

**NOTICE OF CITY COUNCIL BRIEFING SESSION
JULY 23, 2013
T.W. "TURK" CANNADY-CEDAR HILL ROOM
285 UPTOWN BLVD. – BLDG. 100
CEDAR HILL, TEXAS**

6:00 P.M.

AGENDA

- I. Call the meeting to order.**
- II. Conduct a briefing regarding the sale and distribution of City-branded merchandise.**
- III. Presentation regarding the FM 1382 Trail Design Concepts.**
- IV. City Manager Reports:**
 - a. City Council Calendar/Upcoming Events.
 - b. City Operations.
- V. Conduct a briefing session to discuss agenda items for 7:00 p.m. regular meeting.**
- VI. Adjourn.**

I certify that the above notice of meeting was posted in accordance with the Texas Open Meetings Act on the 19th day of July 2013.

**Lyn Hill
City Secretary**

This facility is wheelchair accessible. If you plan to attend this public meeting and you have a disability that requires special arrangements, please call 972-291-5100 Ext. 1011 or (TDD) 1-800-RELAY TX (1-800-735-2989) at least 48 hours in advance. Reasonable accommodations will be made to assist your needs.

**NOTICE OF CITY COUNCIL MEETING
JULY 23, 2013
T.W. "TURK" CANNADY-CEDAR HILL ROOM
285 UPTOWN BLVD. – BLDG. 100
CEDAR HILL, TEXAS**

7:00 P.M.

VISION STATEMENT: We envision Cedar Hill as a premier city that retains its distinctive character; where families and businesses flourish in a safe and clean environment.

MISSION STATEMENT: The mission of the City of Cedar Hill is to deliver the highest quality municipal services to our citizens and customers consistent with our community values.

AGENDA

- I. Call the meeting to order.**
- II. Pledge of Allegiance.**
- III. Invocation: Cedar Hill Fire Marshal Randy Jordan.**
- IV. Presentation:**
 1. Presentation to City of Cedar Hill Management Staff and Fire Department from Na'Kayshions Wedding and Event Center.
- V. Bond Matters:**
 1. Consider approving Resolution No. R13-385 authorizing publication of notice of intention to issue Certificates of Obligation (CO) bonds.
- VI. Consent Agenda:**

The Consent Agenda includes routine items that may be acted upon with a single vote. Any City Council member may remove items from the Consent Agenda for separate discussion and consideration.

1. Consider approving the minutes of the regular meeting of July 9, 2013
2. Consider adoption of Ordinance No. 2013-509 amending the 2011-2012 operating fund budgets and Ordinance No. 2013-510 amending the 2011-2012 capital fund budgets.
3. Consider adoption of Ordinance No. 2013 -511 amending Chapter 15 of the City of Cedar Hill Code of Ordinances pertaining to Parks and Recreation and allowing appointments of Ex-Officio members to the Parks Board.
4. Consider request for matching grant reimbursement for Wild Flower Neighborhood Watch.
5. Consider adoption of Ordinance No. 2013-512, which changes the zoning on Lot 1, Block 2, Wild Flower Addition, generally located southeast of U.S. Highway 67 and Pleasant Run Road, from "NS" – Neighborhood Services to "LR" – Local Retail.
6. Consider adoption of Ordinance No. 2013-513, which amends Section 9 of Planned Development (PD) Ordinance No. 2011-458 and extends the deadline to submit a Development Plan on approximately 156.81 acres of land, generally located at the northwest corner of Cockrell Hill Road and Bear Creek Road.
7. Consider authorizing the Mayor to sign an Employee Wellness Program Agreement with MedHealth for a three year period.

VII. Citizens Forum.

VIII. Updates and announcements from City Council Members.

IX. Adjourn.

I certify that the above notice of meeting was posted in accordance with the Texas Open Meetings Act on the 19th day of July 2013.

Lyn Hill
City Secretary

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PREMIER STATEMENTS

**CEDAR HILL HAS DISTINCTIVE CHARACTER
CEDAR HILL HAS EXCELLENT, SAFE & EFFICIENT INFRASTRUCTURE
CEDAR HILL IS SAFE
CEDAR HILL IS CLEAN
CEDAR HILL HAS TEXAS SCHOOLS OF CHOICE
CEDAR HILL HAS VIBRANT PARKS AND NATURAL BEAUTY
CEDAR HILL HAS A STRONG AND DIVERSE ECONOMY**

CITY COUNCIL VALUES

**CITIZEN INPUT AND PARTICIPATION
ACCOUNTABILITY AND RESPONSIVENESS
DIVERSITY AND RESPECT FOR INDIVIDUAL DIFFERENCES
HIGHEST ETHICAL STANDARDS AND INTEGRITY
TEAMWORK AND REGIONAL COOPERATION
EXCELLENCE AND CONTINUOUS IMPROVEMENT**

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the Government Center bulletin board on the ____ day of _____, 2013, By: _____

**CITY OF CEDAR HILL
CITY COUNCIL BRIEFING ITEM**

Agenda Date: July 23, 2013

Agenda Item Wording: Conduct a briefing regarding development of a policy for the sale and distribution of City-branded merchandise.

Summary: The City of Cedar Hill has received numerous requests from both citizens and businesses expressing a desire to purchase City-branded merchandise. Consequently, staff is seeking direction from the City Council regarding the development of a policy for the sale of such merchandise.

The sale of City-branded merchandise presents an opportunity to not only increase awareness of Cedar Hill and help inspire community pride among our citizens, but to promote the City's newly adopted brand. The opportunity also exists to promote the continued partnership between the City and Cedar Hill ISD through their offer to display City-branded merchandise in *Longhorn Central*, CHISD's student-run retail store and community computer lab located on Pleasant Run Road at U.S. Highway 67 in the Cedar Hill Pointe retail center. In addition to a retail presence in the community, *Longhorn Central* staff would assist with merchandising, pricing and accounting for revenues generated by City-branded merchandise sales.

Additional factors to consider with the sale of City-branded merchandise include:

- The potential for misrepresentation by individuals posing as city employees, specifically public safety employees
- Improper use of the City's brand identity by unauthorized entities for the purpose of creating an implied affiliation with, or endorsement by, the City of Cedar Hill
- The costs and legal fees associated with trademarking the City's brand identity

Funding Source: N/A

Recommended Action: N/A

Department: Administration
Contact / Phone No: Corky Brown

972.291.5100 X 1034

Attachments: No

If yes, how many pages: N/A

**CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM**

Agenda Date: July 23, 2013

Agenda Item Wording: Consider approving Resolution No. R13-385 authorizing publication of notice of intention to issue Certificates of Obligation (CO) bonds.

Summary:

In the April 16, 2013 CIP Workshop, City Council and staff reviewed a capital projects plan and identified \$2,100,000 of streets, drainage and facilities improvements to be funded by a bond issue. The funding allocation is as follows:

Street Overlays			\$500,000
Steet Remediation/Concrete Reparis			\$500,000
Drainage			\$300,000
Fire Station Renovation Reimbursement			\$170,000
Fire Truck and Facilities Reimbursement			\$551,000
Estimated Bond Issue Cost			\$79,000
Total			\$2,100,000

The Fire Department projects were previously approved by the City Council and were included in a Reimbursement Resolution the City Council authorized in November 2011. The CO bonds anticipated to be issued August 27, 2013 will reimburse those funds.

In addition to the CO debt issue, First Southwest has determined that the bond market may permit the City to issue General Obligation (GO) Refunding bonds to refund some of the GO Bonds and Water and Sewer Revenue Bonds for a cost savings. The total new money and refunding issue cannot exceed \$10,000,000 in order to take advantage of market rates.

In order to issue bonds (new money), the City must publish a notice of intent to issue the CO at least 31 days prior to the issue. Approval of this agenda item provides staff with the authority to publish the notice in anticipation of issuing the CO at the August 27th City Council meeting. No authorization for publication of notice of intent is required for issuing GO Refunding bonds.

Funding Source: N/A

Recommended Action: Approve Resolution

Department: Finance
 Contact / Phone No: Martin Avila 972.291.5100 X 1063

Attachments: Yes If yes, how many pages: 3

RESOLUTION NO. R13-385

A RESOLUTION OF THE CITY OF CEDAR HILL, TEXAS APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

WHEREAS, the City Council of the City of Cedar Hill, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C, as amended (the "Act"), for the purpose of paying contractual obligations to be incurred for: (i) the construction of public works, to wit: (a) acquiring, constructing and improving streets, including the acquisition of land and rights-of-way therefor, (b) acquiring, constructing, renovating, improving and equipping existing municipal facilities, (c) drainage improvements, including the acquisition of land and rights-of-way therefor, and (d) constructing and improving facilities and acquiring equipment and vehicles for the City's fire department; and (ii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in accordance with the provisions of the Act; now, therefore,

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in the principal amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) for the purpose of paying contractual obligations to be incurred for: (i) the construction of public works, to wit: (a) acquiring, constructing and improving streets, including the acquisition of land and rights-of-way therefor, (b) acquiring, constructing, renovating, improving and equipping existing municipal facilities, (c) drainage improvements, including the acquisition of land and rights-of-way therefor, and (d) constructing and improving facilities and acquiring equipment and vehicles for the City's fire department; and (ii) professional services rendered in relation to such projects and the financing thereof; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues derived from the operation of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: That the City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 4: This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED, this July 23, 2013.

Mayor, City of Cedar Hill, Texas

ATTEST:

City Secretary, City of Cedar Hill, Texas

(City Seal)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF CEDAR HILL, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Cedar Hill, Texas, shall convene at 7:00 p.m. on August 27, 2013, at its regular meeting place in the Cedar Hill Government Center located at 285 Uptown Boulevard, Cedar Hill, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in an amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) for the purpose of paying contractual obligations to be incurred for: (i) the construction of public works, to wit: (a) acquiring, constructing and improving streets, including the acquisition of land and rights-of-way therefor, (b) acquiring, constructing, renovating, improving and equipping existing municipal facilities, (c) drainage improvements, including the acquisition of land and rights-of-way therefor, and (d) constructing and improving facilities and acquiring equipment and vehicles for the City's fire department; and (ii) professional services rendered in relation to such projects and the financing thereof; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues derived from the operation of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C, as amended.

Lyn Hill
City Secretary
City of Cedar Hill, Texas

**BRIEFING MINUTES
CITY COUNCIL MEETING
July 9, 2013**

The City Council of the City of Cedar Hill, Texas, met in briefing session Tuesday, July 9, 2013, 6:00 p.m., in the T.W. "Turk Cannady" Cedar Hill Room, 285 Uptown Blvd., Bldg. 100, Cedar Hill, Texas.

The following members of the City Council were present, to wit: Mayor Rob Franke, Mayor Pro Tem Chris Parvin, Council Members Daniel C. Haydin, Jr., Steve Mason, Jami McCain, Clifford Shaw and Wallace Swayze.

I. Call the meeting to order.

Mayor Rob Franke called the meeting to order at 6:00 p.m., declaring it an open meeting, that a quorum was present and the meeting notice was duly posted.

I. Fire Department Strategic Plan and Update.

City Manager Sims advised this item would be moved to a later date.

II. City Manager Reports:

a. City Council Calendar/Upcoming Events.

City Manager Sims reviewed the City Council's calendar for the upcoming weeks, noting the City Center Meeting scheduled for Thursday, July 11 was canceled. He polled the City Council regarding their possible attendance at a joint City Council/Economic Development meeting on Tuesday, August 6, 2013. Sims noted the meeting is to discuss the selection process for a property manager to handle the Phillips' property. All members indicated they would attend the meeting. Also needed is guidance on the criteria used for the property manager to bring proposals to the City Council.

Sims reminded City Council of the August 9 Budget Workshop, noting previous City Council's continued the workshop on Saturday. He asked if that was desired, and the response was that the additional date was not needed.

b. City Operations.

There was no discussion on City operations.

III. Conduct a briefing session to discuss agenda items for 7:00 p.m. regular meeting.

City Manager Sims reviewed items on the agenda for the regular meeting, as follows:

Public Hearing:

1. Case No. 13-10 – Conduct a Public Hearing and instruct Staff on the preparation of an ordinance changing the zoning on Lot 1, Block 2, Wild Flower Addition, generally located southeast of U.S. Highway 67 and Pleasant Run Road, from “NS” – Neighborhood Services to “LR” – Local Retail, *requested by Chad Suito of PM Realty Group, on behalf of Carol Irrevocable Trust.*
- There was discussion by City Council regarding the size of the facility.
2. Case No. 13-11 – Conduct a Public Hearing and instruct Staff on the preparation of an ordinance that would amend Section 9 of Planned Development (PD) Ordinance No. 2011-458, to extend the deadline to submit a Development Plan on approximately 156.81 acres of land, generally located at the northwest corner of Cockrell Hill Road and Bear Creek Road, *requested by William Parsons.*
- Sims explained this has been before the City Council several times due to the economy.

Consent Agenda:

- No items were requested to be removed from the Consent Agenda for separate consideration.
1. Consider approving the minutes of the special meeting of June 18, 2013 and the regular meeting of June 25, 2013.
 2. Consider entering into an Interlocal Agreement between the City of Cedar Hill and the City of Wilmer for a Cooperative Purchasing Program.
 3. Case No. 13-13 – Consider approving, in accordance with the Planning and Zoning Commission's motion, the site plan of a 5,250 sq. ft. building addition located at 265 W. Pleasant Run Rd., *requested by Bobby Fletcher on behalf of Hillcrest Baptist Church.*
 4. Case No. 13-18 – Consider approving, in accordance with the Planning and Zoning Commission's motion, an amended Site Plan showing the addition of a 960 sq. ft. storage building on Lot 1, Block A, Nancy McIlveen Jackson Addition, more commonly known as 432 S. Clark Rd., *requested by Nancy Jackson of Na'Kayshions Wedding Chapel and Special Event Facility.*
- There was discussion by City Council regarding the visibility of the storage building from the street. Planning Director Rod Tyler answered questions, explaining the unit will not be prominent on the site.

5. Consider appointment to the Tourism Advisory Board.
6. Consider Resolution No. R13-384 authorizing Dallas County to resell tax foreclosed property by public or private sale, to the highest qualified purchaser, as provided by section 34.05 of the Texas Property Tax Code.

Regular:

1. Closed meeting called pursuant to Texas Gov't Code: Sec. 551.087 (1) Economic Development negotiations;

to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.

Project S'mores

2. Reconvene in open session and consider any action to be taken as a result of the executive session.
- City Manager Sims asked Economic Development Director Allison Thompson to introduce her newest employee.

Thompson introduced Erica Molett, Business Retention Manager for the Economic Development Corporation.

Molett explained she came from the City of Dallas, where her background was in commercial banking and city government. She is a Cedar Hill resident.

- Sims reviewed the changes in the Administration Office after the retirement of Pat Bateman a year and a half ago. He identified the position was not filled, and the funds have been used to hire an Assistant to the City Manager. Sims introduced Marie Watts, noting he met her through his appointment on the North Texas Tollway Authority. She is also a citizen of Cedar Hill. He stated she worked full time and pursued her masters' degree at the same time.

Watts stated she is excited about being a part of the staff of the City of Cedar Hill and looks forward to working in city management.

- Sims addressed the issue of the boards and commissions appointments. The large amount of applicants means some did not receive

appointments. He reminded City Council of their desire to appoint those to some of the other committees in the City.

- Sims stated Council Member Mason contacted him about a citizen's correspondence regarding the joint project for Wintergreen Road, between Duncanville, Cedar Hill and DeSoto. The concern centers on a home where a large amount of the property will be taken for the road. The home is situated in DeSoto.

There was discussion regarding the proper addressing of the concern.

Adjourn.

There being no further business, Mayor Franke entertained a motion to adjourn. The motion was made by Mayor Pro Tem Parvin, second by Council Member Haydin and passed by unanimous vote.

The meeting adjourned at 6:21 p.m.

Approved: _____
Rob Franke, Mayor

Attest: _____
Lyn Hill, City Secretary

**MINUTES
CITY OF CEDAR HILL
CITY COUNCIL MEETING
JULY 9, 2013**

The City Council of the City of Cedar Hill, Texas met in regular session Tuesday, July 9, 2013, 7:00 p.m., T.W. "Turk" Cannady - Cedar Hill Room, 285 Uptown Blvd., Cedar Hill, Texas.

Present: Mayor Rob Franke, Mayor Pro Tem Chris Parvin, Council Members Daniel C. Haydin, Jr., Stephen Mason, Jami McCain, Cliff Shaw and Wallace Swayze.

I. Call the meeting to order.

Mayor Franke called the meeting to order at 7:00 p.m., declaring it an open meeting, that a quorum was present and that the meeting notice was duly posted.

II. Pledge of Allegiance.

Mayor Pro Tem Chris Parvin led the Pledges of Allegiance to both the United States and Texas Flags.

III. Invocation: City Council Member Stephen Mason.

Council Member Stephen Mason gave the invocation.

IV. Public Hearing:

Item 1 was for Case No. 13-10 – Conduct a Public Hearing and instruct Staff on the preparation of an ordinance changing the zoning on Lot 1, Block 2, Wildflower Addition, generally located southeast of U.S. Highway 67 and Pleasant Run Road, from "NS" – Neighborhood Services to "LR" – Local Retail, *requested by Chad Suitonu of PM Realty Group, on behalf of Carol Irrevocable Trust.*

Mayor Franke introduced the item and asked if the applicant wished to address the City Council.

Chad Suitonu of PM Realty Group, spoke on behalf of the applicant. He gave a presentation of Case No. 13-10, detailing the proposed use of the lot and the need for the zoning change.

Mayor Franke opened the public hearing for anyone wishing to against the item.

- Michael Conley, resident on Twilight Street, spoke in favor of the item; however, he expressed his concern about the change in zoning. He did not want that property to be retail.

The Mayor closed that part of the public hearing and opened it for anyone wishing to speak for the item.

- Michael Kneeland spoke in favor of the item.

Mayor Franke turned the item over for deliberation by City Council.

Following a lengthy discussion, Mayor Pro Tem Parvin made a motion to approve the item, seconded by Council Member Haydin.

The item passed by unanimous vote.

Item 2 was for Case No. 13-11 – Conduct a Public Hearing and instruct Staff on the preparation of an ordinance that would amend Section 9 of Planned Development (PD) Ordinance No. 2011-458, to extend the deadline to submit a Development Plan on approximately 156.81 acres of land, generally located at the northwest corner of Cockrell Hill Road and Bear Creek Road, *requested by William Parsons.*

Mayor Franke introduced the item and asked if the applicant wished to address the City Council.

William Parsons explained he was once again requesting the extension of the deadline as the economy was still not strong enough to support the project.

Mayor Franke opened the public hearing for anyone wishing to speak in opposition of the item.

No one spoke.

The Mayor closed that part of the public hearing and opened it for anyone wishing to speak for the item.

No one spoke.

Mayor Franke turned the item over for deliberation by City Council.

Following a lengthy discussion, Council Member Haydin made a motion to approve the item, seconded by Mayor Pro Tem Parvin.

The item passed by unanimous vote.

V. Consent Agenda:

The Mayor introduced the Consent Agenda items and noted no request was to remove any item for separate consideration.

Item 1 was to consider approving the minutes of the special meeting of June 18, 2013 and the regular meeting of June 25, 2013.

Item 2 was to consider entering into an Interlocal Agreement between the City of Cedar Hill and the City of Wilmer for a Cooperative Purchasing Program.

Item 3 was for Case No. 13-13 – Consider approving, in accordance with the Planning and Zoning Commission's motion, the site plan of a 5,250 sq. ft. building addition located at 265 W. Pleasant Run Rd., *requested by Bobby Fletcher on behalf of Hillcrest Baptist Church.*

Item 4 was for Case No. 13-18 – Consider approving, in accordance with the Planning and Zoning Commission's motion, an amended Site Plan showing the addition of a 960 sq. ft. storage building on Lot 1, Block A, Nancy Mcilveen Jackson Addition, more commonly known as 432 S. Clark Rd., *requested by Nancy Jackson of Na'Kayshions Wedding Chapel and Special Event Facility.*

Item 5 was to consider an appointment to the Tourism Advisory Board.

Item 6 was to consider Resolution No. R13-384 authorizing Dallas County to resell tax foreclosed property by public or private sale, to the highest qualified purchaser, as provided by section 34.05 of the Texas Property Tax Code.

Following the reading of the items, a motion was made by Council Member Mason to approve the Consent Agenda, seconded by Council Member McCain.

The motion passed by unanimous vote.

VI. Citizens Forum.

Mayor Franke reviewed the rules of the Citizens Forum and noted one person requested to speak.

Elaine Cook 2818 Sunterra addressed the City Council regarding fireworks.

VII. Regular:

Item 1 was for a Closed Meeting called pursuant to Texas Gov't Code: Sec. 551.087 (1) Economic Development negotiations;

to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.

Project S'mores

- Mayor Franke recessed into executive session at 7:50 p.m.

Item 2 was to reconvene in open session and consider any action to be taken as a result of the executive session.

Mayor reconvened into open meeting at 8:07 p.m.

Mayor Pro Tem Parvin made a motion to approve the project.

The motion was seconded by Council Member Haydin and passed by unanimous vote.

VIII. Updates and announcements from City Council Members.

There were no updates and announcements from City Council Members.

IX. Adjourn

Mayor Franke entertained a motion to adjourn.

The motion was made by Mayor Pro Tem Parvin, seconded by Council Member Haydin to adjourn the meeting.

After a unanimous vote, the meeting adjourned at 8:09 p.m.

Approved: _____
Rob Franke, Mayor

Attest: _____
Lyn Hill, City Secretary

CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM

Agenda Date: July 23, 2013

Agenda Item Wording: Consider adoption of Ordinance No. 2013-509 amending the 2011-2012 operating funds' budgets and Ordinance No. 2013-510 amending the 2011-2012 and 2012-2013 capital fund budgets.

Summary:

This item presents the final staff report on financial activities for the City and budget amendments needed to finalize the 2011-2012 year. As usual, it is presented after staff has completed the closing of the City's financial records and prior to completion of the audit. The proposed ordinances amend the operating budget for the 2011-2012 fiscal year, as well as, the capital budget for the 2011-12 and 2012-13 budget years. Attached is an explanation of the changes to both budgets.

These Ordinances have been reviewed and approved as to form by legal counsel.

Funding Source: Various Funds

Recommended Action: Adopt Ordinances

Department: Finance
Contact / Phone No: Martin Avila (972) 291-5100 x 1063

Attachments: Yes If yes, how many pages: 7

ORDINANCE NO. 2013 - 509

AN ORDINANCE ADOPTING REVISED 2011-12 OPERATING FUNDS' BUDGET EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012 FOR THE CITY OF CEDAR HILL, TEXAS; AUTHORIZING EXPENDITURES AS SET OUT IN SUCH BUDGET AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, the City Council of the City of Cedar Hill, Texas, has found and determined that it is necessary to revise its 2011-2012 Budget for the purposes of designating budget amendments for the fiscal year; and

WHEREAS, the City Council of the City of Cedar Hill, Texas has determined that it is in the best interests of the citizens of the City of Cedar Hill that such provisions and budget amendments be adopted,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cedar Hill, Texas that:

Section 1.

The appropriation amounts of the following operating funds for the official budget of the City of Cedar Hill for the fiscal year beginning October 1, 2011 and ending September 30, 2012 are hereby revised as follows:

FUND	Current Budget	Revised Budget
Energy Efficient & Conservation Grant Fund	\$0	\$62,500
Police Reserves Pension Fund	\$18,100	\$19,220
Forfeiture Fund	\$10,800	\$53,575
Community Development Block Grant Fund	\$0	\$213,250
High Pointe PID Fund	\$335,010	\$374,135
Waterford Oaks PID Fund	\$87,200	\$89,865
JAG Recovery Act Grant Fund	\$0	\$11,558
Debt Service Fund	\$8,010,060	\$17,475,775
Building Maintenance Fund	\$0	\$1,200
Peg fund	\$0	\$500

Section 2.

A true and correct copy of the Revised Official Budget is hereby directed to be filed in the office of the City Secretary, and said Revised Official Budget is made a part of this Ordinance by reference as though fully copied herein verbatim.

Section 3.

It being deemed by the City Council that this Ordinance shall go into immediate effect and force after its passage, approval, and publication according to law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cedar Hill, Texas on the 23rd day of July, 2013.

Rob Franke, Mayor

ATTEST:

Lyn Hill, City Secretary

APPROVED AS TO FORM:

Ron G. McFarlane, City Attorney

ORDINANCE NO. 2013-510

AN ORDINANCE ADOPTING A REVISED CAPITAL BUDGET FOR SPECIFIED PROJECTS FOR THE CAPITAL IMPROVEMENT PLANS FOR THE CITY OF CEDAR HILL, TEXAS; AUTHORIZING EXPENDITURES AS SET OUT IN SUCH BUDGET AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, the City Council of the City of Cedar Hill, Texas, has found and determined that it is necessary to revise its 2011-2012 and 2012-2013 Budget for the purposes of designating budget amendments for the capital improvement plans for the City of Cedar Hill, pursuant to the laws of the State of Texas; and

WHEREAS, the City Council of the City of Cedar Hill, Texas, has determined that it is in the best interests of the citizens of the City of Cedar Hill that such provisions and budget amendments be adopted,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cedar Hill, Texas that:

Section 1.

The appropriation amounts for each of the following capital projects of the City of Cedar Hill are increased or decreased as follows:

Fiscal Year 2011-2012		
FUND	Current Budget	Revised Budget
Parks Visioning & Master Plan	\$100,000	\$116,800
Fiscal Year 2012-2013		
FUND	Current Budget	Revised Budget
Water System Controls Upgrade (SCADA)	\$250,000	\$280,000

Section 2.

A true and correct copy of the Revised Official Budget is hereby directed to be filed in the office of the City Secretary, and said Revised Official Budget is made a part of this Ordinance as though fully copied herein verbatim.

Section 3. It being deemed by the City Council that this Ordinance shall go into immediate effect and force after its passage, approval and publication according to law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cedar Hill, Texas on the 23rd day of July, 2013.

Rob Franke, Mayor

ATTEST:

Lyn Hill, City Secretary

Interoffice Memo

To: City Council
From: Alan E. Sims
Date: July 15, 2013
Re: Revising 2011-2012 Operating Budgets
Revising 2011-2012 and 2012-2013 Capital Budgets

Attached are ordinances to revise the operating and capital funds' budgets for your consideration. Attached are adjusted schedules with revenues and expenditures presented with the same level of detail as the original budgets, in order for you to be able to evaluate each fund's performance. Most of the funds listed do not require revisions and are presented for informational purposes only. The following operating funds require an increase in their budgets:

1. Energy Efficient and Conservation Block Grant Fund
2. Police Reserves Pension Fund
3. Forfeiture Fund
4. Community Development Block Grant Fund
5. High Pointe PID Fund
6. Waterford Oaks PID Fund
7. JAG Recovery ACT Grant Fund
8. Debt Service Fund
9. Building Maintenance Fund
10. PEG Fund

Explanations of the reasons for these increases will be discussed below. Also included are schedules presenting the status of active construction projects and projects completed during the fiscal year. Two of these projects require revisions in their budgets.

General Fund

The General Fund Budget for 2011-2012 totaled \$29,256,915. Estimated total expenditures totaled \$28,081,918 or \$1,174,997 below budget. Certain departments did exceed budget which is not uncommon or unusual for a variety of reasons. However, their additional expenditures were covered by other departments whose expenditures were less than budgeted. A budget amendment is not required for this fund.

Energy Efficiency and Conservation Block Grant Fund

The fund received a \$50,000 grant and a City match of \$12,500 for wind turbines. The grant was received after the 2011-12 budget. The fund incurred \$62,500 in expenditures during the year and requires a budget amendment.

Police Reserves Pension Fund

In FY 2012, an eligible participant began drawing on his police reserve pension resulting in \$1,120 additional pension payments over the original budget of \$18,100. This fund requires a budget amendment.

Forfeiture Fund

This fund incurred \$53,575 in expenditures versus a \$10,800 budget. Fund balance is available to cover these expenditures. A budget amendment of \$42,775 is required.

Community Development Block Grant Fund

The Community Development Block Grant (CDBG) Fund incurred \$213,250 of costs for various grant-eligible projects such as street overlays, ADA doors and sewer line replacement. These expenditures were reimbursed by CDBG grant funds. These grant-funded project expenditures were not budgeted and budget amendment is required.

High Pointe PID Fund

This fund incurred \$374,135 in expenditures versus a \$335,010 budget. This increase is primarily due to higher maintenance cost incurred than previously budgeted. Fund balance is available to cover these expenditures. A budget amendment of \$39,125 is required.

Waterford Oaks PID Fund

This Fund incurred \$89,865 in expenditures this year versus an \$87,200 budget. Fund balance is available to cover these expenditures. A budget amendment of \$2,665 is required.

JAG-Recovery Act Grant Fund

This fund received a grant for \$11,558 after the 2011-2012 budget was approved, and funds were expended in the fiscal year. The fund needs a budget amendment of \$11,558.

Debt Service Fund

The City issued \$9,040,000 in refunding bonds this year. Governmental accounting rules consider the proceeds of the refunding bonds as revenue and the retirement of the old bonds as an expenditure. The budget needs to be increased from \$8,010,060 to \$17,475,556 as a result of the refunding.

Building Maintenance Fund

The fund incurred \$1,200 in expenditures for a Government Center software maintenance package. These expenditures need to be budgeted.

Public Educational Governmental (PEG) Fund

This is a new fund established in 2011-2012 fiscal year to account for cable fee surcharge and expenditures to support the public, educational and governmental media. A budget amendment is needed for \$500.

CAPITAL PROJECTS FUNDS

This section presents the projects active during the year as well as the projects with budgets approved for 2011-2012 fiscal year and 2012-2013 fiscal year in order to provide a more complete view of construction projects in progress for the City. The discussion below focuses only on those projects with a proposed increase in their appropriation.

Restricted Community Development Corporation Program Capital Budget (Fiscal year 2011-12)

Parks Visioning & Master Plan Project has incurred a total expenditure of \$116,800 versus a current budget of \$100,000. A budget amendment is needed for \$16,800.

Restricted Water & Sewer System Program Capital Budget (Fiscal year 2012-2013)

During the Water & Sewer Capital Project Workshop, an additional \$30,000 was approved on the SCADA project. A budget amendment is needed for the additional \$30,000.

**CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM**

Agenda Date: July 23, 2013

Agenda Item Wording: Consider adoption of Ordinance No. 2013-511 amending Chapter 15 of the City of Cedar Hill Code of Ordinances pertaining to Parks and Recreation and allowing appointments of Ex-Officio members to the Parks Board.

Summary:

Prior to the 2013 board appointments, the City Council received an exceptionally large number of quality applications from individuals wanting to serve on various City boards. Many of the existing Boards have Ex-Officio members. The Parks Board does not.

In order to maximize the involvement of our residents who are interested in serving, the City Council requested staff modify the City of Cedar Hill Code of Ordinances as needed to allow Ex-Officio members to be appointed to the Parks Board.

An ordinance is attached allowing for Ex-Officio appointments to the Parks Board.

Ordinance No. 2013-511 has been approved to form by legal counsel.

Funding Source: N/A

Recommended Action: Adopt Ordinance No. 2013-511

Department: Parks and Recreation
Contact / Phone No: Rhoda L. Savage 972.291.5100 X1511

Attachments: Yes **If yes, how many pages:** 2

ORDINANCE NO. 2013-511

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING CHAPTER 15, ARTICLE II, SECTION 15-3 OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS, PROVIDING FOR THE APPOINTMENT OF EX-OFFICIO MEMBERS TO THE PARKS BOARD; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Cedar Hill, Texas, is a home-rule municipal corporation within the State of Texas with full power of local self-governance; and

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Cedar Hill, Texas, to amend Chapter 15, Article II, Section 15-3 of the Code of Ordinances of the City of Cedar Hill, Texas, to provide for the appointment of Ex-Officio members to the Parks Board.

NOW, THEREFORE, be it ordained by the City Council of the City of Cedar Hill, Texas, that:

SECTION 1. AMENDMENT OF CHAPTER 15, ARTICLE II, SECTION 15-3 OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

The City Council of the City of Cedar Hill, Texas, hereby amends Chapter 15, Article II, Section 15-3 of the Code or Ordinances of the City of Cedar Hill, Texas, to provide as follows:

PARKS AND RECREATION

ARTICLE II. PARK BOARD

* * *

Sec. 15-3. Members.

Members of the Board shall be appointed by a majority of the City Council, and the Board shall consist of nine (9) voting members. Ex-Officio, non-voting members, may also be appointed by the City Council. An individual must be a resident of Cedar Hill in order to be eligible for appointment to the Board as either a voting member or ex-officio member.

* * *

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Cedar Hill, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such shall be deemed to be a separate, distinct and independent provision and such holding will not affect the validity of the remaining portions thereof.

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Cedar Hill, Texas, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon the passage, approval and adoption by the City Council of the City of Cedar Hill, Texas.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication as provided by law.

PASSED, APPROVED and ADOPTED by the City Council of the City of Cedar Hill, Texas, on this _____ day of _____, 2013.

Rob Franke, Mayor

ATTEST:

Lyn Hill, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

**CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM**

Agenda Date: July 23, 2013

Agenda Item Wording: Consider request for matching grant reimbursement for Wild Flower Neighborhood Watch.

Summary:

The City Council authorized the Neighborhood Matching Grant program in 2005, finalizing the grant program terms and conditions in the City Council Briefing of January 24, 2006. Grant funding is available on a 50/50 match basis, up to \$1,000, for any neighborhood-sponsored project or event. Applications for grant projects must meet at least one (1) of these criteria:

- Strengthen and improve neighborhood organization
- Improve the appearance of City neighborhoods
- Advance inter-neighborhood cooperation

Thus far this year the City Council has approved five (5) applications from neighborhood organizations totaling over \$3,400.00 in matching grant reimbursement funds.

The Wild Flower Neighborhood Watch is requesting matching grant funds reimbursement for neighborhood activities in 2013. The grant request will reimburse the volunteers for supplies, entertainment and other services related to community engagement activities that included crime watch meetings, neighborhood clean-up events, National Night Out and an annual Block Party. Volunteer time, in-kind donations of goods and services and cash contributions for the foregoing activities totaled \$248.47.

On Monday, July 8, 2013, the Neighborhood Advisory Board reviewed the matching grant reimbursement request from Wild Flower. After reviewing the application, the Neighborhood Advisory Board voted unanimously to forward a recommendation for approval to the City Council in the amount of \$124.24.

Funding Source: General Fund

Recommended Action: Approve matching grant reimbursement

Department: Neighborhood Services
Contact / Phone No: Patricia M. Bushart 972.291.5100 X 1084

Attachments: Yes If yes, how many pages: 1

CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM

Agenda Date: July 23, 2013

Agenda Item Wording: Consider adoption of Ordinance No. 2013-512, which changes the zoning on Lot 1, Block 2, Wild Flower Addition, generally located southeast of U.S. Highway 67 and Pleasant Run Rd., FROM "NS" – Neighborhood Services TO "LR"-Local Retail.

Summary: The City Council conducted a public hearing on July 9, 2013 and instructed Staff to prepare an ordinance, amending the zoning district map.

The attached ordinance has been prepared as instructed and approved as to form by legal counsel.

Funding Source: N/A

Recommended Action: Adopt Ordinance No. 2013-512

Department:	Planning	
Contact / Phone No:	Rod W. Tyler	972-291-5100 Ext. 1083
Attachments:	Yes	If yes, how many pages: 2

ORDINANCE NO. 2013-512

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, THAT BEING ORDINANCE NO. 2001-64, AS HERETOFORE AMENDED, BY PROVIDING A CHANGE IN ZONING CLASSIFICATION FROM "NS" (NEIGHBORHOOD SERVICES DISTRICT) TO "LR" (LOCAL RETAIL DISTRICT) ON LOT 1, BLOCK 2 OF THE WILD FLOWER ADDITION, MORE SPECIFICALLY DESCRIBED HEREIN, AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, a request for a change in zoning classification was duly filed with the City of Cedar Hill, Texas, concerning the hereinafter described property and was assigned Case No. 13-10; and

WHEREAS, due notice of a public hearing was made in the City's official newspaper on May 19, 2013, and mailed to all persons owning land located within 200-feet of the proposed zoning change; and

WHEREAS, the Planning and Zoning Commission of the City of Cedar Hill, Texas, duly convened and conducted a public hearing at an open meeting on June 4, 2013, for the purpose of assessing a zoning classification change on the hereinafter described property located in the City of Cedar Hill, Texas, and

WHEREAS, the Planning and Zoning Commission during its June 4, 2013 open meeting, received public comment and, after deliberation, the Planning and Zoning Commission did not recommend the City Council approve this request; and

WHEREAS, on June 14, 2013, which was within ten days of the Planning and Zoning Commission's action, the applicant submitted a written appeal of the Planning and Zoning Commission's action; and

WHEREAS, due notice that a public hearing would be conducted by the City Council regarding this matter was made in the City's official newspaper on June 16, 2013, and mailed to all persons owning land located within 200-feet of the proposed zoning change; and

WHEREAS, the City Council of City of Cedar Hill, Texas, duly convened and conducted a public hearing at an open meeting on July 9, 2013, with proper notices posted; and

WHEREAS, the City Council hereby finds that it is in the best interest of the City of Cedar Hill to amend the City's Zoning Ordinance with respect to the land identified herein.

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

SECTION 1. PROPERTY DESCRIPTION - This ordinance pertains only to Lot 1, Block 2, Wild Flower Addition, an addition to the City of Cedar Hill, Texas, as recorded in Volume 26, Page 57 of the Dallas County Plat Records, generally located southeast of U.S. Highway 67 and Pleasant Run Road.

SECTION 2. CHANGE IN ZONING CLASSIFICATION -The zoning classification on the hereinabove described property is hereby changed from "NS" - Neighborhood Services to "LR" - Local Retail.

SECTION 3. EFFECTIVE DATE - The zoning classification on this real property shall take immediate effect after the passage of this Ordinance by the City Council of the City of Cedar Hill, Texas.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Cedar Hill, Texas, this 23rd day of July, 2013.

Rob Franke, Mayor
City of Cedar Hill

ATTEST:

Lyn Hill, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

ORDINANCE NO. 2013-512

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, THAT BEING ORDINANCE NO. 2001-64, AS HERETOFORE AMENDED, BY PROVIDING A CHANGE IN ZONING CLASSIFICATION FROM "NS" (NEIGHBORHOOD SERVICES DISTRICT) TO "LR" (LOCAL RETAIL DISTRICT) ON LOT 1, BLOCK 2 OF THE WILDFLOWER ADDITION, MORE SPECIFICALLY DESCRIBED HEREIN, AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, a request for a change in zoning classification was duly filed with the City of Cedar Hill, Texas, concerning the hereinafter described property and was assigned Case No. 13-10; and

WHEREAS, due notice of a public hearing was made in the City's official newspaper on May 19, 2013, and mailed to all persons owning land located within 200-feet of the proposed zoning change; and

WHEREAS, the Planning and Zoning Commission of the City of Cedar Hill, Texas, duly convened and conducted a public hearing at an open meeting on June 4, 2013, for the purpose of assessing a zoning classification change on the hereinafter described property located in the City of Cedar Hill, Texas, and

WHEREAS, the Planning and Zoning Commission during its June 4, 2013 open meeting, received public comment and, after deliberation, the Planning and Zoning Commission did not recommend the City Council approve this request; and

WHEREAS, on June 14, 2013, which was within ten days of the Planning and Zoning Commission's action, the applicant submitted a written appeal of the Planning and Zoning Commission's action; and

WHEREAS, due notice that a public hearing would be conducted by the City Council regarding this matter was made in the City's official newspaper on June 16, 2013, and mailed to all persons owning land located within 200-feet of the proposed zoning change; and

WHEREAS, the City Council of City of Cedar Hill, Texas, duly convened and conducted a public hearing at an open meeting on July 9, 2013, with proper notices posted; and

WHEREAS, the City Council hereby finds that it is in the best interest of the City of Cedar Hill to amend the City's Zoning Ordinance with respect to the land identified herein.

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

SECTION 1. PROPERTY DESCRIPTION - This ordinance pertains only to Lot 1, Block 2, Wildflower Addition, an addition to the City of Cedar Hill, Texas, as recorded in Volume 26, Page 57 of the Dallas County Plat Records, generally located southeast of U.S. Highway 67 and Pleasant Run Road.

SECTION 2. CHANGE IN ZONING CLASSIFICATION -The zoning classification on the hereinabove described property is hereby changed from "NS" - Neighborhood Services to "LR" - Local Retail.

SECTION 3. EFFECTIVE DATE - The zoning classification on this real property shall take immediate effect after the passage of this Ordinance by the City Council of the City of Cedar Hill, Texas.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Cedar Hill, Texas, this 23rd day of July, 2013.

Rob Franke, Mayor
City of Cedar Hill

ATTEST:

Lyn Hill, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM

Agenda Date: July 23, 2013

Agenda Item Wording: Consider adoption of Ordinance No. 2013-513, which amends Section 9 of Planned Development (PD) Ordinance No. 2011-458 and extends the deadline to submit a Development Plan on approximately 156.81-acres of land, generally located at the northwest corner of Cockrell Hill Road and Bear Creek Road.

Summary: After conducting a public hearing on July 9, 2013, the City Council instructed Staff to prepare an ordinance which extends the deadline to submit a PD Development Plan to August 30, 2015.

The attached ordinance has been prepared as instructed and approved as to form by legal counsel.

Funding Source: N/A

Recommended Action: Adopt Ordinance No. 2013-513

Department:	Planning	
Contact / Phone No:	Rod W. Tyler	972-291-5100 Ext. 1083
Attachments:	Yes	If yes, how many pages: 4

Ordinance No. 2013-513

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, ORDINANCE NO. 2001-64, AS AMENDED, BY PROVIDING FOR FURTHER EXTENSION OF THE DATE BY WHICH TO SUBMIT DEVELOPMENT PLANS UNDER PD ORDINANCE NO. 2003-138; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on the 14th day of January, 2003, the City Council approved ordinance No. 2003-138, establishing a planned development district (PD No. 2003-138) which approved and incorporated a concept plan for 156.8 acres of land generally located on the northeast corner of Bear Creek Road and Cockrell Hill Road; and

WHEREAS, Section 9 of Ordinance No. 2003-138 states that "Development plans and site plans shall be approved prior to any construction or development within the PD district in accordance with the standards in section 3.19 of the Zoning Ordinance"; and

WHEREAS, Section 3.19 of the Zoning Ordinance requires submittal of a development plan within two (2) years of the date of establishment of the PD District, and subsequent approval of the development plan under penalty of suspension of the right to go forward with development in the PD District; and

WHEREAS, approval of a development plan under section 3.19 requires amendment to the ordinance establishing the PD District; and

WHEREAS, the owner of the property submitted a request for development plan approval within the 2-year period, which application was assigned case number 05-03; and

WHEREAS, after due notification, on April 18, 2005, the Planning and Zoning Commission conducted a public hearing, considered the property owners request and forwarded its recommendation to the City Council; and

WHEREAS, after due notification, on April 26, 2005, the City Council conducted a public hearing, considered the property owner's request and tabled action until May 10, 2005; and

WHEREAS, on May 10, 2005, the City Council removed the proposed amendment from the table and disapproved the amendment to the PD District approving the Development Plan, thus suspending the property owner's authorization to submit further plans; and

WHEREAS, the property owner committed to selecting quality builders that would build houses ranging in price from \$175,000 to \$250,000; and

WHEREAS, City Council ordered a revision to PD Ordinance No. 03-138 that would extend the time limit for submittal of a PD Development Plan for another 2 years; and

WHEREAS, after due notification, public hearings and consideration by the Planning and Zoning Commission, the City Council, on August 30, 2005, adopted Ordinance No. 2005-248 which amended PD Ordinance No. 2003-138 by extending the date in which a Development Plan could be submitted to August 30, 2007; and;

WHEREAS, after a lapse of almost two (2) years, the owner of the property submitted a request to amend PD Ordinance No. 2003-138, as amended, by reducing the minimum rear yard requirement and incorporated a development plan application which was assigned Case No. 07-34; and

WHEREAS, after due notification of a public hearing, and consideration by the Planning and Zoning Commission, the City Council, on August 28, 2007, conducted a public hearing, and on September 25, 2007 adopted Ordinance No. 2007-336 which extended the date in which a Development Plan could be approved to no later than August 30, 2008, but did not include the request to reduce the minimum required rear yard and;

WHEREAS, after a lapse of almost one (1) year, but before the August 30, 2008 deadline, the owner of the property submitted a request for a one (1) year extension in which a PD Development Plan may be submitted and approved and which was assigned Case No. 08-29; and

WHEREAS, after due notification of a public hearing, and consideration by the Planning and Zoning Commission, the City Council, on August 12, 2008, conducted a public hearing, and on September 8, 2008 adopted Ordinance No.2008-358 which extended the date in which a Development Plan could be approved to no later than August 30, 2009; and

WHEREAS, after a lapse of almost one (1) year, but before the August 30, 2009 deadline, the owner of the property submitted a request for an extension of the time in which a PD Development Plan may be submitted and approved and which was assigned Case No. 09-17; and

WHEREAS, after due notification of a public hearing, and consideration by the Planning and Zoning Commission, the City Council, on July 14, 2009, conducted a public hearing, and on September 8, 2009 adopted Ordinance No.2009-389 which extended the date in which a Development Plan could be approved to no later than August 30, 2010; and

WHEREAS, after a lapse of almost one (1) year, but before the August 30, 2010 deadline, the owner of the property submitted a request for an extension of the time in which a PD Development Plan may be submitted and approved and which was assigned Case No. 10-11; and

WHEREAS, after due notification of a public hearing, and consideration by the Planning and Zoning Commission, the City Council, on July 27, 2010, conducted a public hearing, and on August 10, 2010 adopted Ordinance No. 2010-413 which extended the date in which a Development Plan could be approved to no later than August 30, 2011; and

WHEREAS, after a lapse of almost one (1) year, but before the August 30, 2011 deadline, the owner of the property submitted a request for an extension of the time in which a PD Development Plan may be submitted and approved and which was assigned Case No. 11-15; and

WHEREAS, after due notification of a public hearing, and consideration by the Planning and Zoning Commission, the City Council, on July 26, 2011, conducted a public hearing, and on August 9, 2011 adopted Ordinance No. 2011-458 which extended the date in which a Development Plan could be approved to no later than August 30, 2013; and

WHEREAS, after a lapse of almost two (2) years, but before the August 30, 2013 deadline, the owner of the property submitted a request for an extension of the time in which a PD Development Plan may be submitted and approved and which was assigned Case No. 13-11; and

WHEREAS, after due notification, on June 18, 2013, the Planning and Zoning Commission conducted a public hearing, considered the property owners request and forwarded its recommendation to the City Council; and

WHEREAS, after due notification, on July 9, 2013, the City Council conducted a public hearing, took testimony from all who wished to speak regarding this matter and considered the proposed extension; and

WHEREAS, the City Council finds that the authority to submit a development plan for the PD District should be extended for a period not to exceed (2) two years, subject to conditions, and that such reinstatement furthers the public health, safety and general welfare of the community;

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

SECTION 1. PD ORDINANCE AMENDMENT. Ordinance No. 2003-138, as amended by Ord. No. 2011-458, is hereby amended by replacing the existing provisions with the following provisions, to read:

Section 9: Development plans and site plans shall be approved prior to any construction or development within the PD district in accordance with the standards in section 3.19 of the Zoning Ordinance. The initial development plan shall be approved not later than August 30, 2015. If a development plan has not been approved by such date, authorization to submit development plans

or site plans for the district shall be suspended pending inquiry by the Planning and Zoning Commission and the City Council as to whether zoning for the property should be changed. No plat application shall be submitted to the City, or considered complete or accepted for filing by the City until a development plan for the District has been approved. All other requirements of section 3.19 of the Zoning Ordinance shall be observed.

SECTION 2. SEVERABILITY. The terms and provisions of this ordinance shall be deemed to be severable, and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this ordinance.

SECTION 3. CONFLICTS. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Cedar Hill, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and Code hereby are superseded.

SECTION 4. EFFECTIVE DATE – This Ordinance shall take immediate effect after the passage of this Ordinance by the City Council of the City of Cedar Hill, Texas.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Cedar Hill, Texas, on this the 23rd day of July 2013.

Rob Franke, Mayor
City of Cedar Hill, Texas

ATTEST:

Lyn Hill, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

**CITY OF CEDAR HILL
CITY COUNCIL AGENDA ITEM**

Agenda Date: July 23, 2013

Agenda Item Wording: Consider authorizing the Mayor to sign an Employee Wellness Program Agreement with MedHealth for a three year period.

Summary:

The Texas Commission on Fire Protection requires that all fire departments shall assess the wellness and fitness needs of their personnel. Guidance for these programs is provided by the National Fire Protection Association (NFPA) standards 1582 and 1583. NFPA 1582, the Standard on Comprehensive Occupational Medical Program for Fire Departments, outlines the components of a medical evaluation program including roles and responsibilities, recordkeeping, medical evaluations for members, and annual fitness evaluations.

In the past, the Fire Department has utilized Huguley Assessment Center to provide services without a contract. Over the past several months, the department has worked with Methodist Health System and MedHealth to develop a customized program tailored specifically to meet the needs of the Cedar Hill Fire Department and is aligned with the requirements of the NFPA standards. There will be no substantial changes to the overall cost of the program. This item is included in the operating budget.

This contract has been approved as to form by legal counsel.

Funding Source: General Fund

Recommended Action: Authorize the Mayor to sign a three year agreement with MedHealth

Department: Fire
Contact / Phone No: John R. Ballard, Fire Chief 972.291.5100 X 2331

Attachments: Yes If yes, how many pages: 8

EMPLOYEE WELLNESS PROGRAM AGREEMENT

BETWEEN

CITY OF CEDAR HILL, TEXAS

AND

MEDHEALTH

This Employee Wellness Program Agreement is entered into this ___ day of July, 2013 (the “**Effective Date**”) by and between MedHealth (“**MedHealth**”), a Texas non-profit health organization with its principal office located at 1441 N. Beckley Avenue, Dallas, Texas 75203, and the City of Cedar Hill, Texas (“**CITY**” or “**CLIENT**”), a governmental entity created under the laws of the State of Texas with principle address of _____, Cedar Hill, Texas 75104. MedHealth and CLIENT are referred to herein individually as a “**Party**” and collectively as the “**Parties**”.

WHEREAS, CLIENT wishes to develop a program to provide annual physicals and routine diagnostic testing for the benefit of CLIENT’s employees that work for the CITY’s Fire Department and such employees’ dependents;

WHEREAS, MedHealth is in the business of owning and operating primary care physician practices which can provide the routine physicals and diagnostic testing at its location in Midlothian where CLIENT can direct its fire department employees to go for routine physicals and selected diagnostic testing;

WHEREAS, CLIENT desires to obtain the services of MedHealth in order to develop, implement and maintain a routine physicals program for the benefit of CLIENT’s employees that work for the CITY’s Fire Department (hereinafter “**Participants**”) aimed at improving and/or maintaining the good health of the Participants and reducing the number of annual illness related absences of its employees.

NOW THEREFORE, the Parties agree as follows:

- 1. Provision of Routine Physicals and Selected Diagnostic Testing.** The Parties agree that MedHealth will provide routine physicals and selected diagnostic testing (described below) to the Participants. The Parties agree that the Services shall be made available by MedHealth at the Methodist Midlothian Family Health Center. CITY shall be given notice of which location(s) the Services will be provided and how to schedule such Services so that the CITY can notify the Participants. The routine physical and diagnostic testing services which MedHealth will make available for Participants under the terms of this Agreement (“**Services**”) are the following:
 - a) Annual Physical Exam – will be conducted during one session and include:
 - o A complete history review and head-to-toe physical exam with primary care physician (as routinely administered by MedHealth physicians); and

- Vision assessment with visual acuity, color vision testing and peripheral (as routinely administered by MedHealth physicians)
- b) Physical Fitness Testing¹ (at annual physical exam) which will include:
- Strength
 - Flexibility: Sit and reach
 - Endurance/Aerobic capacity
- Physical fitness testing at times other than at annual physical exam is available for scheduling at mutually agreeable times and at an additional charge.
- c) Advising and Counseling (on evidence-based additional testing/evaluations and health risk):
- Reporting and recommendations: all Participants will be provided with complete results of their physical exam. In addition the fire department chiefs will be notified of any restrictions or recommended modifications of work assignments for any Participant based upon the exam results
 - All Participants will be advised of the availability of additional continuity of health care available at the MedHealth location
 - Results of lab tests (see Schedule 1 attached hereto)
- d) Ancillary Testing
- Ancillary standard testing (see Schedule 1)
 - Additional “a la carte” testing can be provided (see Schedule 1)
 - Additional testing as mutually agreed upon by MedHealth and the CITY

¹ Physical fitness testing will provide cumulative “pass” or “no pass” results based on population norms and in accordance with the National Fire Protection Association (NFPA) guidelines for 5 key measures. All values will be reviewed and used as part of their overall medical evaluation in conjunction with their physical examination. If a deficiency is identified, then a subsequent examination or specialty referral may be required to further assess that given concern or injury.

A. Strength I

A push-ups test is delivered in 2 minutes with a rate of approximately 40 push-ups per minute of total of 80 for a perfect score.

- Pass: Men - age 20-39 > 20 age 40+ > 15 Women - age 20-39 > 15 age 40+ > 10
- No Pass: Men - age 20-39 < 20 age 40+ < 15 Women - age 20-39 < 15 age 40+ < 10

B. Strength II

The measurement is typically measured in pounds using a dynamometer.

- Pass: Men > 95 Women > 50
- No Pass: Men < 95 Women < 50

C. Flexibility: Sit and Reach

This test uses the American College of Sports Medicine protocol.

- Pass: Men - age 20-39 > 23 age 40+ > 16 Women - age 20-39 > 26 age 40+ > 23
- No Pass: Men - age 20-39 < 23 age 40+ < 16 Women - age 20-39 < 26 age 40+ < 23

D. Endurance/Aerobic Capacity: Cardiac Stress Test

This is tested on a treadmill utilizing the Bruce Protocol. This test is delivered based on the department’s requested age-based frequency. Exam discovery may recommend this test outside the age-based schedule.

- <30 = every 3 years
- 30-39 = every 2 years
- 40+ = every year

THE PARTIES EXPRESSLY ACKNOWLEDGE AND AGREE THAT THE MEDHEALTH LOCATION IN QUESTION SHALL ONLY BE AVAILABLE TO PROVIDE THE “SERVICES” (AS DEFINED ABOVE) AND SHALL NOT BE ESTABLISHED NOR HAVE THE CAPABILITY OF PROVIDING URGENT OR EMERGENT CARE TO ANY INDIVIDUAL. CLIENT SHALL ENSURE THAT IT ADVISES ALL PARTICIPANTS OF THIS LIMITATION ON THE TYPES OF SERVICES AVAILABLE AT THE MEDHEALTH LOCATIONS.

CLIENT agrees to pay those fees set forth in Section 10 below related to the Services.

- 2. Oversight and Management.** MedHealth will assign a management staff member as a program “lead” responsible for ongoing oversight of the program for the Participants. This person will collaborate with CLIENT administrative staff responsible for CLIENT’s program, coordinate with any contracted vendors.
- 3. Term of Agreement.** This Agreement shall commence on the Effective Date and extend for a period of three (3) years from the Effective Date (“**Initial Term**”), unless terminated sooner in accordance with the terms of this Agreement. Unless a Party provides written notice to the other Parties at least sixty (60) days prior to the end of the Initial Term or any Extended Term, this Agreement will automatically renew, at the end of the Initial Term and each Extended Term, for additional one year terms (each an “**Extended Term**”) until terminated pursuant to the termination provision below.
- 4. Termination.** The Parties may terminate this Agreement as follows:
 - a. CLIENT may terminate this Agreement at anytime by written notice to the other Parties in the event of a material breach by MedHealth that remains uncured for a period of thirty (30) days from the date of written notice to cure (or if such breach is not capable of being cured in such thirty day period, then CLIENT may terminate at such time as the breaching Party is not diligently working to cure such breach).
 - b. MedHealth may terminate this Agreement at anytime by written notice to CLIENT in the event of a material breach by CLIENT that remains uncured for a period of thirty (30) days from the date of written notice to cure.
 - c. Any Party may terminate this Agreement at anytime without cause by providing one hundred and twenty (120) days prior written notice to the other Parties. In the event any Party exercises its right to terminate the Agreement under this sub-section (c), CLIENT shall remain responsible to pay MedHealth for any and all services and items that have been provided to the date of termination and not yet paid by CLIENT.
- 5. Effect of Expiration or Termination.** Upon expiration or termination of this Agreement for any reason, CLIENT shall: (i) pay MedHealth all the amounts due as of the effective termination or expiration date, (ii) promptly return to MedHealth or destroy (and provide a written notice certifying to the destruction) all technology,

equipment, sales literature, content, documentation, confidential information and material supplied by MedHealth, save and except for information pertaining to individual employee fitness needed for CLIENT to confirm health status and fit for duty, and (iii) shall cease use, access and distribution of all content, tools, materials and features provided by MedHealth.

6. Pricing Structure. For all services and items being provided by MedHealth under this Agreement, CLIENT shall pay the following:

The fees set forth in Schedule 1 attached hereto shall be paid by CLIENT to MedHealth for the Services being provided by MedHealth under this Agreement. Any physical fitness testing done other than at the annual physical exam shall be charged by MedHealth at the standard rate charged by MedHealth for physical fitness testing at the time such testing is provided.

CLIENT shall be invoiced for all amounts due under this Agreement on a monthly basis. CLIENT shall pay all such invoiced amounts within thirty (30) days of the date of the invoice. Amounts due under this Agreement and not paid when due shall bear interest at the rate of 12% per annum or the maximum allowable by law, whichever is less, from the date the same is due until paid. Such interest shall then become due and payable immediately along with the delinquent amount.

7. Risk/Liability Limitations.

NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, MEDHEALTH'S AND METHODIST HEALTH SYSTEM'S ("METHODIST") MAXIMUM CUMULATIVE AGGREGATE MONETARY LIABILITY TO CLIENT FOR ALL CAUSES (REGARDLESS OF THE FORM OF ACTION) UNDER OR RELATING TO THIS AGREEMENT WHETHER PRIOR OR SUBSEQUENT TO ITS EXECUTION OR TERMINATION, SHALL IN NO EVENT EXCEED THE AGGREGATE AMOUNT PAID UNDER THIS AGREEMENT. THE FOREOING LIMITATION SHALL NOT APPLY TO DAMAGES CAUSED DUE TO THE WILFUL MISCONDUCT OR GROSS NEGLIGENCE OF MEDHEALTH.

NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO ANY OTHER PARTY FOR ANY CONSEQUENTIAL, SPECIAL, INCIDENTAL, PUNITIVE OR INDIRECT DAMAGES (INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFIT, REVENUE, BUSINESS OPPORTUNITY OR BUSINESS ADVANTAGE), WHETHER BASED UPON A CLAIM OR ACTION OF TORT, CONTRACT, WARRANTY, NEGLIGENCE, STRICT LIABILITY, BREACH OF STATUTORY DUTY, OR ANY OTHER LEGAL THEORY OR CAUSE OF ACTION, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THE FOREOING SHALL NOT APPLY TO DAMAGES CAUSED DUE TO THE WILFUL MISCONDUCT OR GROSS NEGLIGENCE OF A PARTY.

- 8. Representations and Warranties.** MedHealth warrants to CLIENT that it has the right to provide the items being provided by it to CLIENT for the purposes and with limitations set forth in this Agreement.

The foregoing warranties are MedHealth's sole and exclusive warranties regarding any products, items, software and services provided.

- 9. DISCLAIMER OF WARRANTIES.** EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT, NEITHER METHODIST NOR MEDHEALTH UNDERTAKE ANY OBLIGATION TO PROVIDE ERROR-FREE OR FAULT FREE PRODUCTS, ITEMS, SOFTWARE, CONTENT OR SERVICES. TO THE EXTENT PERMITTED BY LAW ALL PRODUCTS, ITEMS, SOFTWARE, CONTENT OR SERVICES ARE PROVIDED "AS IS", WITH ALL FAULTS AND DEFECTS. EXCEPT AS EXPRESSLY PROVIDED HEREIN THERE ARE NO EXPRESS WARRANTIES MADE BY METHODIST OR MEDHEALTH AND ALL EXPRESS WARRANTIES MADE BY MEDHEALTH IN THIS AGREEMENT ARE MADE ONLY TO, AND ONLY FOR THE BENEFIT OF, CLIENT. THERE ARE NO IMPLIED WARRANTIES OR CONDITIONS OF ANY KIND WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF TITLE, FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, NONINFRINGEMENT, OR ENJOYMENT OF THE SERVICES, AND ANY IMPLIED WARRANTIES OTHERWISE ARISING FROM A COURSE OF DEALING OR PERFORMANCE OR CUSTOM OR USAGE OF TRADE. ALL IMPLIED WARRANTIES ARE HEREBY EXPRESSLY DISCLAIMED AND EACH PARTY HEREBY WAIVES AND RELEASES ALL CLAIMS TO SUCH WARRANTIES.

- 10. Confidential matters and Proprietary Information.** MedHealth acknowledges and agrees that pursuant to this Agreement, it may have access to proprietary or confidential information belonging to CLIENT or its subsidiaries or affiliates. MedHealth agrees that such proprietary or confidential information is confidential and proprietary to CLIENT. MedHealth further acknowledges and agrees that CLIENT's sole purpose in disclosing its proprietary or confidential information to MedHealth or allowing MedHealth access to such information is to aid MedHealth in its provision of the services and products being provided hereunder. The proprietary or confidential information provided by CLIENT to MedHealth shall remain the sole and exclusive property of CLIENT. MedHealth shall use the proprietary or confidential information for the sole purpose of performing its obligations hereunder and for no other purpose.

MedHealth acknowledges that unauthorized disclosure of CLIENT proprietary or confidential information or breach of the provisions contained in this Section may give rise to irreparable injury to CLIENT, which is inadequately compensable in damages. Accordingly, CLIENT may seek and obtain injunctive relief against the

breach or threatened breach of the foregoing undertakings, in addition to any other remedies which may be available.

- 11. Survival.** Any provisions of this Agreement creating obligations extending beyond the term of this Agreement will survive the expiration or termination of this Agreement, regardless of the reason for such termination.
- 12. Entire Agreement:** This Agreement contains the entire agreement of the parties hereto, supersedes all prior statements, representations, presentations, proposals, agreements, and understandings, whether oral or in writing, if any, relating to the subject matter hereof, and this Agreement may be amended only by written agreement of the parties hereto. Each Party acknowledges that it has read, understands, and agrees to be bound by the terms of, this Agreement as the complete and exclusive statement of such Party's agreement with regard to the subject matter hereof.
- 13. Severability.** If any provision of this Agreement is held to be inoperative, unenforceable or invalid under present or future laws effective during the Term of this Agreement, such shall be inoperative, unenforceable or invalid without affecting the remaining provisions. This Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement, and, to that end, the provisions of this Agreement are declared to be severable.
- 14. Choice of Law.** This Agreement and all questions relating to its validity, interpretation, performance and enforcement shall be governed by and construed in accordance with the laws of the State of Texas. The federal and state courts of Dallas County, Texas, shall be the exclusive courts of jurisdiction and venue for any litigations, special proceeding or other proceeding as between the Parties that may be brought, or arise out of, in connection with or by reason of this Agreement. Notwithstanding anything to the contrary, this Agreement will not be governed or interpreted in any way by referring to any law based on the Uniform Computer Information Transactions Act ("UCITA"), even if that law has been adopted in the State of Texas.
- 15. Compliance.** Each Party agrees to comply with all applicable laws, rules, regulations and orders of the United States and any other country with jurisdiction over a Party or a Party's activities under this Agreement and the conduct of its business, including without limitation, the Health Insurance Portability and Accountability Act ("HIPAA").
- 16. Assignment.** No Party shall assign, subcontract, or transfer any of its rights or obligations under this Agreement to a third party without prior written consent of the other Parties. If there is a valid assignment, subcontract or transfer, this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

17. Force Majeure. No Party will be deemed to be in default hereunder, or will be liable to the other, for failure to perform any of its non-monetary obligations under this Agreement for any period and to the extent that such failure results from any event or circumstance beyond that party's reasonable control (each, a "Force Majeure Event"), including acts or omissions of another Party or third parties (including the failure of such parties to provide material information, services needed in order to provide any services under this Agreement), natural disasters, riots, war, civil disorder, court orders, acts or regulations of governmental bodies, labor disputes or failures or fluctuations in electrical power, heat, light, air conditioning or telecommunications equipment or lines, or other equipment failure, and which it could not have prevented by commercially reasonable precautions or could not have remedied by the exercise of commercially reasonable efforts.

18. Notices. Any notice or communication provided or permitted hereunder shall expressly describe its purpose and scope, and shall be in writing and shall be deemed duly given or made if delivered in person or if sent by U.S. registered mail, return receipt requested, postage prepaid, addressed to the address set forth in opening paragraph of this Agreement or at any other address specified by a Party in writing.

IN WITNESS WHEREOF, the parties hereto have executed this amendment as a sealed instrument to be effective as of the date executed by all Parties.

City of Cedar Hill, Texas:

MedHealth:

By: _____

By: _____

Print Name: _____

Print Name: Tim B. Kirby

Title: _____

Title: President

SCHEDULE 1

1. Annual Physical Examination -
 - New Phy Evaluation
 - Physical Fitness Testing
 - Ancillary Standard Testing Hep C Antibody
 - PPD
 - HIV
 - CBC
 - BMP
 - LFTs
 - Lipid Panel
 - Complete UR w/ Micro
 - Spirometry
 - EKG
 - Routine Vision Screening
 - Routine Hearing Screening
 - Treadmill Stress Test

Fees: Full Physical Bundle (as outlined above) = \$495.00
Full Physical w/o Treadmill Stress Test = \$365.00
Full Physical w/o Labs = \$445.00
Full Physical w/o Treadmill and w/o Labs = \$315.00

3. Additional “a la carte” Testing :

(i) PSA (men over 40), (ii) Stool for Occult Blood, (iii) Pap Smear, (iv) Mammogram, (v) Heavy Metal Screens, (vi) Serum Continine, (vii) Amylase, (viii) Lipase, (ix) PT/INR, (x) PTT, (xi) Hepatitis B Panel, (xii) MMR Titer, (xiii) Varicella Titer, (xiv) TDaP, and (xv) Hepatitis A.

Fee: Charge Participant’s health insurance carrier at rates set forth in provider agreement.