



## AGENDA

### WORK SESSION LANCASTER CITY COUNCIL

James R. Williams Pump Station  
Training Room, 1999 Jefferson  
Lancaster, Texas



**Monday, August 15, 2011 – 7:00 P.M.**

#### DEFINITIONS:

**Written Briefing:** Items that generally do not require a presentation or discussion by the staff or Council. On these items, the staff is seeking consent from the Council or providing information in a written format.

**Verbal Briefing:** These items do not require extensive written background information or are an update on items previously discussed by the Council.

**Regular Item:** These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items may be accompanied by a formal presentation followed by discussion and direction to the staff.

[Public comment will not be accepted during Work Session  
unless Council determines otherwise.]

Item	Key Person
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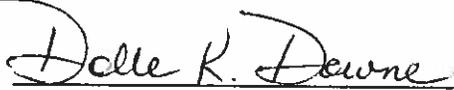
#### **Regular Items:**

1. Receive a presentation on the Fiscal Year 2011/2012 employee insurance and discuss a resolution of the City Council of the City of Lancaster, Texas awarding Bid No. 2011-58 to Aetna for employee health and dental administration; Discovery Benefits for flexible spending administration; continuation of Cigna for life and long term disability administration; continuation of Conexis for Cobra administration; and continuation of Alliance Work Partners for Employee Assistance Program (EAP) administration; authorizing the City Manager to negotiate and execute a contract upon legal review; providing a repealing clause, providing a severability clause; and providing an effective date. **Lee**
2. Discuss Article 14.900 Tree Preservation from the Lancaster Development Code. **Staff**
3. Discuss the City's May 2012 election date and Senate Bill 100 impact on election dates in even-numbered years. **Downe**
4. Discuss the City's Fiscal Year 2011-2012 proposed budget. **Mauldin-Robertson**

**ACCESSIBILITY STATEMENT:** Meetings of the Lancaster City Council are held in municipal facilities that are wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

**Certificate**

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on August 11, 2011 @ 5:00pm and copies thereof were hand delivered to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



\_\_\_\_\_  
Dolle K. Downe, TRMC  
City Secretary

**LANCASTER CITY COUNCIL**  
**Work Session Agenda Communication for**  
**August 15, 2011**

**1**

WS11-001

**Receive a presentation on the Fiscal Year 2011-2012 employee insurance and discuss a resolution of the City Council of the City of Lancaster, Texas, awarding Bid No. Bid # 2011-58 to Aetna for employee health and dental administration, Discovery Benefits for flexible spending administration; continuation of Cigna for life and long term disability administration, continuation of Conexis for Cobra administration; and continuation of Alliance Work Partners for EAP (employee assistance program) administration; authorizing the City Manager to negotiate and execute a contract upon legal review; providing a repealing clause; providing a severability clause; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**  
**Goal 4: Professional & Committed Workforce**

**Background**

The City of Lancaster was compelled this year to go out to bid for health, dental, COBRA, employee assistance program, life and accidental death and dismemberment plans as it was our fourth year in contract with Blue Cross Blue Shield (BCBS), Cigna, Conexis and Alliance Work Partners. IPS Advisors presented great news in that we were a very competitive bid on the market and received a decrease in rates with Aetna on the medical and dental programs, as well as a slight decrease of 3.07% on the overall benefit programs or \$80,245 in estimated savings.

**Health Insurance**

Aetna's best and final offer is a 4.18% decrease to rates or \$100,000 in savings off the current Blue Cross Blue Shield rates. The offer is approximately \$162,000 below the BCBS best and final offer. An analysis of physician and facility matches found there is over a 92% physician / facility match and over a 97% match of billed charges with Aetna compared to BCBS. Additionally, Aetna is offering their enhanced wellness program at no charge to the City of Lancaster. This program includes on-site biometric screenings with nurse review, health risk assessment, incentives, and online self help tools.

The City of Lancaster's Human Resources Department, City Administration, Wellness Committee and insurance consultant (IPS Advisors, Inc.) worked diligently to recommend a program which continues to encourage participation in wellness programs for 2011/2012.

- Last year the City implemented a physician surcharge of \$25 a month to employees who did not have an annual physical by December 31, 2010. Over 90% of eligible employees participated in this program.
- For the 2011/2012 benefit plan year, it is recommended to continue the annual physical program. As with last year's program, the City will reimburse employees the physician office visit co-pay upon receipt of the signed physician form.
- It is also recommended to include a surcharge of \$25 a month for employees who elect to use tobacco products. Human Resources will work with employees on tobacco cessation options on a voluntary basis.
- An employee benefits survey was provided electronically and in paper form for all eligible employees to provide feedback on the City's benefit plans. The employee benefit survey confirmed that 50.40% of the employee population either agree or strongly agree that overall Lancaster's benefits meet city employee family needs.
- A health savings account was considered as an alternative medical plan option for employees. However, due to the disruption and communication efforts to switch carriers, it is not recommended to implement a health savings account at this time. Furthermore, it is recommended to release targeted communications throughout the year to adequately prepare employees for possible implementation of an HSA plan in 2012/2013.

Another benefit recommended for consideration this year is extending our basic life policy from \$10,000 to one times the annual salary death benefit with a maximum of \$100,000 for full-time employees. This benefit would assist in making us competitive in the market place and would provide peace of mind to employees and their families. The increased cost of the life policy has been included in the overall savings of the 2011/2012 recommended benefit program.

Staff recommends no change to the employee monthly rates for HMO and PPO as well as keeping with a \$25 monthly premium surcharge passed on to employees who do not participate in the wellness incentive plan and another \$25 monthly surcharge for employees who elect to use tobacco products.

### **Dental Insurance**

It is recommended to contract with Aetna for the 2011/2012 plan year for dental coverage at a 6% increase to rates. In addition to offering a 2 year rate guarantee, Aetna will provide a premium credit of \$11,452 to offset the City's premium costs. The premium credit will not be calculated into the renewal rating formula for the October 1, 2013

renewal. Staff recommends no change to the employee only rates for dental coverage. Staff does recommend an increase to employee + family dental from \$67.64 a month to \$71.96 a month due to high utilization.

### **COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) federally mandates that employers provide certain former employees the right to temporary continuation of health benefits coverage at group rates. The City's COBRA services through Conexis renewed at no increase for the 2011/2012 fiscal year.

### **Flexible Spending Account (FSA)**

A Flexible Spending Account (FSA) allows an employee to set aside a portion of his or her earnings to pay for qualified expenses as established in the cafeteria plan, most commonly for medical expenses, but often for dependent care or other expenses. Money deducted from an employee's pay into an FSA is not subject to payroll taxes, resulting in a substantial payroll tax savings. Due to service concerns, it is recommended to contract with Discovery Benefits for the 2011/2012 plan year. Rates will be guaranteed for 3 years with a reduction of 12.89% to current rates and approximately \$696.00 annually.

### **Ancillary Insurance**

It is recommended to contract with Cigna for the 2011/2012 plan year for life, long term disability and accidental death and dismemberment insurance. Rates will be guaranteed for 3 years. It is recommended to consider implementation of the 1 x BAE Option with a maximum benefit of \$100,000.

The total renewal rate for the current \$10,000 coverage level is \$3,281 annually. The new rate for 1 x BAE Option with a maximum benefit of \$100,000 is \$16,208 annually. Resulting in an increase in cost of \$12,380. Again, the recommended increase in benefit for life coverage and subsequent increase in cost is included with the estimated overall benefit savings of \$80,245.

### **Employee Assistance Program**

Employee Assistance Programs (EAPs) are employee benefit programs offered by many employers, typically in conjunction with a health insurance plan. EAPs are intended to help employees deal with problems that might adversely impact their work performance, health, and well-being. It is recommended to contract with Alliance Work Partners for the 2011/2012 plan year. Rates will be guaranteed for two years and results in a net increase of \$1,375.92 annually.

### **Considerations**

- **Operational** – A carrier change on the medical and dental plan would require employees to obtain updated referrals from their primary care physicians and for mail order prescriptions to be transferred. Mandatory attendance at enrollment meetings would help ensure all employees eligible for benefits received a thorough benefits presentation from the new carriers.

- **Legal** - Current contracts will be amended to comply with the Patient Protection and Affordability Care Act of 2010. These contracts must be reviewed by IPS Advisors, the City Attorney and Human Resources. If authorized by the City Council, the City Manager will execute appropriate contracts following legal review.
- **Financial** - The total decrease in cost to the City of Lancaster for the 2011/2012 fiscal year is -\$97,115. Employee + family dental rate to increase from \$67.64 to \$71.96 a month. All other employee monthly rates to remain the same.
- **Public Information**
  - Bids were advertised on June 7 and 14, 2011 in the Focus News.
  - Bids were posted Nationwide on the City's e-procurement system and the State of Texas Website.
  - Bids were opened on June 30, 2011 at 2:00 PM.
  - Bids were reviewed by IPS Advisors July 1 – August 1, 2011.

### **Options/Alternatives**

1. Change to Aetna for employee health and dental administration, Discovery Benefits for flexible spending administration, continuation of Cigna for life and long term disability administration, continuation of Conexis for Cobra administration, and continuation of Alliance Work Partners for EAP (employee assistance program) administration. The total cost savings of option 1 to the City of Lancaster is approximately \$97,115. Continue wellness incentives for obtaining a physical by December 31, 2011.

2. Change to Aetna for employee health and dental administration, Discovery Benefits for flexible spending administration, continuation of Cigna for life and long term disability administration, continuation of Conexis for Cobra administration, and continuation of Alliance Work Partners for EAP (employee assistance program) administration. The total cost savings of option 2 to the City of Lancaster is approximately \$97,115. Continue wellness incentives for obtaining a physical by December 31, 2011 and add a tobacco use surcharge of \$25 a month to further enhance the City's wellness initiatives for 2011/2012.

### **Recommendation**

Staff recommends implementation of Option 2 for the 2011/2012 plan year.

### **Attachments**

- Benefit Resolution
- Best and Final Analysis
- Employee Survey Results
- Presentation

Agenda Communication  
August 15, 2011  
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**Prepared and submitted by:**  
Dori Lee, Director of Human Resources

**Date:** August 4, 2011

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING THE CITY OF LANCASTER TO ENTER INTO AGREEMENTS AND/OR CONTRACTS WITH AETNA FOR MEDICAL ADMINISTRATION, AND DENTAL ADMINISTRATION; CIGNA FOR BASIC AND VOLUNTARY LIFE, BASIC AND VOLUNTARY ACCIDENTAL DEATH & DISMEMBERMENT, BASIC AND VOLUNTARY LONG TERM DISABILITY; DISCOVERY FOR FLEXIBLE SPENDING AND THE SECTION 125 PLAN; CONEXIS FOR COBRA ADMINISTRATION; ALLIANCE WORK PARTNERS FOR EMPLOYEE ASSISTANCE PROGRAM ADMINISTRATION; AUTHORIZING EXECUTION OF SAID AGREEMENTS AND CONTRACTS BY THE CITY MANAGER; REPEALING ALL RESOLUTIONS IN CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Lancaster provides medical insurance and other benefits to employees; and

**WHEREAS,** a proposal was sent out to determine the best plan and cost to provide such benefits, and

**WHEREAS,** the City of Lancaster desires to contract with companies to provide such benefits to employees.

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

**Section 1:** The contracts and/or agreements from Aetna will be provided within 45 days of award of Bid # 2011-58, to be reviewed by the City Attorney and found to be acceptable and in the best interest of the City and its citizens, be, and the same are hereby, in all things approved.

**Section 2:** The City Manager of the City of Lancaster, Texas is hereby authorized to execute the appropriate documents to implement the contracts and/or agreements.

**Section 3:** Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

**Section 4:** Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**Section 5:** This resolution shall take effect immediately from and after its passage, and it is duly resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 22<sup>th</sup> day of August 2011.

**APPROVED:**

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Marcus E. Knight, Mayor

**ATTEST:**

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Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

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Robert E. Hager, City Attorney

**2011-2012 RFP BEST AND FINAL ANALYSIS  
FOR  
CITY OF LANCASTER**



**Presented by:**

**Randall R. Martell, HIA, MHP, CBC  
Principal**

**Brent A. Weegar, MBA  
Employee Benefits Specialist**

**Paige Bublik, CBC  
Account Manager**

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**July 27, 2011**

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## Overview

The City of Lancaster has retained Randall R. Martell HIA, MHP, CBC and Brent Weegar, MBA of IPS Advisors, Inc. to conduct a request for proposal, report and recommendations for the 2011 - 2012 health and welfare benefits renewal. The purpose of this report is to provide best / final offers and recommendations.

**VENDOR LIST**

**Fully Insured Medical**

Blue Cross Blue Shield  
Aetna

Incumbent  
Presented

**Fully Insured Dental**

Blue Cross  
Aetna  
Cigna

Incumbent  
Presented  
Presented

**Basic and Voluntary Life/AD&D, Long Term Disability**

Cigna  
The Standard

Incumbent  
Presented

**Section 125**

Daily Access  
Discovery Benefit

Incumbent  
Presented

**EAP**

Alliance Work Partners

Presented

**CITY OF LANCASTER  
PPO RFP PLAN OPTIONS**

MEDICAL BENEFITS	BCBS		BCBS		BCBS		Action Option
	Current	Renegotiated/Renewal	Renewal	Renegotiated/Renewal	Renegotiated/Renewal	Renegotiated/Renewal	
Deductible In-Network Non-Network	\$750 Ind./\$2,250 Fam. \$1,500 Fam./\$4,500 Fam.						
Per Admission Deductible Out of Pocket Max	N/A	N/A	N/A	N/A	N/A	N/A	
In-Network Non-Network	\$4,000 Ind./\$12,000 Fam. \$8,000 Ind./\$24,000 Fam.						
Coinurance	80% 60%	80% 60%	80% 60%	80% 60%	80% 60%	80% 60%	
Lifetime Max	No Maximum Benefit						
Emergency Room In-Network Non-Network	\$100 Copay / Ded./20% \$100 Copay / Ded./20%						
Urgent Care Facility In-Network Non-Network	\$50 Copay Ded./40%						
Physician Office Visit In-Network Non-Network	\$35 Copay Ded./40%						
Specialist Office Visit In-Network Non-Network	\$35 Copay Ded./40%						
In-Patient Hospital In-Network Non-Network	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	
Out-Patient Facility Services In-Network Non-Network	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	
In-patient Substance In-Network Non-Network	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	
Out-patient Substance In-Network Non-Network	\$35 Copay Ded./40%						
Inpatient Mental Health In-Network Non-Network	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	Ded./20% Ded./40%	
Out-patient Mental Health In-Network Non-Network	\$35 Copay Ded./40%						
Pharmacy In-Network Non-Network	Gen./Pref./Non-Pref. \$30/\$45/\$60 \$90/\$135/\$180	Gen./Pref./Non-Pref. \$30/\$45/\$60 \$90/\$135/\$180	Gen./Pref./Non-Pref. \$30/\$45/\$60 \$90/\$135/\$180	Gen./Pref./Non-Pref. \$30/\$45/\$60 \$90/\$135/\$180	Gen./Pref./Non-Pref. \$30/\$45/\$60 \$90/\$135/\$180	Gen./Pref./Non-Pref. \$30/\$45/\$60 \$90/\$135/\$180	
FINANCIALS	Current	Renegotiated/Renewal	Renegotiated/Renewal	Renegotiated/Renewal	Renegotiated/Renewal	Renegotiated/Renewal	Option
Employee Only	\$556.88	\$627.65	\$570.80	\$536.25	\$536.25	\$536.25	
Employee & Spouse	\$1,226.33	\$1,380.85	\$1,256.99	\$1,180.11	\$1,180.11	\$1,180.11	
Employee & Children	\$1,114.75	\$1,255.21	\$1,142.62	\$1,072.75	\$1,072.75	\$1,072.75	
Employee & Family	\$1,895.81	\$2,134.68	\$1,943.21	\$1,826.07	\$1,826.07	\$1,826.07	
Monthly Premium	\$11,362.77	\$12,794.53	\$11,646.81	\$10,942.32	\$10,942.32	\$10,942.32	
Annual Premium	\$136,353.24	\$153,534.36	\$139,761.72	\$131,307.84	\$131,307.84	\$131,307.84	
% Change from Current	N/A	\$17,181.12	\$3,408.48	-3.70%	\$5,045.40	-3.70%	
Rate Change from Current	N/A	12.60%	3.50%				
Rate Change from Current	10/1/2010	10/1/2011	10/1/2011	10/1/2011	10/1/2011	10/1/2011	
Rate Change from Current	1 year						
Rate Change from Current	A	A	A	A	A	A	

Note: This is a brief summary and not intended to be a contract.

**CITY OF LANCASTER  
HMO RFP PLAN OPTIONS**

BENEFITS / CATEGORY	BCBS		BCBS		Aetna	
	Current	Renewal	Renewal	Renewal	Option	Option
Primary Care Physician Office Visit	\$35 per office visit copay					
Specialty Physician Office Visit	\$55 per office visit copay					
Hospital Emergency Room	\$150 copay per visit (waived if admitted)					
Ambulance	\$150 copay					
Urgent Care Facility	\$75 copay per visit					
Inpatient Hospital Services	\$1,250 copay per admission					
Outpatient Surgery	\$500 copay per visit					
Independent X-ray Labs Facility	Diagnostic no charge/Complex Imaging \$150 copay					
Short-Term Rehab, Chiro, Canine Therapy	\$35 - PCP ; \$55 - Specialist					
Mental Health Inpatient Outpatient	\$1,250 copay up to 20 visits					
Substance Abuse Inpatient Outpatient	\$1,250 copay up to 20 visits					
Home Health Care	\$35 copay per visit to PCP					
Skilled Nursing Facility (30 day supply)	\$55 - Specialist					
Pharmacy Retail Drug Program	\$50 copay per visit					
Mail Order Program (90 day supply)	\$50 copay per day					
Skilled Nursing Facility (30 day supply)	\$20 Generic					
Skilled Nursing Facility (30 day supply)	\$40 Preferred Brand					
Skilled Nursing Facility (30 day supply)	\$60 Non-Preferred Brand					
Skilled Nursing Facility (30 day supply)	\$60 Generic					
Skilled Nursing Facility (30 day supply)	\$120 Preferred Brand					
Skilled Nursing Facility (30 day supply)	\$180 Non-Preferred Brand					
Skilled Nursing Facility (30 day supply)	\$180 Non-Preferred Brand					
Skilled Nursing Facility (30 day supply)	N/A	N/A	N/A	N/A	N/A	N/A
Annual Out-of-Pocket (OOOP) Max	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Individual	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000
Family	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Existing Maximum	None	None	None	None	None	None
Pre-existing Condition Limitation	None	None	None	None	None	None
<b>FINANCIALS</b>	<b>Current</b>	<b>Renewal</b>	<b>Current</b>	<b>Renewal</b>	<b>Option</b>	<b>Option</b>
Employee Only	\$502.41	\$565.71	\$502.41	\$565.71	\$483.80	\$483.80
Employee & Spouse	\$1,005.04	\$1,244.94	\$1,005.04	\$1,244.94	\$1,064.68	\$1,064.68
Employee & Child/rent	\$1,105.63	\$1,131.68	\$1,105.63	\$1,131.68	\$967.82	\$967.82
Employee & Family	\$1,710.82	\$1,926.38	\$1,710.82	\$1,926.38	\$1,647.46	\$1,647.46
Monthly Premium	\$191,856.77	\$214,897.64	\$191,856.77	\$214,897.64	\$183,782.32	\$183,782.32
Annual Premium	\$2,302,281.24	\$2,578,771.68	\$2,302,281.24	\$2,578,771.68	\$2,205,387.84	\$2,205,387.84
Change from Current	n/a	\$276,490.44	n/a	\$276,490.44	\$96,993.40	\$96,993.40
% Change from Current	n/a	12.01%	n/a	12.01%	-4.21%	-4.21%
Effective Date	10/1/2010	10/1/2011	10/1/2010	10/1/2011	10/1/2011	10/1/2011
Rate Guarantee	1 year					
AM Best Rating	A	A	A	A	A	A

Note: This is a brief summary and not

**City of Lancaster  
2011 - 2012 Health Plan Option Financials**

BENEFITS :	BCBS	BCBS	BCBS	Actna
FINANCIALS - TOTAL	Current	Renewal	Renegotiated	Option
264				
Monthly Premium	\$203,219.54	\$227,692.17	\$208,300.00	\$194,724.64
Annual Premium	\$2,438,634.48	\$2,732,306.04	\$2,499,600.00	\$2,336,695.68
\$ Change from Current	N/A	\$293,671.56	\$60,965.52	<b>-\$101,938.80</b>
% Change from Current	N/A	12.04%	2.50%	<b>-4.18%</b>
FINANCIALS - EMPLOYER	Current	Renewal	Renegotiated	Option
Monthly Premium	\$165,596.15	\$190,068.78	\$170,676.61	\$157,101.25
Annual Premium	\$1,987,153.80	\$2,280,825.36	\$2,048,119.32	\$1,885,215.00
\$ Change from Current	N/A	\$293,671.56	\$60,965.52	<b>-\$101,938.80</b>
% Change from Current	N/A	14.78%	3.07%	<b>-5.13%</b>
% of Total Premium Cost	81.5%	83.5%	81.9%	80.7%
HMO PREMIUMS - EMPLOYEE	Current	Renewal	Renegotiated	Option
Plan	HMO PLAN	HMO PLAN	HMO PLAN	HMO PLAN
Employee Only	\$0.00	\$0.00	\$0.00	\$0.00
Employee & Spouse	\$206.00	\$206.00	\$206.00	\$206.00
Employee & Child(ren)	\$247.09	\$247.09	\$247.09	\$247.09
Employee & Family	\$495.25	\$495.25	\$495.25	\$495.25
PPO PREMIUMS - EMPLOYEE	Current	Renewal	Renegotiated	Option
Plan	PPO PLAN	PPO PLAN	PPO PLAN	PPO PLAN
Employee Only	\$145.14	\$145.14	\$145.14	\$145.14
Employee & Spouse	\$563.25	\$563.25	\$563.25	\$563.25
Employee & Child(ren)	\$481.13	\$481.13	\$481.13	\$481.13
Employee & Family	\$799.65	\$799.65	\$799.65	\$799.65

Assumes No Changes To Current Contributions      Assumes No Changes To Current Contributions

**CITY OF LANCASTER  
HSA PLAN OPTION**

MEDICAL BENEFITS		Aetna HSA OPTION 1
Deductible		
In-Network		\$2,500 Ind./\$5,000 Fam.
Non-Network		\$5,000 Fam./\$10,000 Fam.
Out Of Pocket Max. (Incl. Ded.)		
In-Network		\$5,000 Ind./\$8,000 Fam.
Non-Network		\$8,000 Ind./\$16,000 Fam.
Coinsurance		
In-Network		80%
Non-Network		60%
Lifetime Max		Unlimited
Emergency Room		
In-Network		Ded./20%
Non-Network		Ded./20%
Urgent Care Facility		
In-Network		Ded./20%
Non-Network		Ded./40%
Physician Office Visit		
In-Network		Ded./20%
Non-Network		Ded./40%
Specialist Office Visit		
In-Network		Ded./20%
Non-Network		Ded./40%
Preventive Care		
In-Network		0%
Non-Network		Ded./40%
In-Patient Hospital		
In-Network		Ded./20%
Non-Network		Ded./40%
Out-Patient Facility Services		
In-Network		Ded./20%
Non-Network		Ded./40%
In-patient Substance		
In-Network		Ded./20%
Non-Network		Ded./40%
Out-patient Substance		
In-Network		Ded./20%
Non-Network		Ded./40%
In-patient Mental Health		
In-Network		Ded./20%
Non-Network		Ded./40%
Out-patient Mental Health		
In-Network		Ded./20%
Non-Network		Ded./40%
Prescriptions		Gen./Pref./Non-Pref.
Network Retail Pharmacy		100% after Ded.
Mail Order		100% after Ded.
<b>FINANCIALS</b>		<b>HSA OPTION 1</b>
Employee Only	137	\$391.82
Employee & Spouse	19	\$862.27
Employee & Children	29	\$783.82
Employee & Family	48	\$1,334.24
Monthly Premium	233	\$156,836.77
Annual Premium		\$1,882,041.24
\$ Change from Total Renewal Cost		<b>-\$454,654.44</b>
Available Funding Per Employee		<b>\$1,951.31</b>
Effective Date		10/1/2011
Rate Guarantee		1 year
AMI Best Rating		A

Note: This is a brief summary and not intended  
CYM - Calendar Year Max

**CITY OF LANCASTER  
DENTAL PPO RFP PLAN OPTIONS**

DENTAL BENEFITS	BCBS Current		BCBS Renewal		Cigna Option		Actina Option	
	Yes	None	Yes	None	Yes	None	Yes	None
Employer Contribution	100%	None	100%	None	100%	None	100%	None
Waiting Period	None	None						
Dual Examinations (2 per year)	None	None						
Biting X-Rays (2 per year)	None	None						
Full mouth X-Rays (1 per 3 years)	None	None						
Cleanings (2 per year)	None	None						
Topical Fluoride Treatment (1 per year, up to age 19)	None	None						
Emergency Treatment	None	None						
Type II - Basic Services	80%	None	80%	None	80%	None	80%	None
Waiting Period	None	None						
Fillings	None	None						
Scalings (1 per tooth per 3 years, or age 17)	None	None						
Space Maintainers	None	None						
Root Canal Treatment	None	None						
Root Planning	None	None						
Periodontal Surgery	None	None						
Periapical Surgery	None	None						
Extractions	None	None						
General Anesthesia	None	None						
Repairs - Bridges, Crowns, Inlays, Dentures	None	None						
Palliative Treatment (Relief of Pain)	None	None						
Type III - Major Services	50%	None	50%	None	50%	None	50%	None
Waiting Period	None	None						
Crowns	None	None						
Inlays and Onlays	None	None						
Removable / Fixed Bridge-Work	None	None						
Partial or Complete Dentures	None	None						
Denture Relines / Rebases	None	None						
Type IV - Orthodontia	50%	None	50%	None	50%	None	50%	None
Waiting Period	None	None						
Orthodontia Lifetime Maximum	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
Orthodontia Eligibility (Adult/Child)	Child	Child						
Calendar Year Deductible	II, III	II, III						
Individual	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50
Family	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150
Dental Annual Maximum	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
OCR Out of Network Percentage	90th	90th						
Providers in Lancaster	9	9	9	9	8	8	11	11
Providers within 100 Miles of Lancaster	*100+	*100+	*100+	*100+	*500+	*500+	*500+	*500+
FINANCIALS	BCBS	BCBS	BCBS	BCBS	Cigna	Cigna	Actina	Actina
Employee Only	\$33.57	\$33.57	\$38.03	\$38.03	\$33.65	\$33.65	\$35.79	\$35.79
Employee & Family	\$67.49	\$67.49	\$76.47	\$76.47	\$67.64	\$67.64	\$71.96	\$71.96
Monthly Premium	\$11,348.44	\$11,348.44	\$12,857.52	\$12,857.52	\$11,374.39	\$11,374.39	\$12,099.61	\$12,099.61
Annual Premium	\$136,181.28	\$136,181.28	\$154,290.24	\$154,290.24	\$136,492.68	\$136,492.68	\$145,195.32	\$145,195.32
% Change from Current	n/a	n/a	\$18,108.96	\$18,108.96	\$311.40	\$311.40	\$9,014.04	\$9,014.04
% Change from Current	n/a	n/a	13.30%	13.30%	0.23%	0.23%	6.62%	6.62%
Rate Guarantee	1 year	2 year	2 year					
Premium Credit								
Not Included in Above Totals								

Notes: This is a brief summary and not intended to be a contract.

\* Max providers shown on Provider Finder

**City of Lancaster  
2011 - 2012 Dental Plan Option Financials**

DPO DENTAL FINANCIALS	EE	BCBS		Cigna		Aetna	
		Current	Renewal	Option	Option	Option	Option
Employee Only	142	\$33.57	\$38.03	\$33.65	\$35.79		
Employee & Family	101	\$67.49	\$76.47	\$67.64	\$71.96		
Monthly Premium		\$11,583.43	\$13,123.73	\$11,609.94	\$12,350.14		
Annual Premium		\$139,001.16	\$157,484.76	\$139,319.28	\$148,201.68		
<b>FINANCIALS - EMPLOYER</b>		<b>Current</b>	<b>Renewal</b>	<b>Option</b>	<b>Option</b>		
Monthly Premium		\$4,766.94	\$5,400.26	\$4,778.30	\$5,082.18		
Annual Premium		\$57,203.28	\$64,803.12	\$57,339.60	\$60,986.16		
% Change from Current		N/A	\$7,599.84	\$136.32	\$3,782.88		
% Change from Current		N/A	13.29%	0.24%	6.61%		
% of Total Premium Cost							
<b>DPO PREMIUMS - EMPLOYEE</b>		<b>Current</b>	<b>Renewal</b>	<b>Option</b>	<b>Option</b>		
Employee Only	142	\$0.00	\$0.00	\$0	\$0		
Employee & Family	101	\$67.49	\$76.47	\$67.64	\$71.96		

ER Contributions Assumed for all Options:  
ER - 100% EE Only  
ER - 0% Dependent

Premium Credit  
offered at \$11,452.  
Not Included in Above  
Totals

**CITY OF LANCASTER  
BASIC LIFE RFP RESULTS**

BASIC LIFE BENEFITS Class Description	CIGNA		CIGNA		Standard Option	
	Current	Current	Current	Current	Standard	Option
Definition of Earnings	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week
Basic Life Schedule	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months
Guarantee Issue Amount	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Maximum Benefit	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Age Reduction Schedule	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85
Waiver of Premium	Included	Included	Included	Included	Included	Included
Accelerated Death Benefit	Included	Included	Included	Included	Included	Included
Conversion	Included	Included	Included	Included	Included	Included
Portability	Included	Included	Included	Included	Included	Included
<b>BASIC ADD-BENEFITS</b>						
Basic AD&D Schedule	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Maximum Benefit	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Education	Included	Included	Included	Included	Included	Included
Seatbelt	Included	Included	Included	Included	Included	Included
Am Big	Included	Included	Included	Included	Included	Included
<b>FISANGLIS</b>						
Volume	\$2,278,500	\$2,278,500	\$2,278,500	\$2,278,500	\$2,278,500	\$2,278,500
Rate (per \$1mm) - Life	\$0.10	\$0.09	\$0.09	\$0.085	\$0.085	\$0.085
Rate (per \$1mm) - AD&D	\$0.04	\$0.03	\$0.03	\$0.03	\$0.03	\$0.03
Monthly Premium	\$319	\$273	\$273	\$262	\$262	\$262
Annual Premium	\$3,828	\$3,281	\$3,281	\$3,144	\$3,144	\$3,144
SC Change from Current	n/a	-\$547	-\$547	-\$684	-\$684	-\$684
% Change from Current	n/a	-14.3%	-14.3%	-17.9%	-17.9%	-17.9%
Number of Employees Actively at Work	233	233	233	233	233	233
Effective Date	Waived	Waived	Waived	Waived	Waived	Waived
Rate Guarantee	10/1/2007	10/1/2011	10/1/2011	10/1/2011	10/1/2011	10/1/2011
AMI Rest-Rating	10/1/2011	3 year				
	A	A	A	A	A	A

Note: This is a brief summary and not intended to be a contract.

**CITY OF LANCASTER  
BASIC LIFE OPTION 1**

BASIC LIFE BENEFITS	CIGNA			Standard Option 1	
	Current	Renewal	Option 1	Option 1	Standard Option 1
Class Description	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week
Definition of Earnings	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months	Annual Salary prior to before-tax deductions incl. commissions averaged over the prior 12 months
Basic Life Schedule	\$10,000	\$10,000	1 x BAE	1 x BAE	1 x BAE
Guarantee Issue Amount	\$10,000	\$10,000	\$100,000	\$100,000	\$100,000
Maximum Benefit	\$10,000	\$10,000	\$100,000	\$100,000	\$100,000
Age Reduction Schedule	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85
Waiver of Premium	Included	Included	Included	Included	Included
Accelerated Death Benefit	Included	Included	Included	Included	Included
Contingent	Included	Included	Included	Included	Included
Portability	Included	Included	Included	Included	Included
<b>BASIC AD&amp;D BENEFITS</b>					
Basic AD&D Schedule	\$10,000	\$10,000	1 x BAE	1 x BAE	1 x BAE
Maximum Benefit	\$10,000	\$10,000	\$100,000	\$100,000	\$100,000
Education	Included	Included	Included	Included	Included
Severely Disabled	Included	Included	Included	Included	Included
Anti-Flag	Included	Included	Included	Included	Included
<b>FINANCIALS</b>					
Volume	\$2,278,500	\$2,278,500	\$11,255,400	\$11,255,400	\$11,255,400
Rate (per \$1,000) - Life	\$0.10	\$0.09	\$0.09	\$0.140	\$0.140
Rate (per \$1,000) - AD&D	\$0.04	\$0.03	\$0.03	\$0.03	\$0.03
Monthly Premium	\$319	\$273	\$1,351	\$1,913	\$1,913
Annual Premium	\$3,828	\$3,281	\$16,208	\$22,961	\$22,961
% Change from Current	n/a	<b>-\$547</b>	\$12,380	\$19,133	\$19,133
% Change from Current	n/a	<b>-14.3%</b>	323.4%	499.8%	499.8%
Number of Employees	233	233	233	233	233
Active at Work	Waived	Waived	Waived	Waived	Waived
Effective Date	10/1/2007	10/1/2007	10/1/2011	10/1/2011	10/1/2011
Rate Guarantee	10/1/2011	10/1/2011	3 year	3 year	3 year
A.S.B.S.I. Rating	A	A	A	A	A

Note: This is a brief summary and not intended to be a contract.

**CITY OF LANCASTER  
VOLUNTARY LIFE RFP RESULTS**

SUPPLEMENTAL LIFE BENEFITS LIFE SCHEDULE	CIBNA		CIBNA	
	Current	Current	Current	Option
Class Description	All FT, active Ees working at least 30 hours per week	All FT, active Ees working at least 30 hours per week	All FT, active Ees working at least 30 hours per week	All FT, active Ees working at least 30 hours per week
Definition of Earnings	Annual salary prior to before-tax deductions incl. commissions averaged over the prior 12 months.	Annual salary prior to before-tax deductions incl. commissions averaged over the prior 12 months.	Annual salary prior to before-tax deductions incl. commissions averaged over the prior 12 months.	Annual salary prior to before-tax deductions incl. commissions averaged over the prior 12 months.
Employee Life Schedule	\$10,000 increments to a maximum of \$500,000			
Employee Maximum Benefit	\$500,000	\$500,000	\$500,000	\$500,000
Employee Guarantee Issue Amount	\$100,000	\$100,000	\$100,000	\$100,000
Age Reduction Schedule	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85	65% @ 70 45% @ 75 30% @ 80 15% @ 85
Waiver of Premium Accelerated Death Benefit	Included	Included	Included	Included
Spouse Life Schedule	Included	Included	Included	Included
Spouse Maximum Benefit	\$5,000 increments to a maximum of \$500,000	\$5,000 increments to a maximum of \$500,000	\$5,000 increments to a maximum of \$500,000	\$10,000 increments to a maximum of \$500,000
Spouse Guarantee Issue Amount	May not exceed Employee Voluntary Life Benefit			
Childrent Life Schedule	\$20,000	\$20,000	\$20,000	\$20,000
Conversion	\$5,000 or \$10,000	\$5,000 or \$10,000	\$5,000 or \$10,000	\$5,000 or \$10,000
Portability	Included	Included	Included	Included
Suicide Clause	Included	Included	Included	Included
MB&D SCHEDULE				
Employee MB&D Schedule	Same as Life except amounts in excess of \$250,000 may not exceed 10 X base annual earnings. ADEA reduction beginning at age 70.	Same as Life except amounts in excess of \$250,000 may not exceed 10 X base annual earnings. ADEA reduction beginning at age 70.	Same as Life except amounts in excess of \$250,000 may not exceed 10 X base annual earnings. ADEA reduction beginning at age 70.	Same as Life except amounts in excess of \$250,000 may not exceed 10 X base annual earnings. ADEA reduction beginning at age 70.
Spouse MB&D Schedule	Spouse max = \$250,000 Children max = \$50,000	Spouse max = \$250,000 Children max = \$50,000	Spouse max = \$250,000 Children max = \$50,000	Spouse Only=50% of EE amt; Spouse/Children=40% of EE amt.

Note: This is a brief summary and not intended to be a contract.

**CITY OF LANCASTER  
VOLUNTARY LIFE RFP RESULTS**

AGE	CIGSA Current	CIGSA Current	Standard Option
<b>SUPPLEMENTAL LIFE BENEFITS</b>			
<b>LIFE FINANCIALS (per \$1,000)</b>			
Age of Employee			
41 to 44	\$0.08	\$0.08	\$0.08
45 - 49	\$0.08	\$0.08	\$0.08
50 - 54	\$0.08	\$0.08	\$0.08
55 - 59	\$0.12	\$0.12	\$0.12
60 - 64	\$0.19	\$0.19	\$0.19
65 - 69	\$0.28	\$0.28	\$0.28
70 - 74	\$0.48	\$0.48	\$0.48
75 - 79	\$0.82	\$0.82	\$0.82
80 - 84	\$1.29	\$1.29	\$1.29
85 - 89	\$2.03	\$2.03	\$2.03
90 - 94	\$3.23	\$3.23	\$3.23
95 - 99	\$5.72	\$5.72	\$5.72
Child Life Rate (\$5,000)	\$5.72	\$5.72	\$5.72
Child Life Rate (\$10,000)	\$5.72	\$5.72	\$5.72
Child Life Rate (\$20,000)	\$5.72	\$5.72	\$5.72
Child Life Rate (\$50,000)	\$1.00	\$1.00	\$0.25
Child Life Rate (\$100,000)	\$2.00	\$2.00	\$0.50
<b>ADDITIONAL FINANCIALS</b>			
Employee AMSD Rate (per \$1,000)	\$0.045	\$0.045	\$0.033
Spouse AMSD Rate (per \$1,000)	N/A	N/A	N/A
Family Rate (per \$1,000)	\$0.05	\$0.05	\$0.05
<b>Participation Required</b>	n/a	n/a	20%
<b>Employer Contribution</b>	0%	0%	0%
<b>Effective Date</b>	10/1/2007	10/1/2011	10/1/2011
<b>Rate Guarantee</b>	10/1/2011	3 year	3 year
<b>AM Best Rating</b>	A	A	A

Note: This is a brief summary and not intended to be a contract.

**CITY OF LANCASTER  
CORE / BUY UP LONG TERM DISABILITY RFP RESULTS**

VOLUNTARY LTD BENEFITS	CIGNA		Standard
	Current	Renewal	
Class Description	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week	All FT, active EEs working at least 30 hours per week
Eligible Income	Base Annual Earnings	Base Annual Earnings	Base Annual Earnings
Monthly Percentage	Core: 40% Buy-Up: 60%	Core: 40% Buy-Up: 60%	Core: 40% Buy-Up: 60%
Monthly Maximum	\$5,000	\$5,000	\$5,000
Guarantee Issue	\$5,000	\$5,000	\$5,000
Minimum Benefit	Greater of \$100 or 10%	Greater of \$100 or 10%	\$100
Elimination Period	180 days	180 days	180 days
Benefit Duration	SSNRA	SSNRA	SSNRA
Determination of Disability	2 years Own Occ Any Occ Thereafter	2 years Own Occ Any Occ Thereafter	2 years Own Occ Any Occ Thereafter
Residual/Paid	Zero Day	Zero Day	Zero Day
Social Security Integration	Full Family	Full Family	Full Family
Earnings Test	80%	80%	80% / 60%
Survivor Benefit	3 months	3 months	3 months
Pre-existing Limitations	3/12	3/12	3/12
Mental Network Limits	24 months	24 months	24 months
Drug & Alcohol Limits	24 months	24 months	24 months
Self-reported Limitations	No limitation	No limitation	No limitation
Mandatory Rehab	Included	Included	Included
Family Care Benefit	Included	Included	N/A
Work Incentive	Included	Included	Included
W-2 Preparation	Included	Included	Included

Note: This is a brief summary and not intended to be a contract.

**CITY OF LANCASTER  
CORE / BUY UP LONG TERM DISABILITY RFP RESULTS**

VOLENTARY LTD BENEFITS	CGNA	CGNA	Standard
<b>EMPLOYER FINANCIALS</b>			
Composite ER Rate (per \$100)	\$0.10	\$0.095	\$0.085
Volume	\$945,021	\$945,021	\$945,021
Monthly ER Cost	\$945.02	\$897.77	\$803.27
Annual ER Cost	\$11,340.25	\$10,773.24	\$9,639.21
SC Change Point Current	n/a	<b>-\$567.01</b>	<b>-\$1,701.04</b>
% Change from Current	n/a	<b>-5.0%</b>	<b>-22.7%</b>
<b>EMPLOYEE FINANCIALS</b>			
Voluntary EE Rate (per \$100)			
Age of Employee			
Up to 24	\$0.04 (Under 20)	\$0.04 (Under 20)	\$0.04
25 - 29	\$0.05 (20-24)	\$0.05 (20-24)	\$0.05
30 - 34	\$0.06	\$0.06	\$0.06
35 - 39	\$0.075	\$0.075	\$0.075
40 - 44	\$0.082	\$0.082	\$0.082
45 - 49	\$0.104	\$0.104	\$0.104
50 - 54	\$0.167	\$0.167	\$0.167
55 - 59	\$0.265	\$0.265	\$0.265
60 - 64	\$0.281	\$0.281	\$0.281
65 - 69	\$0.258	\$0.258	\$0.258
70 - 74	\$0.136	\$0.136	\$0.136
75 - 79	\$0.126	\$0.126	\$0.126
80 - 84	\$0.118	\$0.118	\$0.118
85 - 89	\$0.104	\$0.104	\$0.118
90 - 94	\$0.989	\$0.989	\$0.118
95 - 99	\$0.989	\$0.989	\$0.118
Employer Contribution	100% Core / 0% Buy-Up	100% Core / 0% Buy-Up	100% Core / 0% Buy-Up
Participation Requirement	100% Core/25 lives on Buy-Up	100% Core/25 lives on Buy-Up	100% Core/25 lives or 25% Buy-Up
Effective Date	10/1/2007	10/1/2011	10/1/2011
Rate Guarantee	10/1/2011	3 year	3 year
AM Best Rating	A	A	A

**CITY OF LANCASTER  
SECTION 125 RFP RESULTS**

<b>FLEX ADMIN SERVICES</b>	<b>Daily Access Current</b>	<b>Daily Access Renewal</b>	<b>Discovery Benefits Optum</b>
Set-Up Fee	N/A	N/A	N/A
Renewal Fee	N/A	N/A	N/A
Plan Document	N/A	N/A	Included
Plan Amendments	\$150 each	\$150 each	Included
Discrimination Testing	Included	Included	Included
24-hour Helpline Access	Included	Included	Included
Toll Free Number	Included	Included	Included
Direct Deposit	Included	Included	Included
Communication Meeting	Included (local)	Included (local)	\$350 per day plus travel expenses, if applicable
On-line Employer Maintenance	Included	Included	Included
Debit Card	Included	Included	Included
<b>FINANCIALS</b>			
Flexible Spending Account(s)	\$5.00 PPPM	\$5.00 PPPM	\$4.90 PPPM
Monthly Administration Fees	\$50 per month	\$50 per month	\$500 Annual only if monthly X 12 is less
Employees	80	80	80
Estimated Monthly Cost	\$450.00	\$450.00	\$392.00
Estimated Annual Cost	\$5,400	\$5,400	\$4,704
% Change from Current		0.00%	-12.89%
\$ Change from Current		\$0	-\$696
Effective Date	10/1/2004	10/1/2011	10/1/2011
Rate Guarantee	10/1/2011	2 year	3 year

**Note: This is a brief summary and not intended to be a contract.**

**CITY OF LANCASTER  
EAP RFP RESULTS**

BENEFITS	AWP	
	Current	Proposed
Home Office	Austin, TX	Austin, TX
24/7 Access Center	Included	Included
National Network	Included	Included
Gatekeeper Services	n/a	n/a
Management Training	Yes 3 hours per year bundled	Yes 3 hours per year bundled
Legal and Financial Services	es up to 3 consults per issue, 25 % discount thereafter	es up to 3 consults per issue, 25 % discount thereafter
EAP Website Access	Included	Included
Orientation	Yes, Onsite, Webinar & CD	Yes, Onsite, Webinar & CD
Program Promotion	Yes, 3 newsletters monthly	Yes, 3 newsletters monthly
Account Management	Yes, Local	Yes, Local
Comprehensive Utilization Reporting	Yes Quarterly and Annual	Yes Quarterly and Annual
Specialty Onsite Services:	3 Hours Per Year, then \$200 Per Hour + Travel	3 Hours Per Year, then \$200 Per Hour + Travel
<i>Employee Orientation, Management Training, Seminars</i>	Group Services - Included Unlimited On-site Individual Counseling Services - \$150 Per Hour + Travel	Group Services - Included Unlimited On-site Individual Counseling Services - \$150 Per Hour + Travel
Critical Incident Services	Unlimited - Included No Charge	Unlimited - Included No Charge
Department of Transportation Substance Abuse Professionals Services	Included No Charge	Included No Charge
Work-Life Services	Yes, Included	Yes, Included
For All Members of Household	Included - EAP pays	Included - EAP pays
Safe Ride Program	NOT Billed back to Employer	NOT Billed back to Employer
Number of Visits	6 sessions per incident	6 sessions per incident
<b>FINANCIALS</b>		
Number of Employees	273	273
Rate PEP/1 (Per Employee Per Month)	\$1.74	\$2.16
Monthly Estimated Cost	\$475.02	\$589.68
Annual Estimated Cost	\$5,700.24	\$7,076.16
Percent increase over current	n/a	24%
Dollar increase over current	n/a	\$1,375.92
Effective Date	10/1/2007	10/1/2011
Rate Guarantee	24 months	24 months

Note: This is a brief summary and not intended to be a contract.

**City of Lancaster  
2011 - 2012 Financial Reconciliation**

	Current		Renewal		Recommended	
	Carrier	Annual Cost	Carrier	Annual Cost	Carrier	Annual Cost
<b>EMPLOYER COST ONLY</b>						
Medical	BCBS	\$1,987,154	BCBS	\$2,048,119	Aetna	\$1,885,215
Dental	BCBS	\$57,203	BCBS	\$64,803	Aetna	\$49,534
Basic Life	Cigna	\$3,828	Cigna	\$3,281	Cigna	\$16,208
Disability	Cigna	\$11,340	Cigna	\$10,773	Cigna	\$10,773
Section 125	Daily Access	\$5,400	Daily Access	\$5,400	Discovery	\$4,704
TEAP	AWP	\$5,700	AWP	\$7,076	AWP	\$7,076
Total Cost		\$2,070,625		\$2,139,452		\$1,973,510
\$ Change from Current		N/A		\$68,827		(\$97,115)
% Change from Current		N/A		3.3%		-4.7%

**Notes for Recommended:**

- 1) Aetna Medical Includes Wellness Program with Biometric Screenings
- 2) Aetna Medical Includes Adjustment for \$2,100 ADP Connection Fee
- 3) Aetna Medical Assumes No Changes to Current Employee Contributions
- 4) Aetna Dental Includes \$11,452 Premium Credit - Applies to Year 1 Only
- 5) Aetna Dental Assumes Current Funding Strategy - City Funds 100% of Employee Cost and 0% of Dependent Cost
- 6) Basic Life Adjusted to 1 x BAE to Maximum of \$100,000, Minimum Benefit of \$50,000

## **VENDOR SELECTION CRITERIA (INSURANCE COMPANY – MEDICAL)**

The objective of the evaluation for proposals will be to select the provider whose proposal is most responsive to the City's relating importance, price, and other factors considered:

**I. Cost (20%)**

- a) Fixed Costs: includes insurance costs and administrative costs
- b) Ability to reduce claims expense

**II. Financial Stability (20%)**

- a) Insurance Company, AM Best Rating

**III. Communication (5%)**

- a) Educational material for employees
- b) Summary Plan Description capabilities
- b) Administrative kits for locations
- c) Bilingual capability

**IV. Claims Processing (25%)**

- a) Turnaround time excluding medical review of claims
- b) Pended claims procedures
- c) Statistical accuracy
- d) General service procedures
- e) Willingness to contractually establish performance criteria

**V. Claims Management Reports (10%)**

- a) Frequency and format of claims reports are the utmost importance.
- b) Disease Management reporting

**VI. Integrated Systems / Technology Initiative (10%)**

Integrated systems linked to database are integral to the provider selection. The following components make up the whole of an integrated system:

- a) Eligibility
- b) Utilization review / Disease Management Programs
- c) Claims function
- d) Claims payment / family histories (i.e. pre-existing condition)
- e) Internet based enrollment/eligibility

**VII. Wellness Initiatives (10%)**

## **VENDOR SELECTION CRITERIA (INSURANCE COMPANY – ALL OTHERS)**

The objective of the evaluation for proposals will be to select the provider whose proposal is most responsive to the City's relating importance, price, and other factors considered:

### **II. Cost (20%)**

- a) Fixed Costs: includes insurance costs and administrative costs
- b) Ability to reduce claims expense

### **II. Financial Stability (20%)**

- d) Insurance Company, AM Best Rating

### **III. Communication (5%)**

- c) Educational material for employees
- d) Summary Plan Description capabilities
- e) Administrative kits for locations
- f) Bilingual capability

### **IV. Claims Processing (25%)**

- f) Turnaround time excluding medical review of claims
- g) Pended claims procedures
- h) Statistical accuracy
- i) General service procedures
- j) Willingness to contractually establish performance criteria

### **VIII. Claims Management Reports (10%)**

- a) Frequency and format of claims reports are the utmost importance.
- b) Disease Management reporting

### **IX. Integrated Systems / Technology Initiative (10%)**

Integrated systems linked to database are integral to the provider selection. The following components make up the whole of an integrated system:

- f) Eligibility
- g) Utilization review / Disease Management Programs
- h) Claims function
- i) Claims payment / family histories (i.e. pre-existing condition)
- j) Internet based enrollment/eligibility

### **X. References (10%)**

## VENDOR SELECTION MATRIX

### FULLY INSURED – MEDICAL / RX

	<u>*BCBS</u>	<u>*Aetna</u>
Cost (20%)	18	20
Financial Stability (20%)	20	20
Communication (5%)	5	5
Claims Processing (25%)	25	25
Claims Management Reports (10%)	10	9
Integrated Systems / Technology Initiative (10%)	9	10
Wellness Initiatives (10%)	9	10
<b>TOTAL</b>	<b>96</b>	<b>98</b>

\* Pending Network Analysis

<b>CODE KEY:</b>	60	Below Average
	70	Average
	80	Average / No Basis for Comparison
	90	Above Average
	100	Clearly Demonstrable Advantage

## VENDOR SELECTION MATRIX

### FULLY INSURED – DENTAL

	<u>BCBS</u>	<u>Cigna</u>	<u>Aetna</u>
Cost (20%)	16	18	20
Financial Stability (20%)	20	20	20
Communication (5%)	4	5	5
Claims Processing (25%)	25	25	25
Claims Management Reports (10%)	10	10	10
Integrated Systems / Technology Initiative (10%)	10	9	9
References (10%)	9	7	9
<b>TOTAL</b>	<b>94</b>	<b>94</b>	<b>98</b>

**CODE KEY:**

60	Below Average
70	Average
80	Average / No Basis for Comparison
90	Above Average
100	Clearly Demonstrable Advantage

## VENDOR SELECTION MATRIX

### BASIC LIFE / VOLUNTARY LIFE

	<u>Cigna</u>	<u>The Standard</u>
Cost (20%)	20	18
Financial Stability (20%)	20	20
Communication (5%)	5	5
Claims Processing (25%)	25	25
Claims Management Reports (10%)	10	10
Integrated Systems / Technology Initiative (10%)	10	10
References (10%)	10	10
<b>TOTAL</b>	<b>100</b>	<b>99</b>

**CODE KEY:**

60	Below Average
70	Average
80	Average / No Basis for Comparison
90	Above Average
100	Clearly Demonstrable Advantage

## VENDOR SELECTION MATRIX

### CORE / BUY UP LONG TERM DISABILITY

	<u>Cigna</u>	<u>The Standard</u>
Cost (20%)	20	19
Financial Stability (20%)	20	20
Communication (5%)	5	5
Claims Processing (25%)	25	25
Claims Management Reports (10%)	10	10
Integrated Systems / Technology Initiative (10%)	10	10
References (10%)	10	10
<b>TOTAL</b>	<b>100</b>	<b>99</b>

**CODE KEY:**

60	Below Average
70	Average
80	Average / No Basis for Comparison
90	Above Average
100	Clearly Demonstrable Advantage

## VENDOR SELECTION MATRIX

### SECTION 125

	<u>Daily Access</u>	<u>Discovery Benefits</u>
Cost (20%)	23	25
Financial Stability (20%)	20	20
Communication (5%)	5	5
Claims Processing (25%)	25	25
Claims Management Reports (10%)	10	10
Integrated Systems / Technology Initiative (10%)	8	10
References (10%)	7	10
<b>TOTAL</b>	<b>93</b>	<b>100</b>

**CODE KEY:**

60	Below Average
70	Average
80	Average / No Basis for Comparison
90	Above Average
100	Clearly Demonstrable Advantage

## VENDOR SELECTION MATRIX

### EMPLOYEE ASSISTANCE PROGRAM

Cost (20%)	<u>AWP</u>	20
Financial Stability (20%)		20
Communication (5%)		5
Claims Processing (25%)		25
Claims Management Reports (10%)		10
Integrated Systems / Technology Initiative (10%)		10
References (10%)		9
<b>TOTAL</b>		<b>99</b>

**CODE KEY:**

60	Below Average
70	Average
80	Average / No Basis for Comparison
90	Above Average
100	Clearly Demonstrable Advantage

## **RECOMMENDATIONS**

### **MEDICAL**

Contingent upon receipt of Aetna's network match analysis, it will be recommended for Lancaster to contract with Aetna for the 2011 – 2012 plan year for Medical Coverage. Aetna's best and final offer is a -4.18% decrease to rates or \$100k in savings off the current BCBS rates. The offer is approximately \$162k below the BCBS best and final offer.

Included in the rate reduction is the \$2,100 connection fee for ADP. Additionally, Aetna is offering their enhanced wellness program at no charge to the City of Lancaster. This program includes on-site biometric screenings with nurse review, health risk assessment, incentives, and on-line self help tools.

Due to the disruption and communication efforts to switch carriers, it is not recommended to implement a health savings account at this time. Furthermore, it is recommended to release targeted communications throughout the year to adequately prepare employees for implementation of an HSA plan in 2012 – 2013.

### **DENTAL**

It is recommended to contract with Aetna for the 2011 – 2012 plan year for dental coverage at a 6% increase to rates. In addition to offering a 2 year rate guarantee, Aetna will provide a premium credit of \$11,452 to offset the City's premium costs. The premium credit will not be calculated into the renewal rating formula for the October 1, 2013 renewal.

### **BASIC LIFE / VOLUNARY LIFE**

It is recommended to contract with Cigna for the 2011 – 2012 plan year. Rates will be guaranteed for 3 years. It is recommended to consider implementation of the 1 x BAE Option with a maximum benefit of \$100,000.

### **CORE / BUY UP LONG TERM DISABILITY**

It is recommended to contract with Cigna for the 2011 – 2012 plan year. Rates will be guaranteed for 3 years.

### **SECTION 125**

Due to service concerns, it is recommended to contract with Discovery Benefits for the 2011 – 2012 plan year. Rates will be guaranteed for 3 years.

### **EMPLOYEE ASSISTANCE PROGRAM**

It is recommended to contract with Alliance Work Partners for the 2011 – 2012 plan year. Rates will be guaranteed for 2 years.



**Wellness Programs Included to Help Members Stay Healthy and Improve Productivity**

We believe that a workplace wellness strategy is essential to successfully motivate subscribers and sustain engagement in their health and well being. The Aetna Health Connections program is designed to help improve our members' overall health by offering easy access to an online health assessment, Online Wellness Programs, a personal health record, disease management, online self-help tools, onsite biometric screenings, and a variety of member incentives.

**Onsite Biometric Screenings**

Healthy Heart Non-Fasting (TC, HDL, TC/HDL ratio, Blood Glucose, Blood Pressure, Self-Reported BMI, Counseling)

Summit Health brings health screenings directly to the worksite to help employees prevent health problems. This onsite screening program is conducted with the use of a finger stick instead of a blood draw. Results are generated within 7 minutes. Nurses will sit down with the subscriber to discuss the results and their health risk.

**Health Assessment (Supported by Incentives)**

Simple Steps To A Healthier Life® (SSHL)  
Aetna's Health Assessment

A personalized online health and wellness program that begins with completing a health assessment. Based on information gathered in the health assessment, the participant receives a personalized Action Plan to help them achieve and maintain good health. The Action Plan includes a variety of recommended Online Wellness Programs, a printable one-page Health Summary to keep, record and compare their results over time and to share with their doctor, dentist or other health-care provider. Aetna's Health Assessment also is designed to assess participants' level of health risks, their readiness to change certain health behaviors and their impact of health on productivity. Plan Sponsors have access to aggregate results and can utilize information to design a wellness program and measure the success of the programs.

SSHL Health Assessment Completion/Update and Completion of One Online Wellness Program

Subscribers and their spouses can each earn a \$50 gift card after completing both the Health Assessment and a minimum of one Online Wellness Program.

Online Wellness Programs

The Online Wellness Programs will personally invite subscribers who complete their Health Assessments to join the program most likely to appeal to them, based on the information provided in their Health Assessments. Within each program, your subscribers will find the tools and resources they need to help them get on – and stay on – the road to their optimal health. These include:

- A program plan created just for them, based on their responses to the Health Assessment
- Newsletters that help keep them engaged and focused on realizing their goals
- Online libraries with articles, videos, recipes and other tools to help answer questions and achieve desired results

Available programs include: Balance™ (weight management/physical activity), Nourish™ (nutrition/diet), Relax™ (stress management), Breathe™ (smoking cessation), Overcoming™ Insomnia, Overcoming™ Depression.

**Care Management**

Aetna Health Connections Disease Management

Unique and powerful disease management program supporting more than 35 chronic conditions. Integrated and personalized patented technology allows Aetna to tailor each member's interactions based on health and disease states, benefit plan coverage and personal preferences. The Simple Steps online health assessment, the Personal Health Record and onsite biometric screenings are also integrated with our disease management program.

**Advocacy & Outreach Programs**

MedQuery®

MedQuery is a program that uses medical claims, pharmacy claims and lab result values at a member level, compares that against complex algorithms developed from evidence-based standards of care to identify potential gaps in care called Care Considerations and provides the care considerations to physicians to help them improve their patients' care.

24/7 Nurse Line - Informed Health® Line

24-hour nurse 1-800 support line - Members can call anytime and talk to a registered nurse for answers to health related questions. They can also listen to information from our audio health library on thousands of topics.

**Maternity Management Program (Supported by Rewards)**

Beginning Right™ Maternity Program

Provides services, information and resources to help improve pregnancy outcomes. Nurse outreach to physician for high risk members. Rewards for program completion are also available: Mayo Guide to Healthy Pregnancy sent with completion of the Pregnancy Risk Survey before the 16th week; baby blanket and growth chart sent when high risk outcome is complete.

## Communications Campaigns and Toolkits

### Roadmap to Wellness Plan Sponsor Website

A step-by-step guide to help Plan Sponsors implement a worksite wellness program. Included is a manual with instructions, a 12-month wellness calendar, email templates announcing the program, a 4-week Health Assessment Campaign, forms, posters, and flyers promoting a health fair, PDFs for each monthly topic and tools to assist in setting goals, objectives, communication plan and evaluation of the program.

### Member Wellness Message Program

Electronic communications for employees that address general health and wellness topics, available in English and Spanish.

## Online Self-Help Tools

### Aetna Navigator

A secure member website that is an online resource for personalized health and financial information. Subscribers can access their personal health benefits, find claims status, and details, find cost of tests and medical visits, view health history report, receive wellness discounts, take the health assessment, participate in the Online Wellness Programs, locate a doctor, self refer into available disease management programs and much more.

### Personal Health Record

This online report combines detailed, claims-driven information gathered from across the health care spectrum - such as physician offices, labs, diagnostic treatment and pharmacies - with user-entered information such as family history or allergies. The result is a health profile that the member can access anytime online, and print to share with his or her doctor.

### Reawakening<sup>SM</sup> Center

Offers resources to encourage and assist people at risk for depression.

### Healthwise<sup>®</sup> Knowledgebase

This feature on Aetna Navigator is a decision-support tool that gives members access to powerful information resources in order to make better health decisions. Members have access to clinical information on 1,900 health topics, 600 medical tests and procedures, 500 support groups, and 3,000 medications.

### IntelliHealth<sup>®</sup> Website

A consumer health website and credible source of current health news featuring information from Harvard Medical School, as well as interactive tools including BMI calculator, stretching exercise video, healthy menus for weight loss, aerobic workout plan for beginners, an ergonomic guide and much more.

### Women's Health Online

A wealth of information on common conditions and health that affect women, including preventive guidelines, ask the expert and much more. Also has a website with information Plan Sponsors can use for newsletters, etc.

### Wellness Kits To Go

Online self-help kits give practical strategies and solution-oriented information that will help identify issues that apply to the member's health.

### Preventive Health Care Schedule

This informational schedule will guide members according to age and gender of preventive screenings needed and steps to take to live a long and healthy life.

## Discount Programs

Aetna discount programs are included to help members save money on a wide variety of services and products. Our discount programs and services help members afford the small luxuries that can help keep them happy and healthy. Members can save right away on fitness club memberships, treadmills and elliptical trainers, LASIK surgery, massage therapy, colored contact lenses and more!

## Reporting

A variety of reports are available to plan sponsors via Navigator and Simple Steps, and may vary based on participation levels.

In Texas, discount programs are not insurance and program features are not guaranteed under the plan contract and may be discontinued at any time. Discount programs are in addition to any plan benefits and may require a separate charge to access such programs. Discounts offered are not insurance.

Health benefits and health insurance plans are offered/underwritten by Aetna Health Inc., Aetna Health of California Inc., Aetna Health of Illinois Inc., Aetna Health of the Carolinas Inc., Aetna Health Insurance Company of New York, Aetna Health Insurance Company and/or Aetna Life Insurance Company. In Maryland by Aetna Health Inc., 151 Farmington Avenue, Hartford, CT 06156. Each insurer has sole financial responsibility for its own products.

Health information programs provide general health information and are not a substitute for diagnosis or treatment by a physician or other health care professional. Health benefits and health insurance plans contain exclusions and limitations. Not all health services are covered. See plan documents for a complete description of benefits, exclusions, limitations and conditions of coverage. Plan features and availability may vary by location and are subject to change. The Aetna Personal Health Record ("PHR") should not be used as the sole source of information about the member's health conditions or medical treatment.

Information is believed to be accurate as of the production date; however, it is subject to change.

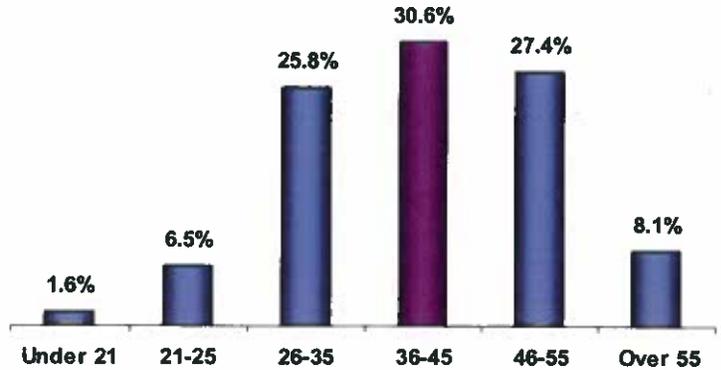
For more information about Aetna plans, refer to [www.aetna.com](http://www.aetna.com).

Policy forms issued in OK include: HMO/OK COC-4 09/02, HMO/OK GA-3 11/01, HMO OK POS RIDER 08/07, GR-23 and/or GR-29/GR-29N.

# CITY OF LANCASTER EMPLOYEE BENEFITS SURVEY RESULTS

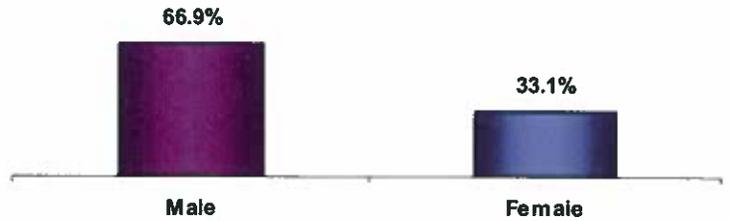
## 1. Age

	Response Percent	Response Count
Under 21	1.6%	2
21-25	6.5%	8
26-35	25.8%	32
36-45	30.6%	38
46-55	27.4%	34
Over 55	8.1%	10
Answered Question		124



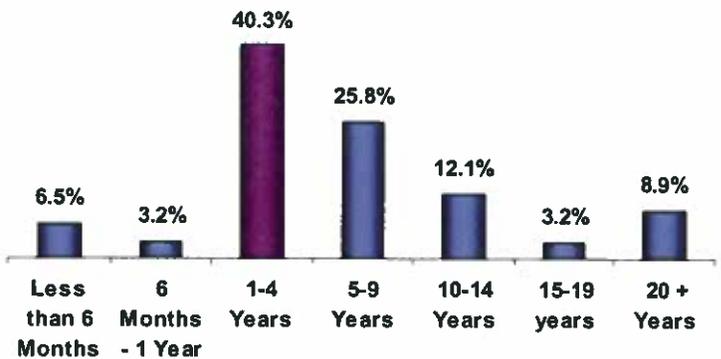
## 2. Gender

	Response Percent	Response Count
Male	66.9%	83
Female	33.1%	41
Answered Question		124



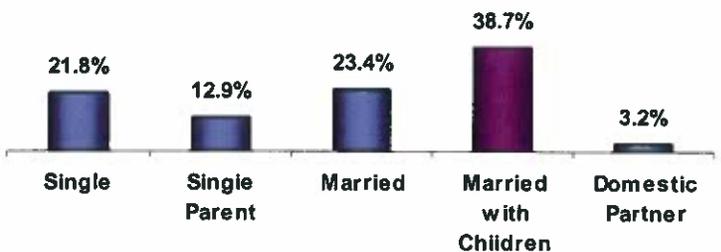
## 3. Length of employment with the City of Lancaster

	Response Percent	Response Count
Less than 6 Months	6.5%	8
6 Months - 1 Year	3.2%	4
1-4 Years	40.3%	50
5-9 Years	25.8%	32
10-14 Years	12.1%	15
15-19 years	3.2%	4
20 + Years	8.9%	11
Answered Question		124



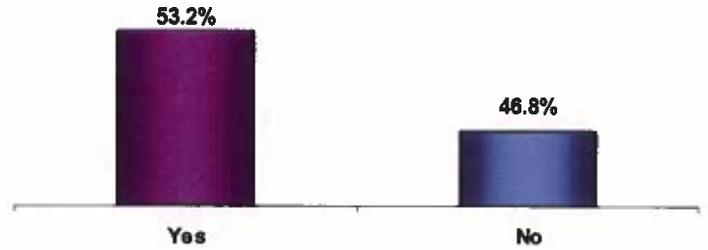
## 4. Status

	Response Percent	Response Count
Single	21.8%	27
Single Parent	12.9%	16
Married	23.4%	29
Married with Children	38.7%	48
Domestic Partner	3.2%	4
Answered Question		124



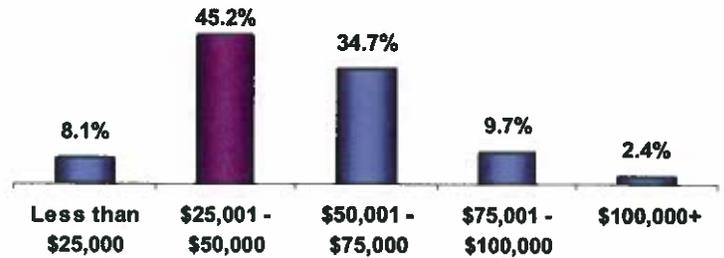
5. Is your spouse employed?

	Response Percent	Response Count
Yes	53.2%	66
No	46.8%	58
Answered Question		124



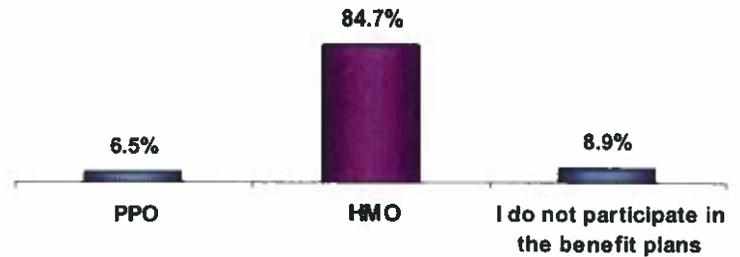
6. Annual Pay (W-2)

	Response Percent	Response Count
Less than \$25,000	8.1%	10
\$25,001 - \$50,000	45.2%	56
\$50,001 - \$75,000	34.7%	43
\$75,001 - \$100,000	9.7%	12
\$100,000+	2.4%	3
Answered Question		124



7. Please select the medical plan in which you currently participate?

	Response Percent	Response Count
PPO	6.5%	8
HMO	84.7%	105
I do not participate in the benefit plans	8.9%	11
Answered Question		124



## **BENEFITS SURVEY**

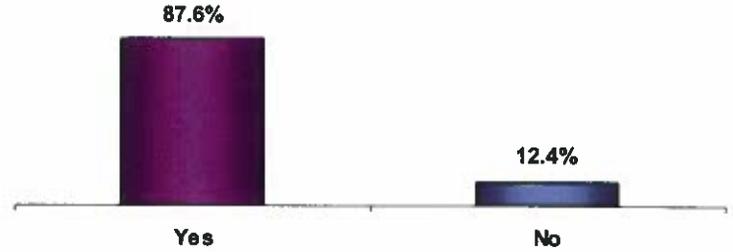
**8. For each of the following statements, choose the response below that best represents your feelings regarding the benefits provided to you by the City of Lancaster.**

Answer Options	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Rating Average	Response Count
The total benefit program at Lancaster compares favorably with those of other similar municipalities.	6.2%	33.6%	36.3%	19.5%	4.4%	2.82	113
I have read and understand Lancaster's benefits package.	14.2%	57.5%	20.4%	6.2%	1.8%	2.24	113
Lancaster's communication of the features and procedures of our benefit program is adequate.	7.1%	51.3%	26.5%	11.5%	3.5%	2.53	113
In general, I am satisfied with the benefits offered by Lancaster.	4.4%	38.9%	27.4%	23.0%	6.2%	2.88	113
I would like more choices in selecting the kinds of benefits, and level of coverage I receive.	23.9%	42.5%	27.4%	5.3%	0.9%	2.17	113
I would be willing to pay for some of the additional cost to improve certain benefits.	8.8%	18.6%	23.9%	33.6%	15.0%	3.27	113
Increasing my direct pay is more important to me than improving benefits.	27.4%	23.0%	29.2%	17.7%	2.7%	2.45	113
Overall, Lancaster's benefits meet my (my families) needs.	6.2%	44.2%	27.4%	15.9%	6.2%	2.72	113

## MEDICAL BENEFITS

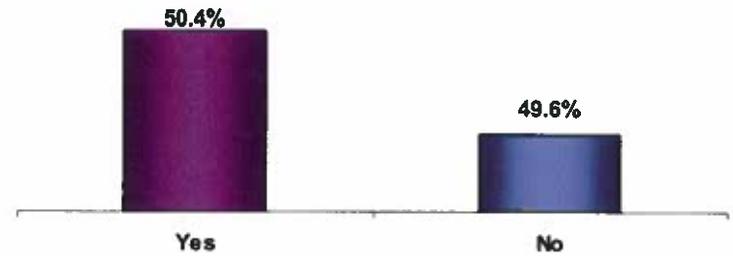
9. Have you used BCBS medical benefits since 10/1/10?

	Response Percent	Response Count
Yes	87.6%	99
No	12.4%	14
Answered Question		113



10. Have you used BCBS customer service since 10/1/10?

	Response Percent	Response Count
Yes	50.4%	57
No	49.6%	56
Answered Question		113



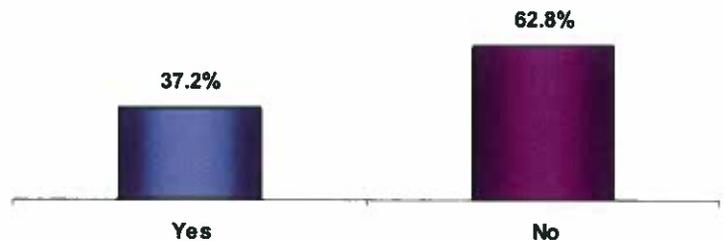
11. If so, on a scale of 1 to 5, with 1 being very unsatisfied and 5 being very satisfied, please rank your level of satisfaction with Blue Cross Blue Shields Customer Service.

	Average Score	Response Count
Average Score	3.2	57



12. If so, did you register and utilize the services and tools available to you on the Blue Cross Blue Shield Website?

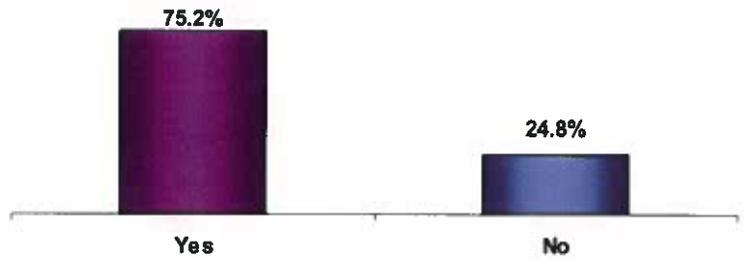
	Response Percent	Response Count
Yes	37.2%	42
No	62.8%	71
Answered Question		113



## PRESCRIPTION BENEFITS

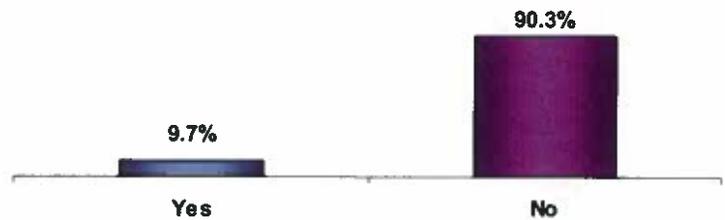
13. Have you used BCBS pharmacy benefits since 10/1/10?

	Response Percent	Response Count
Yes	75.2%	85
No	24.8%	28
Answered Question		113



14. Have you used BCBS mail order service since 10/1/10?

	Response Percent	Response Count
Yes	9.7%	11
No	90.3%	102
Answered Question		113



15. If so, on a scale of 1 to 5, with 1 being very unsatisfied and 5 being very satisfied, please rank your level of satisfaction with Blue Cross Blue Shields Pharmacy Program.

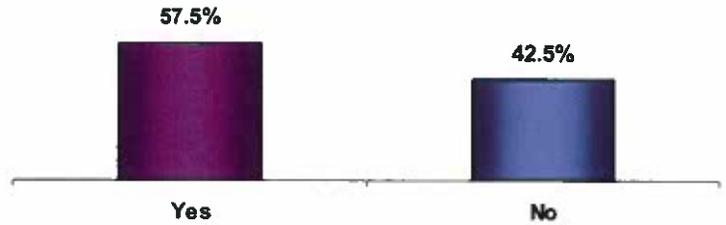
	Average Score	Response Count
Average Score	3.3	11



## DENTAL BENEFITS

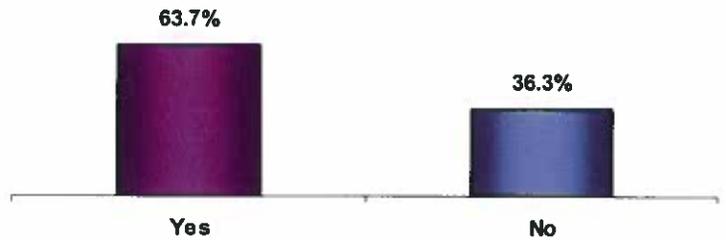
16. Have you used your dental benefits since 10/1/10?

	Response Percent	Response Count
Yes	57.5%	65
No	42.5%	48
Answered Question		113



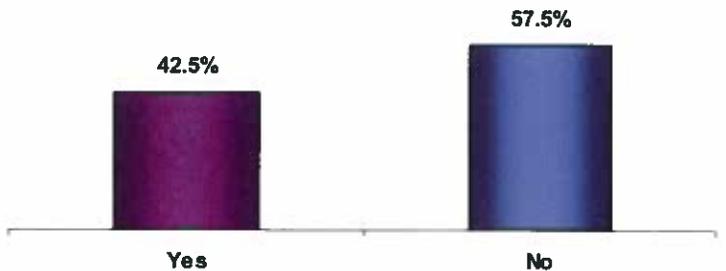
17. Do you understand how the dental Blue Cross Blue Shield Preferred Provider Network (PPO) works?

	Response Percent	Response Count
Yes	63.7%	72
No	36.3%	41
Answered Question		113



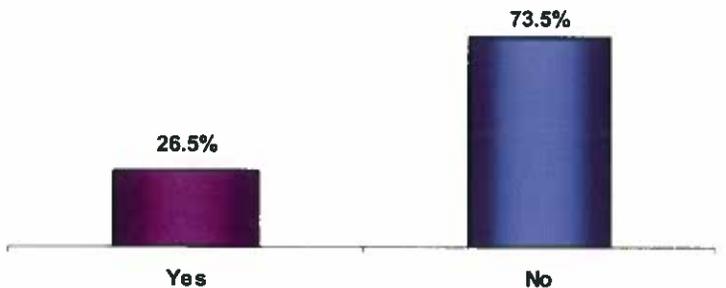
18. Do you use the dental Preferred Provider Network (PPO)?

	Response Percent	Response Count
Yes	42.5%	48
No	57.5%	65
Answered Question		113



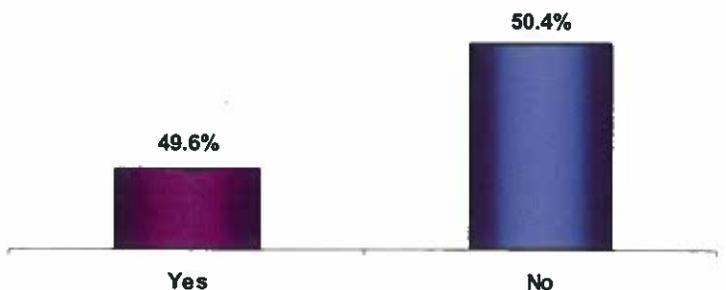
19. Do you use the Blue Cross Blue Shield website for access to the dental provider directory?

	Response Percent	Response Count
Yes	26.5%	30
No	73.5%	83
Answered Question		113



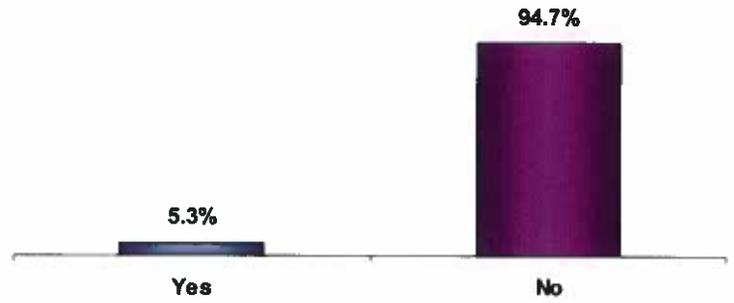
20. If so, was it easy for you to understand and use?

	Response Percent	Response Count
Yes	50.0%	76
No	50.0%	77
Answered Question		153



**21. Are you covered under your spouse's dental program?**

	<b>Response Percent</b>	<b>Response Count</b>
<b>Yes</b>	<b>5.3%</b>	<b>6</b>
<b>No</b>	<b>94.7%</b>	<b>107</b>
<b>Answered Question</b>		<b>113</b>



## WELLNESS PROGRAM

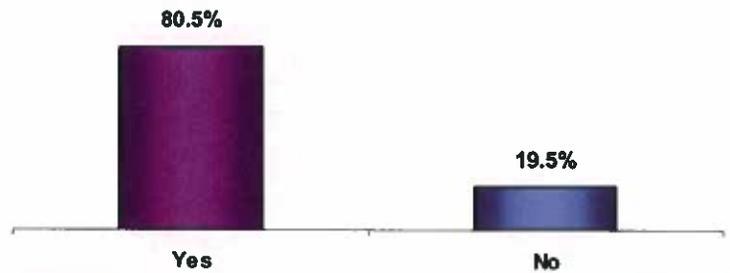
22. Please rank the importance of health and wellbeing in your (your families) life on a scale of 1 to 5, with 1 being very unimportant and 5 being very important.

	Average Score	Response Count
Average Score	4.7	113



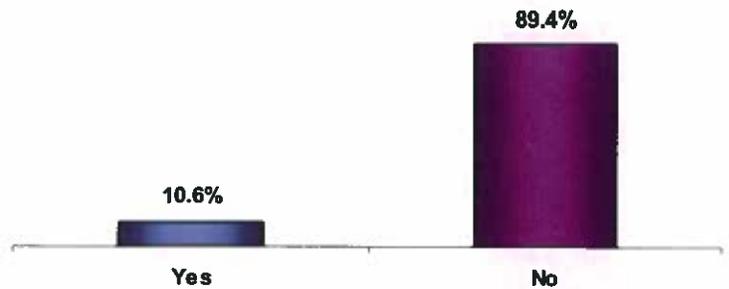
23. Do you participate in the Annual Physical Incentive Program?

	Response Percent	Response Count
Yes	80.5%	91
No	19.5%	22
Answered Question		113



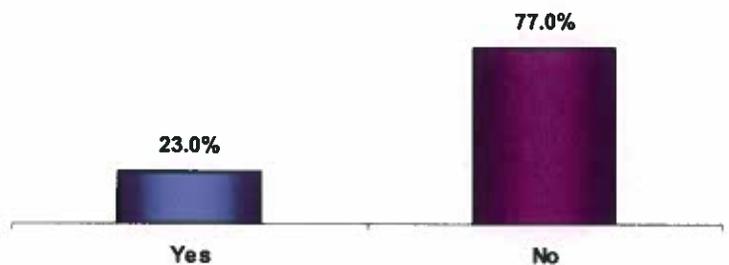
24. Have you used Tobacco Products within the last 12 months?

	Response Percent	Response Count
Yes	10.6%	12
No	89.4%	101
Answered Question		113



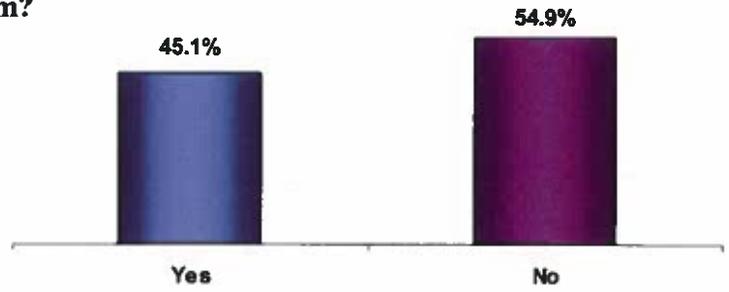
25. Would you be against charging employees who use tobacco higher health insurance premium cost than those who do not use tobacco?

	Response Percent	Response Count
Yes	23.0%	26
No	77.0%	87
Answered Question		113



26. Have you participated in Lancaster's wellness program?

	Response Percent	Response Count
Yes	45.1%	51
No	54.9%	62
Answered Question		113



27. On a scale of 1 to 5, with 1 being very unsatisfied and 5 being very satisfied, please rank your level of satisfaction with the City of Lancaster's wellness program.

	Average Score	Response Count
Average Score	3.2	113



28. Lancaster is considering adding components to the Wellness program. Please check those of which you would be interested in participating.

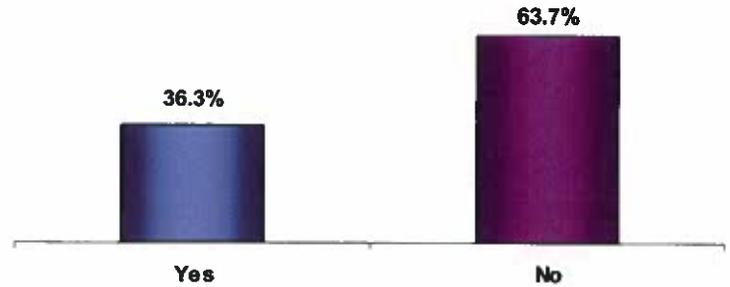
	Response Percent	Response Count
Free Blood Screenings	73.0%	84
Walking Program	53.9%	62
Wellness Seminars	41.7%	48
Smoking Cessation	13.9%	16
Answered Question		113



## FLEXIBLE SPENDING ACCOUNT

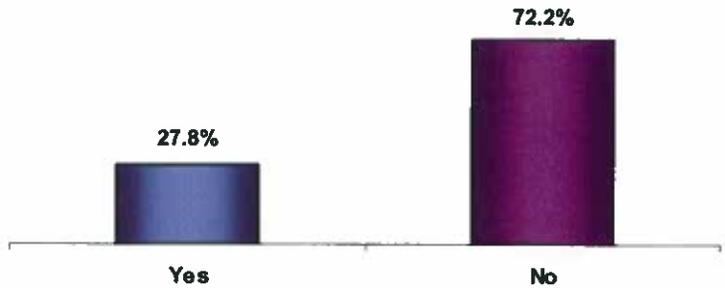
29. Do you currently participate in the Flexible Healthcare Spending Account?

	Response Percent	Response Count
Yes	36.3%	41
No	63.7%	72
Answered Question		113



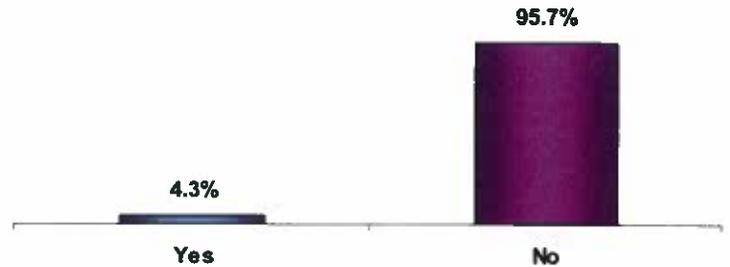
30. If not, do you set aside other income specifically for non-covered medical/dental expenses?

	Response Percent	Response Count
Yes	23.3%	20
No	76.7%	52
Answered Question		72



31. Do you currently participate in the Dependent Care Reimbursement Account?

	Response Percent	Response Count
Yes	4.3%	5
No	95.7%	108
Answered Question		113



32. On a scale of 1 to 5, with 1 being very unsatisfied and 5 being very satisfied, please rank your level of satisfaction with Daily Access, our flexible benefits plan administrator.

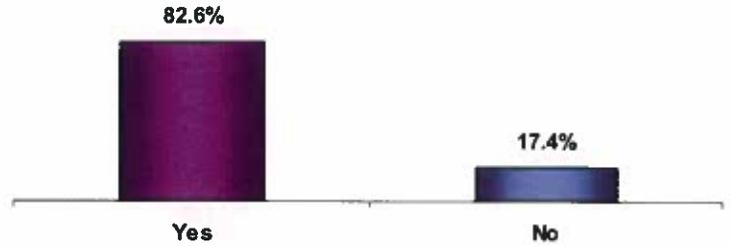
	Average Score	Response Count
Average Score	2.8	113



## LIFE INSURANCE

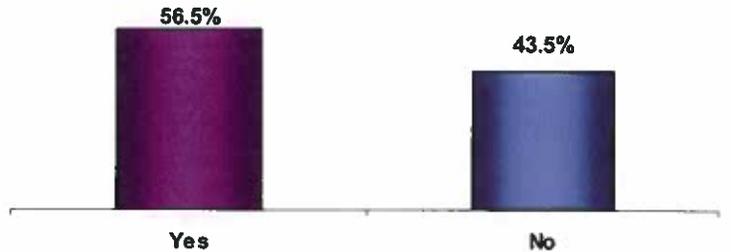
33. The City's life insurance plan is satisfactory to my needs.

	Response Percent	Response Count
Yes	82.6%	95
No	17.4%	20
Answered Question		115



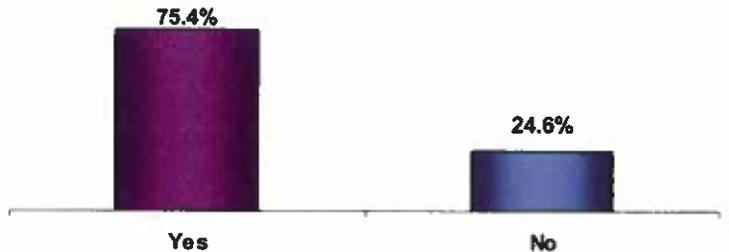
34. Do you participate in the Voluntary Life Insurance Program?

	Response Percent	Response Count
Yes	56.5%	65
No	43.5%	50
Answered Question		115



35. If so, are you satisfied with the amounts you can purchase?

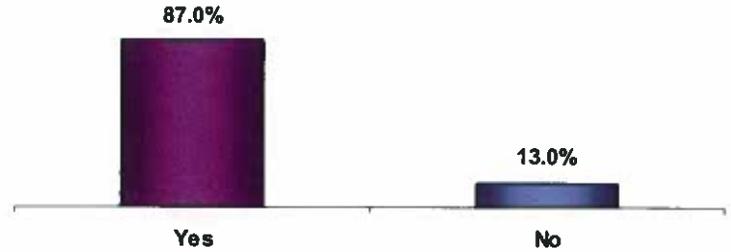
	Response Percent	Response Count
Yes	76.5%	49
No	23.5%	16
Answered Question		65



## LONG TERM DISABILITY

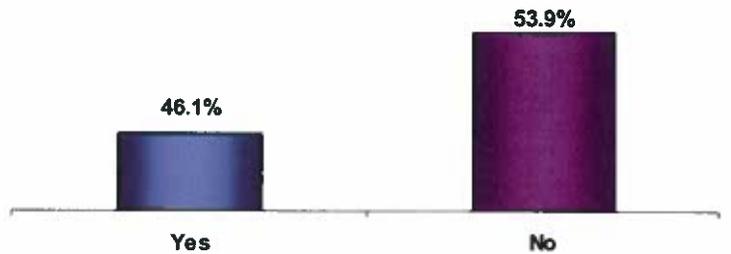
36. The City's Long Term Disability insurance plan is satisfactory to my needs.

	Response Percent	Response Count
Yes	87.0%	100
No	13.0%	15
Answered Question		115



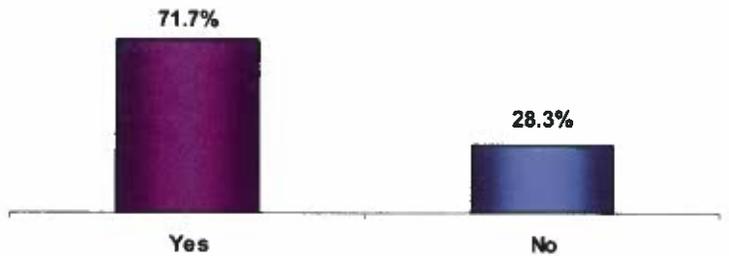
37. Do you participate in the Voluntary Long Term Disability Insurance Program?

	Response Percent	Response Count
Yes	46.1%	53
No	53.9%	62
Answered Question		115



38. If so, are you satisfied with the amounts you can purchase?

	Response Percent	Response Count
Yes	71.7%	38
No	28.3%	15
Answered Question		53



## **BENEFIT IMPORTANCE**

39. For the following benefits, please rank all of them in order of importance to you. "1" being the most important and "11" being the least important.

Answer Options	Response Average	Response Total	Response Count
Medical	1.79	206	115
Dental	2.97	342	115
Life/Accident Death and Dismemberment	3.75	431	115
Long Term Disability	5.05	581	115
Health Care Reimbursement Account	5.90	678	115
Wellness Program	6.60	759	115
Dependent Care Reimbursement Account	8.06	927	115
AFLAC	7.93	912	115
Voluntary Life Insurance	7.04	810	115
Voluntary Accidental Death and Dismemberment	6.82	784	115
Employee Assistance Program	7.14	821	115
Answered Question			115

40. If you could add optional benefits to your benefit program, which ones would you like to be offered? Please rank in order of importance to you, "1" being the most important and 6" being the least important.

Answer Options	Response Average	Response Count	Response Count
Long Term Care	3.76	115	115
Universal / Whole Life Insurance	4.08	115	115
Cancer Insurance	4.29	115	115
Short Term Disability	3.97	115	115
Critical Illness	4.82	115	115
Other	6.93	36	115
Answered Question			115

**CITY OF LANCASTER  
SURVEY COMMENTS**

	<b>Response Text</b>
1	Take rights to smoke away is some what against constitutional right.
2	I believe the vision and dental benefits/insurance could be more of assistance to the City of Lancaster
3	Vision Insurance would be a great option.
4	Each time we review our insurance, we give up coverages such as office visit increases, pharma increases (with less medicine coverages) and emergency or crisis care increases. And still increase our monthly premiums. Monthly increases should offset other increases, but not both.
5	As an overall philosophy - benefits costs slide more towards the users
6	The flex healthcare spending account is cumbersome in the way daily access verifies purchases. Other administer companies do not function in this fashion. When a purchase is made with this benefit, Daily Access requests verification in the form of an itemized receipt which is not always provided. When you send the requested verification you are not informed if it was received. Several times we have sent information only to be told Daily Access did not receive it as their fax machine was inoperable. Half the time the person we speak to doesn't even know if the fax machine is functioning or not. When you send the requested verification you still receive second and third requests which may or not be because the verification was or was not received. You have to call and verify in person. There have been times when our benefit has been suspended due to this issue. We are prevented from accessing our money for the reason we signed up for this benefit in the first place.
7	Why charge more for tobacco users if your not going to charge more for obese people?
8	I think our insurance is extremely too expensive. I can barely pay my bills with the deductions taken out after my wife and child are covered.
9	My main complaint with BCBS is the time that it takes and the problems that I have had in changing my primary care provider when I have been sick and my PCP was out of the office. Trying to do this over the the phone or the web-site is a terrible experience. Out side of that BCBS has been satisfactory and met my needs.
10	I would like to add insurance or an incentive for Optical check, glasses, contacts, etc.
11	I don't use the City's wellness program, because the Fire Dept./Huguley program works for me.  I would really like a ROTH retirement plan option!!!
12	Please reduce the cost of dependant insurance to the employee. Increasing cost to the employee is the same thing as a pay cut. The current cost is greater than many other municipalities. Therefore pay scales cannot be directly compared. Thanks,
13	WE NEED RAISES, AND ALSO SOME MORE WEIGHT LOSS INITIATIVES. THE CITY OF LANCASTER AS A WHOLE IS PLEASANTLY PLUMP INCLUDING THE LEADERS OF THE CITY. GOOD HEALTH STARTS WITH THE ROOTS OF THE ORGANIZATION. ALSO WE NEED TO IMPROVE ON PICKING THE CORRECT SUPERVISORS FOR DEPARTMENTS. AGE SHOULD NOT BE CONSIDERED AS A FACTOR, NOR SHOULD SENIORITY. MORE REVIEWS SHOULD TAKE PLACE AND BE TAKEN MORE SERIOUSLY. I AM SEEING AN ALARMING GROWTH OF MANAGERS JUST GOING WITH THE FLOW AND BUDDING UP WITH THERE EMPLOYEES. REMEMBER THAT EVENTUALLY THIS WILL TURN INTO A CIRCUS IF THIS IS NOT HANDLED A LITTLE BETTER.
14	The medical reimbursement is the most frustrating part of Lancaster benefits. It's supposed to benefit the employee but they just make it more difficult. I personally have had to fax them the same insurance bill twice & they are still asking for it. Sometimes they ask for receipts and sometimes they don't. They're not uniform in their requests. It's more frustrating than it should be.
15	It would be great to have more City employee health programs, to help us get more motivated to be more healthy.
16	I would like the city to at least consider a solid vision care plan, depending on costs of course. I recently purchased 2 pairs of glasses and they would have cost over \$600 if not for some help I had.
17	This survey is not specific enough to adequately respond.
18	I DON'T HAVE CHILDREN AND THOSE BENIFITS ARE NOT AS IMPORTANT TO MY SITUATION. I AM CLOSE TO RETIREMENT.

**CITY OF LANCASTER  
SURVEY COMMENTS  
(continued)**

	Response Text
19	The fire department has a outstanding wellness program. otherwise I would participate in the cities program.
20	I THINK SINCE I DONT HAVE KIDS ON THE PROGRAM IT WORKS GOOD FOR ME
21	I haven't had a raise in about 7 years and the last one I did get was offset by insurance. This city doesn't pay enough to draw good employees without a good benefit package to go along with the job.
22	Prescription coverage, needs to be better (lower co pay, and more covered medications).
23	our costs continue to increase and our benefits continue to decrease. and we are making less
24	I think we should add Vision to our plan because it is very expensive for people that need contact w/o being fully covered.
25	It would be nice if would could buy up/ pay to increase our benefits, such as dental - \$1500 a year is not enough if you need a crown which is only covered at 50%. I would be willing to pay more to increase this benefit and others.

## 2011 - 2012 Recommendations for Employee Health and Welfare Benefits



Presented By:

**Brent A. Weegar, MBA**  
Employee Benefits Specialist  
IPS Advisors, Inc.

## Request for Proposal

- Health Plan – Blue Cross Blue Shield
- Dental Plan – Blue Cross Blue Shield
- Ancillary Benefit Plan – Cigna
  - Basic Life / AD&D
  - Voluntary Life / AD&D
  - Long Term Disability
- Flexible Spending Account – Daily Access
- EAP – Alliance Work Partners (AWP)

## RFP Response

- Medical
  - Presented
    - BCBS - Finalist
    - Aetna - Finalist
    - United Healthcare
    - Cigna
  - Declined / Disqualified
    - TML
    - Humana
- Dental
  - Presented
    - BCBS - Finalist
    - Aetna - Finalist
    - Delta Dental
    - Cigna
  - Declined / Disqualified
    - American General
    - MetLife
- Life / Disability
  - Presented
    - Cigna - Finalist
    - The Standard - Finalist
  - Declined / Disqualified
    - Prudential
    - Sun Life
    - Humana



## RFP Response (Continued)

- Section 125
  - Presented
    - Daily Access - Finalist
    - Discovery Benefits - Finalist
    - American Benefits Group
    - Wage Works
- EAP
  - Presented
    - Alliance Work Partners - Finalist
    - Aetna - Finalist
    - Magellan



## Vendor Selection Criteria

- Cost (20%)
- Financial Stability (20%)
- Communication (5%)
- Claims Processing (25%)
- Claims Management Reports (10%)
- Integrated Systems / Technology (10%)
- Wellness Initiatives (10%)

## Financials

	Current Plan		Renewal - Renegotiated		Recommended	
	Carrier	Cost	Carrier	Cost	Carrier	Cost
Medical	BCBS	\$2,436,634	BCBS	\$2,499,600	Aetna	\$2,336,606
Dental	BCBS	\$139,001	BCBS	\$157,485	Aetna	\$148,202
Life / AD&D	Cigna	\$3,828	Cigna	\$3,261	Cigna	\$16,208
Disability	Cigna	\$11,340	Cigna	\$10,773	Cigna	\$10,773
FSA	Daily Access	\$5,400	Daily Access	\$5,400	Discovery	\$4,704
EAP	AWP	\$5,700	AWP	\$7,076	AWP	\$7,076
COBRA	Conexis	\$2,953	Conexis	\$2,953	Conexis	\$2,953
<b>Total Cost</b>		<b>\$2,606,857</b>		<b>\$2,686,568</b>		<b>\$2,526,612</b>
% Change from Current		n/a		+3.06%		-3.07%
\$\$ Change from Current		n/a		\$78,711		-\$80,245

- Costs Include Employee and Employer Contributions
- Aetna Medical and Dental Plans Assume no Substantial Changes from Current BCBS Benefits
- Aetna will provide City of Lancaster its enhanced wellness program package at no cost
- Aetna premiums include \$2,100 credit for ADP connection feed set up cost
- Cigna Life / AD&D assumes coverage increase from flat \$10,000 benefit to 1 x BAE to a max of \$100,000

## Recommendations for Council Approval

- **Medical Plan**
  - It is recommended for the City to change carriers from BCBS to Aetna for the 2011-2012 plan year. Rates will be guaranteed for 1 year.
  - The Aetna medical plan of benefits and network substantially match BCBS.
  - Staff is recommending no changes to the current employee contributions.
  - Staff is recommending to continue the Annual Physical Incentive program with a \$10 surcharge for non-participation.
  - Staff is recommending a \$25 surcharge for employees who are Tobacco Users. If employees choose to participate in a tobacco cessation program the surcharge will be waived upon completion.
- **Dental Plan**
  - It is recommended for the City to change carriers from BCBS to Aetna for the 2011-2012 plan year. Rates will be guaranteed for 2 years.
  - The Aetna dental plan of benefits and network substantially match BCBS.
  - Staff is recommending no changes to the current City funding of premiums at 100% Employee Only and 0% Dependent.

## Recommendations for Council Approval

- **Life / AD&D Plan**
  - It is recommended to renew with Cigna for the 2011-2012 plan year. Rates will be guaranteed for 3 years.
  - It is recommended for council to approve an increase in the current benefit level from a flat \$10,000 benefit to 1 x BAE to a maximum of \$100,000.
- **Disability Plan**
  - It is recommended to renew with Cigna for the 2011-2012 plan year. Rates will be guaranteed for 3 years.
- **Section 125**
  - It is recommended for the City to change administrators from Daily Access to Discovery Benefits for the 2011-2012 plan year. Rates will be guaranteed for 3 years.
- **EAP**
  - It is recommended for the City to renew its contract with AWP for the 2011-2012 plan year. Rates will be guaranteed for 3 years.
- **Cobra**
  - It is recommended for the City to renew its contract with Conexis for the 2011-2012 plan year. Rates will be guaranteed for 1 year.

**LANCASTER CITY COUNCIL**  
**Work Session Agenda Communication for**  
**August 15, 2011**

**2**

WS11-002

**Discuss article 14.900 Tree Preservation from the Lancaster  
Development Code.**

**This request supports the City Council 2010-2011 Policy Agenda**

**Goal 2: Quality Development**

**Background**

The Lancaster Development Code, Article 14.900, Section 14.901 outlines the provisions for tree preservation in the City of Lancaster. The purpose of this section of the ordinance is to promote site planning which furthers the preservation of trees and natural areas; to protect trees during construction; to facilitate site design and construction; contribute to the long-term viability of existing trees; and to prohibit clear cutting of trees.

It is the further purpose of this ordinance to achieve the following broader objectives:

- Prohibit the clearing of trees and natural areas.
- Protect and increase the value of residential and commercial properties within the City as well as forest value.
- Maintain and enhance a positive image, which will encourage further development in the City.
- Protect healthy quality trees and promote, enhance the ecological, environmental and aesthetic qualities of the City in future development.
- To encourage the increase of arboreal elements in design plans so as to improve both aesthetic and healthful conditions within the City.
- To further the preservation of trees and natural areas by protecting them during the planning, site design, construction and maintenance phases of any residential or commercial development within the city of Lancaster, Texas, with specific exemptions as outlined in *Section 5* of the LDC.
- To retain the optimum number of trees on any development site.

Staff will provide a brief presentation on tree preservation and how it is utilized as part of the Lancaster Development Code. Nathaniel Barnett, Senior Planner for the Planning Division and Jodi Griggs, Parks Superintendent will give the presentation and be available to answer questions related to the tree preservation ordinance and enforcement.

**Recommendation**

There is no recommendation at this time.

**Attachments**

- Excerpt from the Lancaster Development Code (LDC), Article 14.900, Tree Preservation
- Recommended plant list
- Approved tree list
- Presentation

**Prepared and submitted by:**

Sean Johnson, Director of Parks and Recreation

Rona Stringfellow-Govan, Director of Development Services

**Date:** August 4, 2011

## ARTICLE 14.900 TREE PRESERVATION

### Sec. 14.901 General Provisions

(a) Purpose. The purpose of this ordinance is to promote site planning which furthers the preservation of trees and natural areas; to protect trees during construction; to facilitate site design and construction; contribute to the long-term viability of existing trees; and to prohibit clear cutting of trees. It is the further purpose of this ordinance to achieve the following broader objectives:

1. Prohibit the clearing of trees and natural areas.
2. Protect and increase the value of residential and commercial properties within the City as well as forest value.
3. Maintain and enhance a positive image, which will encourage further development in the City.
4. Protect healthy quality trees and promote, enhance the ecological, environmental and aesthetic qualities of the City in future development.
5. To encourage the increase of arboreal elements in design plans so as to improve both aesthetic and healthful conditions within the City.
6. To further the preservation of trees and natural areas by protecting them during the planning, site design, construction and maintenance phases of any residential or commercial development within the city of Lancaster, Texas, with specific exemptions as outlined in *Section 5*.
7. To retain the optimum number of trees on any development site.

(b) Tree Preservation Definitions. For the purpose of this ordinance, certain words or terms applicable hereto are defined in Article 13 Definitions of this Unified Development Code. For the purpose of this ordinance the Landscape Administrator shall have interpretive authority to use commonly accepted definitions and/or to utilize generally accepted professional standards when any such conflict cannot otherwise be resolved.

### Sec. 14.902 Definitions for Tree Preservation

For the purpose of this ordinance, certain words or terms applicable hereto are hereinafter defined. Words and terms used in this ordinance, but not defined in this Article shall have the meanings ascribed thereto in the Lancaster Development Code, or other ordinances of the City. Words and terms defined in two ordinances shall be read in harmony unless there exists an irreconcilable conflict in which case the definition contained in this ordinance shall control. For the purpose of this ordinance the Landscape Administrator shall have interpretive authority to use commonly accepted definitions and/or to utilize generally accepted professional standards when any such conflict cannot otherwise be resolved.

*Agricultural Use.* The use of land to produce plant or animal products, such as the growing of crops, raising and pasturing of livestock, timber production, Christmas tree, or farming.

**Administrative Official.** Provisions of this Section shall be administered by the Landscape Administrator, who shall be appointed by the City Manager.

**ANSI.** American National Standards Institute; standards used by the horticulture and landscape professionals to measure and evaluate trees.

**Bark Protection.** Where a protected tree remains in the immediate area of intended construction, the tree shall be protected by enclosing the entire circumference of the tree with approved padding material and 2" x 4" lumber encircled with wire or any other method approved by the Landscape Administrator or designee. The intent is to protect the bark of the tree against incidental contact or damage by large construction equipment.

**Boring.** Boring of utilities shall be required in those circumstances where it is not possible to trench around the critical root zone of the protected tree. When required, the length of the bore shall be the width of the critical root zone at a minimum depth approved on site by Landscape Administrator or designee.

**Buildable Area.** That portion of a building site exclusive of the required yard areas on which a structure or building improvements may be erected and including the actual structure, driveway, parking lot, pool and other construction as shown on a site plan.

**Buffer Zone.** Buffer zone is a method of screening or separating adjacent land use areas, which are improved with predominate non-residential use and whose side or rear lines are adjacent to a residential district or use and not separated by a public street or roadway. These buffers, when required, should be densely maintained with trees and shrubs and be a minimum of twenty-five (25') feet in depth.

**Builder/Contractor (New Construction Only).** A builder or contractor who has purchased land or lots for construction with intent to sell is subject to all requirements specified herein.

**Building Envelope (BE).** Defined as that area surrounding and adjacent to the building pad that may be cleared to allow for all necessary construction equipment and construction. Residential BE shall not exceed ten (10') feet from the Building Pad. Commercial BE shall be determined by the Landscape administrator for the necessary tree protection. All existing natural vegetation beyond the building envelope shall be protected by protective fencing.

**Building Pad.** The actual foundation area of a building.

**Caliper.** The diameter of a tree measured is as follows: Height to measure depends on size: 0-4" (zero to four inches), measured at 6" (six inches) from natural ground level. Trees 4" (four inches) to transplantable size are measured at 12" (twelve inches) from natural ground level. All others at 4.5' from the ground level in Diameter at Breast Height (\*see ANSI standard).

**Clear-Cutting.** The removal of all of the trees or a significant majority of the trees within an area of land.

**Conservation Design.** A development design or pattern intended or having the effect of creating, retaining or preserving environmentally sensitive areas, natural habitats, wooded areas or areas of natural beauty in greater amount than would be otherwise be provided using Conventional Design or Traditional Neighborhood Design. Techniques used to achieve this result principally include the grouping together and/or concentration of buildings into clusters, reduction in lot size, reduction in paved areas and/or streets, and the use of shared common areas.

**Conventional Design.** A development design or pattern characterized by homes and non-residential buildings located on large individual lots, physical separation of buildings, segregation of land uses, and a predominance of individual yards within privately owned lots rather than the use of commonly-owned open areas. This pattern frequently features long block lengths, wide streets, cul-de-sacs, alleys and an emphasis on transportation service via the privately owned automobile.

**Critically Alter, Critical Alteration.** Uprooting or severing the main trunk of a tree, or any act which causes or may reasonably be expected to cause a tree to die. This includes, but is not limited to: damage inflicted upon the root system of a tree; a change in the natural grade above the root system of a tree, storage of materials, or the compaction of soil above the root system of a tree; an application of herbicidal chemical or the misapplication of beneficial chemicals; excessive pruning; placement of non-permeable pavement over the root system or a tree; or trenching within the primary root zone. Additionally, a tree may be considered critically altered if more than 25% of the primary root zone is altered or disturbed at natural grade, or more than 25% of the canopy is removed.

**Critical Root Zone (CRZ).** The area of undisturbed natural soil around a tree defined by a circle with a radius equal to the distance from the trunk to the outermost portion of the drip line. If CRZ is compromised by site conditions, such as but not limited to, roads, sidewalks, existing buildings, utility easements, etc., the CRZ will be determined by the Landscape Administrator or designee.

**Cut/Fill.** Areas where the natural ground level has been excavated (cut) or raised (fill).

**Drip Line.** A circular line, which follows the outermost portion of the canopy of a tree and extending to the ground.

**Diameter at Breast Height (DBH).** The DBH is measured four and one-half (4.5') feet from natural ground level.

**FEMA 100-Year Flood Plain.** The area designated as being within the one hundred year flood plain on the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) as of the effective date of this Ordinance. The boundary may be verified and established through field surveys based on elevation. Any changes made by FEMA to the 100-year flood plain boundary after the effective date of this Ordinance due to filling of the flood plain, channelization, or other drainage improvements shall not reduce the area in which tree preservation, replacement or protection requirements apply.

**Grade Change.** Any changes in ground level or soil compaction within the area just beyond the spread of the branches will damage the roots.

**Ground Level Cuts.** Where protected tree removal is allowed through exemption or by tree removal permit, and the root system is intertwined with protected trees which are intended to be saved, the tree shall be removed by flush cutting with the natural level of the surrounding ground. If stump removal is desired stump grinding shall be allowed upon approval of the Landscape Administrator.

**Grubbing.** Excavating or removing a significant part of the root system.

**Tree Health.** The condition of the tree, including structural integrity, pest and/or pathogen related problems.

**Residential Homestead.** Owners of property zoned as residential, who reside at the property as their primary residence. This term does not include properties zoned “MF” Multi-Family Residential district.

**Limits of Construction.** Delineation on the site plan defining the areas within which all construction activity may occur.

**Municipal/Public Domain Property.** Property in which title is held in the name of a governmental entity. Proper examples of this would include City Hall, public parks, Corps of Engineers’ property, State of Texas R.O.W., library, fire stations, water tower sites, public schools or similar properties.

**Open Space.** Open Space means a public or semi- public space, including common areas or parks that:

- Is open and unobstructed from its lowest level to the sky. (Vegetation and complimentary amenity structures such as open pavilions shade structures, picnic tables, playground equipment, bicycle racks drinking fountains, trash receptacles, goal posts, lighting etc. shall not be considered obstructions.)
- Is accessible to, designed for, and intended for the common use or enjoyment of the general public or the residents/occupants of a building, neighborhood or subdivision.
- Is used for recreation, resource protection, amenity or buffer yard/greenbelt purposes.
- Is not an existing or future right-of-way (R.O.W.).
- Is not part of the roof of any building

**Tree, Preserved.** A protected tree shall be considered preserved only if a minimum of 75% of the critical root zone is maintained at undisturbed natural grade and not more than 25% of the canopy is removed due to building encroachment. The canopy shall retain its natural form and integrity.

**Protective Fencing.** Protective fencing shall be orange vinyl construction fencing or other material approved by Landscape Administrator or designee with a four-foot (4’) approximate height adequately supported.

**Pruning, Allowed.** Approved pruning of protected tree(s) by Landscape Administrator in cases where tree(s) must be strategically pruned to allow construction or demolition of a structure. When allowed, all pruning shall be in accordance with approved arboricultural technique and/or guidelines established by the Landscape Administrator or designee.

**Pruning Permit.** Permit required for all utility, franchise and city projects. No fee is required.

**Thinning, Selective.** The removal of selected trees from within a forested area. The purpose of Selective Thinning is to improve the health and natural growth form of remaining trees or remove invasive and sometimes non-native species.

**Top Soil.** Top layer of soil native to the site.

**Traditional Neighborhood Design.** A development design or pattern that is characterized by a mixture of housing types and densities, a mixture of land uses including retail, office, and civic uses, reduced paving and street sizes, and that affords ease of pedestrian access. This design typically features a gridiron street pattern, short block lengths, narrow streets, reduced building

setbacks from the street and close proximity of residential and non-residential buildings and uses.

**Tree.** Any self-supporting woody perennial plant, which will attain a trunk diameter of two inches (2") or more when measured at a point four and one-half feet (4.5') above ground level and normally an overall height of at least fifteen feet (15') at maturity, singular or multi-trunk. The diameter of a multi-trunk tree shall be determined by adding the total diameter of ½ diameter of each additional trunk to the diameter of the largest trunk.

**Tree Board.** The Tree and Landscape Advisory Board members shall be appointed by the City Council. The Board will meet as needed, to review and monitor the Tree Protection and Landscape Ordinances, and to advise the Landscape Administrator, Park Board, City Council, Planning & Zoning Commission and citizens.

**Tree Diversity.** A condition wherein no single species of tree or plant material comprises more than 30% of the cumulative total of plantings on a site or of replacement trees required due to mitigation and remediation.

**Tree, Heritage.** Any tree planted and related to the heritage of the community, individual or homestead.

**Tree, Historic.** Any tree that has been identified as having historical value (species, history, uniqueness) by the Tree Advisory Board and/or Landscape Administrator. The nomination for certification shall have a public hearing and be forwarded to the Council for confirmation. A listing of all trees so designated shall be maintained and updated by the Landscape Administrator and made available upon request to the public. (Tree Champion List is listed with Texas Forestry Service.)

**Tree, Park.** Trees located in public parks and all areas owned by the City to which the public has free access to as a park.

**Tree, Protected.** A tree listed on the recommended tree list (Appendix A), which has a caliper of six (6") inches or greater measured in accordance with standards established by this ordinance. The caliper of a multi-trunk tree shall be determined by adding the total diameter of the largest trunk to one-half (1/2) diameter of each additional trunk (refer to ANSI).

**Tree, Specimen.** Any tree, including under story trees, of a species not listed or not on the recommended tree list, but which the City determines significant positive characteristics, such as size, age and/or historical importance, and is worthy of preserving.

**Tree, Street.** Trees, shrubs, and all other woody vegetation on land lying between property lines planted at recommended intervals with consideration of visibility triangle on either side of all streets, avenues, right-of-ways or entrances to the City. Tree species and planting techniques shall be selected to create a unified image for the street, provide an effective canopy, avoid sidewalk damage and minimize water consumption.

**Tree, Understory.** A tree which the City has determined has significant positive characteristics worthy of preservation and that does not typically attain height greater than thirty (30') feet.

**Tree Survey.** The Tree Survey is the heart of the Tree Preservation Ordinance. Its purpose is not to penalize, but to aid in protecting our valuable natural resources during development and construction. The Tree Survey will also help determine the quantity of trees, if any, that may be

removed or cannot be safely and adequately protected during the street utility, engineering/drainage, and construction phases of development.

***Tree Topping.*** The severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this ordinance at the determination of the Landscape Administrator or designee.

***Tree, Canopy or Shade.*** Canopy or Shade Tree means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

#### **Sec. 14.903 Permit Required**

A tree removal permit shall be obtained from the Landscape Administrator or designee before any person, directly or indirectly, shall clear cut/remove, destroy or do selective thinning on any protected tree(s) situated on property regulated by this ordinance, except as specified herein (definitions of clear cutting, selective thinning, and ground level cuts).

(a) New Development/Construction. In the event it becomes necessary to remove a tree for development or construction, a Tree Removal Permit shall be required. New construction shall include Residential, Non Residential, Special Developments, Planned Developments and individual contractor builders shall be required to meet the criteria herein specified and shall require a Tree Removal Permit for the removal of any Protected Tree. During platting, a permit shall be issued after preliminary plat approval by Planning and Zoning Commission.

- (1) Submission of a Tree Removal Permit Application to the City shall authorize the Landscape Administrator or designee to conduct field inspections of the site as necessary to meet the provisions of this Article and any published Guidelines. After thorough review of the Tree Removal Permit Application and accompanying documents, the Landscape Administrator or designee will approve as submitted, approve with conditions, or disapprove the applications.
- (2) All developers and/or builders, which have not submitted preliminary plats as of the effective date of this ordinance shall be subject to the requirements for tree protection and replacement specified in this ordinance.
- (3) All areas within public R.O.W., utility easements or drainage easements, as shown on an approved Preliminary Plat and areas designated as cut/fill on the master drainage construction plan approved by the Landscape Administrator, shall be subject to the tree protection requirements specified herein except as provided for in *Sub-section 5.8 Street Trees and Open Space.*

(b) Municipal/Public Domain Property. All municipal or public domain property shall be subject to this Article regarding protection and replacement specified. A Tree Removal Permit shall be required with fee exemption for the removal of a Protected Tree. Any Protected Tree to be removed must be shown on construction plans approved by the Landscape Administrator or designee.

(c) City/Franchise for Existing R.O.W. and Public Easements. All construction and maintenance activity within public R.O.W. or easements shall be subject to the requirements for tree protection and replacement specified in this ordinance.

- (1) **City Projects.** The City shall be subject to the requirements for tree protection and replacement on all projects. A Tree Removal Permit shall be required with fee exemption for the removal of a Protected Tree.
- (2) **Pruning.** The owners of all trees adjacent to public R.O.W. shall be required to maintain a minimum clearance of fourteen feet (14') above the traveled pavement or curb of a public street. Said owners shall also remove all dead, diseased or dangerous trees, or broken or decayed limbs, which shall constitute a menace to public safety. (The City shall also have right to prune trees overhanging within the Public R.O.W. which interfere with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign or a s necessary to preserve the public safety.)
- (3) **Stump Removals.** All stumps of street and park tree shall be removed below the surface of the ground so the top of the stump shall not project above the surface of the ground.
- (4) **Franchise and Other Utility Companies.** All utility company projects shall be subject to the requirements for tree protection and replacement specified in this Ordinance. Companies shall meet before hand on site with Landscape Administrator or designee, and obtain pruning permit before work is begun. Pruning activities by a utility company must comply with Definitions on Pruning, allowed, Pruning required, and Tree Topping. Prior to beginning any pruning not requested by the owner of the tree; the contractor shall submit a Tree Pruning Request for approval (see definitions). A Tree Removal Permit must be obtained prior to the removal of a protected tree. This permit must be accompanied by current pictures, site plan or construction plan meeting the site plan requirements specified in this Ordinance.
  - A. Utility companies may prune trees as necessary to re-establish disrupted electric service without obtaining a permit.
  - B. Compliance with this ordinance shall be amended to and included with all future revision of all franchise agreements.
  - C. All trenching shall be designed to avoid trenching across the critical root zone of any protected tree. Although this is not intended to prohibit the placement of underground service such as electric, phone, gas, etc., the placement of these utilities is encouraged to be located outside of the critical root zone of protected tree(s).
  - D. Pictures of work site shall be submitted with all permit applications and is a requirement for procurement prior to work beginning.

(c) Agricultural Owners. Agricultural owners shall be permitted to remove seven (7) protected trees per calendar year without the requirement to mitigate or replace said trees providing they meet provisions as stated in *Sub-section 5.4 Agriculture*. Protected trees removed in excess of seven will require mitigation and the approval of a permit.

(d) Builders/Contractors (New Construction Only). A builder or contractor who purchased land or lots for residential construction and sale is subject to all requirements specified herein. All builders who have not submitted a request for a building permit as of the effective date of this ordinance are subject to the requirement herein this ordinance and shall be required to obtain a tree removal permit for removal of Protected Tree(s). No building permit shall be issued unless the applicant signs a permit request which states that all construction activities shall meet the requirements of the tree preservation ordinance.

(e) Permit Expiration. Permits for tree removal shall become void one hundred eighty (180) days after the issue date on the permit.

**Sec. 14.904 Submittal Requirements**

Prior to removing a protected tree(s) and receiving a tree removal permit, the applicant shall submit a Tree Removal Permit Application and pay the application fee to the City. The applicant shall also submit a written reason for the request to remove the Protected Tree(s), as well as the following information as applicable:

(a) **Tree Survey**

(1) **Purpose.** The Tree Survey is vital to the Tree Preservation Ordinance. Its purpose is to aid in protecting the City's valuable natural resources during all phases of development and construction. Additionally, the Tree Survey will help identify Protected and/or historic trees; identify the trees to be mitigated on the site that may be damaged in the construction zone; determine the trees that must be accommodated in the development of essential streets, utilities and building construction, and in the adjustment of these streets, utilities and building envelopes, to protect as much of the native vegetation as possible.

(2) **Scope.** A Tree Survey shall be conducted on all residential and non-residential tracts and be current to within the twenty-four (24) months immediately prior to submission of and included with the following:

- A. Preliminary Plat
- B. Re-plat
- C. Final Plat/Approval
- D. Site Plan Review
- E. Application for Building Permit
- F. Street, Utility, and drainage plans
- G. Concept Plan for a Planned Development

(3) **Detail**

- A. The Tree Survey shall be performed by a degreed urban forester, certified arborist, or qualified personnel as approved by the Landscape Administrator or designee.
- B. The Tree Survey shall be accurate and include: Location, size (DBH or Caliper), species, and trees with health problems (structural integrity, pest and/or pathogens) with a six-inch (6") or greater caliper (see definition). The Tree Survey information shall be compiled in a tabular format with each Tree identified by a number corresponding to a numbered tree on the site Plan.
- C. The entire parcel being proposed for development should be included in the Tree Survey.
- D. Once the Tree Survey has been accomplished and submitted to the City, all Trees on the Tree Survey shall be classified as Protected Trees, with the exception of those classified as Unprotected Tree species under this Ordinance.

(b) Commercial Development. Additional requirements for the tree survey on commercial tracts of land shall require a complete tree survey, which shall include the following:

- (1) All areas within public R.O.W.,
- (2) Public utility or drainage easements shown on an approved Final Plat, and
- (3) Fire lanes, parking and drive areas, exclusive of the building pad, shall be subject to the tree protection and replacement requirements specified herein.

(c) Aerial Photos and Sampling. With the submittal of a concept plan or preliminary plat, which ever occurs first for property containing large, heavily wooded areas, the Landscape Administrator or designee may, in lieu of a tree survey, authorize the submittal of an aerial photograph accompanied by a transparent plan of the development at the same scale as the photograph, showing all non-disturbance areas and proposed exemption areas where no trees will be critically altered.

For heavily wooded areas where development activity and disturbance is intended or likely, the Landscape Administrator or designee is authorized, but not required, to accept sampling of the property in lieu of a tree survey for all or any part of a property, provided that a tree survey of all other areas is submitted to the Landscape Administrator prior to any grading or construction. Said Sample or sampling techniques should be representational of the site or wooded area and should comprise at least 5% of the total site or wooded area.

The Landscape Administrator or designee may approve the submission of photographs or samples in phases for a multiphase project.

(d) Affidavit of No Protected Trees. If a property contains no Protected Tree species, or if construction, grading, trenching or related activities are not to be performed in an area containing protected trees, the applicant may submit an Affidavit of No Protected Trees in lieu of a tree survey. This affidavit shall act in lieu of a tree survey upon a determination by the Landscape Administrator that no protected trees exist on the site. The Landscape Administrator shall review the Affidavit. The Affidavit shall be denied or approved when determined if the property contains protected tree(s) or non-protected tree(s) by the Landscape Administrator.

(e) A Tree Preservation Plan. A tree preservation plan shall be submitted showing major site construction features, existing trees to remain, existing trees that may be removed, and replacement trees showing species, location, number and size. The Tree Preservation Plan information may be included on the tree survey if all information can be clearly delineated.

## Sec. 14.905 Exemptions

Any exemption shall be approved by the Landscape Administrator or designee prior to removal of any tree(s). A Tree Removal Permit and tree protection and replacement requirements shall not be required under any of the following circumstances.

(a) Public Safety. The tree endangers the public health, welfare of safety and immediate removal is required due to structural integrity concerns.

(b) Utility Service Interruption. The tree has disrupted a public utility service due to a tornado, storm, flood or other act of nature. Removal shall be limited to the portion of the tree reasonably necessary to reestablish and maintain reliable utility service.

(d) Landscape Nursery. All licensed plant or tree nurseries shall be exempt from the tree protection and replacement requirements and from the tree-removal permit requirements only in relation to those trees planted and growing on the premises of said licensee, which are so planted and growing for the sale or intended sale to the general public in the ordinary course of said licensee's business.

(e). Agricultural. The owner of property zoned 'AO' agricultural and being actively used for agricultural purposes or being used for an individual residence or homestead shall be permitted to remove seven (7) Protected Trees per calendar year without obtaining a permit. Removal of protected trees in excess of seven will require permits. It is not the intent of this Ordinance to prohibit the clearing of land for legitimate agricultural use. An agriculturally zoned property owner shall request the Landscape Administrator to make an on-site inspection of the property to be cleared and provide to the Landscape Administrator the reason for the clearing said property. A fee shall be paid to the city for this inspection. If the Landscape Administrator determines the clearing of land to be for a legitimate, agricultural reason, he/she shall issue a tree removal permit and specify the designated area or property. Should the cleared land be developed within five (5) years of clearing date, the developer shall be required to mitigate trees removed as referenced in the Permit. To give the owner of agricultural property the same rights as the residentially zoned property owner, he/she can be exempt from this ordinance for a total of two (2) acres surrounding and adjacent to his/her existing homestead.

(f) Diseased Trees. Tree removal is permissible when a tree is infected with transmittable pathogens, damaged beyond the point of recovery, or in danger of falling as determined by the Landscape Administrator or designee prior to the removal of the tree.

(g) Residential Property. Owners of property zoned as residential, who reside at the property and use the residence as their primary residence. Citizens of Lancaster who have a homestead within the City of Lancaster and own residential rental properties shall have an exemption on a maximum of two (2) properties for removal of Protected Trees.

(h) Affidavit of No Protected Trees. See *Section 14.904(d)*.

(i) Street Trees & Open Space. New developments incorporating Traditional Neighborhood Design with a minimum of 15% open space, Conventional Design with a minimum of 20% open space, or Conservation Design with a minimum of 25% open space and the provision of street trees shall be exempt from the mitigation applicable for protected tree loss within rights-of-way (ROW) areas. For purposes of this section the following apply:

- (1) Street trees shall be planted an average of thirty (30') feet on center, in minimum five-foot (5') wide planter strips located between the curb and minimum five-foot (5') wide sidewalk. In secondary areas without planter strips, trees shall be kept as close to the sidewalk to

provide shade canopy, be aligned to visually frame the street, avoid sidewalk damage, and minimize water consumption. Street trees shall be of a limited selection of tree species, as listed in the City's Approved Plant List, to give them a unified and distinct image.

- (2) Tree species and placement shall be designed to avoid the use of a single species, to visually frame streets and to create an identifiable and distinct image.
- (3) Adequate sight distances must be maintained, in order to ensure safety.
- (4) Infrastructure shall be engineered and constructed to assure placement of street trees will not be injurious to utilities, vision clearance, or other public improvements.
- (5) Maintenance of "street trees" including adequate irrigation shall be provided by homeowners individually or shall be incorporated into the homeowner association (H.O.A.) and business development agreements.

(j) **Building Pad.** The building foundation and an area extending ten (10') feet from the building foundation as shown on an approved Site Plan shall be exempt from tree replacement and mitigation.

#### **Sec. 14.905 Review and Approval Process**

(a) **Authority for Review.** The Landscape Administrator or designee shall evaluate any plans required by this ordinance for determination that the applicant has made a good faith effort in saving as many protected trees as possible. An analysis prepared by the Landscape Administrator or designee shall be forwarded to the Planning and Zoning Commission and the City Council for their consideration regarding denial or approval of the development. The Landscape Administrator or designee shall be responsible for the review and approval of all requests for tree removal permits submitted in accordance with the requirements specified herein.

- (1) **Deferrals.** The Landscape Administrator may defer the approval of a tree removal permit to the Planning and Zoning Commission for any reason. All decisions made by the Commission shall be final.
- (2) **Appeals.** Decisions made by the Landscape Administrator may be appealed to the Planning and Zoning Commission. Any such appeal shall first be considered by the Tree Advisory Board. The Tree Advisory Board shall be authorized, but not required, to forward a non-binding recommendation to the Planning and Zoning Commission. All decisions made by the Planning and Zoning Commission shall be final.

(b) **Fee Schedules.** The Landscape Administrator shall establish administrative procedures necessary to facilitate the implementation and enforcement of this ordinance.

- (1) **Fees.** All tree removal permits shall be accompanied by a payment made to the City of Lancaster in the amount established by resolution of the City Council to cover the cost of review and passed by Resolution.
- (2) **Alternative Fee Schedule.** Until such time as a Landscape Administrator is hired, the Tree Preservation Ordinance requirements for new construction review shall be fulfilled by approved City Tree Consultants and applicable consultant fees shall be charged to the applicant in lieu of city fee schedule by resolution. There shall be an administrative fee of \$25.00 paid additionally to the City.

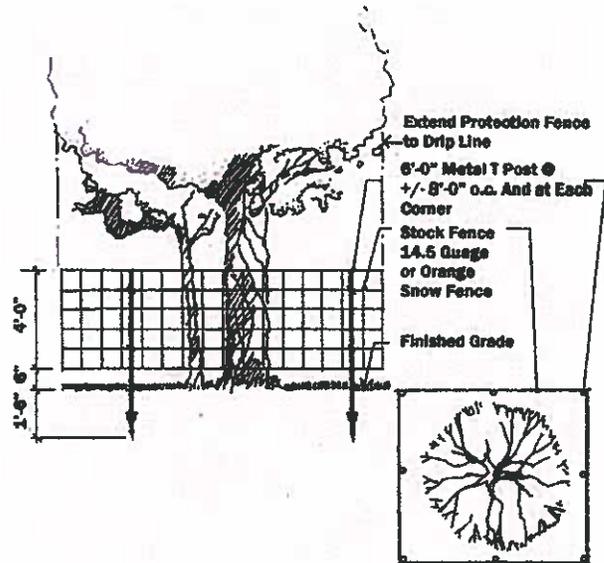
(c) **Permit Application Action.** The Landscape Administrator or Planning and Zoning Commission shall grant a tree removal permit based on the following considerations:

- (1) Whether or not an alternative solution can be made to accomplish the desired activity without tree removal;
- (2) The cost of preserving the tree;
- (3) Whether the tree is worthy of preservation;
- (4) The effect of the removal on erosion, soil moisture, retention, flow of surface waters, and drainage systems;
- (5) The need for buffering of residential areas from the noise, glare, and visual effects of nonresidential uses;
- (6) Whether the proposed tree replacement pursuant to *Section 7 Tree Replacement* adequately mitigates the removal of the tree;
- (7) Whether the removal affects the public health, safety or welfare.

**Sec. 14.906 Guidelines for Tree Protection**

A major purpose of this Section is to protect all the Protected Trees retained on the site for approved development and construction to occur.

(a) During Construction. Minimum requirements for the protection of all Protected Trees on the development and construction site related, but not limited to, streets, parking lots, building sites, driveways and sidewalks shall be strictly adhered to. This shall include:



- (1) Establishing a Building Envelope enclosed with approved fencing; establishing designated areas for parking all vehicles, trailers, construction equipment, related items as well as storage of all supplies and materials;
- (2) Clearly identifying designated restricted areas on construction and site plans and the project location;
- (3) Proper protection of Drip line of a Protected Tree with appropriate fencing;
- (4) Approved bilingual (English and Spanish) signage visibly located at site;
- (5) Retention and protection of Under Story Vegetation and leaf litter during all phases of development;
- (6) Boring of any underground utilities, which passes within a Protected Tree or Critical Root Zone; and
- (7) Enactment of preventive measures to prevent grade changes of one-half inch (1/2") or more, or fill, within a Tree Protection or Critical Root Zone.

Additional protective measures may be required by the Landscape Administrator or designee as a condition of permit approval. Such conditions may be established by the publication of Tree Preservation Guidelines and/or by attaching conditions of permit approval.

(b) **Trenching.** All trenching shall be designed to avoid trenching across the critical root zone of any protected tree. Although this is not intended to prohibit the placement of underground service such as electric, phone, gas, etc., the placement of these utilities is encouraged to be located outside of the critical root zone of protected tree(s). Irrigation system trenching shall be placed outside the critical root zone with only the minimum required single head supply allowed within that area placed radically to the tree trunk and shall be hand trenched with roots cleanly cut or use of air spade to reduce damage.

(c) **Prohibited Activities.** Prior to and during development and construction, the following activities shall be prohibited. The Landscape Administrator shall be authorized to provide more detailed explanations by publication of Tree Preservation Guidelines or by attachment of conditions to any permit issued pursuant to this ordinance. All such directions shall be strictly adhered to.

- (1) Clear cutting of trees on a property for any purpose at any time except for the exceptions provided for in *Section 5 Exemptions*.
- (2) Construction vehicles and equipment parking and storage around Protected Trees.
- (3) Storage, placing or disposing of construction and waste materials around Protected Trees.
- (4) Restrictions and prohibitions on unapproved grade changes that may damage or destroy Protected Trees.
- (5) Water accumulations due to construction-related activities.
- (6) Unapproved attachments to Protected Trees.
- (7) Removal of more than 25% of a Protected Tree's foliage in a given year. No pruning or topping may significantly disfigure the tree, or be done in a manner, which would reasonably lead to the death of the tree.
- (8) Any person acting to circumvent the purpose of this ordinance.
- (9) Impervious materials used in or near Protected Trees.
- (10) Unapproved fencing and bark protection methods on any construction sites in and near the Protected Tree areas.
- (11) Construction methods such as boring, grade change, trenching, and root pruning that damage or destroy Protected Trees.
- (12) Placement of fill within the drip line of any protected tree on any undeveloped property.

#### **Sec. 14.907 Tree Replacement**

In the event that it is necessary to remove a Protected Tree(s) as allowed in *Section 3* above, the applicant shall be required to replace the Protected Tree(s) being removed with quality trees from the Approved Plant List. A sufficient number of trees shall be planted to equal or exceed, in caliper, the diameter (at 4.5' above ground level) of each tree removed. This mitigation measure is not meant to supplant good site planning. Tree replacement will be reconsidered only after all design alternatives, which could save more existing trees, have been evaluated and reasonably rejected. Said replacement trees shall be a minimum of two (2") inches caliper (at 1' above ground) and seven feet (7') in height when planted. All replacement trees shall be from the Approved Tree List or an approved street tree when replacing street trees. Tree diversity will be encouraged. The Landscape Administrator or designee has the authority to reject any tree(s) replacement plan not meeting the standards in this Article and in Article VIII Landscape Standards.

(a) Responsibility and Site Requirements. The Landscape Administrator or designee shall determine the agent responsible for replacement, the time frame for replacement and the location of the new trees. The replacement trees shall be located on the subject site whenever possible. However if this is not feasible, the Landscape Administrator or designee has the authority to allow the planting to take place on another property, including public property. If the Landscape Administrator approves the planting of replacement trees more than 30 days after the removal of protected trees, the applicant shall provide the Landscape Administrator with an affidavit that all replacement trees will be planted within six (6) months and maintained by the applicant for a minimum of two (2) years in good condition. Developers shall plant all the replacement trees identified on the Mitigation Plan. The Landscape Administrator or designee shall document the date of replacement trees on the reforestation plan and record for review of the 2-year commitment.

In as much as it is reasonable and feasible, replanting on the development or construction site will be encouraged in order to restore the original natural landscape character of the site.

- (1) Protected Trees will be replanted at a replacement ration of one-inch (1") caliper of replacement tree for each one (1") inch Diameter Breast Height (DBH) of removed tree.
- (2) \*Specimen and Historic, Champion, and Heritage Trees shall be replanted at a replacement ratio of ten (10") inches caliper Replacement Tree for each one-inch (1") DBH of removed tree. \*(American National Standards Institute)
- (3) The Landscape Administrator has the authority to reject any trees not meeting these standards.
- (4) One (1) 6-month extension may be approved by the Landscape Administrator due only to seasonal limitations that would make planting of trees impractical, and shall require an escrow deposit in an amount equal to 110% of the mitigated value.
- (5) The applicant shall be required to maintain the replacement trees in good condition for a minimum of two years. If a replacement tree dies or is damaged within the initial two-year period, the applicant shall replace it with a tree approved by the Landscape Administrator or designee.

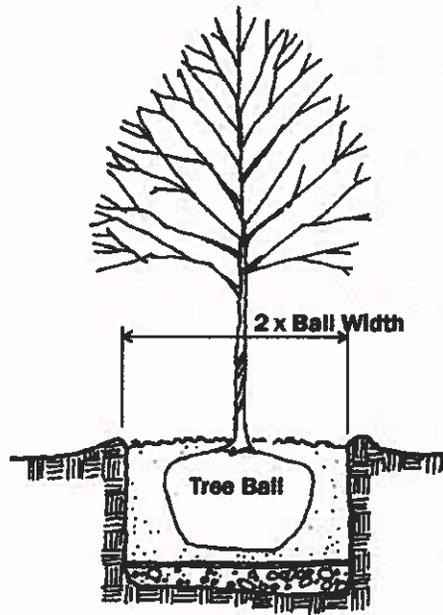
(b) Payment in Lieu of Replacement.

- (1) To the extent that tree replacement is not feasible, the Landscape Administrator or designee shall determine in accordance with the provisions provided herein, the amount of indemnification to be paid by the developer or other responsible party. Upon

determination of indemnification, said payment shall be made to the City of Lancaster Reforestation and Natural Area Fund based on the following guidelines:

- A. For Protected Trees, reparations will be made in the amount of one hundred twenty-five dollars (\$125.00) per one (1") inch DBH. The Landscape Administrator shall be authorized to reduce this amount in accordance with the following:
  1. In cases when at least 25% of the required mitigation is provided by on-site or off-site tree planting, a reduction to not less than one hundred dollars (\$100) per one (1") inch DBH may be allowed.
  2. A two (2") inch credit against mitigation and/or reparations may be authorized for each inch of large tree that is preserved and designated as Specimen, Historic, Champion, or Heritage tree. Designation of Specimen, Historic, Champion, or Heritage trees not located on the same property may also be used for this credit upon review and approval of same. The property owner or responsible party for said tree designated as a Specimen, Historic, Champion, or Heritage tree shall be responsible for the care and maintenance of said tree.
  3. A one (1") inch for one (1") inch credit against mitigation and/or reparations shall be authorized for the preservation of any tree provided that:
    - i. Said tree to be preserved is a minimum of six (6") caliper inches and is listed as a protected species in Appendix A of this ordinance.
    - ii. Said tree to be preserved is located in an exempted area or is otherwise free from mitigation and/or reparations requirements.
    - iii. Said tree is protected from future removal, destruction or critical alteration by:
      - The establishment of protective covenants, easements, or agreements, or
      - Said tree is transplanted to or designated within a common area, public park or open space.
  4. Subsequent removal damage, or critical alteration of any tree used for credit as identified in *Sub-sections a, b or c* above shall require mitigation replacement and/or reparations in accordance with this ordinance.
- B. For Specimen and Historic, Champion, and Heritage Trees, reparations will be made for the Appraised Value of the removed tree as determined by CLTA (Council of Landscape Tree Appraisers) Guidelines. In lieu of total cash reparation, developers shall have the option of paying 75% of mitigated value to the City of Lancaster Reforestation and Natural Areas Fund (LRNA Fund) and 25% of the mitigated value shall be expended to plant approved trees at sites designated by the Landscape Administrator. Developers shall purchase, plant, and maintain for a period of two (2) years approved trees at designated sites. Verification of mitigation expenses shall be approved by Landscape Administrator or designee.
- C. If any Protected and/or Replacement Tree(s) dies within two (2) years of initial planting or issuance of Certificate of Occupancy and is brought to the attention of the Landscape Administrator or designee, the original permit applicant shall be subject to the same replacement fee as for a Protected Tree.

- D. Money paid in lieu of tree replacement made in compliance with this section shall be considered contributions to the LRNA Fund.
- E. The LRNA Fund shall be used for purchasing and planting trees on public property, acquiring property that shall remain in a naturalistic state in perpetuity through outright purchase or Development Rights, and assisting in the cost of administering this ordinance.
- F. The Landscape Administrator shall be authorized to temporarily defer the payment of any mitigation or reparation fees when such action is deemed to be warranted due to unique circumstances, such as when the amount of mitigation is subject to change, when a development agreement is pending, or other similar transitory circumstances. Any such deferred fee shall be rectified and paid in full prior to the filing of a plat in the County records.



**Sec. 14.908 Tree Planting Restrictions**

- (a) Overhead Lines. Any required replacement trees shall not be planted within an area such that the mature canopy of the selected tree will interfere with overhead utility lines.
- (b) Underground Utilities. Any required replacement trees or street trees shall not be planted within an area such that the mature root zone of the tree will interfere with underground public utility lines (including water lines, sewer lines, transmission lines or other utilities). Selection of tree species whose root systems are the least invasive to utilities may be considered.
- (c) Fire Hydrants. No trees shall be planted within ten (10') feet of a fire hydrant.
- (d) Street Corners. No street trees shall be planted closer than thirty-five feet (35') of any street corner, measured from the point of nearest intersecting curbs or curb-lines.

**Sec. 14.909 Street Trees**

- (a) Acceptable Trees. The Landscape Administrator shall maintain a list of acceptable trees for planting along streets, buffer yards, medians, within parks, or within other public areas. Trees other than those listed as acceptable may only be planted within said public areas upon approval of the Landscape Administrator.
- (b) Street Tree Spacing. The spacing of street trees will be in accordance with recommendations of the Landscape Administrator. Closer spacing or group plantings may be approved by the Landscape Administrator in unique situations.
- (c) Homeowner Associations (HOAs) or Property Owners. HOAs or property owners shall maintain a clearance above the street level of fourteen (14') feet, seven to eight feet (7' to 8') above sidewalks, and branching of trees out of the Visibility Triangle. Landscape maintenance of street trees to accommodate buses and service vehicles shall be incorporated into homeowner association and business agreements. HOAs will be responsible for replacement of trees along public rights-of-way within their neighborhood.
- (d) Public Tree Care. The City shall have the right to prune and maintain street trees, and park trees within the lines of all streets, alleys, avenues, lanes, squares, and public grounds, as may be necessary to insure public health, safety and welfare. The City may, by determination of the Landscape Administrator, remove, cause or order to be removed, any tree or part thereof which is in an unsafe condition; or which by reason of its nature maybe injurious to sewers, electric power lines, gas lines, water lines, vision clearance or other public improvements.

**Sec. 14.910 Ordinance Enforcement**

- (a) Developers Agreement. No developer's agreement shall be approved which does not state that all construction activities shall meet the requirements of the tree preservation ordinance.
- (b) Building Permit. No building permit shall be issued unless the applicant signs an application or permit request which states that all construction activities shall meet the requirements of the tree preservation ordinance and guidelines.
- (c) Acceptance of Improvements. No acceptance of public improvements shall be authorized until all fines for violation of this ordinance have been paid to the City or other wise disposed of through the Municipal Court. No acceptance of public improvements shall be authorized until all replacement trees have been planted, or appropriate payments have been made to the Reforestation

Fund; however, the acceptance of public improvements may be authorized before all trees have been replaced provided a fiscal security deposit is posted in the amount equal to one and one-half times (1½ X) the prevailing rate for installed trees with a two (2) year guarantee, plus fifteen percent (15%) to cover administrative costs. Said deposit shall be forfeited if subject trees are not planted within 30 days of notification by the Landscape Administrator.

(d) Certificate of Occupancy. No Certificate of Occupancy shall be issued until all fines for violations of this ordinance have been paid to the City or otherwise disposed of through the Municipal Court. No Certificate of Occupancy shall be issued until all replacement trees have been planted or appropriate payments have been made to the Reforestation Fund; however, that a Certificate of Occupancy may be granted before all trees have been replaced provided a fiscal security deposited is posted in the amount equal to one and one half times (1½) the prevailing rate for installed trees with a two (2) year guarantee, plus fifteen percent (15%) to cover administrative costs. Said deposit shall be forfeited if subject tree(s) are not planted within 30 days of notification by the Landscape Administrator.

#### **Sec. 14.911      Violations**

In addition to any criminal penalty for violation of this Code, any person, firm, corporation, agent, city, state, or federal organization or employee thereof who violates the provisions of this ordinance where such violation results in the removal or damage to applicable trees shall be guilty of a misdemeanor and upon conviction shall be assessed a civil penalty of one hundred twenty-five dollars (\$125.00) per diameter inch of the tree(s) removed or damaged.

The unlawful injury, destruction or removal of each protected tree shall be considered a separate incident, and each incident subjects the violator to the penalty set forth herein per tree.

- (a) Removal of Public Trees. It shall be deemed a violation of this ordinance for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees within the City without first adhering to the requirements of this ordinance and procuring approval from the Landscape Administrator.
- (b) Violations and Assessments. Violations of this ordinance and non-payment of fines levied will be attached to property involved through standard legal methods.

Any person, firm, corporation, agent, city, state, or federal organization or employee thereof who violates a procedural requirement or who fails to comply with conditions established with a permit issued by the Landscape Administrator or his or her designee pursuant to this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined five hundred dollars (\$500.00) per violation. Each procedural violation or failure to comply each day shall be considered a separate incident, and each incident subjects the violator to the penalty set forth herein.

## Recommended Plant List

### City of Lancaster, Texas

Note: The plant common names that are designated with a **þ** qualify for credit under the xeriscape landscaping section of these regulations.

#### LARGE TREES

<u>Common Name</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Botanical Name</u>
Aristocrat Pear þ	<i>Pyrus calleryana</i>	Honey Mesquite þ	<i>Prosopis glandulosa</i>
	Aristocrat		
Bald Cypress þ	<i>Taxodium distichum</i>	Japanese Ligustrum	<i>Ligustrum lucidum</i>
Bigtooth Maple	<i>Acer sp.</i>	Japanese Persimmon þ	<i>Diospyros kaki</i>
Black Walnut þ	<i>Juglans nigra</i>	Lacebark Elm þ	<i>Ulmus parvifolia</i>
Bur Oak þ	<i>Quercus macrocarpa</i>	Live Oak þ	<i>Quercus virginiana</i>
Caddo Maple	<i>Acer sp.</i>	Native Pecan þ	<i>Carya illinoensis</i>
Cedar Elm þ	<i>Ulmus crassifolia</i>	Osage Orange þ	<i>Maclura pomifera</i>
Cherry Laurel	<i>Prunus caroliniana</i>	Panicked Golden Raintree þ	<i>Koelreuteria paniculata</i>
Chinese Elm	<i>Ulmus sp.</i>	Possumhaw Holly	<i>Ilex deciduas</i>
Chinese Pistache þ	<i>Pistacia chinensis</i>	Shumard Red Oak þ	<i>Quercus shumardii</i>
Chinquapin Oak þ	<i>Quercus muhlenbergii</i>	Southern Magnolia þ	<i>Magnolia grandiflora</i>
Deodar Cedar þ	<i>Cedrus Deodara</i>	Texas Ash	<i>Fraxinus sp.</i>
Desert Willow þ	<i>Chilopsis linearis</i>	Texas Red Oak þ	<i>Quercus texana</i>
Flameleaf Sumac	<i>Rhus sp.</i>	Western Soapberry þ	<i>Sapindus drummondii</i>
Honey Locust	<i>Gleditsia triacanthos</i>		

#### ORNAMENTAL TREES

<u>Common Name</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Botanical Name</u>
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Crepe Myrtle	Lagerstroemia indica	Oklahoma Redbud	Cercis sp.
Flowering Crabapple	Malus sp.	Purple Plum	Prunus cerasifera
Forest Pansy Redbud	Cercis sp.	Weeping Yaupon Holly	Ilex sp.
Japanese Black Pine	Pinus thinbergii	Yaupon Holly	Ilex vomitoria
Mexican Plum	Prunus mexicana		

### SHRUBS

<u>Common Name</u>	<u>Common Name</u>	<u>Common Name</u>
Agarita †	Elaeagnus †	Possumhaw Holly †
American Beautyberry	Flameleaf Sumac	Purple Leaf Japanese Barberry
American Smoke Tree	Flowering Quince †	Red Yucca †
Blue Point Juniper	Forsythia †	Rose-of-Sharon
Burning Bush	Foster's Holly	Rosemary †
Button Bush	Fraser's Photinia †	Rusty Blackhaw Viburnum Santolina
Canaert Eastern Red Cedar	Glossy Abelia †	Semi-dwarf Crape Myrtle cultivars
Carissa Holly	Hollywood Juniper †	Shore Juniper †
Carolina Buckthorn	Italian Jasmine †	Soft Leaf Yucca
Cleyera	Japanese Aucuba	Spanish Dagger Yucca
Compact Nandina †	Japanese Boxwood †	Spiraea cultivars
Compact Pfitzer Juniper †	Japanese Garden Juniper	Tamarix Juniper
Crape Myrtle †	Japanese Ligustrum	Texas Mountain Laurel †
Crimson Pygmy Barberry	Ligustrum	Texas Persimmon †
Desert Willow	Mary Nell Holly	Texas Sage
Dwarf Burford Holly †	Mexican Buckeye	Texas Sotol
Dwarf Chinese Holly †	Mock Orange	Three-leaved Sumac
Dwarf Crape Myrtle cultivars	Nandina domestica †	Vitex †
Dwarf Glossy Abelia cultivars	Nellie R. Stevens Holly	Wax Myrtle

Dwarf Nandina cultivars  
Dwarf Pomegranate  
Dwarf Yaupon Holly þ  
Edward Goucher Abelia

Oregon Grape  
Pampas Grass  
Pfitzer Juniper þ  
Pomegranate þ

Yaupon Holly þ

### GROUND COVERS

#### Common Name

Ajuga þ  
Andorra Juniper  
Asian Jasmine þ  
Asiatic Jasmine þ  
Autumn Fern  
Coralberry  
Creeping Juniper  
English Ivy þ

#### Common Name

Frogfruit  
Gray Santolina  
Holly Fern  
Horseherb  
Japanese Purple  
Honeysuckle  
Lamb's Ear  
Liriope þ  
Mondo Grass (Ophiopogon)

#### Common Name

Perennial Crown Vetch  
Purple Wintercreeper  
Purpleleaf Euonymus  
Sedum cultivars  
Vinca major þ  
Vinca minor þ  
Wood Fern

### VINES

#### Common Name

Boston Ivy þ  
Carolina Jassamine þ  
Chinese Wisteria  
Coral Honeysuckle þ

#### Common Name

Cross Vine  
English Ivy þ  
Japanese Purple  
Honeysuckle  
Madame Galen Trumpet  
Creeper þ

#### Common Name

Silverlace Vine þ  
Sweet Autumn Clematis þ  
Trumpet Vine þ  
Virginia Creeper þ

### GRASS

#### Common Name

Buffalo Grass þ

#### Common Name

Rye Grass (winter cover)

#### Common Name

Tall Fescue þ

Common Bermuda Grass †

St. Augustine Grass †

Zoysia Grass †

### PERENNIALS

#### Common Name

#### Common Name

#### Common Name

Autumn Joy Sedum

Four Nerve Daisy

Pavonia or Rock Rose

Autumn Sage

Gayfeather

Perennial Verbena

Bearded Iris

Giant Rose Mallow

Pink Evening Primrose

Black-Eyed Susan

Grap Hyacinth

Purple Coneflower

Blackberry Lily

Hardy Amaryllis

Rain Lilies

Blackfoot Daisy

Hardy Hibiscus

Red Spider Lilies

Blue-Eyed Grass

Heliopsis

Rosemary

Bouncing Bet or Soapwort

Hypericum calycinum

Russian Sage

Butterfly Weed

Indian Blanket

Salvia Indigo Spires

Candytuft

Lamb's Ear

Sedum

Cannas

Lantana

Shasta Daisy

Chinese or Garlic Chiver

Leucojum or Summer  
Snowflake

Siberian Iris

Chrysanthemums

Louisiana Iris

Spiderwort

Coralberry

Maximillian Sunflower

Spuria Iris

Coreopsis

Mealy Blue Sage

Stoke's Aster

Crinum Lilies

Mexican Hat

Sweet Violet

Cypress or Umbrella Plant

Mexican Marigold Mint

Texas Star Hibiscus

Daffodils

Mexican Oregano

Thrift

Daylillies

New England Asters

Winecup

Dianthus

Obedient Plant

Yarrow

Dusty Miller

Oxblood Lily

## TREE LIST

### Appendix A

Alligator Juniper	Mexican Plum
American Elm	Pecan
Arizona Cypress	Pond Cypress
Austrian Pine	Post Oak
Bald Cypress	Possumhaw Holly
Black Jack Oak	Red Maple
Burr Oak	Redbud
Carolina Buckthorn	Rough Leaf Dogwood
Caddo Maple	Rusty Blackhaw
Callery Pear	Saucer Magnolia
Cedar Elm	Shantung Maple
Cherry Laurel	Shumard Red Oak
Chinese Pistachio	Smoketree
Chinquapin Oak	Southern Magnolia
Chittamwood	Star Magnolia
Crabapple	Sweetgum
Crape Myrtle	Sycamore
Dawn Redwood	Texas Ash
Eastern Red Cedar	Texas Buckeye
Eldarica Pine	Texas Hickory
Eldarica Pine	Texas
Eve's Necklace	Texas Persimmon
Gingko	Texas Red Oak
Golden Raintree	Walnut
Hawthorn	Water Oak
Hickory	Western Soapberry
Lacebark Elm	Winged Elm
Live Oak	Yaupon Holly



# Tree Preservation

*City Council Worksession  
August 15, 2011*



## Presentation

- Purpose
- Tree City USA
- Ordinance
- Parks/Planning role in review
- Tree North Texas Initiative
- Questions

## Purpose

- Tree preservation is governed by the Lancaster Development Code, Article 14.900, Section 14.901 states:
- The purpose of this section of the ordinance is to:
  - promote site planning which furthers the preservation of trees and natural areas;
  - protect trees during construction;
  - facilitate site design and construction;
  - contribute to the long-term viability of existing trees;
  - and to prohibit clear cutting of trees.

## Tree City USA status report

- Designated a Tree City USA in 2005.
- Recipient of the Tree City USA Growth Award 3 years.
- There are more than 3400 communities that are currently a Tree City USA.
- There are more than 500 communities that received a Growth Award.
- Over 135 million people live in a Tree City USA.

## Tree City USA - Criteria

- To qualify as a Tree City USA community, a town or city must meet four standards established by The Arbor Day Foundation and the National Association of State Foresters.
  - A Tree Board or Department
  - A Tree Care Ordinance
  - A Community Forestry Program With an Annual Budget of at Least \$2 Per Capita
  - An Arbor Day Observance and Proclamation

## Tree City USA - Benefits

- Reduce Costs
- Cut energy consumption
- Boost property values
- Build stronger ties
- Honor our community



## Ordinance – What it does

- Protect and increase the value of residential and commercial properties within the City as well as forest value.
- Maintain and enhance a positive image, which will encourage further development in the City.
- Reduce the City's carbon footprint.
- Protect healthy quality trees and promote, enhance the ecological, environmental and aesthetic qualities of the City in future development.

## What it does (cont.)

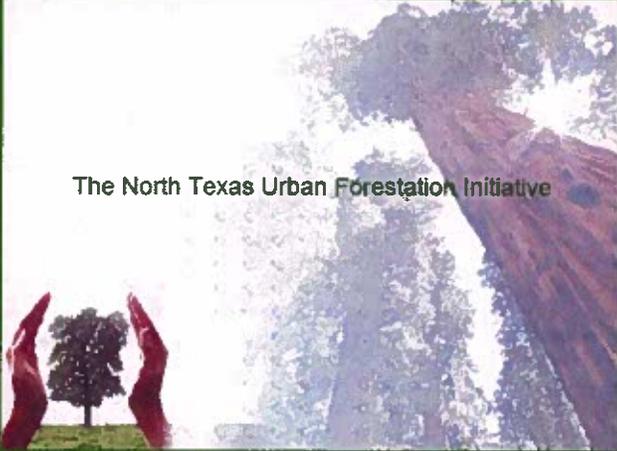
- Encourage the increase of arboreal elements in design plans so as to improve both aesthetic and healthful conditions within the City.
- Further the preservation of trees and natural areas by protecting them during the planning, site design, construction and maintenance phases of any residential or commercial development within the city
- Retain the optimum number of trees on any development site.

## What it does not do:

- Penalize residential property owners for routine maintenance of trees
  - Residences can cut up to four trees without permit
- Penalize agricultural property owners for routine maintenance
- Prevent removal when the presence of the tree affects public safety
- Prevent removal of trees for utility service interruption
- Prevent the removal of diseased trees.

## Parks/Planning Role

- Review landscape plans
- Process tree permits (\$25.00 application fee)
- Inspect sites for conformance with plans and permits
- Investigate clear cutting violations



## The North Texas Urban Forestation Initiative

## The North Texas Urban Forestation Initiative

### Why?

#### Vision North Texas 2050 Guiding Principles

- > 6) Environmental Stewardship
- > 7) Quality Places
- > 9) Resource Efficiency
- > 11) Healthy Communities

#### National Ambient Air Quality Standards

Potential "Serious" Non-Attainment Categorization

## "Tree the Town" Impacts the Environment

- 2,500 Tons Less CO<sub>2</sub>/yr
- 500k lbs Less Pollutants/yr
- 125M Gallons Rainwater



## Launch Event – April 18

- Kick-off Event and Central Trail Tree Planting
- Recognition of Sponsors and Key Partners



The North Texas Urban Forestation Initiative

What Would This Look Like?

- Each Mayor/City Adopts a Tree Planting Goal(10yr)
- Forklift "Tree the Town" or Design Your Own
- Centralized Website for Overall Initiative (NCTCOG?)
- Texas Trees Foundation Official Non-Profit



The North Texas Urban Forestation Initiative

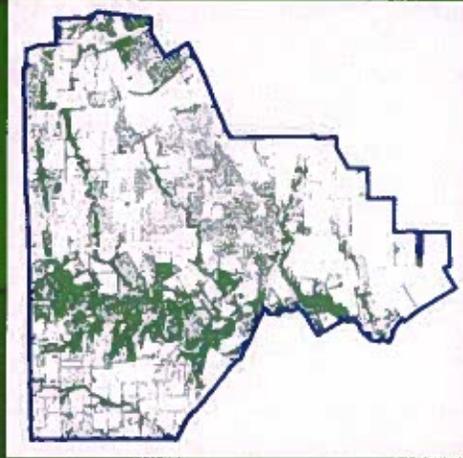
If We Pull This Off...

- Largest Tree Planting Initiative in the Country
- Position Well for Vision-North Texas 2050
- Major Step Towards Attainment Standards
- 100-150,000 Tons Less CO<sub>2</sub>/yr
- 20-30M lbs Less Pollutants/yr
- 5-7 5B Less Gallons Storm Water/yr



## North Texas Urban Reforestation Initiative

- Committed participation on April 18, 2011
- Lancaster can contribute approximately 110,168 trees toward this initiative



## Questions

**LANCASTER CITY COUNCIL**  
**Work Session Agenda Communication for**  
**August 15, 2011**

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WS11-003

**Discuss the City's May 2012 election date and  
Senate Bill 100 impact on election dates in even-numbered years.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financial Sound City Government**  
**Goal 6: Civic Engagement**

**Background**

As previously reported to Council, Senate Bill 100 (SB 100) was passed during the 82<sup>nd</sup> Texas Legislative Session and concerns the adoption of certain voting procedures and election dates in order to include procedures necessary to implement the federal Military and Overseas Voter Empowerment (MOVE) Act. As a result, Texas counties are no longer obligated to contract with cities to provide election equipment and services for May elections in even-numbered years.

Initially Dallas County Elections stated they would not be able to provide election services to cities in May of even-numbered years. Subsequently, Dallas County Elections has re-evaluated their position and indicated they will provide these services, although it will be at an increased cost for the May 2012 election. Dallas County has indicated cities may expect their costs to be about the same for the May 2013 election. Dallas County Elections has not committed to conducting a joint election on behalf of the municipalities in May 2014; they anticipate potential legislative changes to Senate Bill 100 during the next legislative session.

In addition to the County conducting the May 2012 election, SB 100 gives municipalities a few options as to how they wish to handle their elections. The City Manager and City Secretary participated in a webinar sponsored by the Texas Municipal League to help clarify these options.

**Considerations**

- **Operational** - As a home rule city with three-year terms of office, Lancaster has the following options:

**Option 1.** Contract with Dallas County Elections for election services in May 2012 at an increased cost. In order to provide these services for May 2012, Dallas County has indicated they will restrict the number of early voting locations (at this time, our Library remains an early voting location), rent additional equipment to ensure sufficient voting equipment to meet the needs of participating municipalities, and hire/train additional personnel needed for a joint election. Dallas County Elections has said that detailed cost analysis will be available the week of August 15.

**Option 2.** Move elections to the uniform November election date. Since the City's Charter provides for a May election date, the City, under SB 100, would need to adopt a resolution to move the election date to November and ratify with a Charter amendment election the change in election date. Because the state constitution provides that a City Charter may not be amended except by a vote of the people, a home rule city that changes its election date by resolution risks having an election contest or constitutionality suit brought against the city unless a Charter amendment election is conducted. Under SB 100, the City has until December 31, 2012 to adopt a resolution; however, the decision by Council to change the election date from May to November would need to be made soon in order to conduct a Charter amendment in November 2011. With adoption of a resolution to move the election date from May to November, a councilmember or mayor may "holdover" in office to conform to the November date without creating a vacancy for which a special election must be called.

**Option 3.** Keep the May election date as is and buy or lease voting equipment for the City to conduct its own election in May in even-numbered years. Estimates of the costs for the City to conduct its own election are \$40,000 - \$60,000. Even with success in securing a favorable lease rate for equipment, there are numerous costs associated with programming the equipment, printing ballots and hiring additional personnel to work early voting and Election Day. Total cost to the City would be excessive without the benefit of the efficiencies created by participating in a joint election with Dallas County. In addition to substantial cost, there is potential that some voters may perceive a lost degree of impartiality if the City's conducts its own election.

**Option 4.** Reduce Council terms to 2 years or increase terms to 4 years and unstagger the terms. This option will require a Charter amendment election in November 2011 to change Council terms. This would enable May elections to fall on odd-numbered years.

- **Legal** – Adoption of a resolution and/or changing council terms will require a Charter amendment election. The Texas Education Code Section 11.0518(a) requires that an election for trustees of an independent school district must be held as a joint election on the same date as the elections for member of the governing body of a city located in the school district.

- **Financial** – We anticipate detailed cost information will be available the week of August 15 from Dallas County regarding the May 2012 election. If received in time for the work session, we will provide the cost estimates prepared by Dallas County Elections.

If the City conducts its own election, staff has estimated a minimum cost of \$40,000.

- **Public Information** – There are no public information requirements other than the required 72 hour posting of the agenda notice.

### **Options/Alternatives**

Staff seeks direction from Council regarding the options outlined above.

### **Recommendation**

Staff recommends Option 1, contracting with Dallas County Election in a joint election for May 2012. Although there will be increased cost to participate in a joint election in May 2012, those costs would be significantly less than the City conducting its own election or bearing cost of a Charter amendment election to ratify a change in election dates and/or Council terms.

### **Attachments**

- TML Presentation on Senate Bill 100

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 5, 2011

## Understanding S.B. 100

### Agenda

- I. Purpose of the MOVE Act
- II. Impact on May Uniform Election Date
- III. Changing Elections to November
- IV. Unstaggering Terms to Keep May Date
- V. Changing Terms of Office

### Military and Overseas Voter Empowerment (MOVE Act)

- Passed by Congress in 2009.
- Goal of the MOVE Act: To make the voting process easier and faster for military and overseas voters.
- Absentee ballots must be transmitted no later than 45 days before an election.
- Applies to any election that includes a federal office on the ballot.

## Non-City Election Date Changes Under S.B. 100

- Only the general primary date and primary runoff dates directly affected by MOVE Act in Texas.
  - State law already required ballots to be transmitted 45 days in advance of November uniform date.
- **General Primary Election Date**
  - Remains the first Tuesday in March of even-numbered years.
- **Primary Runoff Election Date**
  - Used to be the second Tuesday in April following the primary.
  - S.B. 100 changed this date to the fourth Tuesday in May.

## Election Calendar Comparison – Even-Numbered Years

Pre-S.B. 100 Calendar	Post-S.B. 100 Calendar
<b>General Primary Date:</b> First Tuesday in March.	<b>General Primary Date:</b> First Tuesday in March.
<b>Primary Runoff Date:</b> Second Tuesday in April.	<b>May Uniform Date:</b> Second Saturday in May, but a county elections administrator is not required to enter into contract to furnish election services.
<b>May Uniform Date:</b> Second Saturday in May.	<b>Primary Runoff Date:</b> Fourth Tuesday in May.

## May Elections – Election Code Sec. 41.001(d)

- “(d) Notwithstanding Section 31.093, a county elections administrator is not required to enter into a contract to furnish election services for an election held on the date described by Subsection (a)(2) [Second Saturday in May of even-numbered year].”
- Previously, a county elections administrator had a duty to enter into a contract to furnish election services if requested to do so by a city.
- For counties without an elections administrator, the county does not have a duty to furnish election services.

## Does S.B. 100 Affect Your City’s Elections?

- **Maybe...maybe not.**
  - Does your city conduct city council/mayoral elections in May of even-numbered years?
  - Does your city contract with the county for electronic voting machines?
  - If so, will your county now refuse to provide electronic voting machines to the city?

## What's Next?

- Assuming the answer to the three previous questions is “yes”, the city has three options:
  - Look elsewhere for electronic voting machines to use in May elections;
  - Move city council/mayoral elections to November; or
  - For cities with two-year or four-year terms of office, terms of office may be adjusted so that all council/mayoral elections are held in May of odd-numbered years.

## Moving to November

- A city that wishes to change its uniform election date to November must adopt a resolution doing so by no later than December 31, 2012 [E.C. Sec. 41.0052(a)].
  - A home-rule city is authorized under S.B. 100 to change election date from May to November by resolution, which supersedes any contrary election date in the city charter [E.C. Sec. 41.0052(c)].
- A city that changes from May to November is authorized to adjust the terms of office to conform to the new election date [E.C. Sec. 41.0052(b)].

## Moving to November, Continued...

- For a city with three or four-year terms of office that changes its election date from May to November, a councilmember or mayor may “holdover” in office to conform to the November date without creating a vacancy for which a special election must be called under Art. XVI, Sec. 11(b) of the Texas Constitution [E.C. Sec. 41.0052(d)].

## Moving to November Example

Office	Term of Office (May)	Term of Office (November, with holdover)
Mayor	May 2011 – May 2013	May 2011 – Nov. 2013
Councilmember 1	May 2011 – May 2013	May 2011 – Nov. 2013
Councilmember 2	May 2011 – May 2013	May 2011 – Nov. 2013
Councilmember 3	May 2012 – May 2014 (theoretical)	Nov. 2012 – Nov. 2014
Councilmember 4	May 2012 – May 2014 (theoretical)	Nov. 2012 – Nov. 2014
Councilmember 5	May 2012 – May 2014 (theoretical)	Nov. 2012 – Nov. 2014

## Unstaggering Terms of Office

- A home-rule city may adopt a resolution providing for the election of all members of the governing body at the same election.
  - The resolution to unstage terms of office supersedes language in a city charter requiring staggered terms of office [E.C. Sec. 41.0052(c)].
- A general law city may also adopt a resolution providing for the election of all members of the governing body at the same election.
  - The resolution to unstage terms of office in a general law city must be adopted by December 31, 2012 [L.G.C. 21.004].

## Unstaggering Terms Example

Office	Current Term of Office (Staggered)	Next Term of Office (Unstaggered)
Mayor	May 2011 – May 2013	May 2013 – May 2015
Councilmember 1	May 2011 – May 2013	May 2013 – May 2015
Councilmember 2	May 2011 – May 2013	May 2013 – May 2015
Councilmember 3	May 2012 – May 2014 (theoretical)	May 2013 – May 2015 (one-year holdover)
Councilmember 4	May 2012 – May 2014 (theoretical)	May 2013 – May 2015 (one-year holdover)
Councilmember 5	May 2012 – May 2014 (theoretical)	May 2013 – May 2015 (one-year holdover)

## Changing Terms of Office in General Law City

- **S.B. 100 authorizes a general law city with a term of office of one year or three years to adopt a resolution changing the term of office to two years by December 31, 2012 [L.G.C. 21.004(b)].**
  - The resolution must specify the manner in which the transition in the length of terms is made [L.G.C. Sec. 21.004(c)].
  - Transition must begin with the first regular election for members of the governing body that occurs after January 1, 2013 [L.G.C. Sec. 21.004(c)].
- **Legal Concerns?**

## Changing Terms of Office in Home-Rule City

- **S.B. 100 authorizes a political subdivision with a term of odd-numbered years to adopt a resolution changing the length of the terms of its members to a term of even-numbered years [Sec. 52 of S.B. 100].**
  - The resolution must specify the manner in which the transition in the length of terms is made [Sec. 52(b) of S.B. 100].
  - Transition must begin with the first regular election for members of the governing body that occurs after January 1, 2013 [Sec. 52(b) of S.B. 100].
- **Legal Concerns?**

## Questions?

**CONTACT TML LEGAL**  
**(512) 231-7400**  
**LEGALINFO@TML.ORG**

**LANCASTER CITY COUNCIL**  
**Work Session Agenda Communication for**  
**August 15, 2011**

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WS11-004

**Discuss the Fiscal Year 2011-2012 proposed budget.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

An overview of the proposed fiscal year 2011-2012 municipal budget for all funds was presented by the City Manager to City Council at the August 1, 2011 work session.

This item is placed on the work session agenda to provide an opportunity for Council to continue discussions regarding the proposed budget. An additional work session on the budget is scheduled for August 29, 2011, if needed.

Town Hall meetings were conducted on August 6 and August 11, 2011 to provide information and receive input from the public regarding the proposed budget. A third Town Hall meeting is scheduled for Tuesday, August 16, 2011 at 7 p.m. at the Recreation Center.

The public hearing on the proposed fiscal year 2011-2012 budget is scheduled for Monday, August 22, 2011. Adoption of the budget is scheduled for Monday, September 12, 2011.

*Please be sure to bring your budget book to the work session.*

**Prepared and submitted by:**  
Opal Mauldin-Robertson, Assistant City Manager

**Date:** August 8, 2011