEST:

_____
Ellen Pizalate, Secretary

Executive Summary

June 20, 2013

Council Agenda Subject: Award Bid for the Financing of One 2013 Pierce Dash CF 1250 Pumper for the City Of Leander Fire Department.

Background: The FY 2012-13 Budget includes funding for financing the purchase of a 2013 Fire Pumper. The budget anticipated financing $630,000 over 15 years at approximately $57,000 per year. However, after discussion with management, the bid document included a shorter term of either seven or ten years with seven being the preferred term. Notice of bid was published twice in the newspaper and bids were opened on Friday, June 14, 2013.

Origination: Robert G. Powers, Finance Director

Financial Consideration: Estimated at $100,000 per year. (01-50-7305)

Recommendation: Pending satisfactory bid, staff requests approval to award bid for the financing of a 2013 Pierce Dash CF 1250 Pumper and authorize City Manager to execute related documents.

Attachments: Bid Document; Bid Tally to be provided.

Prepared by: Robert G. Powers, Finance Director

CITY OF LEANDER, TEXAS
INVITATION TO BID
FIRE DEPARTMENT EQUIPMENT FINANCING

The City of Leander, Texas is seeking competitive sealed bids for the financing of one 2013 Pierce Dash CF 1250 Pumper for the City of Leander Fire Department. The amount of financing requested by the City is estimated to be $630,000. Interested parties are invited to bid on the financing by submitting the required bid form on or before 2:00 p.m. Friday, June 14, 2013 and delivered to the City of Leander, Attention: Finance Department / Equipment Financing, 200 West Willis Street, PO Box 319, Leander, Texas 78646. Sealed Bids must be clearly marked "Fire Department Equipment Financing Proposal." Bids will be opened publicly at 2:00 p.m., Friday, June 14, 2013 at Leander City Hall. The financing can qualify as a qualified tax-exempt obligation under Section 265 of the Internal Revenue Code, as well as under the Public Property Financing Act, Subchapter A or Chapter 271, Texas Local Government Code. For a copy of the Invitation to Bid and required Bid Form, contact Robert Powers, Finance Director, at (512) 528-2734 or at rpowers@leandertx.gov.

CITY OF LEANDER, TEXAS
FIRE DEPARTMENT EQUIPMENT FINANCING
REQUIRED BID FORM

The City reserves the right to award the bid that is in the best interest of the City. Vendor pricing must remain valid for a minimum of thirty (30) days from June 14, 2013. Interest payments shall be semi-annual on February 15 and August 15 of each year, beginning February 15, 2014. Principal payments shall be paid annually on August 15 of each year, beginning August 15, 2014.

The City will consider several options listed on this form. Sections I through VIII must be completed, or clearly marked through as "no bid." **Note to bidders**: The City has made a good faith estimate of the amount of financing it is requesting to make the equipment purchase. However, the actual amount of financing needed will be determined once the successful bidder is selected. The City intends to select the best bid at its regular City Council meeting, Thursday, June 20, 2013 at 7:00 p.m. Funding is anticipated to be needed approximately August 1, 2013.

SECTION I. Financing through Lease Purchase (i.e., no tax pledge)

Option A1. Fixed (constant) Interest Rate with 7 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION I. Financing through Lease Purchase (i.e., no tax pledge)

Option A2. Fixed (constant) Interest Rate with 10 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
2/15/2021				
8/15/2021				
2/15/2022				
8/15/2022				
2/15/2023				
8/15/2023				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION I. Financing through Lease Purchase (i.e., no tax pledge)

Option B1. Fixed, but graduated Interest Rates with 7 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION I. Financing through Lease Purchase (i.e., no tax pledge)

Option B2. Fixed, but graduated Interest Rates with 10 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
2/15/2021				
8/15/2021				
2/15/2022				
8/15/2022				
2/15/2023				
8/15/2023				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION II. Financing through Equipment Notes (i.e., with tax pledge)

Option A1. Fixed (constant) Interest Rate with 7 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION II. Financing through Equipment Notes (i.e., with tax pledge)

Option A2. Fixed (constant) Interest Rate with 10 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
2/15/2021				
8/15/2021				
2/15/2022				
8/15/2022				
2/15/2023				
8/15/2023				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION II. Financing through Equipment Notes (i.e., with tax pledge)

Option B1. Fixed, but graduated Interest Rates with 7 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION II. Financing through Equipment Notes (i.e., with tax pledge)

Option B2. Fixed, but graduated Interest Rates with 10 year amortization

Date	Principal Payment	Interest Rate	Interest Payment	Total Payments Fiscal year
2/15/2014				
8/15/2014				
2/15/2015				
8/15/2015				
2/15/2016				
8/15/2016				
2/15/2017				
8/15/2017				
2/15/2018				
8/15/2018				
2/15/2019				
8/15/2019				
2/15/2020				
8/15/2020				
2/15/2021				
8/15/2021				
2/15/2022				
8/15/2022				
2/15/2023				
8/15/2023				
Total	$630,000			
Earliest pre-payment date without penalty				

SECTION III. Closing Costs. List the bidder's **Not To Exceed Amount** for any and all costs (other than what is listed in above schedules) required to be paid by the City to the bidder at closing.

Not To Exceed Amount: _____

If different for each option, please list separately.

SECTION IV. Terms and Conditions. Submit one copy of the bidder's SAMPLE AGREEMENT or CONTRACT. Provide or identify any penalty/default terms, late fees, rate hikes, etc. that would apply and under what conditions. The City reserves the right to modify or use its own contract terms and conditions.

SECTION V. If the bidder allows for periodic disbursement of the financing over time (as opposed to entire $630,000 at closing), please provide or attach the terms and conditions under which that method may be used by the City.

SECTION VI. Bidder acknowledges that the above terms and rates are valid until _____, 2013. (minimum number of days should be no less than thirty (30) days from June 14, 2013.)

SECTION VII. Submit three local government references for contracts executed by Company since January 1, 2011.

SECTION VII. Bidder acknowledges that he/she is authorized to submit this bid on behalf of his/her Company.

By: _____
(signature)

Print Name: _____

Title: _____ Date: _____

Telephone: _____ Email: _____

Company Name: _____

Mailing Address: _____
_____

Physical Address: _____

Executive Summary

June 20, 2013

Agenda Subject: Consider an ordinance prohibiting pedestrian and bicycle use on portions of Old 2243 West between Bagdad Road and West Broade Street.

Background: Over the years the number of motor vehicles, bicyclists and pedestrians using Old 2243 West has increased. As a result, there have been a number of concerns voiced to the police department staff, city hall staff, and some council members with regard to the safety of bicyclist and pedestrian use of this roadway.

Old 2243 West is unlike any other roadway in Leander. Portions of this roadway have no shoulder or right-of-way. Where some sections have a guardrail immediately adjacent to the roadway, other areas drop off into grassy or concrete culverts. Some portions of the roadway have additional safety challenges such as inadequate roadway markings, poor pavement and hazardous debris. Old 2243 West has a lane width of 12.5 feet. The Texas Transportation Code defines this as "substandard." A standard land width should be 14 feet, which normally allows for safe motor vehicle and bicycle or pedestrian travel.

These factors combine to create an unsafe roadway for shared use by motor vehicles and bicycle or pedestrian traffic.

Origination: Mayor Chris Fielder

Recommendation: Staff recommends the proactive adoption of a temporary ordinance prohibiting bicycle and pedestrian traffic on Old 2243 West between Bagdad Road and

West Broade Street. It is further recommended that the ordinance remain in effect until such time that the roadway is redesigned and constructed to safely accommodate both bicycle and pedestrian traffic.

Attachments: Ordinance

Prepared by: Greg Minton, Chief of Police

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, PROHIBITING THE OPERATION OF BICYCLES AND PEDESTRIANS ON PORTIONS OF COUNTY ROAD 2243; AUTHORIZING THE POSTING OF SIGNS; PROVIDING FOR PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, prohibiting the use of bicycles and pedestrians on particular portions of roadway within the City of Leander (the "City") is a reasonable exercise of the City's police power;

WHEREAS, the City Council has found that prohibiting the use of bicycles on County Road 2243 between W. Broade Street and Bagdad Road is necessary to protect the public from harm;

WHEREAS, the City has the authority to prohibit the operation of bicycles and pedestrians on a limited-access or controlled-access highway, road or street within its jurisdiction; and

WHEREAS, the City Council recognizes that the portion of roadway subject to this Ordinance may also be referred to as Old Farm to Market Road 2243 or FM 2243;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Definitions. The terms "bicycle" and "electric bicycle" shall be defined as stated in Texas Transportation Code, Chapter 541.201, as amended from time to time. The term "pedestrian" shall mean a person on foot. As contained in this Ordinance, the term bicycle shall also mean to include electric bicycles, unicycles, tricycles or any other device that a person may ride and that is propelled by human power.

Section 3. Operation of Bicycles and Pedestrians on Portions of CR 2243 Prohibited. It shall be unlawful for any pedestrian to walk, run or otherwise traverse along any portion of CR 2243 between W. Broade Street and Bagdad Road. It shall also be unlawful for any person to operate a bicycle upon any portion of CR 2243 between W. Broade Street and Bagdad Road. This prohibition shall include any shoulder or right-of-way along such designated roadway.

Section 4. Posting of Notice. The City Manager or designee is hereby directed to take such actions as are reasonably necessary to ensure signs are posted reflecting the unlawful use and operation of bicycles provided herein, sufficiently posted to notify to reasonably prudent and observant operator, and to ensure that all departments of the City requiring notice of the requirements hereunder are duly notified and provided the necessary information to effectuate the

change.

Section 5. Enforcement. The Chief of Police and members of the Police Department, both regular and reserve officers, are empowered to enforce this Ordinance.

Section 6. Penalties. Any person convicted of violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount of not less than One Dollar ($1.00) and not to exceed Two Hundred Dollars ($200.00).

Section 7. Damage to Public Property. It shall be illegal for any person to knowingly or intentionally damage public streets, roadways or any sign posted by the City for the regulation of traffic. Any person who knowingly, intentionally or recklessly causes damage to public streets, roadways or any sign posted thereon for the regulation of traffic shall be responsible for the costs of repair.

Section 8. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 9. Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

Section 10. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Tex. Gov't. Code.

PASSED AND APPROVED on this ____ day of _____, 2013.

ATTEST: **THE CITY OF LEANDER, TEXAS**

_____ _____

Debbie Haile, City Secretary Chris Fielder, Mayor

Old 2243 West

(Between Bagdad Road and West Broade Street)

Ordinance on Bicycle / Pedestrian Safety

In the state of Texas a bicycle is considered equivalent to a motor vehicle and subject to the same laws that apply to motor vehicles, with a few exceptions where special rules apply to bicyclists. In most cases, bicyclists have the same rights and responsibilities as motorists and are subject to the same citations a motorist would receive for violating traffic laws.

Texas Transportation Code
551.103. Operation on Roadway

(a) Except as provided by Subsection (b), a person operating a bicycle on a roadway who is moving slower than the other traffic on the roadway shall ride as near as practicable to the right curb or edge of the roadway, unless:

(1) the person is passing another vehicle moving in the same direction;

(2) the person is preparing to turn left at an intersection or onto a private road or driveway;

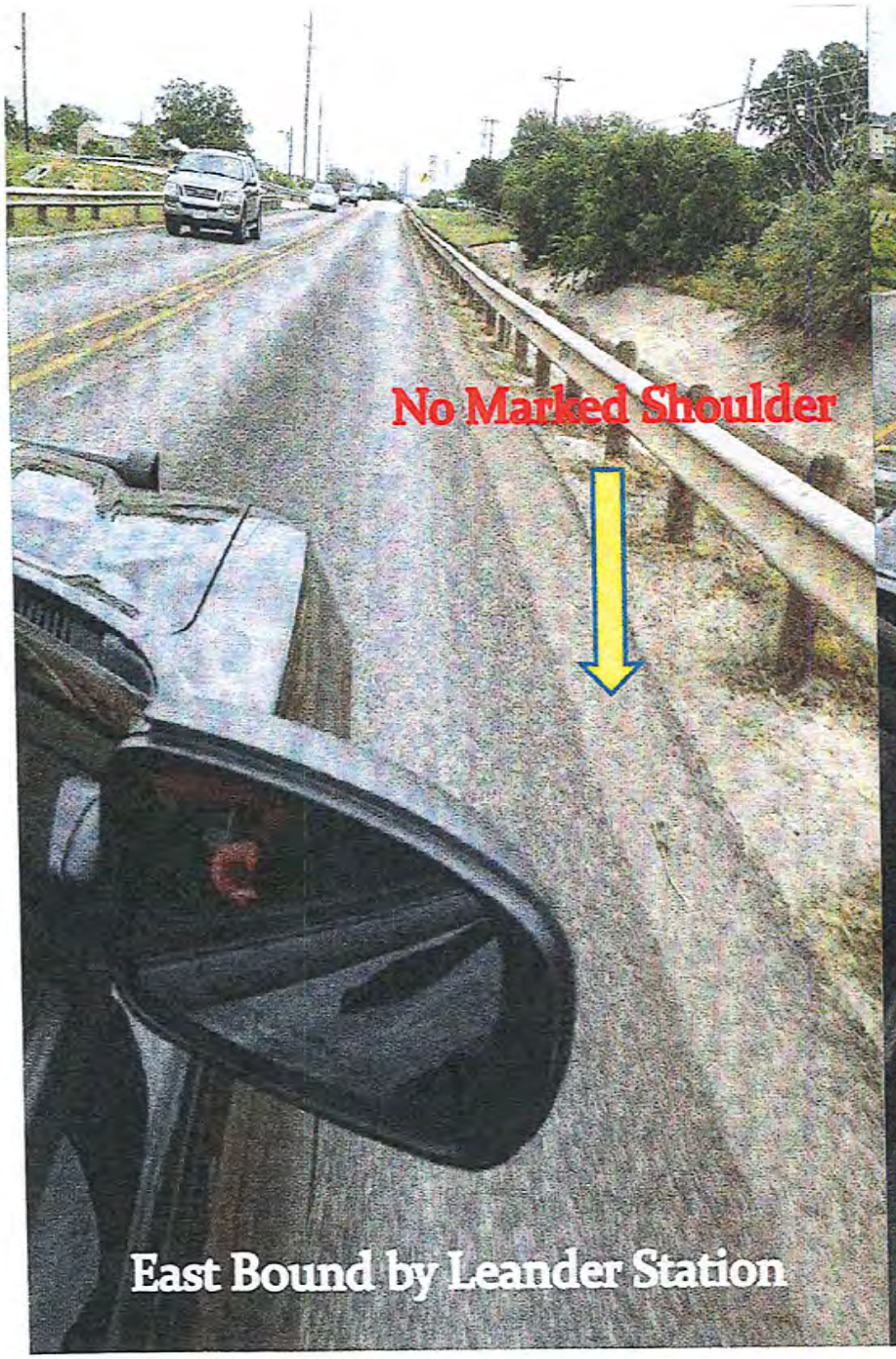
(3) a condition on or of the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal, or surface hazard prevents the person from safely riding next to the right curb or edge of the roadway; or

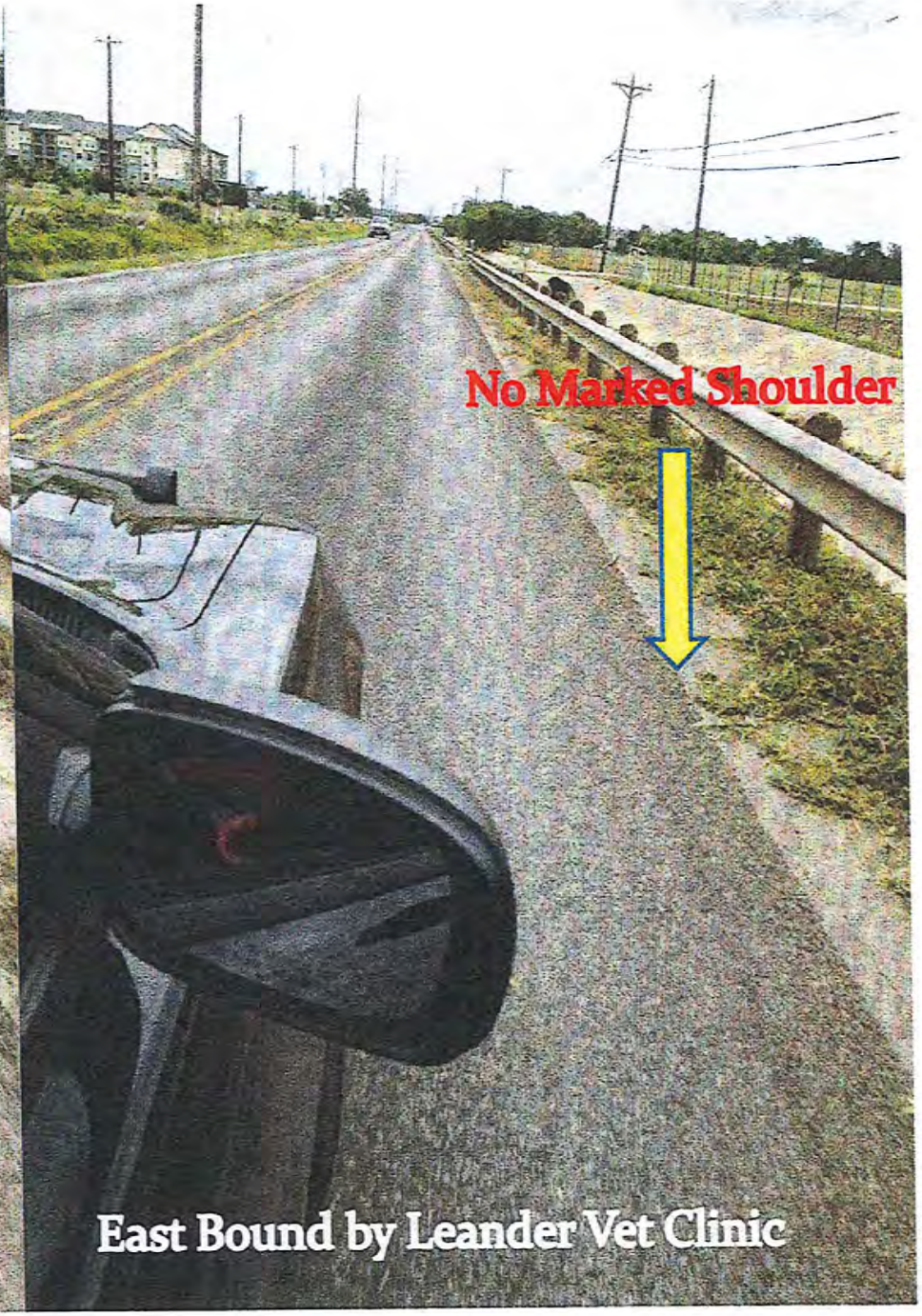
(4) the person is operating a bicycle in an outside lane that is:
(A) less than 14 feet in width and does not have a designated bicycle lane adjacent to that lane; or

(B) too narrow for a bicycle and a motor vehicle to safely travel side by side.

East Bound by Bagdad Cemetery

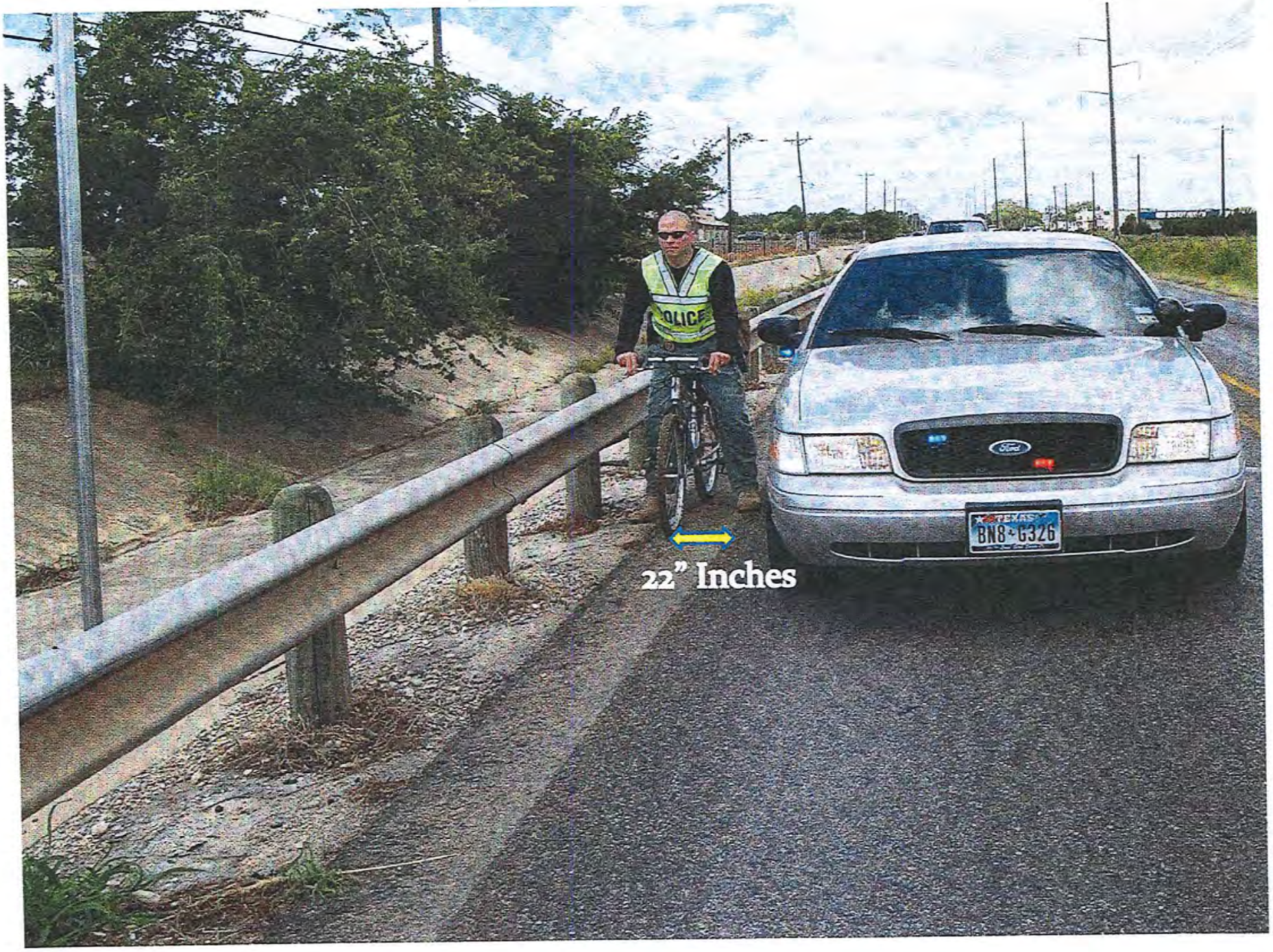
Marked Shoulder Stops


No Marked Shoulder
East Bound by Leander Station


No Marked Shoulder
East Bound by Leander Vet Clinic

No Marked Shoulder
West Bound on 2243

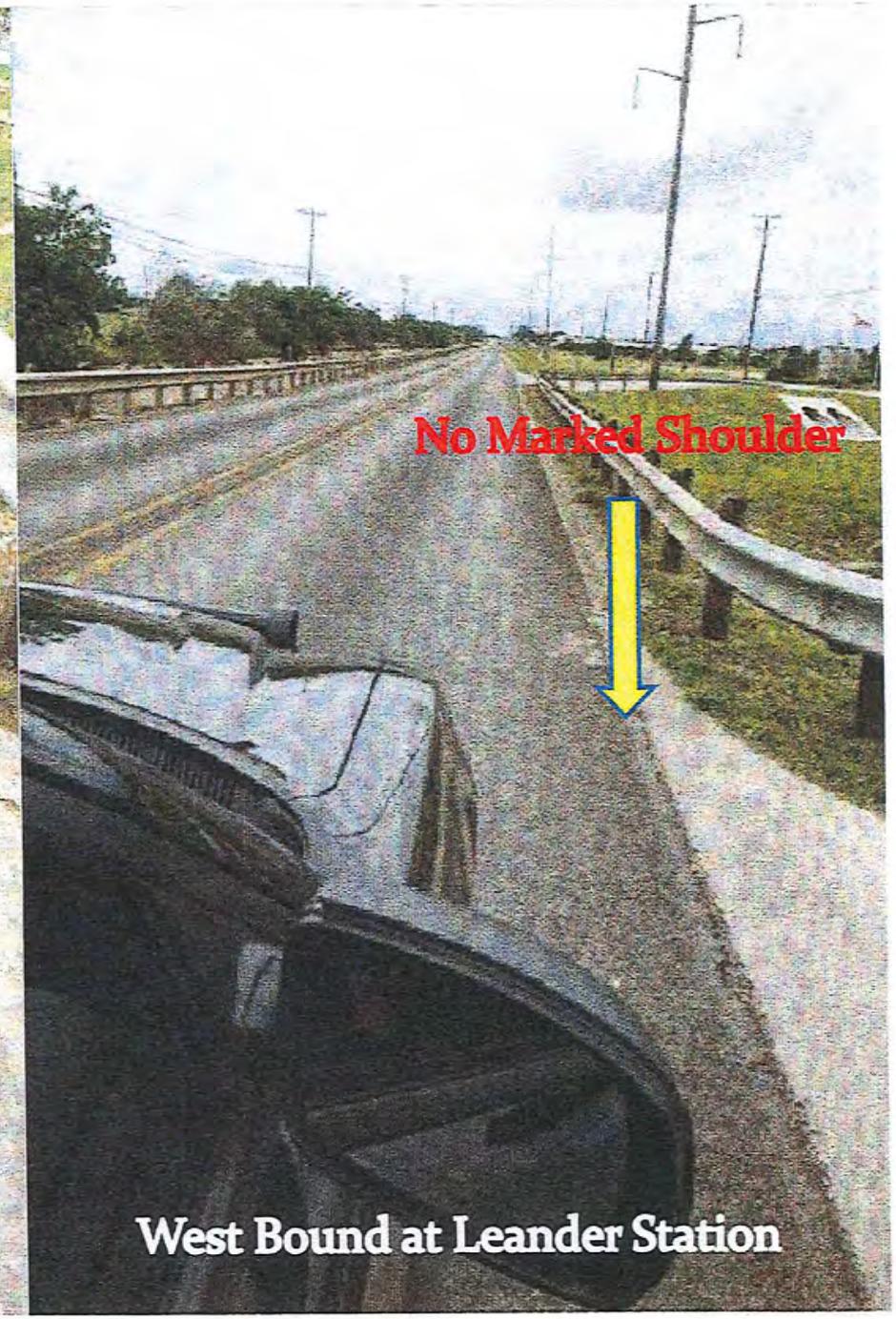
45
POLICE
12.5 Feet
West Bound on 2243


22" Inches
TEXAS
BN8 G326

OLICE
Ford
TEXAS
BN8 G326
3' Feet

Rider

West Bound before Leander Station



West Bound at Leander Station

3/19/2013

Greetings Ms. Haile,

My name is Jennifer Walsh and I am writing because I am interested in joining a City of Leander board or committee. I am seeking to participate in helping the community grow and prosper.

I am a Leander resident, have been for approximately that last 12 years. I work at Cedar Park Regional Medical Center as a Cardiac Technologist. My community involvement includes my leadership position for Girl Scout Troop 1150, as well as a per diem volunteer for LISD. I am a member of the Texas Parent Teacher Association as well as Golden Key International Honor Society. My education includes an Associate degree in Applied Arts and in May 2013 a Bachelor Degree of Applied Arts and Sciences will be achieved with a 4.0 G.P.A.

My goal is to help make a positive impact on the community that I call home. Please feel free to contact me with any questions.

Thank you kindly,
Jennifer Walsh

512-317-8806
walshjn3@yahoo.com

CITY OF LEANDER, TEXAS

Board & Commission Application

Please check appropriate boxes for all Boards or Commissions you are interested in serving on.

- ☐ Planning & Zoning Commission
- ☒ Parks & Recreation Advisory Board
- ☐ Public Art Commission
- ☐ TIRZ/Development Authority Board
- ☐ Board of Adjustment/Appeal
- ☒ Ethics Commission
- ☐ City Charter Review Committee
- ☐ Library Foundation Board

PERSONAL INFORMATION

Name: Jennifer Walsh

Home Address: 2702 S. Bagdad Rd # 1024 City Leander Zip 78641

Home Phone: 512-317-8806 Cell Phone Same

Email Address: Walshjn3@yahoo.com

Do you live inside the Leander City Limits ? ☒ Yes 12 years ☐ No ☐ ETJ ?

Are you a current registered voter? ☒ Yes ☐ No
If yes, please provide copy of voter registration card
↳ misplaced - will get a new one

OCCUPATIONAL INFORMATION

Business Name Cedar Park Regional Medical Occupation Cardiac Monitor

Address: 1401 Medical Pkwy City Cedar Park Zip 78613

Phone: 512-528-7000

Business Owner ☐ Yes ☒ No

Are you now or have you in the past served on any Boards or Commissions? ☐ Yes ☒ No

If yes, list Board or Commission served on: _____ Date _____

Signature Jennifer Walsh Date 3/19/13

Submit applications with a resume and letter of interest to:

Debbie Haile, City Secretary
Mail: P.O. Box 319, Leander, Texas 78646
Phone: 512/ 528-2743

Address: 200 W. Willis, Leander, Texas 78641
Fax: 512/ 259-1605 Email: Debbie@leandertx.gov

Jennifer Walsh

(512) 317-8806
Walshjn3@yahoo.com

Objective

Provide assistance to the community to help improve the quality of life the Austin and Surrounding residents. Utilize skills obtained to promote positive, healthy choices and encourage personal success to individuals whom I encounter

Education

Texas State University May, 2013 | BAAS

- Professional Development Areas: Adult Education & Counseling
- Summa Cum Laude, GPA 4.0

Austin Community College December, 2009 | AA

- Professional Development Areas: Liberal Arts & Health-care

Experience

January, 2013 | May, 2013 Internship

Independent educational internship for a local, non-profit organization for 4 months. Peer Counsel individuals in crisis whom are of diverse cultural, economic and age groups. Educate small groups of adults regarding areas of health, nutrition, and parenting skills to both expectant and new parents. Developed an educational pamphlets, power points, and documents i.e. "Pregnancy 101" approved by the organization's board members and medical doctors. Provided elaborate research and statistics to the organization in order to help legislation development. Gained familiarity with local non-profit organizations along with programs to assist those in need of specific services. Educated public with STD prevention and confidence-based behavior techniques

April, 2012 | Current Cardiac Technologist

Analyze and interpret cardiac arrhythmia's. Notify nurses and doctors of changes to of patient condition changes in the ICU, PCU, Med/Surg Departments
Identify sources of alarm fatigue for Quality Control
Developed equipment rental form for the PCU
Evaluate resumes and conduct interviews for PCU positions
Identify potential safety concerns, and develop solutions
account for material and equipment to prevent financial loss to the company

April, 2005 | May 2012 CNA/ Unit Clerk/ Cardiac Monitor/ Preceptor

Trained new employees multiple positions hospital wide. Departments included Med/Surg , ER, ICU, Rehab, switchboard

JW

Responsibilities included instructing and preforming : direct patient care, ancillary services, transcription and input of physician's orders and identify medications and prevent errors, in addition to generalized secretarial responsibilities.

Instructed new orientees on hospital wide polices i.e. HIPPA, along with departmental procedural safe codes. Educate regular employees on skills training to allow for increase in level statuses.

Skills

- Leander SHAC Member (Student Health Advisory Council) (4/2013)
- Central Texas Girl Scout Troop developer and leader (2010- Current)
- Boy Scout Troop Assistant 2006-2011
- Shared Leadership Governance Member (departmental policy development)
- Head, Heart, Hands Committee member (Patient satisfaction)
- Volunteer Grief Counselor Services (Acute Care)
- Leander ISD Volunteer for extracurricular activities in Elementary and Middle Schools (2007- Current)
- PTA Member (2007-Current)
- Mentor- Adult minorities education Assist minorities receive higher education by assisting in enrollment, registration, and financial aid application processes
- Multiple Nominations for the I-Care Award for St. David's Healthcare
- Nominated (runner up) for Tech of the Year 2006
- Current CPR/BCLS (2012)
- Certified Nurse Aide (2004)

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