



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING AGENDA
OCTOBER 10, 2024, AT 5:30 PM
TOWN HALL - COUNCIL CHAMBER ROOM
1500 COMMONS CIRCLE, SUITE 300, NORTHLAKE, TEXAS 76226**

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Northlake Town Council will meet in a Regular Meeting on October 10, 2024, at 5:30 PM, at the Northlake Town Hall in the Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas 76226. The items listed below are placed on the agenda for discussion and/or action. Town Councilmembers may appear virtually via video conference pursuant to Texas Government Code § 551.127. The following items will be considered:

1. CALL TO ORDER

- A. Roll Call, Invocation, Pledge of Allegiance

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

The following will be addressed:

- A. Proclamation - Municipal Court Week - November 4-8, 2024
- B. Proclamation - Veteran's Day - November 11, 2024
- C. Briefing - Pioneer Grant Program Update
- D. Briefing - Water Conservation Ordinance
- E. Briefing - Naming Streets Overview

3. PUBLIC INPUT

This item is available for citizens to address the Town Council on any matter. The presiding officer may ask the citizen to hold his or her comment on an agenda item until that agenda item is reached. By law, no deliberation or action may be taken on the topic if the topic is not posted on the agenda. The presiding officer reserves the right to impose a time limit on this portion of the agenda.

4. CONSENT ITEMS

Items listed under Consent will be enacted with one motion, one second, and one vote. Any Council member may request an item on the Consent Agenda to be taken up for Individual Consideration.

- A. Consider approval of the Town Council Meeting Minutes for September 12, 2024
- B. Consider approval of a Resolution of the Town of Northlake, Texas, approving the Town Meetings and Holiday Calendar for the 2025 Calendar Year

- C. Consider approval of a Resolution of the Town of Northlake, Texas, approving the Denton Record-Chronicle to serve as the official newspaper of record for all legal and required publications for the Town of Northlake
- D. Consider approval of a Resolution of the Town of Northlake, Texas, authorizing and approving the Town Manager to enter into a service agreement with the City of Fort Worth for Laboratory Services
- E. Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an agreement/contract with Caldwell Country Chevrolet and Sam Pack's Five Star Ford, for the purchase of Public Works vehicles, in an amount not to exceed \$280,454.77
- F. Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute Amendment No. 2 to the Design-Build Agreement with Lee Lewis Construction, Inc., for the Dallas Stars Multi-Sports Center Project to establish the Guaranteed Maximum Price ("GMP") in an amount not to exceed \$64,400,000
- G. Consider calling and authorizing a public hearing to be held on November 14, 2024, at 5:30 p.m., at the Town of Northlake, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, in the Council Chambers, regarding the proposed annexation of approximately 57.325 acres of land located on the southeast corner of Harmonson Road and McPherson Drive contiguous to the current town limits of Northlake, Texas, in the Town's exclusive extraterritorial jurisdiction

5. **ACTION ITEMS**

The Following Items will be Considered:

- A. Consider approval of a Resolution of the Town of Northlake, Texas, approving the dissolution of Northlake Public Improvement District No. 1 (the "PID"); authorizing publication by the Town Secretary of the Town of Northlake, Texas; and providing an effective date
 - i. Public Hearing
 - ii. Consider Approval
- B. Consider adoption of an Ordinance of the Town Council of the Town of Northlake, closing the hearing and levying assessments for part of the cost of improving a portion of Dale Earnhardt Way South in the Town of Northlake, Texas; fixing charges and liens against property abutting thereon and against the owners thereof; providing for the enforcement of assessments and liens upon default; providing for the collection of such assessments and the issuance of Assignable Certificates of Assessment as evidence thereof; reserving unto the Town Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted; providing for the time and manner of payment of assessments; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; and providing and effective date
 - i. Public Hearing
 - ii. Consider Ordinance
- C. Consider adoption of an Ordinance of the Town of Northlake, Texas, providing for the annexation of approximately 11.44 acres of land situated in the Edward F. Springer Survey, Abstract No. 1165, the Lewis Medlin Survey, Abstract No. 830, and the M.E.P. & P.R.R. Company Survey, Abstract No. 943, generally located north of SH 114 and east of Dale Earnhardt Way contiguous to the current town limits of Northlake, Texas, in the Town's exclusive extraterritorial jurisdiction. Case # ANX-24-

- i. Public Hearing
- ii. Consider Ordinance

- D. Consider adoption of an Ordinance of the Town Council of the Town of Northlake, Texas, amending Ordinance No. 17-0413E, as amended, to add an Institutional Subdistrict and related development standards for approximately 11.54 acres of that certain 160.374-acre tract of land in the A. McDonald Survey, Abstract No. 785, in the Town of Northlake zoned "MPD" Mixed-Use Planned Development, generally located south of FM 407 and west of the intersection with Faught Road. Case # 24-PDA00001
 - i. Public Hearing
 - ii. Consider Adoption
- E. Consider adoption of an Ordinance of the Town of Northlake, Texas, amending the Code of Ordinances, Chapter 11, "Traffic and Vehicles", Article 11.05, "Commercial Vehicles", Division 2 "Size and Weight of Vehicles", and Division 3 "Truck Traffic"
- F. Consider approval of a Resolution of the Town of Northlake, Texas, approving an amendment to the Pioneer Grant for S.A.S. Boutique and authorizing the Northlake Economic Development Corporation and Northlake Community Development Corporation to enter into an amended performance agreement; and providing an effective date
- G. Consider approval of a Resolution of the Town of Northlake, Texas, nominating a member or members to the Board of Directors of the Denton Central Appraisal District

6. EXECUTIVE SESSION

The Town Council will convene in an Executive Session, pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

A. **Section 551.071 - Consultation with Attorney**

The Town Council may convene in an executive session to consult with its attorney to seek advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except: (1) When the governmental body seeks the advice of its attorney about: (a) pending or contemplated litigation; or (b) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The Town Council may adjourn into executive session for consultation with the Town Attorney regarding:

- i. Potential development agreement for La Estancia Investments LP property consisting of a 110.6-acre and part of a 295.5-acre tracts of land, Bob Smith Management Co. LTD property consisting of a 239.6-acre tract of land, and JHGS Investments LTD property consisting of a 66.5-acre, a 8.6-acre, a 14.5-acre, 4.2-acre, a 13.6-acre, a 28.8-acre, and a 12.6-acre tracts of land generally located south of FM 1171 and west of Cleveland-Gibbs Road.
- ii. Potential development agreement providing municipal services and authorizing fee waivers and other economic development incentives related to the voluntary annexation and development of property consisting of a 69.0-acre, 0.8-acre, 1.5-acre, 3.9-acre, 4.0-acre, and 1.0-acre tracts of land generally located at the northwest corner of Sam Reynolds Rd. and FM 156 in the extraterritorial jurisdiction of the Town

- iii. Potential annexation and development agreement for T and R Investment Holdings LLC property consisting of 0.8-acre, 1.3-acre, 2.1-acre, 0.4-acre, and part of 32.4-acre tracts of land generally located northeast of the intersection of FM 407 and Thompson Road in the extraterritorial jurisdiction of the Town.
- iv. Potential annexation and development agreement for property consisting of a 5.001-acre tract of land generally located on the north side of FM 407, northeast of the intersection with Pecan Parkway, in the extraterritorial jurisdiction of the Town.
- v. Potential annexation and development agreement for Lot 2, Block A, The Hills of Northlake West, approximately 2.127 acres of land generally located on the north side of 1500 block of FM 407 in the extraterritorial jurisdiction of the Town.

B. Section 551.072 - Real Property

The Town Council may convene in an executive session to discuss or deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- i. Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of sanitary sewer improvements for commercial areas north of FM 407 and east of Faught Road.

C. Section 551.074 - Personnel Matters

The Town Council may convene in an executive session to discuss or deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- i. Town Manager evaluation and compensation.

7. RECONVENE INTO OPEN SESSION

The Town Council will reconvene into Open Session for possible action resulting from any items posted and legally discussed or deliberated in Executive Session.

8. ADJOURN

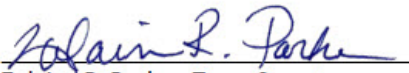
With no further items to consider, the meeting will be adjourned.

NOTE: The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code Section 551.071(Consultation with Attorney); Section 551.072 (Deliberations about Real Property); 551.073 (Deliberations about Gifts and Donations); 551.074 (Personnel Matters); 551.076 (Deliberations about Security Devices); 551.087(Economic Development Negotiations).

CERTIFICATION

I, Zolaina R. Parker, Town Secretary for the Town of Northlake, Texas, hereby certify that the above agenda was posted on the official bulletin board located at Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, on October 4, 2024, by 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.




Zolaina R. Parker, Town Secretary

NOTICE: THE TOWN OF NORTHLAKE'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT(ADA). THE TOWN WILL PROVIDE ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE TOWN SECRETARY'S OFFICE AT 940-242-5702 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD), BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATIONS CAN BE ARRANGED.

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
Section: 1. CALL TO ORDER

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

Section: 2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: 86th Texas Legislature - House Resolution 1658
SUBJECT: Proclamation - Municipal Court Week - November 4-8, 2024
GOALS/ Advance Northlake's Interest; 5.3 - Influence local- regional - and state issues
OBJECTIVES:

BACKGROUND INFORMATION:

- Proclamation by Mayor and Town Council for:
 - Municipal Court Week - November 4-8, 2024

COUNCIL ACTION/DIRECTION:

Present and Read Proclamation

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: United States Proclamation 3071 - Veteran's Day -1954
SUBJECT: Proclamation - Veteran's Day - November 11, 2024
GOALS/ Advance Northlake's Interest; 5.3 - Influence local- regional - and state issues
OBJECTIVES:

BACKGROUND INFORMATION:

- Proclamation by Mayor and Town Council for:
 - Veteran/s Day 2024

COUNCIL ACTION/DIRECTION:

Present and Read Proclamation

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Pioneer Grant Program Policy
SUBJECT: Briefing - Pioneer Grant Program Update
GOALS/ Promote Economic Vitality; 6.2 - Target business development through economic
OBJECTIVES: incentives

BACKGROUND INFORMATION:

- Staff will present an update on the Pioneer Grant Program (PGP) including:
 - Background on program
 - Recent updates to program
 - Updated information and criteria attached
 - Alignment with Retail Recruitment Strategy adopted by EDC & CDC
 - Analysis of the program in aggregate to include:
 - Amount of incentives awarded
 - Taxes received from recipients
 - Failure rate compared to average business failure rate
 - Results following failures

COUNCIL ACTION/DIRECTION:

Provide feedback as board deems necessary

PIONEER GRANT PROGRAM

Program Purpose and Philosophy

The purpose of the Pioneer Grant Program (PGP) is to encourage businesses, particularly sales tax generating businesses, to develop and expand in Northlake, Texas.

The PGP offers a financial incentive to businesses wanting to be the first, or among the first, businesses of that type in Northlake and for existing Northlake businesses to expand within the Town.

Grant funds are awarded by the Northlake development corporations (DCs) to the types of businesses desired within specific geographic areas as guided by the Retail Recruitment Strategy and based on merit as determined by assessment of the business' application.

To the greatest degree possible, this program objectively assesses requests for funding. However, the development corporation boards have a responsibility to review applications through a discretionary lens of supporting businesses that will build and strengthen the growing economy of the Town of Northlake.

STEP 1 Determine if an Application will be Considered by the Development Corporations

The Economic Development Office will review the application to confirm the following:

- applicant eligibility—businesses that provide an economic and/or a community impact;
- the business has not been issued a Certificate of Occupancy (CO); and
- the application is complete, including submission of required documents such as financial statements (proforma), projected annual sales estimate, and a Sales Tax Report for applicants with a previous or existing business.

If these criteria are not met, the application will not be submitted to the corporations for review.

Step 2 Use Assessment Criteria to Determine Merit of Application

Assessment criteria—determines if a grant could be awarded based upon the composite application score but does not determine the award amount. Preferably, an application must score a minimum of 3 points for the business to be considered for a grant award.

- | | | | |
|--|-------------|----------------|--------|
| • History of operating a business | Similar (1) | Any (0.5) | No (0) |
| • Years in business | 1-4 (1) | | 5+ (2) |
| • Provides a unique offering | Yes (1) | Somewhat (0.5) | No (0) |
| • Closely aligned with Retail Recruitment Strategy; fills a gap in service | Yes (1) | Somewhat (0.5) | No (0) |
| • Current Northlake business owner expanding a business within Northlake | Yes (1) | | No (0) |
| • Other elements that elevate the merit of the request, such as real property value, inventory value, number of FT employees, employee wages, etc. (1, 0.5, or 0). This criterion may only be scored once. | | | |

Step 3 Determine Grant Award Amount

The awarded grant amount will be determined at the discretion of the development corporations (DCs).

Award Disbursement Options

The PGP can be implemented through any of the following options based upon an application's score and the development corporations' discretion.

Option 1: Provide funds annually for 4 or 5 years. The first installment is based upon the projected sales tax to be generated over 5 years and would be equal to 1/5 or 2/5 of that projected amount. The first installment is paid within 30 days of CO issuance.

Example: 1/5 of projected sales tax generated annually and paid over 5 years

SALES TAX INFORMATION	
Projected Annual Taxable Sales	\$1,335,000
Annual Sales Tax Receipts to DCs Based on .75 X \$1,335,000	\$10,012.50
Total Projected Sales Tax to be Collected by the DCs in 5 Years	\$50, 062.50
FUNDING INFORMATION	
Grant Amount Requested	\$50,000
GRANT AMOUNT APPROVED	\$50,000
PAYMENT INFORMATION	
1 st Year Payment	\$10,000
2 nd Year Payment	\$10,000
3 rd Year Payment	\$10,000
4 th Year Payment	\$10,000
5 th Year Payment	\$10,000

Example: 2/5 of projected sales tax generated annually and paid over 4 years

SALES TAX INFORMATION	
Projected Annual Taxable Sales	\$1,335,000
Annual Sales Tax Receipts to DCs Based on .75 X \$1,335,000	\$10,012.50
Total Projected Sales Tax to be Collected by the DCs in 5 Years	\$50, 062.50
FUNDING INFORMATION	
Grant Amount Requested	\$50,000
GRANT AMOUNT APPROVED	\$50,000
PAYMENT INFORMATION	
1 st Year Payment	\$20,000
2 nd Year Payment	\$10,000
3 rd Year Payment	\$10,000

4 th Year Payment	\$10,000
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- If the actual annual sales tax collection is more or less than the estimated annual grant award, then the actual sales tax collection amount will be issued as the annual award payment. Over-payments and under-payments will be trued up in subsequent payment years.

Option 2: Provide grant funds within 30 days of Certificate of Occupancy issuance.

SALES TAX INFORMATION	
Projected Annual Taxable Sales	\$1,335,000
Annual Sales Tax Receipts to DCs Based on .75 X \$1,335,000	\$10,012.50
Total Projected Sales Tax to be Collected by the DCs in 5 Years	\$50,062.50
FUNDING INFORMATION	
Grant Amount Requested	\$50,000
GRANT AMOUNT APPROVED	\$50,000
PAYMENT INFORMATION	
1 st Year Lump Sum Payment	\$50,000

Repayment Defaults

Should a business default on the agreement at any time during the repayment period, the agreement may be terminated by the Town, the Economic Development Corporation, and the Community Development Corporation, and the business will be required to comply with the repayment obligations in the agreement, which are required by Texas Local Gov't Code Ch. 501. Final tax revenue generated to-date may be calculated and applied toward repayment and the Town may exercise any other remedies available under Texas law for repayment, including, but not limited to, enforcing liens and guarantees to satisfy the repayment. Upon default, the business must then present a proposed plan to re-pay the remaining amount owed by the final Performance Date, which shall be five years from the issuance of the Certificate of Occupancy. The Town may request any supporting documentation and require the business to identify funding sources, business personal property, and any collateral that will support the repayment plan proposal. Acceptance of the proposal is at the discretion of the development corporations.

Updated 3/26/24

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Code of Ordinances - Chapter 12, Article 8
SUBJECT: Briefing - Water Conservation Ordinance
GOALS/ Exercise Fiscal Responsibility; 2.4 - Project future staffing - facilities - and resources
OBJECTIVES:

BACKGROUND INFORMATION:

- Proposed changes to Water Conservation Ordinance
 - Removing provision related to water use surcharges
- Surcharges are not currently in effect based on Town Manager's discretionary authority
 - Current water rates address high usage during Water Conservation Stages
- All other existing provisions to remain the same

COUNCIL ACTION/DIRECTION:

Provide feedback as Town Council deems necessary

NORTHLAKE TOWN COUNCIL COMMUNICATION



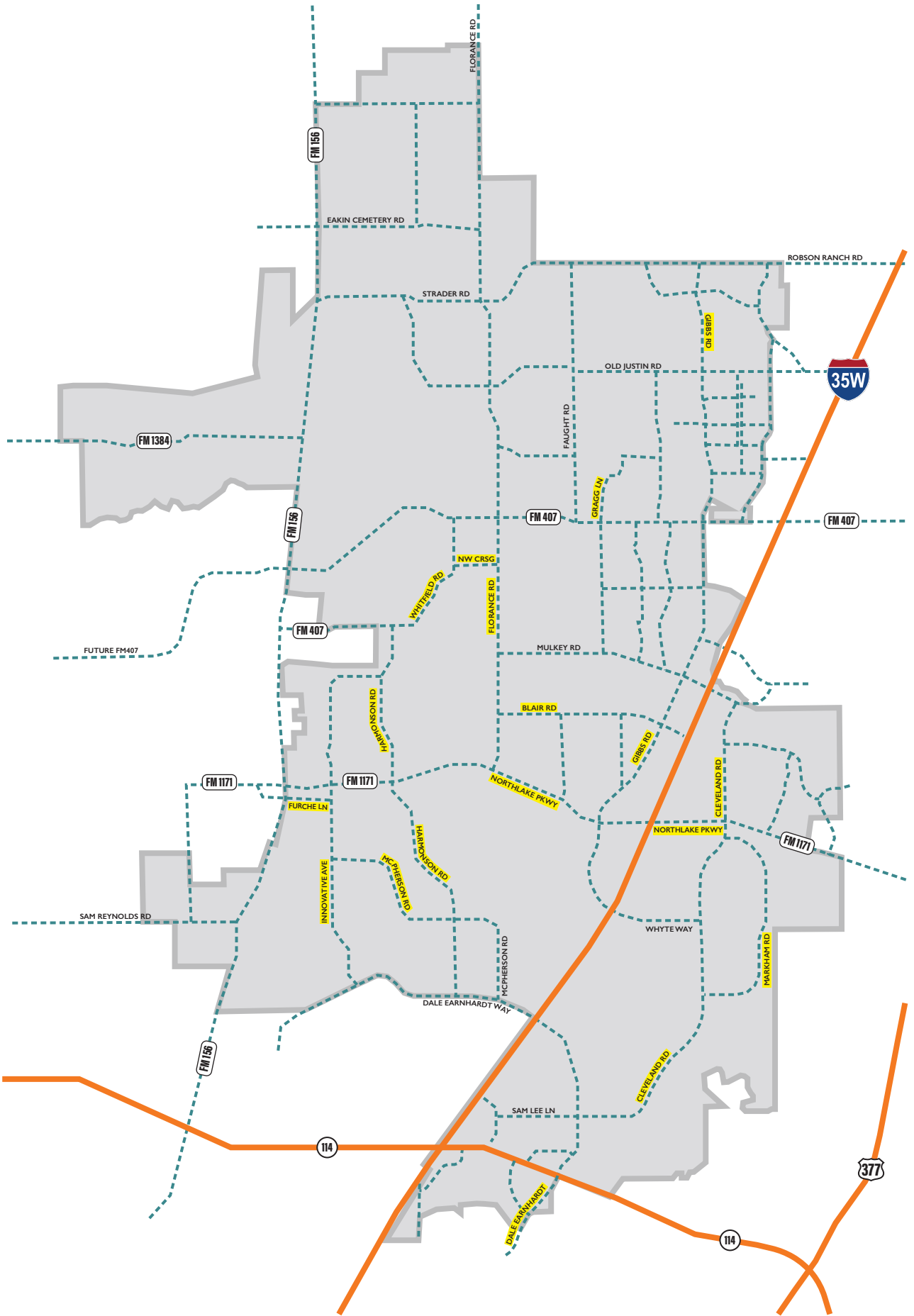
DATE: October 10, 2024
REF. DOC.: Town of Northlake Charter, 2.03 Street Powers
SUBJECT: Briefing - Naming Streets Overview
GOALS/ Advance Northlake's Interest; 5.1 - Manage the town's municipal boundaries
OBJECTIVES:

BACKGROUND INFORMATION:

- Existing Street names typically honored founding or historic families (i.e., Faught, Sam Lee, Whyte)
- Repeated street names create confusion for emergency personnel and first responders
- As stair-stepped roads along property lines become a grid layout, opportunities for street naming arise
- Town can name Farm-to-Market roads which allows for brand identity
- Cleveland-Gibbs will be disconnected at 35W due to TXDOT alignment requirements

COUNCIL ACTION/DIRECTION:

Provide feedback as the Council deems necessary



NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

Section: 3. PUBLIC INPUT

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
Section: 4. CONSENT ITEMS

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Town Home Rule Charter
SUBJECT: Consider approval of the Town Council Meeting Minutes for September 12, 2024
**GOALS/
OBJECTIVES:** Invest in Infrastructure; 4.5 - Leverage technology and equipment to deliver services

BACKGROUND INFORMATION:

- Approval of Minutes:
 - September 12, 2024 - Regular Meeting

COUNCIL ACTION/DIRECTION:

Approve MInutes Draft as Presented



**NORTHLAKE TOWN COUNCIL REGULAR
MEETING MINUTES
TOWN HALL - COUNCIL CHAMBER ROOM
1500 COMMONS CIRCLE, SUITE 300, NORTHLAKE, TEXAS 76226
SEPTEMBER 12, 2024**

The Northlake Town Council convened in a Regular Meeting on September 12, 2024, at 5:30 p.m., in the Northlake Town Hall - Council Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

Mayor Montini called the meeting to order at 5:30 p.m., and a quorum was present as follows:

Roll Call:

Brian Montini, Mayor	Roger Sessions, Place 4
Alexandra Holmes, Place 1 - Via Teams	Maryl Lorencz, Mayor Pro Tem Place 5
Michael Ganz, Place 2	John Kelley, Place 6
Aaron Fowler, Place 3	

Also present were Drew Corn, Town Manager, and Dean Roggia, Town Attorney.

- Invocation was given by Josh Wright, Roanoke Compass Church Campus Pastor.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Employee Anniversary - Brandon Doughty, Public Works Superintendent - 5 Years

The Employee Anniversary Plaque was presented by Eric Tamayo, Director of Public Works.

- B. Employee Anniversary - Roger Davis, Equipment Operator - 5 Years

The Employee Anniversary Plaque was presented by Eric Tamayo, Director of Public Works.

- C. Proclamation - National Preparedness Month

The Proclamation was presented by Mayor Montini to Ricky Vaughn, Fire Chief, Denton County ESD No. 1.

- D. Briefing - Update on Denton County and Texas Department of Transportation Projects

The item was presented by John Polster, ITS, and commentary followed.

There was no consensus as the item was for presentation/information purposes only.

E. Briefing - Northwest Independent School District Superintendent Update

The item was presented by Dr. Mark Foust, Northwest ISD Superintendent, and commentary followed.

There was no consensus as the item was for presentation/information purposes only.

3. PUBLIC INPUT

- Michael Carter, address on file - owns 140 acres in community; consider a different way to process development requests; not informed about water issue until July; other cities utilize grandfather clauses

4. CONSENT ITEMS

The Consent Agenda consisted of Item 4.A. - 4.G., and no items were pulled for individual consideration.

Councilmember Sessions moved to approve the item as presented. Motion seconded by Councilmember Fowler. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

A. Consider approval of the Town Council Meeting Minutes for August 22, 2024

APPROVED

B. Consider approval of a Resolution of the Town of Northlake, Texas, approving an Interlocal Cooperation Agreement between Denton County, Texas and the Town of Northlake, Texas for the engineering, right-of-way acquisition, utility relocation, inspections, and construction of Faught Road between Old Justin Road and FM 407

APPROVED RESOLUTION NO. 24-59

C. Consider calling and authorizing a public hearing to be held on October 10, 2024, at 5:30 p.m., at the Town of Northlake, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, in the Council Chambers, regarding the proposed annexation of approximately 11.4 acres of land generally located north of SH 114 and east of Dale Earnhardt Way in the Town's exclusive extraterritorial jurisdiction

APPROVED CALLING PUBLIC HEARING ON OCTOBER 1, 2024

D. Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a purchase agreement for a subscription with NeoGov, for the Town's human resources information system, in an amount not to exceed \$67,000.01.

APPROVED RESOLUTION NO. 24-60

E. Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a service agreement with the Trinity River Authority for wastewater regulatory services

APPROVED RESOLUTION NO. 24-61

- F. Consider approval of a Resolution of the Town of Northlake, Texas authorizing the Town Manager to enter into an interlocal agreement with the Town of DISH for Police Services, to be effective commencing October 1, 2024

APPROVED RESOLUTION NO. 24-62

- G. Consider approval of a Resolution of the Town of Northlake, Texas authorizing the Town Manager to enter into an interlocal agreement with the Town of DISH for Municipal Court Services, to be effective commencing October 1, 2024

APPROVED RESOLUTION NO. 24-63

5. ACTION ITEMS

- A. Consider approval of a Resolution of the Town of Northlake, Texas, nominating a member or members to the Board of Directors of the Denton Central Appraisal District

NO ACTION TAKEN

The item was not presented or discussed, and no action was taken by Town Council.

- B. Consider adoption of an Ordinance of the Town of Northlake, Texas, providing for the annexation of approximately 34.084 acres of land situated in the Patrick Rock Survey, Abstract No. 1063, generally located east of Faught Road approximately 1,500 feet north of Carpenter Road contiguous to the current town limits of Northlake, Texas, in the Town's exclusive extraterritorial jurisdiction. Case # ANX-24-001

i. Public hearing

ii. Consider approval

APPROVED ORDINANCE NO. 24-0912A

The item was presented, and discussion followed.

Mayor Montini opened the Public Hearing at 6:30 p.m. and with no speakers coming forward, the Public Hearing was closed and the Regular Meeting reconvened at 6:30 p.m.

Councilmember Ganz moved to approve the item as presented. Motion seconded by Mayor Pro Tem Lorencz. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- C. Consider adoption of an Ordinance of the Town of Northlake, Texas, providing for the annexation of approximately 67.95 acres of land situated in the Patrick Rock Survey, Abstract No. 1063, generally located north of FM 407 in the 1600 and 1700 blocks of FM 407 contiguous to the current town limits of Northlake, Texas, in the Town's exclusive extraterritorial jurisdiction. Case # ANX-24-002

i. Public hearing

ii. Consider approval

APPROVED ORDINANCE NO. 24-0912B

The item was presented, and discussion followed.

Mayor Montini opened the Public Hearing at 6:31 p.m. and with no speakers coming forward, the Public Hearing was closed and the Regular Meeting reconvened at 6:31 p.m.

Mayor Montini moved to approve the item as presented. Motion seconded by Councilmember Kelley. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- D. Consider adoption of an Ordinance, of the Town of Northlake, Texas, levying assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2024-2025; setting the charges and liens against property in the District and against the owners thereof; providing for the collection of such assessments; reserving unto the Town Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted
- i. Public Hearing
 - ii. Consider Approval

APPROVED ORDINANCE NO. 24-0912C

The item was presented, and discussion followed.

Mayor Montini opened the Public Hearing at 6:34 p.m. and with no speakers coming forward, the Public Hearing was closed and the Regular Meeting reconvened at 6:34 p.m.

Councilmember Ganz moved to approve the item as presented. Motion seconded by Councilmember Fowler. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- E. Consider adoption of an Ordinance, of the Town Council of the Town of Northlake, Texas, accepting and approving the update of the Fiscal Year 2024-2025 Service and Assessment Plan and an updated assessment roll for The Highlands Public Improvement District in compliance with Chapter 372
- i. Public Hearing
 - ii. Consider Approval

APPROVED ORDINANCE NO. 24-0912D

The item was presented, and discussion followed.

Mayor Montini opened the Public Hearing at 6:36 p.m. and with no speakers coming forward, the Public Hearing was closed and the Regular Meeting reconvened at 6:36 p.m.

Mayor Pro Tem Lorencz moved to approve the item as presented. Motion seconded by Councilmember Kelley. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley
NAYS (0): None
ABSENT (0): None

- F. Consider adoption of an Ordinance, of the Town Council of the Town of Northlake, Texas, adopting the Proposed Budget for Fiscal Year 2024-2025 beginning on October 1, 2024, and ending on September 30, 2025, for the Town of Northlake, Northlake Public Improvement District No. 1 (Harvest), Northlake Public Improvement District No. 2 (The Highlands), Tax Increment Financing Zone No. 1 (TIRZ-Canyon Falls), Tax Increment Financing Zone No. 2 (TIRZ-Catherine Branch), and Tax Increment Financing Zone No. 3 (TIRZ-Lifestyle Center)
- i. Public Hearing
 - ii. Consider Approval

APPROVED ORDINANCE NO. 24-0912E

The item was presented, and discussion followed.

Mayor Montini opened the Public Hearing at 6:38 p.m. and with no speakers coming forward, the Public Hearing was closed and the Regular Meeting reconvened at 6:38 p.m.

Councilmember Sessions moved to approve the item as presented. Motion seconded by Councilmember Kelley. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley
NAYS (0): None
ABSENT (0): None

- G. Consider adoption of an Ordinance, of the Town of Northlake, Texas, fixing and levying municipal ad valorem taxes on all taxable property within the corporate limits of the Town of Northlake, Texas for the Fiscal Year beginning October 1, 2024, and ending September 30, 2025, at the rate of \$0.295000 per one hundred dollars (\$100.00) and for directing the assessment thereof; providing for a date on which such taxes become due and delinquent together with penalties and interest thereon; providing for a place of payment; providing for approval of the tax rolls presented to the Town Council
- i. Public Hearing
 - ii. Consider Approval

APPROVED ORDINANCE NO. 24-0912F

The item was presented, and discussion followed.

Mayor Montini opened the Public Hearing at 6:41 p.m. and with no speakers coming forward, the Public Hearing was closed and the Regular Meeting reconvened at 6:42 p.m.

Mayor Montini moved to approve the item as presented. Motion seconded by Councilmember Holmes. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley
NAYS (0): None
ABSENT (0): None

- H. Consider adoption of an Ordinance of the Town of Northlake, Texas, ratifying a property tax increase reflected in the Town of Northlake budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025, in accordance with Texas Local Government Code Section 102.007; providing for repeal; providing for severability; and providing an effective date

APPROVED ORDINANCE NO. 24-0912G

The item was presented, and discussion followed.

Councilmember Sessions moved to approve the item as presented. Motion seconded by Councilmember Lorencz. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- I. Consider adoption of an Ordinance of the Town of Northlake, Texas, amending the Adopted Budget for Fiscal Year October 1, 2023, through September 30, 2024; providing that expenditure for the said fiscal year shall be made in accordance with the said Amended Budget

APPROVED ORDINANCE NO. 24-0912H

The item was presented, and discussion followed.

Councilmember Holmes moved to approve the item as presented. Motion seconded by Mayor Pro Tem Lorencz. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- J. Consider approval of a Resolution of the Town of Northlake, Texas, accepting a petition to dissolve Northlake Public Improvement District No. 1 (PID No.1); and calling for a Public Hearing regarding the proposed dissolution; and authorizing publication and the issuance of notice by the Town Secretary of the Town of Northlake, Texas regarding the public hearing

APPROVED RESOLUTION NO. 24-64

The item was presented, and discussion followed.

Councilmember Holmes moved to approve the item as presented. Motion seconded by Mayor Pro Tem Lorencz. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- K. Consider approval of a Resolution of the Town of Northlake, Texas, authorizing the Town Manager to execute an amendment to the professional services contract with Halff Associates, Inc, for the design and construction management for water supply lines A-F and temporary booster station to increase water capacity in an amount not to exceed \$1,492,150

APPROVED RESOLUTION NO. 24-65

The item was presented, and discussion followed.

Councilmember Fowler moved to approve the item as presented. Motion seconded by Councilmember Kelley. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

- L. Consider approval of a Resolution of the Town of Northlake, Texas determining the necessity for and ordering improvements to Dale Earnhardt Way South (the "Improvements"); specifying payment of the improvements partly by the town and partly by assessments; acknowledging having contracted for the construction of the improvements; approving the construction cost estimate; setting a public hearing on these proposed assessments for the October 10, 2024, Town Council meeting; directing the filing of a notice of proposed assessments with the Denton County Clerk; directing publication of notice of the hearing; and ordering notice of the hearing be provided to abutting property owners; and providing an effective date

APPROVED RESOLUTION NO. 24-66

The item was presented, and discussion followed.

Mayor Montini moved to approve the item as presented. Motion seconded by Councilmember Ganz. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

6. EXECUTIVE SESSION

The Town Council convened into an Executive Session, at 6:59 p.m., consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law to address the following:

A. Section 551.071 - Consultation with Attorney

- i. Potential development agreement for La Estancia Investments LP property consisting of a 110.6-acre and part of a 295.5-acre tracts of land, Bob Smith Management Co. LTD property consisting of a 239.6-acre tract of land, and JHGS Investments LTD property consisting of a 66.5-acre, a 8.6-acre, a 14.5-acre, 4.2-acre, a 13.6-acre, a 28.8-acre, and a 12.6-acre tracts of land generally located south of FM 1171 and west of Cleveland-Gibbs Road.
- ii. Potential development agreement providing municipal services and authorizing fee waivers and other economic development incentives related to the voluntary annexation and development of property consisting of a 69.0-acre, 0.8-acre, 1.5-acre, 3.9-acre, 4.0-acre, and 1.0-acre tracts of land generally located at the northwest corner of Sam Reynolds Rd. and FM 156 in the extraterritorial jurisdiction of the Town
- iii. Potential annexation and development agreement for T and R Investment Holdings LLC property consisting of 0.8-acre, 1.3-acre, 2.1-acre, 0.4-acre, and part of 32.4-acre tracts of land generally located northeast of the intersection of FM 407 and Thompson Road in the extraterritorial jurisdiction of the Town.
- iv. Potential annexation and development agreement for Texas Industries, Inc., property consisting of a 100-acre tract generally located at the southeast corner of Harmonson Road and McPherson Drive in the extraterritorial jurisdiction of the Town.

B. Section 551.072 - Real Property

- i. Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of sanitary sewer improvements for commercial areas north of FM 407 and east of Faught Road.

C. Section 551.074 - Personnel Matters

- i. Town Manager evaluation and compensation.

7. RECONVENE INTO OPEN SESSION

Mayor Montini reconvened the Regular Meeting at 7:35 p.m., to address Council action regarding the items deliberated during Executive Session.

- A. Consider a resolution authorizing the Town Manager to negotiate and execute a development agreement with Falcon Commercial Development, LLC, or an affiliate, providing municipal services and authorizing fee waivers and other economic development incentives related to the voluntary annexation and development of property consisting of approximately 100 acres and generally located at the northwest corner of Harmonson Road and Mcpherson Drive in the extraterritorial jurisdiction of the Town.

APPROVED RESOLUTION NO. 24-67

Councilmember Holmes moved to approve the item as presented by Drew Corn, Town Manager. Motion seconded by Mayor Pro Tem Lorencz. Motion Passed.

AYES (7): Holmes, Ganz, Fowler, Montini, Lorencz, Sessions, Kelley

NAYS (0): None

ABSENT (0): None

8. ADJOURN

With no further business, Mayor Montini adjourned the meeting at 7:41 p.m.

Brian Montini, Mayor

ATTEST:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Northlake Meeting & Holiday Calendar - 2024
SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, approving the Town Meetings and Holiday Calendar for the 2025 Calendar Year
GOALS/ OBJECTIVES: Plan Intentionally and Responsibly; 3.3 - Review and revise town plans as needed

BACKGROUND INFORMATION:

- Direction received from Council on Town Meeting calendar:
 - Accommodate General Uniform Elections including early voting and runoffs as needed
 - April 21-29, 2025 - Early Voting - May Uniform Election (Tentative - dependent on Secretary of State)
 - May 3, 2025 - Uniform Election Day
 - June 9-20, 2025 - Early Voting - Runoff (If needed/Tentative - dependent on Secretary of State)
 - June 21, 2025 - Runoff (Tentative - dependent on Secretary of State)
 - October 20-31, 2025 - Early Voting - November Uniform Election (Tentative - dependent on Secretary of State)
 - November 4, 2025 - Uniform Election Day
- Town Hall will serve as voting location
 - Accommodating elections causes cancellation or rescheduling of following meetings:
 - April 25, 2025 - Town Council
 - June 12, 2025 - Town Council (Tentative - dependent on Secretary of State)
 - October 23, 2025 - Town Council
- Staff recommends observing following holiday schedule:
 - Ten (10) standing observed holidays:
 - New Year's Day
 - Martin Luther King Jr. Day
 - Good Friday
 - Labor Day
 - Independence Day
 - Memorial Day
 - Thanksgiving Day and following Friday
 - Christmas Eve and Christmas Day
 - Two (2) floating holidays
- Town offices open Presidents Day, Columbus Day, and Veterans Day

COUNCIL ACTION/DIRECTION:

Approve proposed 2025 Town Meetings and Holiday Calendar



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AND SETTING THE TOWN MEETING AND HOLIDAY CALENDAR FOR THE 2025 CALENDAR YEAR

WHEREAS, the Town Council of the Town of Northlake, Texas, shall annually set and approve the Town of Northlake Meeting and Holiday Calendar to establish dates and times assisting staff with advance planning and scheduling of Town business; and

WHEREAS, the Town Council has determined that setting and establishing the Town Meeting and Holiday Calendar is in the best interest of the Town, residents, and staff.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. That the Town Council hereby approves the Town of Northlake Meeting and Holiday Calendar, attached hereto as "Exhibit A," and further establishes that with proper notice during the year, meetings may be canceled, rescheduled, or added as necessary, pursuant to the Town of Northlake Home Rule Charter and the Town Council Rules of Order and Procedures.

Section 3. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT "A"



TOWN MEETING & HOLIDAY CALENDAR

2025

January						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

May						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

September						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

MEETINGS/USE
BOA
COUNCIL
COURT
P&Z
EDC/CDC
EARLY VOTING
ELECTION DAY
RUNOFF
HOLIDAY
TREE LIGHTING

Updated 08/14/2024

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Local Government Code, Section 2051.044
SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, approving the Denton Record-Chronicle to serve as the official newspaper of record for all legal and required publications for the Town of Northlake
GOALS/ OBJECTIVES: Invest in Infrastructure; 4.5 - Leverage technology and equipment to deliver services

BACKGROUND INFORMATION:

- Newspaper of Record must be announced annually
- Current Newspaper of Record: Denton Record-Chronicle
- Denton Record-Chronicle continues to meet requirements
- Staff recommends continuation of current newspaper

COUNCIL ACTION/DIRECTION:

Approve Denton Record-Chronicle as Newspaper of Record for upcoming year



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING THE DENTON RECORD-CHRONICLE TO SERVE AS THE OFFICIAL NEWSPAPER OF RECORD FOR ALL LEGAL AND REQUIRED PUBLICATIONS FOR THE TOWN OF NORTHLAKE

WHEREAS, the Town Council of the Town of Northlake, Texas finds it is in the best interest of the Town of Northlake and its citizens that a newspaper of general circulation within the Region be designated as the official newspaper of the Town of Northlake, Texas; and

WHEREAS, the Town Council of the Town of Northlake, Texas finds that the Denton Record-Chronicle:

1. Devotes not less than 25% of its total column lineage to general interest items; and
2. Is published at least once each week; and
3. Is entered as 2nd class postal matter in the county where published; and
4. Has been published regularly and continuously for at least twelve (12) months before the governmental entity or representative publishes notices; and

WHEREAS, the Town Council finds that the Denton Record-Chronicle is a publication that meets all of the criteria legally required of an officially designated newspaper for the Town of Northlake.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Denton Record-Chronicle shall hereinafter be the official newspaper of the Town of Northlake, Texas for Fiscal Year 2024-2025, commencing October 1, 2024.

Section 3. All official publications, notices, advertisements, and solicitations for bids shall henceforth be published in such manner as may be prescribed by law, in the Denton Record-Chronicle.

Section 4. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Fort Worth Laboratory Services Agreement
SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, authorizing and approving the Town Manager to enter into a service agreement with the City of Fort Worth for Laboratory Services
GOALS/ OBJECTIVES: Invest in Infrastructure; 4.4 - Provide adequate water and sewer infrastructure

BACKGROUND INFORMATION:

- Renewal of agreement with the City of Fort Worth to utilize their laboratory services for water testing
- Previous agreement went into effective November 1st, 2018
- Costs associated will be variable with selection and frequency of utilizing available services, cost tables associated with testing are noted in the service agreement
- It is estimated that 20 samples will be taken per month
- Testing samples are critical to maintaining compliance with TCEQ regulations
- Term length of the agreement is indefinite, with a 30-day notice from either party to initiate termination of the agreement

COUNCIL ACTION/DIRECTION:

Approve or disapprove of the resolution authorizing the Town Manager to enter into a service agreement with the City of Fort Worth



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS AUTHORIZING AND APPROVING THE TOWN MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH THE CITY OF FORT WORTH FOR LABORATORY SERVICES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Texas Legislature has authorized the execution of Interlocal Cooperation Agreements between and among governmental entities pursuant to the Interlocal Cooperation Act, Texas Government Code Chapter 791; and

WHEREAS, the the City of Fort Worth owns and operates a Regulatory Services and Compliance Laboratory certified by the Texas Commission on Environmental Quality to analyze environmental samples under National Environmental Laboratory Accreditation Conference standards (NELAC); and

WHEREAS, water and wastewater testing are critical to the maintenance of public health and such testing is therefore, a governmental function and service; and

WHEREAS, the governing bodies of the City of Fort Worth and the Town of Northlake believe that this Agreement is necessary for the benefit of the public and that each Party has the legal authority to provide governmental functions as described in this Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Town Council hereby approves and authorizes the Town Manager to execute a service contract with the Fort Worth Laboratory for water laboratory services.

Section 3. This Resolution shall become effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary



SERVICE AGREEMENT FOR LABORATORY SERVICES

I. CONTRACTING PARTIES:

The Receiving Agency: Town of Northlake
whose authorized address is: 1500 Commons Circle. Suite 300
Northlake, TX 76226

The Performing Agency: The Centralized Water and Wastewater Laboratory
whose authorized address is: 2600 SE Loop 820, Fort Worth, Texas 76140
Attention: Isabel Carrillo, Water Quality Manager
[or designated representative].

II. STATEMENT OF SERVICES TO BE PERFORMED

In order to discharge the responsibilities associated with the enforcement of Federal, State, and Local regulations, the Receiving Agency requires services of a laboratory qualified to perform water and wastewater analysis, and of personnel to conduct such services detailed in Section A below.

A. PERFORMANCE OF SERVICES

1. Analytical Services

In keeping with the foregoing, the Receiving Agency employs the Performing Agency and the Performing Agency agrees to perform analytical services within the parameters listed.

The Receiving Agency estimates an average of 20 samples per month* will be collected and delivered to the laboratory for analysis. It is understood that these samples will be properly collected and preserved in accordance with applicable sections of the latest edition of Standard Methods for the Examination of Water and Wastewater, and/or Methods for Chemical Analysis for Water and Wastes, EPA manual. Chain-of-custody procedures shall be maintained in the field and the laboratory in accordance with procedures to be established by the Receiving Agency. The Receiving Agency will furnish chain-of-custody sheets.

The Performing Agency (The City of Fort Worth Water Department) will perform all analyses according to the approved procedures set forth in Standard Methods for the Examination of Water and Wastewater, and/or Methods for Chemical Analysis for Water and Wastes, EPA manual. Samples will be analyzed by these methods on the production basis, to include appropriate analytical quality control procedures. Records will be kept for documentation of the Performing Agency's quality system program and copies will be available to the Receiving Agency upon request. Unusual interferences and problems will be reported to the Receiving Agency at its authorized

address noted above. Research into scientific techniques to overcome these difficulties will be undertaken when practical, and by mutual agreement. The sample information sheet submitted with each sample will designate the particular analysis or analyses to be made of each sample submitted. The laboratory will be operated in such a manner as to insure the legal sufficiency of the sample handling; analytical and reporting procedures; and to remedy effects in the procedures should such be discovered. The Performing Agency will supply all sample results reports to the Receiving Agency at its authorized address noted above. It will be the responsibility of the Receiving Agency to complete and submit the appropriate reporting forms to Federal, State, and Local agencies. The Performing Agency accepts no liability for generation or submittal of Federal, State and local reporting forms. Receiving Agency may deliver to Performing Agency samples for analysis separate and apart from those samples collected by the Performing Agency. When the Receiving Agency delivers samples to the Performing Agency for analysis, the Receiving Agency shall indicate the nature and extent of the analyses it desires to be conducted. Performing Agency shall not be responsible for the manner of collection of samples or chain-of-custody sheets that are matters entirely outside Performing Agency's control. Performing Agency shall receive, log and perform such analyses of samples in accordance with that part of the chain-of-custody procedures identified as Transfer of Custody and Shipment attached hereto.

Samples analyzed to maintain the normal quality assurance program that the Performing Agency presently maintains in its laboratory will be charged to the Receiving Agency at the same rate as submitted samples.

*Please list the analyses to be performed on the number of samples indicated above on Attachment E of this service agreement.

B. TERMINATION

Either party to this Service Agreement may terminate the agreement by giving the other party thirty (30) days' notice in writing at their authorized address as noted previously. Upon delivery of such notice by either party to the other and before expiration of the thirty (30) day period, the Performing Agency will proceed promptly to cancel all existing orders and obligations which are chargeable to this Service Agreement. As soon as practicable after notice of termination is given, the Performing Agency will submit an invoice for work performed under this Service Agreement Contract through its termination.

The Receiving Agency will pay the Performing Agency for the work performed and all reports, documents, and studies prepared under this Service Agreement will be delivered by the Performing Agency to the Receiving Agency upon the completion of the prescribed work.

C. AMENDING THE SERVICE AGREEMENT

The parties hereto without invalidating this Service Agreement may alter or amend this agreement upon advance written agreement of both parties to exclude work being performed or to include additional work to be performed and to adjust the consideration to be paid hereunder by virtue of alterations or amendments.

III. PAYMENT FOR SERVICE

The Performing Agency shall bill the Receiving Agency monthly for services performed. Charges for these services shall be based on the current approved fee schedule.

IV. TERM OF SERVICE AGREEMENT

This Service Agreement is to begin 10/1 / 2024 and shall terminate as provided in Article IIB.

Receiving Agency:

By: _____

Title: _____

Date: _____

Performing Agency:

By: _____

Title: Management Analyst II

Date: _____

Approval Signature:

Isabel Carillo, Water Quality Manager

Date



SERVICE AGREEMENT FOR LABORATORY SERVICES

Attachment A

Customer Information for Data Reports

Company Name: Town of Northlake

Mailing Address: 1400 FM 407

Mailing City, State, Zip: Northlake, TX 76247

Report Recipient: Eric J. Tamayo

Recipient Phone Number: 940-242-5704

Recipient Email Address: etamayo@town.northlake.tx.us

Email Results: ☒ Yes ☐ No ☐ Mail [Postage]

Customer Billing Information

Invoice Name: Town of Northlake

Mailing Address: 1400 FM 407

Mailing City, State, Zip: Northlake, TX 76247

Invoice Recipient: Eric J. Tamayo

Recipient Phone Number: 940-242-5704

Recipient Email Address: etamayo@town.northlake.tx.us

Accept Invoices by Email: ☒ Yes ☐ No ☐ Mail [Postage]



**City of Fort Worth Water Department
Centralized Water and Wastewater Laboratory
Sample Acceptance Policy
Attachment B**

NELAC Specifies requirements under which any NELAC-accredited laboratory will accept samples. The City of Fort Worth Water Department Centralized Water and Wastewater Laboratory will review your sample shipment against the requirements listed below and communicate any discrepancies to you. Your project manager will assist you with any questions and in the appropriate resolution of any issues related to sample receipt.

You must sign your name in the “Relinquished By” box of the chain-of-custody form to submit samples.

Requirements are as follows:

- Proper, full, and complete documentation which includes sample identification, the location, date and time of collection, collector’s name, the preservation type, the sample matrix type, the requested method, and any special remarks concerning the samples shall be provided.
- Each sample shall be labeled with unique, durable (water resistant), and indelible identification.
- The sample shall be collected in the appropriate sample container with the appropriate volume and preservative (as applicable), and must be packed and shipped to ensure sample integrity. Thermally preserved samples will arrive within 2°C of required temperature; or within the method-specified temperature range; or, in the case of hand-delivered, same-day sample collection, show evidence that the chilling process has begun, such as arrival on ice.
- Samples shall arrive at the laboratory within the specified holding time for the analyses requested.
- The laboratory will notify the client/project manager upon sample receipt if the samples show signs of damage, contamination, inadequate preservation, or fail to meet any of the above requirements.
- When samples are submitted without any prior discussion (e.g. required testing and pricing), you will be contacted, the requirements will be reviewed, and you will be issued a service quotation to clarify the request and pricing.
- If you request an analysis not performed by the City of Fort Worth Water Department Centralized Water and Wastewater Laboratory, we will ask for your decision to have the analysis performed by one of our contract laboratories, or to have the samples returned.
- Known safety hazards should be communicated on the chain-of-custody form.
- Our laboratory is not licensed to accept radioactive or mixed waste samples.



LABORATORY FEE SCHEDULE
Effective October 01, 2024
Attachment C

CHEMICAL ANALYSES - WATER / WASTEWATER	
Parameter	Testing Fee
Alkalinity	\$25.00
Ammonia	\$23.00
BOD, Total 5 Day	\$41.00
BOD, Carbonaceous	\$41.00
Bromate	\$60.00
Bromide	\$60.00
Calcium	\$30.00
Chemical Oxygen Demand (COD)	\$22.00
Chloride	\$20.00
Chlorine, Field	\$15.00
Chlorine, Total Residual	\$20.00
Conductivity	\$20.00
Cyanide, Amenable to Chlorination	\$46.00
Cyanide, Total	\$58.00
Dissolved Organic Carbon (DOC)	\$61.00
Dissolved Oxygen (DO), Field	\$15.00
Fluoride	\$21.00
Geosmin	\$110.00
Hardness, Calcium as CaCO ₃	\$22.00
Hardness, Total	\$28.00
Nitrate	\$21.00
Nitrite	\$21.00
Nitrogen, Total Kjeldahl (TKN)	\$35.00
Oil & Grease, Gravimetric	\$55.00
Ortho-phosphate	\$30.00
pH, Electrode	\$10.00
pH, Field	\$10.00
Phosphorus, Total	\$30.00
SGT-HEM Non-polar material	\$47.00
Solids, Settleable	\$15.00
Solids, Total	\$15.00
Solids, Total Dissolved (Gravimetric)	\$21.00
Solids, Total Suspended	\$15.00
Solids, Volatile Total	\$22.00



LABORATORY FEE SCHEDULE
Effective October 01, 2024
Attachment C

CHEMICAL ANALYSES - WATER / WASTEWATER	
Parameter	Testing Fee
Solids, Volatile Total Suspended	\$25.00
Silica	\$43.00
Sulfate	\$17.00
Total Organic Carbon (TOC)	\$30.00
Turbidity	\$10.00
UV254	\$54.00

MICROBIOLOGICAL ANALYSES - WATER / WASTEWATER	
Parameter	Testing Fee
Coliform, Fecal	\$38.00
Coliform, Total (MPN)	\$40.00
Coliform, TC/EC (MPN)	\$40.00
Coliform, Total (Presence / Absence)	\$30.00
Coliform, TC/EC (Presence / Absence)	\$30.00
Heterotrophic Plate Count (HPC)	\$35.00
Microcystin	\$50.00

METAL ANALYSES - WATER / WASTEWATER	
Parameter	Testing Fee
EPA 200.8 Metals, Total, Each analyte	\$25.00
EPA 245.1 Metals, Mercury, WW	\$41.00
EPA 245.7 Metals, Mercury WW	\$50.00

ORGANIC ANALYSES - WATER / WASTEWATER	
Parameter	Testing Fee
EPA 524.2 Volatiles	\$130.00
EPA 525.2 Semi-Volatiles	\$240.00
EPA 533 PFAS	\$500.00
EPA 551.1 Haloacetonitriles (HAN)	\$240.00
EPA 552.2 Haloacetic Acids (HAA)	\$240.00
EPA 556 Carbonyls	\$180.00
EPA 608 Organochlorine Pesticides and PCBs	\$190.00
EPA 624 Volatiles	\$142.00
EPA 625 Semi-Volatiles	\$350.00
EPA 1657A Organo-phosphorus pesticides	\$185.00



LABORATORY FEE SCHEDULE
Effective October 01, 2024
Attachment C

ORGANIC ANALYSES - SOLID	
Parameter	Testing Fee
EPA 8081A Organochlorine Pesticides	\$200.00
EPA 8082 PCBs (Solid)	\$150.00
EPA 8141A OP Pesticides	\$200.00
EPA 8260B Volatiles	\$150.00
EPA 8270B Semi-Volatiles	\$300.00

SPECIAL SAMPLE COLLECTION - WATER / WASTEWATER	
Service	Testing Fee
Sample Pick-up	\$40.00
Sample Collection	\$50.00
Sample Collection (24 Hr Notice)	\$100.00

Rush Charges (5 day TAT)
Setup charge for contract customers
Intergovernmental Rate

2x Testing Fee
\$50.00
5% Discount



LABORATORY FEE SCHEDULE
Effective October 1, 2024
Attachment D

GENERAL SERVICE INFORMATION

1. Effective Date: October 1, 2024, all prices listed are per sample and subject to review.
2. All analyses are run in accordance with the approved Standard Methods for the Examination of Water and Wastewater, and/or currently approved EPA Methods.
3. Samples submitted to the laboratory must have appropriate chain of custody documents. Chain of Custody forms will be provided upon request.
4. Sample preparations, if required, are charged additionally as listed.
5. Sample containers, preservatives, and supplies will be provided upon request. Bacteriological sampling supplies are included in the cost of the analyses.
6. The Laboratory accepts samples starting at 8 a.m.
7. All samples should be delivered to the laboratory before 3:00 p.m. Monday through Thursday unless special arrangements are made in advance. Samples cannot be accepted on weekends or holidays.
8. Billing statements for completed analyses are emailed by the 20th of the following month.
9. The laboratory is closed on weekends except for Water Department activities and City emergencies.
10. For after hour emergencies, call 817-392-4477, Water Department 24-hour phone center.
11. For more information, contact: TEL 817-392-5900, FAX 817-392-59



LABORATORY FEE SCHEDULE
Effective October 1, 2018
Attachment E

List the analyses to be performed if not specified in the Laboratory Fee Schedule

PARAMETER	FEE

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Purchase Agreements
SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an agreement/contract with Caldwell Country Chevrolet and Sam Pack's Five Star Ford, for the purchase of Public Works vehicles, in an amount not to exceed \$280,454.77
GOALS/ OBJECTIVES: Exercise Fiscal Responsibility; 2.4 - Project future staffing - facilities - and resources

BACKGROUND INFORMATION:

- Vehicle purchase approved in FY 2024-2025 Budget for:
 - Stormwater Inspector Truck
 - Meter Technician Truck
 - Street Markings & Sign Crew Truck
 - Replacement vehicle
- Purchase from:
 - Caldwell Country Chevrolet
 - Chevy Silverado 1500 \$51,585.87
 - Sam Pack's Five Star Ford- 3 Vehicles
 - F-250 Crew Cab \$65,098.36
 - F-250 Crew Cab Service Body 2x \$81,685.27 each, \$163,770.54

COUNCIL ACTION/DIRECTION:

Approved purchase and provide feedback as Town Council deems necessary



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT/CONTRACT WITH CALDWELL COUNTRY CHEVROLET AND SAM PACK'S FIVE STAR FORD, FOR THE PURCHASE OF PUBLIC WORKS VEHICLES, IN AN AMOUNT NOT TO EXCEED \$280,454.77

WHEREAS, The Northlake Public Works Department is following a vehicle replacement schedule; and

WHEREAS, the vendor Caldwell Country Chevrolet Ford is providing the quote for the Silverado 1500 through cooperative purchasing Buy Board Texas Smart Buy; and

WHEREAS, the vendor Sam Pack's Five Star Ford is providing the quote for the three Chevrolet F250 trucks through cooperative purchasing Buy Board Texas Smart Buy; and

WHEREAS, the Town is a member of the Buy Board Texas Smart Buy Purchasing Contract, which per Subchapter F of Section 271 of the Texas Local Government Code fulfills State purchasing requirements; and

WHEREAS, that it is advisable and in the best interest of the Town to authorize the Town Manager to enter into an agreement to purchase public works vehicles, but not to exceed \$280,454.77

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. That the Town Council Hereby authorizes the Town Manager to enter into an agreement for the purchase of public works vehicles at the quoted unit prices, provided that the total amount to be expended pursuant to this grant of authority shall not, in total, exceed the sum of \$280,454.77

Section 3. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

Sam Pack's Five Star Ford
1635 S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members - Kevin Moore - Jorge Guerra - Alan Rosner

BuyBoard 724-23

End User: TOWN OF NORTHLAKE

Sam Pack's Rep: JORGE GUERRA

Contact: ERIC TAMAYO

Date: 6/6/2024 rev 08/26/24

Contact TN/Email

Phone #

Product Description: 2024 F-250 CREW CAB 4X4

Color Code WHITE

A. Bid Line # 118

Base Price: \$ 41,190.00

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic Transmission	Included	17Z	XL OFF ROAD PKG	\$ 995.00
	Power Brakes/Steering	Included	18B	RUNNING BOARDS	\$ 445.00
	6.8L V8 GAS	Included	67B	410 AMP ALT	\$ 115.00
	VINYL INTERIOR	Included	76C	BACK UP ALARM	\$ 175.00
	Power Windows/Locks	Included	86M	DUAL BATTERIES	\$ 210.00
	XL CHROME PKG	\$ 225.00			
	10000# GVWR PKG	Included			
X3E	3.73 E- LOCKING AXLE	\$ 430.00			
	176 in WB LONG BED	\$ 200.00		2024 ORDER	
	4 Wheel Drive	\$ 3,895.00			
	Crew Cab	\$ 4,990.00			
	SNOW PLOW PREP PKG	\$ 250.00			

Total of B. - Published Options \$ 11,930.00

C. Dealer Published Options

Code	Description	Bid Price	Code	Description	Bid Price

Total of C. - Dealer Published Options \$ -

D. Off Menu Options

Code	Description	Bid Price	Code	Description	Bid Price
				WHELEN A/B LB TA	\$ 3,150.00
145445	SERVICE BODY WITH MASTERLOCKS 20" COMPARTMENTS SHELVEING	\$18,447.00	SAFETY LIGHTS	install 4XFRONT 2XSIDES 4XREAR 12X TOTAL ALL AMBER IONS CONTROLLER	\$3,194.40

Off Menu Options limited to 25% of Published Price Current % 46.67% Total of D. - Off Menu Options \$24,791.40

Delivery Charges

40 Miles @ \$1.49/mile

\$ 59.60

Floorplan Expense

65 Days

\$11.69 Per Diem

\$ 759.64

Lot Insurance Expense

65 Days

\$11.69 Per Diem

\$ 759.64

Manufacturer Delivery Fee

\$ 2,195.00

Total Each

\$ 81,685.27

Quantity Ordered 2 X F =

\$ 163,370.54

Administrative Fee

\$ 400.00

Trade In Allowance - Non-Equipment debits and credits

TOTAL PURCHASE PRICE INCLUDING ADMIN FEE

\$163,770.54

CALDWELL COUNTRY CHEVROLET

800 HWY. 21 E. CALDWELL, TEXAS 77836

BUYBOARD 724-23

End User: Town of NorthlakeCaldwell Rep: Jake Schobinger QT# JS92324-1Contact: Eric TamayoPhone: 979.429.8847Phone/email: 940.242.5704/etamayo@town.northlake.tx.usDate: Monday, September 23, 2024Product Description: Chevrolet Silverado (SSV) Police Packageemail: jake@usaautomotivepartners.comA. Bid Series: 22A. Base Price: \$ 42,130.00**B. Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
	2023 Chevrolet Silverado 1500 CK10543 4WD SSV		AMF	Remote Keyless Entry Package	INCL
GAZ	White	INCL	NZZ	Skid Plates	INCL
L84	Engine, 5.3L EcoTec3 V8	INCL	RC5	Tires, LT265/70R17C All-Terrain	INCL
MI2	Transmission, 10 Speed Automatic	INCL	RD6	Wheels, 17" x 8" Silver Steel	INCL
5W4	Special Service Package	INCL	UKC	Lane Keep Assist	INCL
Z71	Z71 Off Road Package	INCL	AKO	Glass, deep-tinted	INCL
5T5	Black, Cloth Front/Vinyl Rear Seats	INCL		Power Windows	INCL
5Y1	Center Console Delete	INCL		Power Locks	INCL
K34	Cruise Control	INCL		Departure Warning	INCL
BCV	Rear Door Lock Disable	INCL		Rubberized Vinyl Flooring	INCL
GU5	Rear axle, 3.23 ratio	INCL		Back up Camera	INCL
Total of B. Published Options:					\$ <u>2,355.00</u>

C. Unpublished Options [Itemize each below, not to exceed 25%]

Disclaimer	Order Summary	Bid Price
PRICES AND AVAILABILITY CAN CHANGE AT ANY TIME WITHOUT FURTHER NOTICE DUE TO SUPPLY CHAIN CHALLENGES. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. FINAL PRICE IS NOT CONFIRMED UNTIL VEHICLE ORDER IS ACCEPTED BY THE MANUFACTURER. ACKNOWLEDGE BY EMAIL RECEIPT THAT THE PURCHASE ORDER WAS RECEIVED BY USA AUTOMOTIVE PARTNERS, LLC. (CALDWELL COUNTRY CHEVROLET, ROCKDALE COUNTRY FORD dba CALDWELL COUNTRY FORD, CAMERON COUNTRY CDJR)	Stock GSA Unit - PG212840	COLOR / DELIVERY
	Total of C. Unpublished Options:	

D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time:

\$ -E. UPFITTERS: **Texas Fleet OutfittersQT# 25440**\$ 6,600.87

F. Manufacturer Destination/Delivery:

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

\$ -J. Additional Delivery Charge: 0 miles\$ 100.00

K. Subtotal:

\$ 51,185.87L. Quantity Ordered 1 x K =\$ 51,185.87

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER

\$ 400.00O. **TOTAL PURCHASE PRICE WITH BUYBOARD FEE (PRICES AND AVAILABILITY ARE SUBJECT TO CHANGE WITHOUT NOTICE)**\$ 51,585.87

Sam Pack's Five Star Ford
1635 S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members - Kevin Moore - Jorge Guerra - Alan Rosner

BuyBoard 724-23

End User: TOWN OF NORTHLAKE

Sam Pack's Rep: JORGE GUERRA

Contact: ERIC TAMAYO

Date: 6/6/2024 rev 08-26-24

Contact TN/Email

Phone #

Product Description: 2024 F-250 CREW CAB 4X4

Color Code WHITE

A. Bid Line # 118

Base Price: \$ 41,190.00

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic Transmission	Included	17Z	XL OFF ROAD PKG	\$ 995.00
	Power Brakes/Steering	Included	18B	RUNNING BOARDS	\$ 445.00
	6.8L V8 GAS	Included	67B	410 AMP ALT	\$ 115.00
	VINYL INTERIOR	Included	76C	BACK UP ALARM	\$ 175.00
	Power Windows/Locks	Included	86M	DUAL BATTERIES	\$ 210.00
	XL CHROME PKG	\$ 225.00			
	10000# GVWR PKG	Included			
X3E	3.73 E- LOCKING AXLE	\$ 430.00			
	short bed	Included		2024 ORDER	
	4 Wheel Drive	\$ 3,895.00			
	Crew Cab	\$ 4,990.00			
	SNOW PLOW PREP PKG	\$ 250.00			

Total of B. - Published Options \$ 11,730.00

C. Dealer Published Options

Code	Description	Bid Price	Code	Description	Bid Price

Total of C. - Dealer Published Options \$ -

D. Off Menu Options

Code	Description	Bid Price	Code	Description	Bid Price
	SPRAYLINER	\$495.00		WHELEN A/B LB TA	\$ 3,150.00
	TINT	\$495.00	SAFETY LIGHTS	install 4XFRONT 2XSIDES 4XREAR 12X TOTAL ALL AMBER IONS CONTROLLER	\$3,194.40
	HEADACHE RACK WITH LIGHTS	\$995.00			

Off Menu Options limited to 25% of Published Price Current % 15.74% Total of D. - Off Menu Options \$8,329.40

Delivery Charges \$ 59.60

Floorplan Expense 65 Days \$9.19 Per Diem \$ 597.18

Lot Insurance Expense 65 Days \$9.19 Per Diem \$ 597.18

Manufacturer Delivery Fee \$ 2,195.00

Total Each \$ 64,698.36

Quantity Ordered 1 X F = \$ 64,698.36

Administrative Fee \$ 400.00

Trade In Allowance - Non-Equipment debits and credits

TOTAL PURCHASE PRICE INCLUDING ADMIN FEE \$65,098.36

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Design-Build Agreement with Lee Lewis Construction, Inc.

SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute Amendment No. 2 to the Design-Build Agreement with Lee Lewis Construction, Inc., for the Dallas Stars Multi-Sports Center Project to establish the Guaranteed Maximum Price ("GMP") in an amount not to exceed \$64,400,000

**GOALS/
OBJECTIVES:** Promote Economic Vitality; 6.3 - Build out sports and entertainment corridor

BACKGROUND INFORMATION:

- Town entered into design-build contract with Lee Lewis Construction for Dallas Stars Multi-Sports Center Project
- Per agreement, design-builder to provide Guaranteed Maximum Price (GMP) proposal for approval
- July 25, 2024: GMP in the amount of \$6,262,644 approved for early civil work
- October 3, 2024: Lee Lewis Construction submitted lump sum GMP inclusive of early civil work
 - Proposed GMP for total project is \$64,400,000 as outlined in attached memo
 - GMP is within budget with anticipated IRS Section 48 direct pay grant
 - GMP provides for full project scope, including shell space for restaurant and clinic
 - Optional project based on availability of restaurant and/or health clinic participation in building finish out

COUNCIL ACTION/DIRECTION:

Approve GMP in an amount not to exceed \$64,400,000.00



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO. 24-46

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE DESIGN-BUILD AGREEMENT WITH LEE LEWIS CONSTRUCTION, INC., FOR THE DALLAS STARS MULTI-SPORTS CENTER PROJECT TO ESTABLISH THE GUARANTEED MAXIMUM PRICE ("GMP") IN AN AMOUNT NOT TO EXCEED \$64,400,000.00

WHEREAS, the Town Council of the Town of Northlake, Texas, selected Lee Lewis Construction, LLC as the design-build firm to provide design-build services for the Dallas Stars Multi-Sports Center and authorized the Town Manager to negotiate and execute a design-build contract with Lee Lewis Construction, Inc., with an effective date of February 26, 2024; and

WHEREAS, a design-build agreement with Lee Lewis Construction, LLC for the Dallas Stars Multi-Sports Center was executed with an effective date of February 26, 2024; and

WHEREAS, on July 25, 2024, the Town Council of the Town of Northlake, Texas, approved a Guaranteed Maximum Price ("GMP") for early civil work, in an amount not to exceed \$6,262,644.00; and

WHEREAS, on October 3, 2024, Lee Lewis Construction, LLC submitted a request for acceptance of a lump sum GMP, inclusive of the early civil work, in the amount of \$64,400,000.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All of the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Town Council of the Town of Northlake, Texas, approves and authorizes the Town Manager to execute Amendment No. 2 to the Design-Build Agreement with Lee Lewis Construction, Inc., for the Dallas Stars Multi-Sports Center Project to establish the Guaranteed Maximum Price ("GMP") in an amount not to exceed \$64,400,000.00

Section 3. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary



October 3rd, 2024

Mr. Drew Corn
1500 Commons Circle
Suite 300
Northlake, TX 76226

RE: Northlake Stars Sports Center Lump Sum Proposal

Mr. Corn,

Please allow this letter to serve as our request for your acceptance of our total Lump Sum Proposal. Lee Lewis Construction proposes the following amount for our design build services to complete the base scope of the Northlake Stars Sports Center for the amount as listed below per the construction documents prepared by WRA Architects dated June 21, 2024.

Building Scope (Including Additional Grant Funds)	\$47,200,000.00
Site Improvements Scope	\$15,000,000.00
Sanitary Sewer Improvements	\$2,200,000.00
<u>Total Lump Sum Contract</u>	<u>\$64,400,000.00</u>

Thank you for this opportunity. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in blue ink that reads 'Devin Sherman'.

Devin Sherman
Chief Estimator – Vice President

Attachments To Follow

LUBBOCK
7810 Orlando Ave
Lubbock, Texas 79423
P 806.797.8400

DALLAS
17177 Preston Road, Suite 160
Dallas, Texas 75248
P 972.818.0700

AUSTIN
P.O. Box 92405
Austin, TX 78709
P 512.369.3921

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Texas Local Government Code, Chapter 43 - Municipal Annexations; Development Agreement with Fast Track Development, LLC

SUBJECT: Consider calling and authorizing a public hearing to be held on November 14, 2024, at 5:30 p.m., at the Town of Northlake, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, in the Council Chambers, regarding the proposed annexation of approximately 57.325 acres of land located on the southeast corner of Harmonson Road and McPherson Drive contiguous to the current town limits of Northlake, Texas, in the Town's exclusive extraterritorial jurisdiction

GOALS/ OBJECTIVES: Advance Northlake's Interest; 5.1 - Manage the town's municipal boundaries, Advance Northlake's Interest; 5.2 - Capture and incorporate the extraterritorial jurisdiction

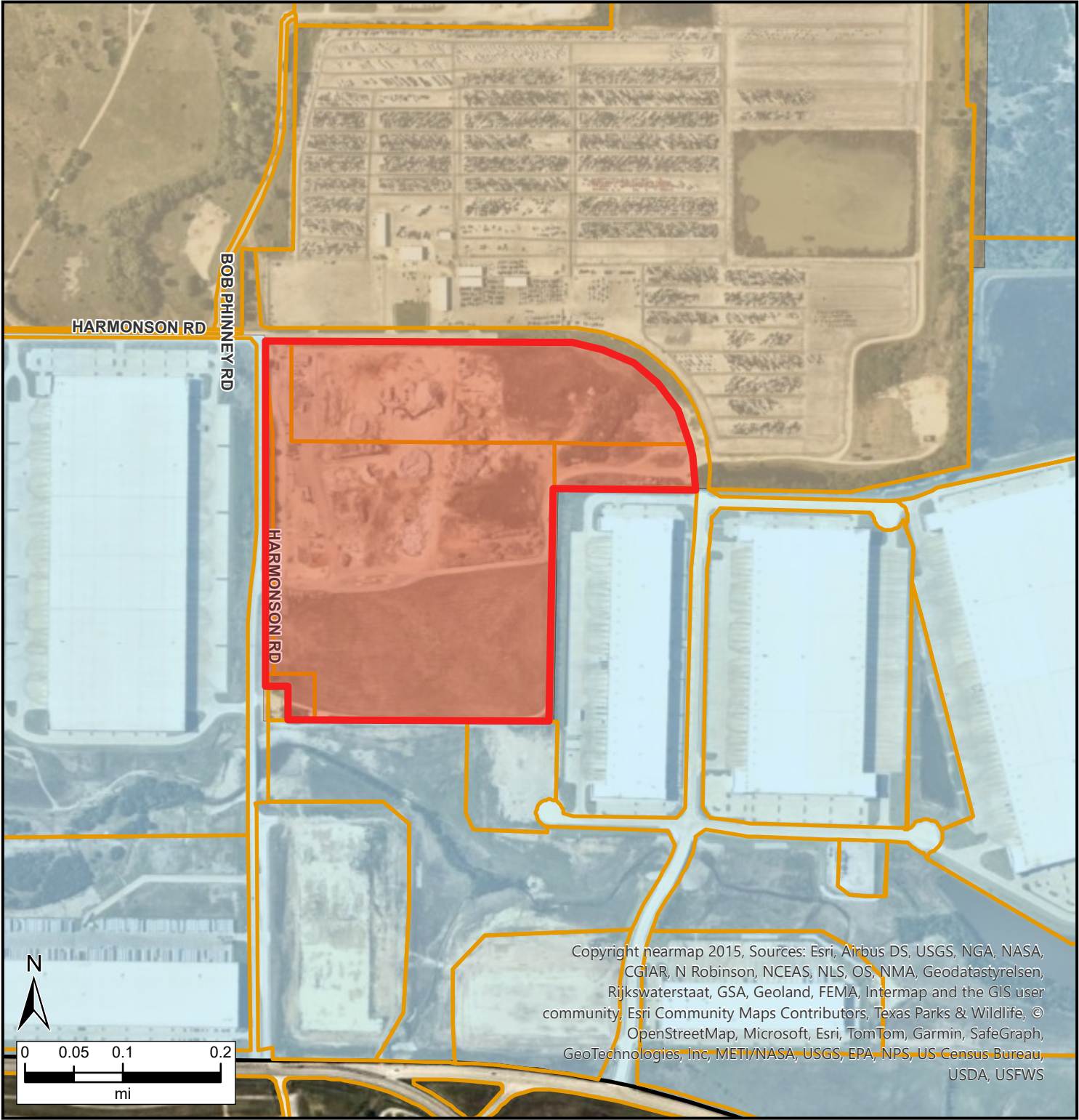
BACKGROUND INFORMATION:

- Ironhead Owner LP owns 57.325 acres in Northlake ETJ
 - Southeast corner of Harmonson Road and McPherson Drive
 - Proposed industrial development with four buildings totaling 906,000 square feet
- April 11, 2024: Town Council approved development agreement (DA) with owner, Fast Track Development, LLC
 - Constitutes petition for voluntary annexation with service plan
 - Effective upon Developer, Alliance Industrial Partners, LLC, acquisition of property
 - Ironhead Owner, LP, the assign of Alliance Industrial acquired property on September 26, 2024
 - DA assigned and assumed by Ironhead Owner, LP
- Next Steps
 - Call public hearing for voluntary annexation
 - Advertise notice and post on Town website
 - Hold public hearing and consider annexation at November 14th Town Council meeting
 - Zoning for property to be considered immediately following annexation

COUNCIL ACTION/DIRECTION:

Call public hearing for November 14th, 2024, to receive comments on annexation request

ANX-24-004



Legend

Existing Roads

Estimated OCI

0.0 - 49.9

50.0 - 74.9

75.0 - 99.4

out of range

Parcels

Northlake Boundary

Town of Northlake Incorporated Area and ETJ

Incorporated Area

Extraterritorial Jurisdiction

Limited Purposes Annexation

Nearmap Reference Layer

RGB

Red: Band_1

Green: Band_2

Blue: Band_3



Date: 10/2/2024



NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Northlake Town Council at a meeting to begin at 5:30 p.m. on Thursday, November 14, 2024, at Northlake Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas, where all interested persons may appear and be heard on the petition filed by the landowners pursuant to Local Government Code, Section 43.0671 requesting annexation of approximately 57.325 acres of land generally located southeast of Harmonson Road and McPherson Drive in the Town's exclusive extraterritorial jurisdiction (ETJ). A map of the area proposed for annexation is available at Town Hall and at www.town.northlake.tx.us. Case # ANX-24-004.

CERTIFICATION

I, Zolaina R. Parker, Town Secretary for the Town of Northlake, hereby certify that the above notice was posted on the official bulletin board at the Town of Northlake, Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, and on the Town's website on the 1st day of November 2024, by 5:00 p.m.

Scheduled for publication in the Denton Record-Chronicle on November 2, 2024.

Zolaina R. Parker, Town Secretary

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

Section: 5. ACTION ITEMS

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Texas Local Government Code Section 372

SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, approving the dissolution of Northlake Public Improvement District No. 1 (the "PID"); authorizing publication by the Town Secretary of the Town of Northlake, Texas; and providing an effective date

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Advance Northlake's Interest; 5.3 - Influence local- regional - and state issues

BACKGROUND INFORMATION:

- PID No. 1 - Created May 23, 2013
 - Current Assessment Rate \$0
- Petition for Dissolution of PID No. 1 - filed August 30, 2024
- Public Hearing Called - September 12, 2024
 - Notification provided by:
 - Publication - Newspaper of Record
 - Mailer/Email - Utility Bills
- Next Steps:
 - Hold Public Hearing/Consider Approval of Resolution dissolving PID No. 1 - October 10, 2024

COUNCIL ACTION/DIRECTION:

Allow for comments during Public Hearing and consider dissolution



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO. 24-64

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING THE DISSOLUTION OF NORTHLAKE PUBLIC IMPROVEMENT DISTRICT NO. 1 (THE "PID"); AUTHORIZING PUBLICATION BY THE TOWN SECRETARY OF THE TOWN OF NORTHLAKE, TEXAS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") authorizes the creation of public improvement districts; and

WHEREAS, on May 23, 2013, the Town Council (the "Town Council") of the Town of Northlake, Texas (the "Town") authorized the creation of "Northlake Public Improvement District No. 1" (the "District") by approving Resolution No. 13-10 in accordance with the Act; and

WHEREAS, on August 30th, 2024, the owners of real property within the District delivered to the Town Secretary of the Town (the "Town Secretary"), a petition (the "Dissolution Petition"), which is attached hereto as Exhibit A and is incorporated herein for all purposes, requesting the Town Council dissolve the District; and

WHEREAS, the Dissolution Petition was signed by: (i) the owners of taxable real property representing more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, as determined by the current roll of the Denton Central Appraisal District, and (ii) the record owners of real property who: (A) constitute more than fifty percent (50%) of all record owners of property that is liable for assessment within the District; or (B) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment; and

WHEREAS, as provided by Section 372.011 of the Act, the Town Council called a public hearing on the advisability of dissolving the District in the same manner as a public hearing under Section 372.009 of the Act; and

WHEREAS, the Town has (i) reviewed and verified the Dissolution Petition as required by law and finds that the Dissolution Petition is sufficient in accordance with Sections 372.011 and 372.005(b) of the Act; (ii) the Town Council accepted the Dissolution Petition; and (3) after notice and publication as required by the Act, the Town held a public hearing on October 10th, 2024; and

WHEREAS, the Town finds that (i) the Dissolution Petition complies with all legal requirements; (ii) the dissolution of the District is advisable, and the District is no longer required to serve a public purpose

under the Act; and (iii) dissolution of the District serves the public health, safety, and welfare of the general public and the state of Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Dissolution Petition was filed with the Town Secretary in accordance with the Act and Town staff and the Town Secretary reviewed the Dissolution Petition and determined that the same complied with the requirements of the Act, and the Town Council accepts and approves the Dissolution Petition. The Dissolution Petition is a public record and was made available for public inspection.

Section 3. The Town Council called a public hearing to be scheduled at or after 5:30 p.m., on October 10, 2024, at Town Hall – Council Chambers, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, on the advisability of dissolving the District. All residents and property owners within the District, and all other persons, were invited to appear in person, or by their attorney, and speak on the dissolution of the District. Following adjournment of the public hearing, the Town Council determined that the District should be dissolved by a vote of _____ ayes to _____ nays.

Section 4. The Town hereby grants all matters requested in the Dissolution Petition and grants such other relief, in law or in equity, requested in the Dissolution Petition, including, but not limited to, the obligations, rights, and privileges of the Harvest Homeowners' Association as the District's successor, as further provided in the Dissolution Petition.

Section 5. Upon dissolution of the District, the Town shall have no obligation to fund or perform any District services and, to the extent required by law, the District nonetheless shall remain in effect for the sole purpose of meeting obligations of indebtedness for improvements, if any.

Section 6. The Town Council hereby authorizes and directs the Town Secretary, in accordance with the Act or other law, to provide notice and publication of the dissolution of the District.

Section 7. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A

INCORPORATED HEREIN BY REFERENCE AND AVAILABLE FOR INSPECTION
TO BE ADDED TO FINAL EXECUTED ORDINANCE UPON APPROVAL

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Texas Transportation Code Chapter 313

SUBJECT: Consider adoption of an Ordinance of the Town Council of the Town of Northlake, closing the hearing and levying assessments for part of the cost of improving a portion of Dale Earnhardt Way South in the Town of Northlake, Texas; fixing charges and liens against property abutting thereon and against the owners thereof; providing for the enforcement of assessments and liens upon default; providing for the collection of such assessments and the issuance of Assignable Certificates of Assessment as evidence thereof; reserving unto the Town Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted; providing for the time and manner of payment of assessments; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; and providing and effective date

- i. Public Hearing
- ii. Consider Ordinance

GOALS/ OBJECTIVES: Invest in Infrastructure; 4.1 - Leverage funding sources for needed infrastructure financing, Invest in Infrastructure; 4.3 - Prioritize road projects and mitigate traffic

BACKGROUND INFORMATION:

- Public hearing called - September 12th, 2024 Council Meeting
- Proposed Ordinance concludes processes required for Dale Earnhardt Way South Road Assessment Fees and establishes:
 - Levying of assessments, in amounts described for each property
 - Declare payment terms
 - Set interest rate on assessments (8%)
 - Improvement costs and assessment values - assessed according to Town in lieu of the front foot rule
 - Declare special benefits in enhanced value
 - Declare creation of lien and personal liability
 - Approve issuance of assessment certificates - noted as evidence of assessments
 - Declare hearing closed
 - Declare accuracy, sufficiency, regularity and validity of proceedings
- Next Steps:
 - Conduct Public Hearing - October 10, 2024
 - Consider Proposed Ordinance

COUNCIL ACTION/DIRECTION:

Approve or deny proposed ordinance and provide feedback as Town Council deems necessary



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN OF NORTHLAKE, TEXAS, CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR PART OF THE COST OF IMPROVING A PORTION OF DALE EARNHARDT WAY SOUTH IN THE TOWN OF NORTHLAKE, TEXAS; FIXING CHARGES AND LIENS AGAINST PROPERTY ABUTTING THEREON AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE ENFORCEMENT OF ASSESSMENTS AND LIENS UPON DEFAULT; PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS AND THE ISSUANCE OF ASSIGNABLE CERTIFICATES OF ASSESSMENT AS EVIDENCE THEREOF; RESERVING UNTO THE TOWN COUNCIL THE RIGHT TO ALLOW CREDITS REDUCING THE AMOUNT OF THE RESPECTIVE ASSESSMENT TO THE EXTENT OF ANY CREDIT GRANTED; PROVIDING FOR THE TIME AND MANNER OF PAYMENT OF ASSESSMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Northlake, Texas (the "Town") is a home-rule municipality organized under the laws of the State of Texas; and

WHEREAS, the Town of Northlake has heretofore adopted Resolution No. 24-66 describing a necessity for and ordering the improvement of portions of the hereinafter described streets in the Town of Northlake by raising, grading, filling, paving and constructing same (hereinafter sometimes referred to as the "Project"), to wit: Dale Earnhardt Way South; and

WHEREAS, estimates of the cost of the above-described improvements were prepared and filed and approved and adopted by the Town Council, and a time and place was fixed for a hearing and the proper notice of the time, place and purpose of said hearing was given and said hearing was had and held at the time and place fixed therefore, to-wit, at 5:30 p.m. on the 10th day of October, 2024, in the Council Chamber of the Town of Northlake, and at such hearing all persons desiring to be heard were given full and fair opportunity to be heard; and

WHEREAS, after having heard all protests and objections which were made by the abutting property owners in connection with the assessments to be levied and after having fully considered all proper matters, the Town Council is of the opinion that the said hearing should be closed and assessments should be made and levied as herein ordered.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. The benefit hearing for the assessment for street improvements as described above is hereby closed and all protests and objections, if any, to the assessments levied are hereby overruled.

Section 2. The Town Council finds from the evidence submitted at said public hearing that the assessments herein should be made and levied against the respective parcels of property abutting upon the above described improvements and against the real and true owners of such properties, and that such assessments and charges are right and proper and are substantially in proportion to the benefits to the respective parcels of property by means of the improvements for which such assessments are levied, and establish substantial justice and equality and uniformity between the respective owners of the respective properties, and between all parties concerned, considering the benefits received and burdens imposed, and further finds that in each case the abutting property assessed is specially benefitted in enhanced value by means of the said improvements and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance, and further finds that the apportionment of the cost of the improvements is in accordance with the provisions of state law and ordinances in force in this Town, and that the proceedings of the Town heretofore had with reference to said improvements are and were in all respects valid and regular.

Section 3. There is hereby levied and assessed against each parcel of property described and identified on Exhibit "A" attached hereto, and against the real and true owners thereof (whether such owners be correctly named therein or not) the sums of money itemized for the separate parcels of property. No error or mistake in naming any owner or in describing any property shall invalidate any assessment or any certificate issued in evidence thereof, and the omission of improvements on any particular unit or in front of any property exempt by law from the lien of special assessment for street improvements shall not invalidate any assessment levied. The total amount assessed against the respective parcels of property, and the owners thereof, is in accordance with the proceedings of the Town relating to said improvements and assessments thereof, and is less than the total assessment allowed and permitted by law.

Section 4. Where more than one person, firm or corporation owns an interest in any property, each said person, firm or corporation shall be personally liable only for its, her or his pro rata portion of the total assessment against such property in proportion as its, her or his respective interest in such property bears to the total assessment herein levied on such property; and its, her or his respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

Section 5. The several sums above mentioned and assessed against the said parcels of property, and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, together with reasonable attorneys fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the owners of such property, whether such owners be correctly named or not, and the said

liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first and paramount lien thereon, superior to all other liens and claims, except state, county, school district, and Town ad valorem taxes.

The amounts assessed against the abutting properties and the owners thereof shall be payable upon the acceptance by the Town of the Project or any unit thereof after its completion. Said assessments shall be due and payable on or before thirty (30) days after the acceptance by the Town of the Project or any unit thereof upon which said properties abut, except that, if the abutting owner so elects, complying with the terms hereinafter set forth, said assessments may be paid in installments, as follows, to-wit:

- i. five (5) equal regular annual installments to be paid over a four (4) year period, the first installment being due and payable within thirty (30) days after the completion and acceptance by the Town of the Project or the respective unit abutting the lot, and the remaining installments due respectively on or before the end of each year thereafter until said assessment is paid in full; or
- ii. forty-eight (48) equal regular monthly installments of no less than \$9.00 per month, the first of such installments being due and payable within thirty (30) days after the completion and acceptance by the Town of the Project or the respective unit abutting the lot, and the remaining installments due respectively on or before the end of each of month thereafter until said assessment is paid in full.

Any such assessment to be paid in installments shall bear interest from said date of acceptance at the rate of eight percent (8%) per annum, payable with each installment.

Any owner electing to pay the assessment in installments, as provided for herein, as a condition precedent to such election, must execute a promissory note and mechanic's and materialman's lien contract evidencing the owner's intent to pay the assessment in accordance with the terms hereinabove set forth, and granting a mechanic's lien upon and conveying the said abutting property in trust to secure the payment by the owner. Any owner shall have the right to pay any and all such installments at any time before maturity by paying principal and interest accrued to the date of payment. Should any assessment or installment thereof not be paid on its due date, the Town or its assigns shall have the option to accelerate the entire unpaid balance of the assessment and declare the same to be immediately due and payable and same shall be collectible with accrued interest, reasonable attorney fees and costs of collection, if incurred. This and other terms governing any default in the payment of any installment shall be set forth in the mechanic's and materialman's lien contract and shall be uniform among all owners executing the contract.

In addition, the Town Manager shall have the authority to authorize terms of payment different than those specified herein when he determines that an extreme financial hardship upon the property owner will otherwise result.

Section 6.

Although the aforementioned charges have been fixed, levied and assessed in the respective amounts hereinabove stated, the Town Council does hereby reserve the right to reduce the aforementioned assessments by allowing credits to certain

property owners where deemed appropriate. Notwithstanding the Town Council has herein reserved the right to issue credits, it shall not be required to issue credits, and will not do so, if same would result in inequity or unjust discrimination.

The principal amount of each of the several assessment certificates to be issued by the Town as hereinafter provided, shall be fixed and determined by deducting from the amount of any assessment hereinabove levied such amount or amounts, if any, as may hereafter be allowed by the Town Council as a credit against the respective assessments.

Section 7. If default shall be made in the payment of any assessment, collection thereof shall be enforced either by the sale of the property by the Assessor and Collector of Taxes of the Town as near as possible in the same manner provided for the sale of property for the non-payment of ad valorem taxes, or at the option of the Town, or its assigns, payment of said sums shall be enforced by suit in any court of competent jurisdiction, or as provided in any mechanic's or materialman's contract as aforesaid, and the Town shall exercise all of its lawful powers to aid in the enforcement and collection of said assessment.

Section 8. For the purpose of evidencing the several sums assessed against the respective parcels of abutting property and the owners thereof, and the time and terms of payment, and to aid in the enforcement and collection thereof, assignable certificates in the principal amount of the respective assessments less the amount of any respective credit allowed thereon, shall be issued by the Town upon completion and acceptance by the Town of the improvements in each unit of improvement as the work in such unit is completed and accepted.

Section 9. Any irregularity in the name of the property owner, the description of the property or the amount of the assessment shall not invalidate or impair any assessment levied hereby or any certificate issued, and any such mistake, error, invalidity or irregularity, whether in such assessment or in the certificate issued in evidence thereof may be (but is not required to be in order to be enforceable) corrected at any time by the Town council.

Section 10. All assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

Section 11. The assessments so levied are for the improvements in the particular unit which will serve the property described, and the assessments for the improvements in any unit are in no wise affected by the improvements or assessments in any other unit, and in making assessments and in holding said hearing, the amounts assessed for improvements in any one unit have been in no wise connected with the improvements or the assessments therefor in any other unit.

Section 12. This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the Town of Northlake, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event, the conflicting provisions of such ordinances are hereby repealed.

Section 13. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 14. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A
ASSESSMENTS

Parcel #1

Owner: American Tower LP

Address: Dale Earnhardt Way Property (Property ID 236003)

Description:

BEING a tract of land situated in the Lewis Medlin Survey, Abstract No. 830, Denton County, Texas, same being out of a portion of that certain tract of land conveyed to John S. Blubaugh by Warranty Deed with Vendor's Lien dated June 30, 1981, and recorded in Volume 1110, Page 199, Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the most westerly corner of said Blubaugh tract, same being the most northerly corner of that certain tract of land conveyed to Eddie Sue Latham by Volume 4211, Page 108, Deed Records, Denton County, Texas, being on the center line of Cleveland Gibbs Road (60' access easement), and from which a 1/2" square iron pipe found for the most southerly corner of said Blubaugh tract bears South 71 degrees 13 minutes 26 seconds East, a distance of 2422.62 feet;

THENCE along the southwesterly line of said Blubaugh tract, South 71 degrees 13 minutes 26 seconds East, a distance of 34.78 feet to 5/8" iron rod set for the POINT OF BEGINNING hereof, same being the intersection of the southwesterly line of said Blubaugh tract with the southeasterly line of said access easement;

THENCE along the southeasterly line of said access easement, North 49 degrees 10 minutes 24 seconds East, a distance of 115.94 feet to a 5/8" iron rod set;

THENCE through the interior of said Blubaugh tract, South 71 degrees 13 minutes 26 seconds East, a distance of 70.67 feet to a 5/8" iron rod set;

THENCE continuing through the interior of said Blubaugh tract, South 18 degrees 46 minutes 34 seconds West, a distance of 100.00 feet to a 5/8" iron rod set, same being on the southwesterly line of said Blubaugh tract, also being the northeasterly line of said Lathan tract;

THENCE along the southwesterly line of said Blubaugh tract, also being the northeasterly line of said Latham tract North 71 degrees 13 minutes 26 seconds West, a distance of 129.33 feet to the POINT OF BEGINNING hereof and containing 0.2296 acres or 10000 square feet of land, more or less.

Assessment: \$343.27

Parcel #2

Owner: Checkered Flag Investments LTD

Address: 4351 Dale Earnhardt Way

Description: Lot 2, Block A, H3 Cattle Addition, an addition in the extraterritorial jurisdiction of the Town of Northlake, Denton County, Texas, as described in the plat filed for record as Document Number 2017-346 in the Plat Records of Denton County, Texas.

Assessment: \$76,115.43

Parcel #3

Owner: PS LPT Properties Investors (All Storage)

Address: 4415 Dale Earnhardt Way

Description: Lot 1, Block A, All Storage Northlake Addition, an addition in the extraterritorial jurisdiction of the Town of Northlake, Denton County, Texas, as described in the plat filed for record as Document Number 2020-262 in the Plat Records of Denton County, Texas.

Assessment: \$366,578.27

Parcel #4:

Owner: Austin Two Tracts LP

Address: Dale Earnhardt Way (Property ID 68367, 68991, 68713)

Description:

Being a 11.44 acre tract of land situated in the Edward F. Springer Survey, Abstract No. 1165, the Lewis Medlin Survey, Abstract No. 830 and the M.E.P. & P.R.R. Company Survey, Abstract No 943, Denton County, Texas and being all of that certain tract conveyed by deed to Austin Two Tracts, L.P., as recorded in Volume 4049, Page 998, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod, being the southwest corner of Lipscomb, LTD tract as recorded in Instrument Number 2002-75040, Deed Records, Denton County, Texas, also being in the north right-of-way line of State Highway 114 (a variable width right-of-way);

THENCE North 68°49'57" West, along said north right-of-way line, a distance of 1044.65 feet to a found 5/8 inch iron rod;

THENCE North 65°51 '27" West, continuing along said north right-of-way line, a distance 555.06 feet to a found 5/8 inch iron rod;

THENCE North 63° 13'43" West, a distance 596.73 feet to a found 5/8 inch iron rod;

THENCE North 64°14'10" West, a distance 146.45 feet to a found 5/8 inch iron rod;

THENCE North 18°06'21" West, a distance 164.21 feet to a set 1/2 inch iron rod with "Graham Associates, Inc." (GAI) cap, being in the intersection of said north right-of-way line and in the existing southeast right-of-way line of Dale Earnhardt Way (having a variable width right-of-way);

THENCE South 69°02'52" East, leaving said north right-of-way line, along the south line of Lot 1, Block A, Urban Garages Addition, as recorded in Instrument No. 2018-500, Plat Records, Denton County, Texas, a distance of 2511.31 feet to a found 2 inch pipe, being the southeast corner of said Lot 1 and being in the west line of said Lipscomb, LTD tract;

THENCE South 37°23'5 1" West, along said west line, a distance of 245.14 to the POINT OF BEGINNING and containing 498,3 18 square feet or 11 .44 acres of land more or less.

Assessment: \$17,411.15

Parcel #5

Owner: Multiple Owners Described Below (Urban Garages)

Address: 4451 Dale Earnhardt Way

Description: Lot 1, Block A, Urban Garages Addition, an addition in the extraterritorial jurisdiction of the Town of Northlake, Denton County, Texas, as described in the plat filed for record as Document Number 2018-500 in the Plat Records of Denton County, Texas.

Assessment: \$186,236.94

Individual owner proportionate shares:

1. 114 AND DALE LLC	Assessment: \$58,009.00
2. APB NORTHLAKE LLC	Assessment: \$51,495.84
3. BARON PARTNERS LLC	Assessment: \$3,559.91
4. BETHEA BROTHERS LLC	Assessment: \$5,135.68
5. C&H URBAN COLLECTIVE LLC	Assessment: \$4,102.79
6. C7 GROUP LLC	Assessment: \$2,567.84
7. CHOCHOLEK, DREW E & LAUREL	Assessment: \$3,599.73
8. EMANON PROPERTIES LLC	Assessment: \$3,599.73
9. FLORES, LUIS ALBERTO CORDOBA & CORDOBA, LUIS ALBERTO JR	Assessment: \$3,000.28
10. K & A UNITED LLC	Assessment: \$3,000.28
11. KLEIN, STEVEN ALLEN & NICHOLAS WILLIAM	Assessment: \$3,162.96
12. MOTHER DAUGHTER PROPERTIES LLC	Assessment: \$5,934.22
13. NRM HOLDINGS LLC	Assessment: \$7,119.82
14. PARKWAY COMMERCIAL REALTY LLC SERIES 4	Assessment: \$19,752.63
15. PATEL, ALPESH & AVANI	Assessment: \$2,629.11
16. RAILSBACK, R BRENT & CRYSTAL F	Assessment: \$3,599.73
17. SUSKO, STEVEN JAMES & MONIKA KATHERINE TRS SUSKO 2007 FAMILY TRUST	Assessment: \$3,000.28
18. TURPIN RESERVOIR INVESTMENTS LLC	Assessment: \$2,967.11

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Texas Local Government Code, Chapter 43 - Municipal Annexations; Development Agreement with Austin Two Tracts

SUBJECT: Consider adoption of an Ordinance of the Town of Northlake, Texas, providing for the annexation of approximately 11.44 acres of land situated in the Edward F. Springer Survey, Abstract No. 1165, the Lewis Medlin Survey, Abstract No. 830, and the M.E.P. & P.R.R. Company Survey, Abstract No. 943, generally located north of SH 114 and east of Dale Earnhardt Way contiguous to the current town limits of Northlake, Texas, in the Town's exclusive extraterritorial jurisdiction. Case # ANX-24-003

i. Public Hearing

ii. Consider Ordinance

GOALS/ OBJECTIVES: Advance Northlake's Interest; 5.1 - Manage the town's municipal boundaries, Advance Northlake's Interest; 5.2 - Capture and incorporate the extraterritorial jurisdiction

BACKGROUND INFORMATION:

- Austin Two Tracts, L.P. owns 11.44 acres in Northlake ETJ
 - East of Dale Earnhardt Way and North of SH 114
 - Proposed 3-lot commercial development to be known as Northlake Corner
- May 23, 2024: Town Council approved development agreement with owner
 - Constitutes petition for voluntary annexation with service plan
 - Immediate annexation for eastern two-thirds of property
 - Eastern portion of property is not contiguous with Town limits
 - Requires annexation of TxDOT right-of-way or remaining portion of Austin Two Tracts property
 - Annexation of western one-third of property upon:
 - Unified Development Code (UDC) amendment to allow digital billboard per DA (development agreement); and
 - Earlier TxDOT approval of billboard permit, construction of billboard, and final approval by TxDOT, or 24 months from execution of DA
- September 5, 2024: Owner submitted petition for voluntary annexation of full property to expedite annexation prior to completion of all conditions of DA
- September 12, 2024: Council called and authorized public hearing to be held at this meeting
 - All required notice provided

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve annexation ordinance



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO. 24-0912B

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, PROVIDING FOR THE ANNEXATION OF A TERRITORY MORE SPECIFICALLY DESCRIBED HEREIN, BUT GENERALLY COMPRISING APPROXIMATELY 11.44 ACRES LOCATED IN A PORTION OF THE EDWARD E. SPRINGER SURVEY, ABSTRACT NO. 1165, THE LEWIS MEDLIN SURVEY, ABSTRACT NO. 830, AND THE M.E.P. & P.R.R. COMPANY SURVEY, ABSTRACT NO. 943, SITUATED IN THE EXTRA-TERRITORIAL JURISDICTION OF THE TOWN OF NORTHLAKE, DENTON COUNTY, TEXAS; EXTENDING THE BOUNDARY OF THE LIMITS OF SAID TOWN OF NORTHLAKE, TEXAS, FOR ALL MUNICIPAL PURPOSES; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Northlake, Texas is a home rule municipality acting under its charter adopted by the electorate pursuant to article XI, section 5 of the Texas Constitution and chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 43.0671 of the Texas Local Government Code permits a municipality to annex an area upon the request of the landowner(s); and

WHEREAS, on May 29, 2024, a development agreement executed between Austin Two Tracts, L.P., the owner of certain property located within the extraterritorial jurisdiction of the Town, and the Town of Northlake was recorded in the Real Property Records of Denton County; and

WHEREAS, the development agreement constitutes a service plan pursuant to Section 43.0672 of the Texas Local Government Code; and

WHEREAS, on or about September 5, 2024, the owner submitted a petition for voluntary annexation into the Town pursuant to Chapter 43, Subchapter C-3; and

WHEREAS, pursuant to the requirements of subchapter C-3 of chapter 43 of the Local Government Code, a public hearing to hear arguments for and against the requested annexation was held before the Northlake Town Council on October 10, 2024; and

WHEREAS, all of the territory described herein is adjacent to and within one mile of the present, corporate limits of the Town, and within the extraterritorial jurisdiction of the Town; and

WHEREAS, all requirements of the law have been met for this annexation, including compliance with

Section 43.0673 of the Texas Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

- Section 1.** All of the territory described herein is, for all purposes, annexed into the Town, and the Town limits are extended to include such territory, to wit: An approximate 11.44 acres located in a portion of the Edward F. Springer Survey, Abstract No. 1165, the Lewis Medlin Survey, Abstract No. 830, and the M.E.P. & P.R.R. Company Survey, Abstract No. 943, more particularly described in Exhibit "A" attached hereto and incorporated herein, for all purposes.
- Section 2.** The owners and inhabitants of the annexed territory are entitled to all of the rights and privileges of all other citizens and property owners of the Town and are bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be subsequently adopted.
- Section 3.** The official map and boundaries of the Town, previously adopted, is amended to include the newly annexed territory as a part of the Town of Northlake, Texas. The Town Secretary is directed and authorized to perform or cause to be performed all acts necessary to revise the official map of the Town to add the territory annexed as required by law.
- Section 4.** The Town Secretary is directed to file or cause to file the certified copy of this Ordinance in the office of the County Clerk of Denton County, Texas, and provide a copy of this Ordinance to the Denton County, mapping department and the Denton County Central Appraisal District.
- Section 5.** This Ordinance shall be cumulative of all provisions of ordinances of the Town, except where the provisions are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.
- Section 6.** If any section, sentence, phrase, paragraph or word of this ordinance be found to be illegal, invalid or unconstitutional, or if any portion of said property is incapable of being annexed by the town, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph, or provision of any other ordinance of the town. The town council declares that it would have adopted the valid portion and applications of this ordinance and would have annexed and does hereby annex the valid property without the invalid part, and to this end the provisions of the ordinance are declared to be severable.
- Section 7.** This ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary



Exhibit A
Property

STATE OF TEXAS §
COUNTY OF DENTON §

Being a 11.44 acre tract of land situated in the Edward F. Springer Survey, Abstract No. 1165, the Lewis Medlin Survey, Abstract No. 830 and the M.E.P. & P.R.R. Company Survey, Abstract No 943, Denton County, Texas and being all of that certain tract conveyed by deed to Austin Two Tracts, L.P., as recorded in Volume 4049, Page 998, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod, being the southwest corner of Lipscomb, LTD tract as recorded in Instrument Number 2002-75040, Deed Records, Denton County, Texas, also being in the north right-of-way line of State Highway 114 (a variable width right-of-way);

THENCE North 68°49'57" West, along said north right-of-way line, a distance of 1044.65 feet to a found 5/8 inch iron rod;

THENCE North 65°51'27" West, continuing along said north right-of-way line, a distance 555.06 feet to a found 5/8 inch iron rod;

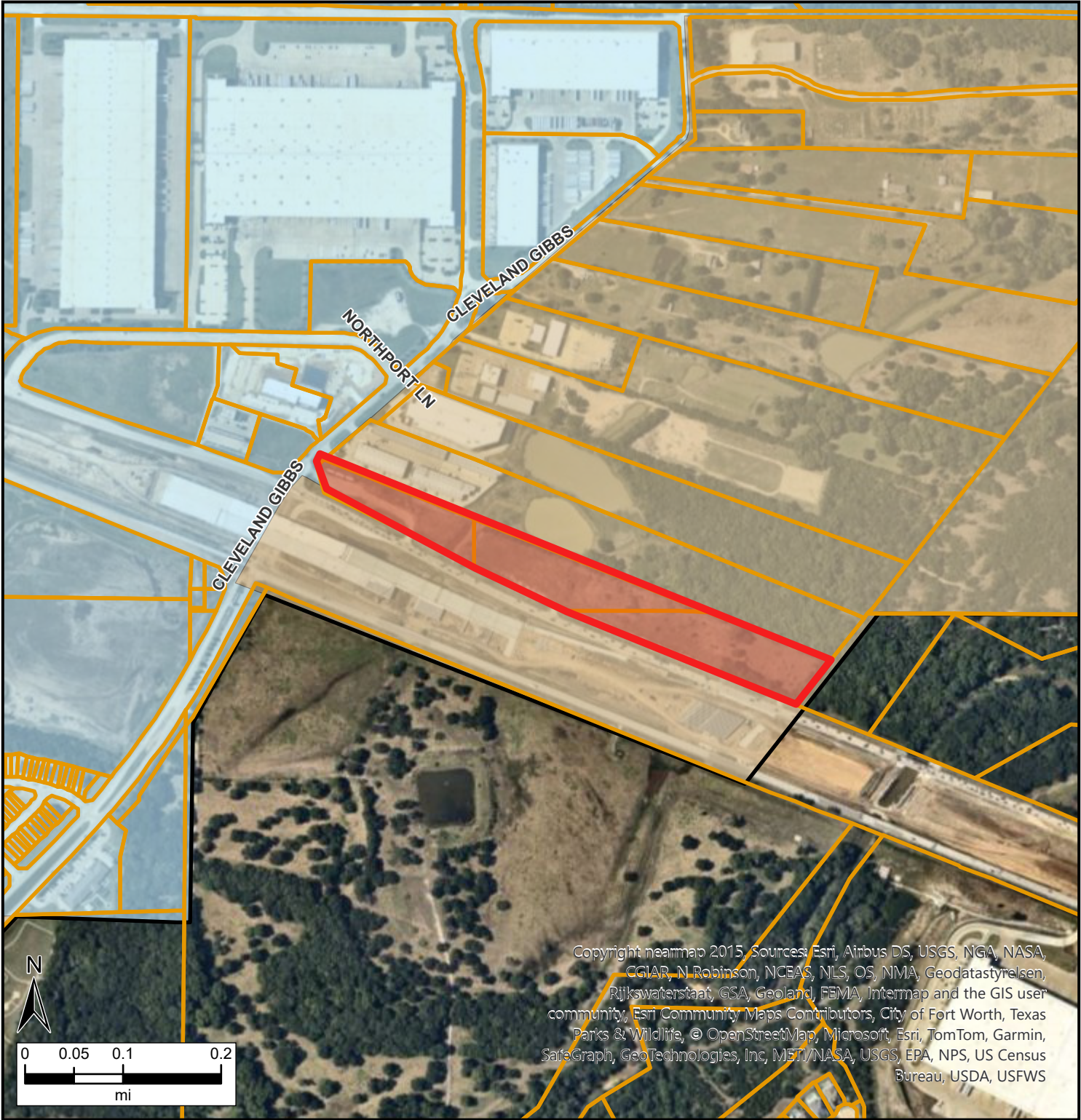
THENCE North 63°13'43" West, a distance 596.73 feet to a found 5/8 inch iron rod;

THENCE North 64°14'10" West, a distance 146.45 feet to a found 5/8 inch iron rod;

THENCE North 18°06'21" West, a distance 164.21 feet to a set 1/2 inch iron rod with "Graham Associates, Inc." (GAI) cap, being in the intersection of said north right-of-way line and in the existing southeast right-of-way line of Dale Earnhardt Way (having a variable width right-of-way);

THENCE South 69°02'52" East, leaving said north right-of-way line, along the south line of Lot 1, Block A, Urban Garages Addition, as recorded in Instrument No. 2018-500, Plat Records, Denton County, Texas, a distance of 2511.31 feet to a found 2 inch pipe, being the southeast corner of said Lot 1 and being in the west line of said Lipscomb, LTD tract;

THENCE South 37°23'51" West, along said west line, a distance of 245.14 to the POINT OF BEGINNING and containing 498,318 square feet or 11.44 acres of land more or less.



Legend

Existing Roads

Estimated OCI

0.0 - 49.9

50.0 - 74.9

75.0 - 99.4

out of range

Parcels

Northlake Boundary

Town of Northlake Incorporated Area and ETJ

Incorporated Area

Extraterritorial Jurisdiction

Limited Purposes Annexation

Nearmap Reference Layer

RGB

Red: Band_1

Green: Band_2

Blue: Band_3





September 5th, 2024

Town of Northlake
Attn: Mayor and Town Council
1500 Commons Circle, Suite 300
Northlake, Texas 76226

Re: Landowner Annexation Petition – 11.44 Acres

Mayor And Town Council:

Austin Two Tracts, L.P. (the “Owner”), the owner of approximately 11.44 acres of land described by metes and bounds in Exhibit A attached to and incorporated herein (the “Property”), hereby petitions the Town Council to annex the Property into the corporate limits of the Town of Northlake, Texas (the “Town”) pursuant to Texas Local Government Code, Section 43.0671, and pursuant to the Development Agreement (the “Agreement”) entered into between the Owner and the Town dated April 11, 2024.

Owner certifies that this petition is signed and acknowledged by all persons having an interest and ownership in the Property and further certifies that the Property is within the Town’s extraterritorial jurisdiction, contiguous to the Town, and without residents or on which fewer than three qualified voters reside. By submitting this petition to the Town, the Owner consents to the immediate annexation of the entire Property, which include all of Tracts 1, 2, and 3 depicted in the Agreement.

Owner requests that the Town Council hear this petition and the arguments for and against annexation, grant the petition, and annex the Property.

Sincerely,

Austin Two Tracts, LP

By: HC Operating, L.P., its general partner

By: HC Operating GP, LLC, its general partner

By: _____

Donald Huffines, Managing Director

By: _____

Phillip Huffines, Managing Director



Exhibit A
Property

STATE OF TEXAS §
COUNTY OF DENTON §

Being a 11.44 acre tract of land situated in the Edward F. Springer Survey, Abstract No. 1165, the Lewis Medlin Survey, Abstract No. 830 and the M.E.P. & P.R.R. Company Survey, Abstract No 943, Denton County, Texas and being all of that certain tract conveyed by deed to Austin Two Tracts, L.P., as recorded in Volume 4049, Page 998, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod, being the southwest corner of Lipscomb, LTD tract as recorded in Instrument Number 2002-75040, Deed Records, Denton County, Texas, also being in the north right-of-way line of State Highway 114 (a variable width right-of-way);

THENCE North 68°49'57" West, along said north right-of-way line, a distance of 1044.65 feet to a found 5/8 inch iron rod;

THENCE North 65°51'27" West, continuing along said north right-of-way line, a distance 555.06 feet to a found 5/8 inch iron rod;

THENCE North 63°13'43" West, a distance 596.73 feet to a found 5/8 inch iron rod;

THENCE North 64°14'10" West, a distance 146.45 feet to a found 5/8 inch iron rod;

THENCE North 18°06'21" West, a distance 164.21 feet to a set 1/2 inch iron rod with "Graham Associates, Inc." (GAI) cap, being in the intersection of said north right-of-way line and in the existing southeast right-of-way line of Dale Earnhardt Way (having a variable width right-of-way);

THENCE South 69°02'52" East, leaving said north right-of-way line, along the south line of Lot 1, Block A, Urban Garages Addition, as recorded in Instrument No. 2018-500, Plat Records, Denton County, Texas, a distance of 2511.31 feet to a found 2 inch pipe, being the southeast corner of said Lot 1 and being in the west line of said Lipscomb, LTD tract;

THENCE South 37°23'51" West, along said west line, a distance of 245.14 to the POINT OF BEGINNING and containing 498,318 square feet or 11.44 acres of land more or less.

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Unified Development Code (UDC); Pecan Square Mixed-Use Planned Development (MPD)

SUBJECT: Consider adoption of an Ordinance of the Town Council of the Town of Northlake, Texas, amending Ordinance No. 17-0413E, as amended, to add an Institutional Subdistrict and related development standards for approximately 11.54 acres of that certain 160.374-acre tract of land in the A. McDonald Survey, Abstract No. 785, in the Town of Northlake zoned "MPD" Mixed-Use Planned Development, generally located south of FM 407 and west of the intersection with Faught Road. Case # 24-PDA00001

- i. Public Hearing
- ii. Consider Adoption

GOALS/ OBJECTIVES: Plan Intentionally and Responsibly; 3.1 - Identify and plan for changes in codes and zoning that enhance desired development, Plan Intentionally and Responsibly; 3.3 - Review and revise town plans as needed

BACKGROUND INFORMATION:

Site Approximately 11.54 acres south of FM 407 and west of intersection with Faught Road. Part of 160.374-acre Thompson Tract zoning for Pecan Square.

Owner: Northlake Bible Church Inc.

Applicant/Developer: Arlos Group, LLC

Current Zoning: Mixed-Use Planned Development (MPD)

- Site within Estate Subdistrict of MPD

Background:

- Church acquired property in 2019
- Discovered Estate Subdistrict does not list Church/Place of Worship as permitted use at location
 - Applicant initially submitted application to revise concept plan for property to Commercial Subdistrict which lists Church/Place of Worship as permitted use
 - Concept plan amendment required Town Council approval only
 - Town Council tabled consideration of concept plan amendment at July 25th meeting in order to work together with applicant to address concerns with change from Estate Subdistrict
- Applicant updated application to amend planned development, providing for typical zoning process with public hearings and recommendation by P&Z

Proposed Amendment: Proposed MPD amendment includes:

- Revised Exhibit B, Concept Plan
 - Adds Institutional Subdistrict covering 11.54-acre church property only

- Revised Exhibit C - Development Regulations
 - Adds definition for Institutional Subdistrict
 - Adds permitted uses for Institutional Subdistrict, specifically church and daycare
 - Adds development standards for Institutional Subdistrict
 - Adds landscaping, buffers, and screening regulations specific to Institutional Subdistrict
 - Adds lighting regulation specific to Institutional Subdistrict

See the following attachments for more information on the request:

- Proposed Ordinance
 - Exhibit A - Revisions to MPD
- Exhibit 1 - Aerial/Location Map
- Exhibit 2 - Supplemental information
- Exhibit 3 - Public comments

Comprehensive Plan's Future Development Plan:

- Suburban Neighborhood place type
 - Provides for low-to-moderate density residential land uses intermixed with areas of supporting commercial development.
 - Supporting uses including limited retail uses. Other ancillary institutional and public uses such as schools and places of worship should be incorporated when appropriate.
- Community Design Considerations
 - Reserve land for parks, schools, churches, and other civic and institutional uses

Staff Analysis:

- Applicant has provided application for planned development amendment in accordance with UDC requirements
- Requested revisions fit with Future Development Plan place type designation of Northlake Comprehensive Plan
- Planned development amendment application is acceptable for consideration

Public Hearing:

- Public hearing is required prior to acting on zoning change request
- Notices were mailed to Northlake property owners within 200 feet, signs posted, and published in the Denton Record Chronicle and on the Town's website
 - As of October 2nd one written comment has been received which is attached.

P&Z Action:

September 17th Planning & Zoning Commission Meeting

- Held public hearing with no speakers for or against
- Unanimously recommended approval of planned development

amendment as presented

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve, approve with conditions, or disapprove of planned development amendment as presented in proposed ordinance



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 17-0413E, AS AMENDED, TO ADD AN INSTITUTIONAL SUBDISTRICT AND RELATED DEVELOPMENT STANDARDS FOR THAT CERTAIN 160.374-ACRE TRACT OF LAND SITUATED IN THE A. MCDONALD SURVEY, ABSTRACT NUMBER 785, IN THE TOWN OF NORTHLAKE ZONED "MPD" MIXED-USE PLANNED DEVELOPMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Northlake, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 17-0413E establishing "MPD" Mixed-Use Planned Development zoning on a 160.374-acre tract of land located in the A. McDonald Survey, Abstract Number 785, in the Town of Northlake, Denton County, Texas, more particularly described on Exhibit A of Ordinance No. 17-0413E (the "Property"); and

WHEREAS, the Town of Northlake has received a request from Northlake Bible Church Inc., the owner of approximately 11.54 acres of the Property to amend the concept plan and development standards established by the adoption of Ordinance No. 17-0413E; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 24-0222A on February 22, 2024, The Northlake Next Comprehensive Plan 2045, and the requested rezoning complies with recommendations of the plan; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for zoning of property have been complied with; and

WHEREAS, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on September 17, 2024, the Planning and Zoning Commission recommended approval of the amendment as provided herein; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on October 10, 2024, with respect to the amendment described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the requested amendments to Ordinance No. 17-0413E reflected on the exhibits attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The “MPD” Mixed-Use Planned Development District is hereby amended for the Property so that henceforth and hereafter the Planned Development regulations shall be amended as provided in Exhibit A. The Property shall be developed and used in accordance with the Planned Development Standards and exhibits in Exhibit “A” which is hereby approved. All requirements and regulations not addressed in the text of the Planned Development regulations shall be subject to the regulations contained in the Unified Development Code of the Town of Northlake, Texas and all other applicable and pertinent ordinances of the Town of Northlake.

Section 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance with Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 4. With the exception of those Ordinances expressly repealed herein, this Ordinance shall be cumulative of all provisions of Ordinances of the Town of Northlake, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more stringent provision shall apply and the less stringent provision, whether contained within this Ordinance or in any prior Ordinance of the Town, whether codified or un-codified, is hereby repealed to the extent of the conflict, but all other provisions of the Ordinances of the Town, whether codified or un-codified, which are not in conflict with the provisions of the Ordinance, shall remain in full force and effect.

Section 5. All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of this Ordinance, or any other Ordinances affecting the matters addressed herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

Section 6. The Town Secretary of the Town of Northlake is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A

PROPOSED REVISIONS TO THE
PECAN SQUARE (THOMPSON TRACT)
PD REGULATIONS

FOR

NORTHLAKE BIBLE CHURCH SITE

Exhibit B
Concept Plan
CONCEPT PLAN
OPTION 2



LEGEND	
SYMBOL	DESCRIPTION
[Yellow]	Traditional
[Light Yellow]	Estate
[Green]	Open Space
[Light Blue]	Waste Water Management
[Light Grey]	Plant
[Dark Grey]	School Site
[Red]	Commercial
[Orange]	Mixed Use
[Light Orange]	Lifestyle
[Purple]	Institutional

[Dashed Line]	Boundary Line Between Young, Gibbs and Thompson
Notes	
- All locations of boundaries, land uses and roads are approximate	

Exhibit C
Development Regulations

I. DEFINITIONS

1. Commercial Subdistrict means the area designated "Commercial" on the Concept Plan.
2. Concept Plan means either of the two concept plans attached as **Exhibit B**, as amended from time to time in accordance with Section III of this Ordinance. The boundaries of each subdistrict on the original Concept Plan are conceptual and are expected to change as the development plan and engineering details for the Property are finalized.
3. Development means the property shown on **Exhibit D** consisting of the Gibbs, Young, and Thompson tracts.
4. District means Northlake Municipal Management District No. 1, including any future expansions and any districts resulting from the subdivision of Northlake Municipal Management District No. 1.
5. EDM means the Engineering Design Manual, as amended following the fifth anniversary of the Town Council's adoption of this PD Ordinance.
- ~~6.~~ Estate Subdistrict means the area designated "Estate" on the Concept Plan.
- ~~6.7.~~ Institutional Subdistrict means the area designated "Institutional" on the Concept Plan.
- ~~7.8.~~ Lifestyle Subdistrict means the area designated "Lifestyle" on the Concept Plan.
- ~~8.9.~~ Masonry means brick, stone, stucco, and hardiplank (cementitious fiberboard).
- ~~9.10.~~ Mews lot means a lot accessed by an alley and fronting on an open space area rather than a street.
- ~~10.11.~~ Mixed Use Subdistrict means the area designated "Mixed Use" on the Concept Plan.
- ~~11.12.~~ Open space means the open space areas designated on the Open Space Plan and Concept Plan.
- ~~12.13.~~ Open Space Plan means either of the two open space plans attached as **Exhibit E**, as amended from time to time in accordance with Section V of this Ordinance.
- ~~13.14.~~ PD Ordinance means Ordinance No. 17-0413E creating this planned development district.
- ~~14.15.~~ Property means the 160.374-acre tract of land described on **Exhibit A**.

~~15.16.~~ Street Sections means **Exhibit F**.

~~16.17.~~ Traditional Subdistrict means the area designated "Traditional" on the Concept Plan.

~~17.18.~~ UDC means the Town of Northlake Unified Development Code, as amended following the fifth anniversary of the Town Council's adoption of this PD Ordinance.

II. EFFECTIVE DATE; APPLICABLE REGULATIONS

1. Effective Date. Ordinance No. 17-0413E and this PD Ordinance shall become effective upon publication as required by law and upon HP Gibbs, LP or its designee acquiring ownership of the Property. If HP Gibbs, LP or its designee has not acquired ownership of the Property by December 31, 2018, Ordinance No. 17-0413E and this PD Ordinance shall become void and shall be of no further force or effect, and the preexisting zoning of the Property shall be automatically reinstated on the Property.
2. Applicable Regulations. Development and use of the Property shall comply with this PD Ordinance, the UDC, and the EDM, and any other applicable ordinance not specifically modified herein. In the event of a conflict between this PD Ordinance and any other applicable Town ordinances, this PD Ordinance shall control.

III. CONCEPT PLAN; SITE PLANS

1. Development of the Property shall generally comply with the Concept Plan.
2. The following changes to the Concept Plan are minor and do not require Town approval: realignment of roadways, the size of each subdistrict provided the size does not change by more than 15 percent from the size of the subdistrict shown on the original Concept Plan attached to this PD Ordinance, changes to the configuration of the open space areas shown on the original Concept Plan provided a minimum of 15 percent of the overall Development shall be used as open space. Open space areas shall be a minimum of 0.5 acres in size to satisfy the minimum 15 percent requirement. The amended Concept Plan shall satisfy all applicable regulations.
3. All changes to the Concept Plan that do not fall under Section III(2) shall require Town Council approval. This procedure is not considered a change in zoning, and no public hearing shall be required.
4. No site plan approval shall be required for any development within the Property other than non-residential development (excluding amenity centers and any uses within an open space area). For non-residential development, site plan approval shall be required in accordance with Section 12.15 of the UDC, and the criteria for approval shall be that the site plan demonstrates compliance with this PD Ordinance.

5. With the exception of the approvals required by this Section III, no other concept plan, site plan, development plan, landscaping plan or other plan approvals of any kind are required except in connection with the standard building permit review and approval process.

IV. BASE ZONING DISTRICTS; PERMITTED USES

- ~~1.~~ Lifestyle, Traditional, and Estate Subdistricts. The base zoning district for the Lifestyle, Traditional, and Estate Subdistricts shall be the "MU" Mixed Use Zoning District. Permitted uses shall be limited to agricultural uses, single family detached homes, parks, public primary and secondary schools, a public school stadium, and sports facilities, all of which are permitted by right.
- ~~1.2.~~ Institutional Subdistrict. Permitted uses shall be limited to agricultural uses, parks, church/place of worship, and day care, all of which are permitted by right. A Specific Use Permit shall be required for school, primary and secondary (private) and school, college or trade (private).
- ~~2.3.~~ Commercial Subdistrict. Permitted uses shall be all principal and accessory uses which are allowed by right in the "C" Commercial Zoning District, in accordance with Table 5.2 of the UDC. In addition, agricultural uses are permitted by right. A Specific Use Permit shall be required for all uses otherwise requiring a Specific Use Permit in the "C" Commercial Zoning District, in accordance with Table 5.2 of the UDC.
- ~~3.4.~~ Mixed Use Subdistrict. Permitted uses shall be all principal and accessory uses which are allowed by right in the "MU" Mixed Use Zoning District, in accordance with Table 5.2 of the UDC, including but not limited to single family detached and single family attached homes, except as follows: agricultural uses, public primary and secondary schools, a public school stadium, and sports facilities are permitted by right, and multifamily and duplex uses are prohibited. A Specific Use Permit shall be required for all uses otherwise requiring a Specific Use Permit in the "MU" Mixed Use Zoning District, in accordance with Table 5.2 of the UDC.
- ~~4.5.~~ Accessory Uses. All uses that are customarily incidental to the main use on the same platted lot shall be permitted as accessory uses. Accessory uses may include agricultural uses, including in connection with an amenity center. In addition, the following accessory uses identified in the UDC are permitted subject to any restrictions in the UDC that are applicable to these uses: accessory buildings, accessory dwellings, basic utilities, home occupations, and outdoor recreation areas (lighted).
- ~~5.6.~~ Temporary Uses. Temporary uses, including construction offices and temporary concrete/asphalt batching plants, shall be permitted in accordance with Section 5.12 of the UDC. Model homes are permitted by right.

V. OPEN SPACE

1. Development of the Property shall generally comply with the Open Space Plan. The following changes to the Open Space Plan are minor and do not require Town approval: changes to the configuration of the open space areas shown on the original Open Space Plan provided a minimum of 15 percent of the overall Development shall be used as open space. Open space areas shall be a minimum of 0.5 acres in size to satisfy the minimum 15 percent requirement. All other changes to the Open Space Plan shall require Town Council approval. This procedure is not considered a change in zoning, and no public hearing shall be required.
2. The following improvements are permitted within the open space: landscaping, hardscaping, an amenity center, the existing arena and barn, fountains, ponds, lakes, lighting, signage related to the open space, fencing, trails, pavilions, swimming pools, playground equipment, and similar improvements that are customarily found in parks and open spaces.
3. The following uses are permitted within open space: passive and active recreational uses, meeting space and offices, community gardens, other agricultural uses, one or more amenity centers, food truck or other food and entertainment vending operations, fireworks on national holidays, and similar uses.
4. Open space shall be owned and maintained by a home owners association or the District.
5. With the exception of controlled access areas, including but not limited to the amenity center, pool areas, and any buildings, open space shall be open to the general public.
6. Open space may include: playground equipment for small children; multiple purpose hard surfaced play areas; space for court games, such as basketball, tennis, volleyball and in-line hockey; playfield space for non-organized competitive games such as baseball, football or soccer; picnic tables and grills; restrooms; and drinking fountains and sitting areas.
7. The Open Space Plan shall be deemed to fully satisfy all of the Town's requirements for park land dedication, payment of park fees including any fees in lieu of dedication, and private open space.
8. The requirements in this Section V shall be the exclusive open space requirements applicable to the Property. Without limiting the foregoing, Sections 9.6 through 9.9 of the UDC shall not apply.

VI. DEVELOPMENT STANDARDS

1. Residential. Development of the Lifestyle, Traditional, and Estate Subdistricts shall comply with Table 1 below. The following shall comply with the Estate Subdistrict development standards: an amenity center, any modifications to the existing arena and barn, a school, a stadium, and a sports facility. The requirements

in this Section VI are the exclusive lot size, setback, building height, lot coverage, roof pitch, dwelling size, and masonry requirements applicable to the Lifestyle, Traditional, and Estate Subdistricts.

2. Institutional. The Institutional Subdistrict shall be developed in accordance with the rules applicable to the "NC" Neighborhood Commercial Zoning District, except as modified below:

a. Minimum yard setbacks. 150 ft adjacent to street and 75 feet on side/rear

4.b. Maximum height. 40 ft. Height may be increased upon approval of a Specific Use Permit.

2.3. Commercial. The Commercial Subdistrict shall be developed in accordance with the rules applicable to the "C" Commercial Zoning District, except as otherwise modified by this PD Ordinance.

3.4. Mixed Use. The Mixed Use Subdistrict shall be developed in accordance with Section VI(2) above for non-residential development. In addition, the mixed use development standards in Section 5.9(D) of the UDC shall apply to non-residential development in the Mixed Use Subdistrict. Development of single family detached and attached uses in the Mixed Use Subdistrict shall comply with Table 1 below. The requirements in this Section VI are the exclusive lot size, setback, building height, lot coverage, roof pitch, dwelling size, and masonry requirements applicable to the Mixed Use Subdistrict.

4.5. Gas Well Setbacks. All future developments adjacent to an existing oil or gas well site shall observe the following setbacks, which shall be the exclusive setback requirements for new development near a gas well, gas pipeline, or any related improvements regardless of any conflicting provisions in the UDC, the Town's building and fire codes, or any other provision of the Town's Code of Ordinances:

- a. A minimum 150 feet of separation shall be required from the well bore hole to any property line.
- b. A minimum 300 feet of separation shall be required from the well bore hole to the closest buildable portion of a lot.
- c. A minimum 20 feet of separation shall be required from any gas well collection pipe line to the closest buildable portion of a lot.

5.6. Height Exception. Notwithstanding anything to the contrary in this Section VI, there shall be no story or height limit on an amenity center or the existing arena and barn, or for a stadium or sports facilities, including ancillary structures.

6.7. Overall Density. The maximum residential density shall be three units per gross acre within the overall Development.

[TABLE 1 ON FOLLOWING PAGE]

TABLE 1								
Development Standard	Subdistrict							
	Lifestyle		Traditional			Estate	Mixed Use	
							Attached SF	Detached SF
Minimum Lot Width	40' (Rear Entry)	50'	50'	60'	70'	100'	22'	40' (Rear Entry)
Minimum Lot Depth	90'	110'	115'	115	125'	200'	80'	90'
Minimum Front Yard Setback	10'	20'	20'	20'	20'	25'	None	10'
Minimum Side Yard Setback	10' spacing between homes on separate lots	5'	5'	5'	5'	10'	None	10' spacing between homes on separate lots
Minimum Rear Yard Setback	7.5'	10'	10'	10'	10'	20'	None	7.5'
Porch Minimum Front Yard Setback	5'	12'	12'	12'	12'	12'	None	5'
Front Porch Minimum Depth	4'	4'	4'	4'	4'	4'	4'	4'
Front Porch Maximum depth	5'	12'	12'	12'	12'	12'	12'	5'
Garage Minimum Front Yard Setback	N/A	20'	20'	20'	20'	25'	N/A	N/A
Garage Minimum Rear Yard Setback	7.5'	10'	10'	10'	10'	10'	3.5'	7.5'
Garage Minimum Side Yard Setback	10' spacing between garages on separate lots	5'	5'	5'	5'	10'	None	10' spacing between garages on separate lots
Maximum Building/Structure Height	40'	40'	40'	40'	40'	40'	50'	40'
Maximum Number of Stories	2	2	2	2	2	2	2.5	2
Maximum Lot Coverage	65%	55%	55%	55%	55%	55%	100%	65%
Minimum Roof Pitch	8:12	6:12	6:12	6:12	6:12	6:12	6:12	8:12
Minimum Dwelling Size	1,300 SF	1,600 SF	1,700 SF	2,000 SF	2,200 SF	2,400 SF	1,200 SF	1,300 SF
Minimum Masonry % on Exterior of Residence (excluding porch floor, columns, and roof trim)	100%	100%	100%	100%	100%	100%	100%	100%
Maximum Size of Accessory Buildings (cumulative)	600 SF	600 SF	600 SF	600 SF	600 SF	600 SF	N/A	600 SF
Maximum Building Area Occupied for Home Business/Home Occupation	600 SF	600 SF	600 SF	600 SF	600 SF	600 SF	600 SF	600 SF
Maximum # of Units per Subdistrict (per Concept Plan 1)*	1175		1750			96	490	

TABLE 1							
Development Standard	Subdistrict						
	Lifestyle		Traditional			Estate	Mixed Use
							Attached SF Detached SF
Minimum % of Units per Product Type within Each Subdistrict (per Concept Plan 1)*	N/A	50%	N/A	40%	10%	N/A	N/A
Maximum % of Units per Product Type within Each Subdistrict (per Concept Plan 1)*	50%	N/A	50%	N/A	N/A	N/A	N/A
Maximum # of Units per Subdistrict (per Concept Plan 2)*	1175		1500			96	325
Minimum % of Units per Product Type within each Subdistrict (per Concept Plan 2)*	N/A	50%	N/A	35%	5%	N/A	N/A
Maximum % of Units Per Product Type within Each Subdistrict (per Concept Plan 2)*	50%	N/A	60%	N/A	N/A	N/A	N/A

*Measured at full buildout

Notes to Table 1:

1. Lot coverage is measured as the area covered by the roof of the residence and garage.
2. All wood must be stained or painted.
3. Swimming pools may be located in the required rear yard setback
4. Porch flooring is required to be masonry, concrete, or wood.
5. Porch columns are required to be masonry, wood, or fiberglass.
6. Porch roof trim is required to be wood, fiberglass, or masonry.
7. Roofing materials are required to be asphalt shingles, metal, slate, simulated slate, or tile.
8. Home businesses may be located above or within a garage and must be operated by the home owner.
9. The maximum lot coverage requirements substitute for the maximum impervious cover requirements in the UDC.
10. The front yard setback shall be measured from the street right-of-way to the front face of the building. Covered terraces, eaves, and roof extensions may project into the required front yard.
11. On corner lots, the front yard setback shall be required only along the street on which the home fronts.
12. Every part of a required side yard shall be open and unobstructed except for accessory buildings, fences, landscaping, and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve inches

- into the required side yard, and roof eaves projecting not to exceed 24 inches into the required side yard.
13. Every part of a required rear yard shall be open and unobstructed to the sky from a point 30 inches above the general ground level of the graded lot, except for accessory buildings, fences, landscaping, and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed 24 inches into the required rear yard.
 14. Where lots have double frontage, running from one street to another, a required front yard setback shall be provided on both streets.
 15. Alleys are permitted, but not required. Front entry, rear entry, j-swing, and side entry garages are permitted.
 16. A minimum of two enclosed parking spaces per dwelling unit shall be required.
 17. In the Estate Subdistrict, a minimum lot size of 20,000 square feet may be substituted for the minimum lot width and lot depth in Table 1.
 18. The following residential architectural standards shall apply to the 40' single family lots in the Lifestyle Subdistrict: All residences shall include at least four of the following design features to provide visual relief along the front of the residence:
 - Bay window
 - Brick chimney on exterior wall visible from front of the home
 - Cast stone accents
 - A covered front porch
 - Dormers
 - Gables
 - Variable roof pitch
 - Shutters
 19. All single family attached residences shall have a rear entry garage. A minimum of one enclosed parking space per dwelling unit shall be required.

VII. DESIGN STANDARDS

1. The design standards in Section 9.5 of the UDC shall apply except as provided in this Section VII.
2. The sole design standards applicable to residential development shall be the masonry requirements of Table 1 above and the following:
 - a. Garages.
 - i. Garage doors must be recessed a minimum of nine inches from the garage face. This requirement does not apply to rear entry garages.
 - ii. Garage doors shall contain at least three of the following enhancements: shed roofs; faux cedar/wood clad doors; double doors; windows; decorative hardware and lights; and reveals/texture. This requirement does not apply to rear entry garages.
 - iii. At least every fifth home in a row along a blockface shall have a minimum three foot offset between the garage doors and either the main front building facade or nearest portion of a front porch. A blockface is one side of a block.
 - iv. Detached garages are permitted.
 - v. The minimum garage dimensions for a two-car garage shall be 20 feet by 20 feet.
 - b. Driveways. All driveways must accommodate the off-street parking of two vehicles without blocking the sidewalk. Driveways shall transition to 12 feet at the street to reduce impervious cover. Driveways shall be constructed without altering drainage swales. Concrete driveways within the right-of-way shall be a minimum of 3,000 PSI concrete with #4 rebar on a 12-inch grid pattern.

VIII. LANDSCAPING, BUFFERS, SCREENING

1. The landscaping and tree preservation requirements of Section 9.10 of the UDC, and the screening and fencing requirements of Section 9.11 of the UDC, shall apply except as follows:
 - a. Landscape buffers, setbacks, and materials along streets shall comply with the Street Sections in lieu of the UDC requirements. Section 9.11.B.1.a of the UDC shall not apply.
 - b. One street tree shall be required per residential lot. Street trees along

residential streets may be located in the parkway provided the planting does not interfere with utilities or visibility.

- c. Section 9.11.A.3.g of the UDC shall not apply
- d. Section 9.11.A.3.j of the UDC shall be modified to read as follows: Fences for double frontage lots or corner lots adjacent to a street shall be located at least ten feet from the right-of-way line.
- e. Section 9.11.A.3.k of the UDC shall be modified to read as follows: If a corner lot is adjacent to a subdivision's screening wall, a fence may be constructed at least ten feet from the right-of-way line connect with the screening wall.
- f. Development shall comply with the FM 407 setback, landscaping, and fencing exhibit attached as **Exhibit G**.
- g. The following provisions shall apply for the Institutional Subdistrict:
 - i. The FM 407 Commercial Street Section in **Exhibit G** shall apply to frontage along the Institutional Subdistrict except that a minimum landscape buffer width of 50 feet shall be provided.
 - ii. A minimum landscape buffer of 25 feet shall be provided when adjacent to residential. An exemption for tree planting in the buffer shall be provided where landscape buffer is encumbered by an easement.
 - ~~f.~~iii. Screening fence shall be provided by residential developer or homebuilder at the time of adjacent residential development.
- ~~g.~~h. All required residential landscaping shall be installed by the home builder prior to occupancy of the residence.
- ~~h.~~i. Landscaping for residential lots shall consist of drought-tolerant plants. Bermuda will be allowed as a drought-tolerant turf on residential lots. St. Augustin grass is prohibited. At least 50 percent of the available pervious portion of the front yard and corner yard on residential lots must have landscape bed coverage and include shrubs, ornamental grasses, perennials, vines, and ground cover. For purposes of this provision, the front yard means the area within the required front yard setback, and the corner yard means the area within the required street side setback. All shrub beds in the front and corner yard must be fully prepped with compost material and top dressed with a two inch to four inch later of shredded hardwood mulch. Acceptance by the Town shall not be delayed until ground cover is established.
- ~~i.~~j. Colored mulch is prohibited.

j-k. No other landscaping requirements (including right-of-way landscaping requirements in Sections 7.01-7.05 of the EDM), screening requirements, or fencing requirements shall apply.

IX. STREETS

Development shall comply with the Street Sections. For street types that are not shown on the Street Sections, compliance with standard Town requirements shall be required.

X. SIGNS

In addition to the signage permitted by the UDC, the signage described on Exhibit H is permitted.

XI. MISCELLANEOUS

1. All retaining walls not installed by the developer or subdivider shall be (a) constructed and maintained by the owner on the high side; (b) designed so that the face of the retaining wall is on the property line; (c) engineered by a licensed professional engineer if the wall exceeds four feet in height; (d) designed to locate two inch diameter weeps at ten feet on center with weep holes that are three inches above the low side finish grade, cut flush and painted to match the stone; (e) designed to provide a gravel drain pocket and fountain stone per the geotech and engineer's recommendation; (f) designed so that the top of the wall remains flush with the high side finish grade; and (f) designed to allow a high side lot to drain on a low side lot for no more than one lot.
2. In general, block lengths along minor or secondary streets shall not exceed 2,000 feet, and along major streets shall not exceed 2,500 feet. There shall be no minimum block length. For purposes of this provision, major street shall be FM 407, Cleveland-Gibbs, Mulkey, and any collector (as shown in the Street Sections). All other roads shall be considered minor or secondary streets for purposes of this provision.
3. Every lot shall be provided with adequate access to a public street, either by direct frontage on such street, or by public access easement approved by the Town Council; however, mews lots may be served by an alley with a minimum width of 20 feet. Residential driveway access to FM 407, Cleveland-Gibbs, and Mulkey shall be prohibited.
4. The developer or subdivider shall construct all required sidewalks other than those that will be located adjacent to the front or sides of residential lots.
5. No maintenance bond shall be required for the wastewater treatment plant operated by the District.
6. Early grading permits shall be permitted prior to approval of engineering plans at the risk of the developer or subdivider.

7. Building permits may be issued for a maximum of 20 percent of the lots on a platted phase prior to completion and acceptance of all improvements associated with the plat provided each lot for which an early building permit is issued has water service and can be accessed by an all weather road.
8. The Property may be served by a wastewater treatment plant owned and maintained by the District. The wastewater treatment plant may be located on the Property in the general location shown on the Concept Plan.
9. Water wells may not be drilled for the purpose of providing potable water; however, wells may be drilled for the provision of irrigation water, and effluent may be reused for irrigation. If effluent is used, all applicable state laws shall be followed.
10. The maximum length of any cul-de-sac shall be the greater of 600 feet measured from the curb line of the intersecting street to the radius point of the turnaround or, 30 single family lots. The right-of-way radius shall be 50 feet and the curb radius 40 feet within the cul-de-sac turnaround. Cul-de-sac turnarounds are not required to be visible from the intersecting street.
11. In Table II-3 of the EDM, the minimum centerline radius for a residential roadway with a rate of superelevation of 0 shall be changed to 200 feet.
12. In Table II-7 of the EDM, (a) the maximum approach grade for all residential driveways shall be changed to 14 percent, as measured from the garage finished floor to the curb line of the intersecting street; (b) the minimum and maximum driveway throat width for a residential local street shall be eliminated; and (c) the minimum distance from a driveway to an intersection for a local residential street shall be changed to 25 feet, except at the intersection of a local residential street and FM 407, Cleveland-Gibbs, or Mulkey.
13. The following provisions in Section 7.03, Part VII Landscaping in the Public Right-of-Way, of the EDM shall not apply: Minimum landscape requirements will be established by the Town. An 8-inch wide concrete mow strip shall be installed between all planting beds and grassed areas. Only trees with a mature height less than 30 feet may be planted closer than 20 feet to either side of an overhead line. No trees shall be directly under utility lines.
14. Street lights shall be installed in all new subdivisions. For residential streets, street lights shall be installed at each intersection, at major curves, at end of cul-de-sacs, and at maximum intervals of 600 feet. The developer/subdivider shall pay the costs for all street lighting. Street light luminaries shall be high pressure sodium (HPS), metal halide (MH), or LED. Luminaires shall be mounted on poles at least 11 feet high as shown on standard details for street lights or as approved by the Town Administrator. Street lighting shall be designed to direct light down. Street light materials and design shall be determined by the developer or subdivider with the approval of the Town Administrator.

14.15. In the Institutional Subdistrict, the maximum computed or measured footcandles

at any adjacent property line, including the FM 407 right-of-way, shall not exceed 0.25 footcandles.

15.16. [The following provision in Section 1.2.2, Part III Drainage, of the EDM shall not apply: If existing channel velocities exceed six (6) feet per second, a maximum increase of ten percent in velocities will be allowed.]

16.17. Section 3.3 (General Design and Construction Standards, Single Family Lot Grading) of the EDM shall be modified to read in its entirety as follows: All single family lots shall be graded such that the building pads are higher than the street. Lots may be graded to allow drainage towards the adjacent lot and perpendicular to public rights-of-way or drainage easements provided drainage easements are provided for the swales.

17.18. Section 3.3 (General Design and Construction Standards, Minimum Pipe Sizes and Depths) of the EDM shall be modified to read in its entirety as follows: Minimum pipe sizes are 21" diameter for mains and 18" diameter for inlet leads. Minimum pipe size for lead lines to sag inlets shall be 21". Minimum depth of storm sewer from outside top of conduit to top of curb/pavement is 24 inches.

18.19. Drainage easements shall include a minimum of ten-foot (10') margin on both sides beyond actual top of bank for improved earthen channels. There shall be no restriction on locating retaining walls within or adjacent to a drainage easement in order to reduce the easement width; however, the Town may require a geotechnical study and/or an underground drainage system design option prior to approval of retaining walls in a drainage easement.

19.20. Section 26 of Appendix B, Private Development General Notes for Construction Plans, of the EDM shall be modified to read as follows: "Seed/sod shall be furnished to establish ground cover over all disturbed areas as an erosion control measure. The Contractor shall not wait until the completion of the entire project before doing this work." Acceptance of the project shall not be delayed based on compliance with this section.

20.21. The subdivision acceptance process shall be in accordance with the UDC and EDM in effect at the time of PD adoption.

21.22. Utility placement shall be as shown on the Street Sections.

22.23. Water and sewer services may cross open space areas to serve a mews lot.

23.24. Every platted lot shall have access to the public street system through connections to at least (a) one existing street; and (b) one existing or future street. A connection to a future street may be achieved by constructing a street to the boundary of the platted area with a temporary turnaround, which allows the street to be extended when the adjacent area is platted and developed.

XII. EXHIBITS

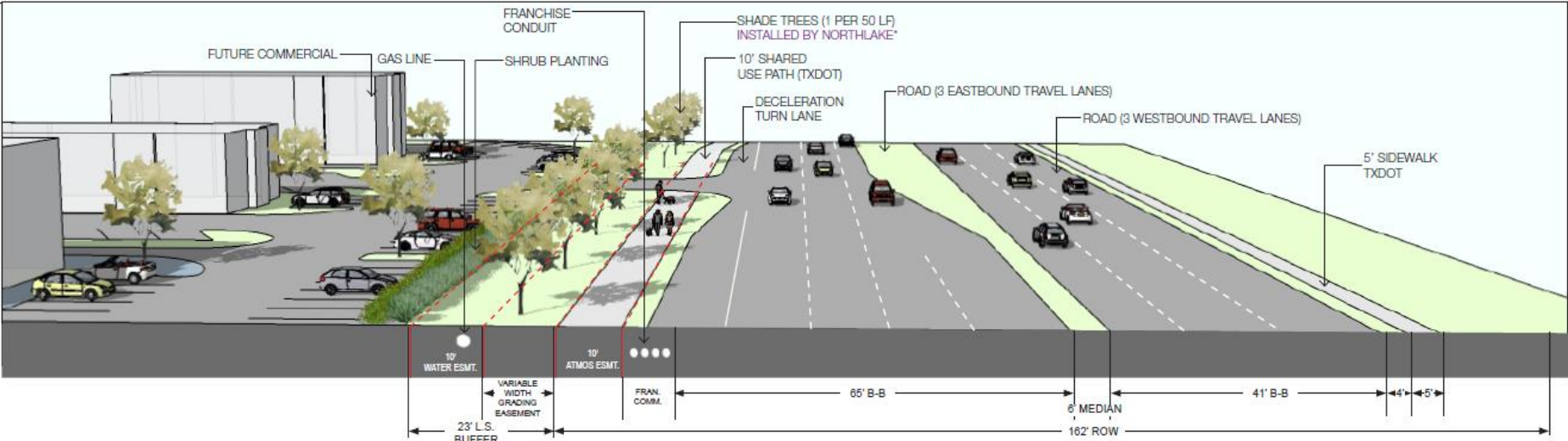
The following exhibits are attached to this PD Ordinance and incorporated herein for all purposes:

Exhibit A	Metes and Bounds Description of the Property
Exhibit B	Concept Plan (Options 1 & 2)
Exhibit C	Development Regulations
Exhibit D	Overall Development Boundaries (3 Tracts)
Exhibit E	Open Space Plan (Options 1 & 2)
Exhibit F	Street Sections
Exhibit G	FM 407 Setback, Landscaping, and Fencing Details
Exhibit H	Signage

Excerpt from EXHIBIT G

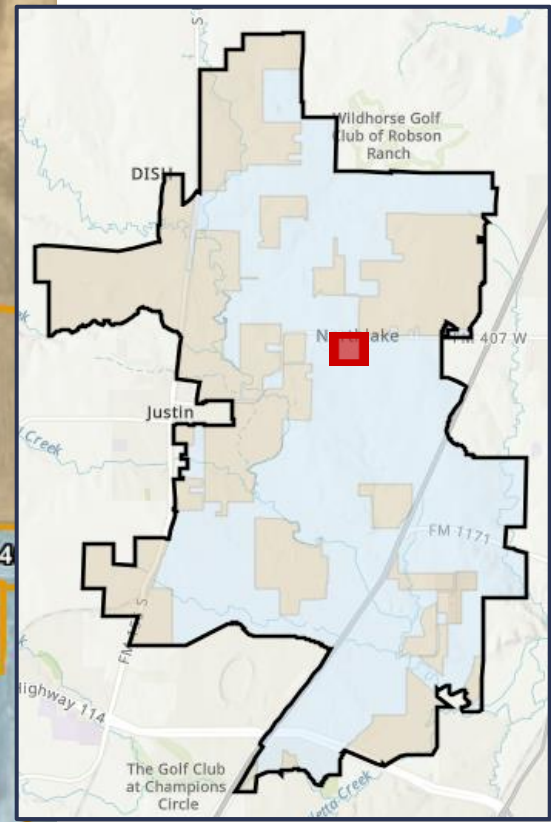
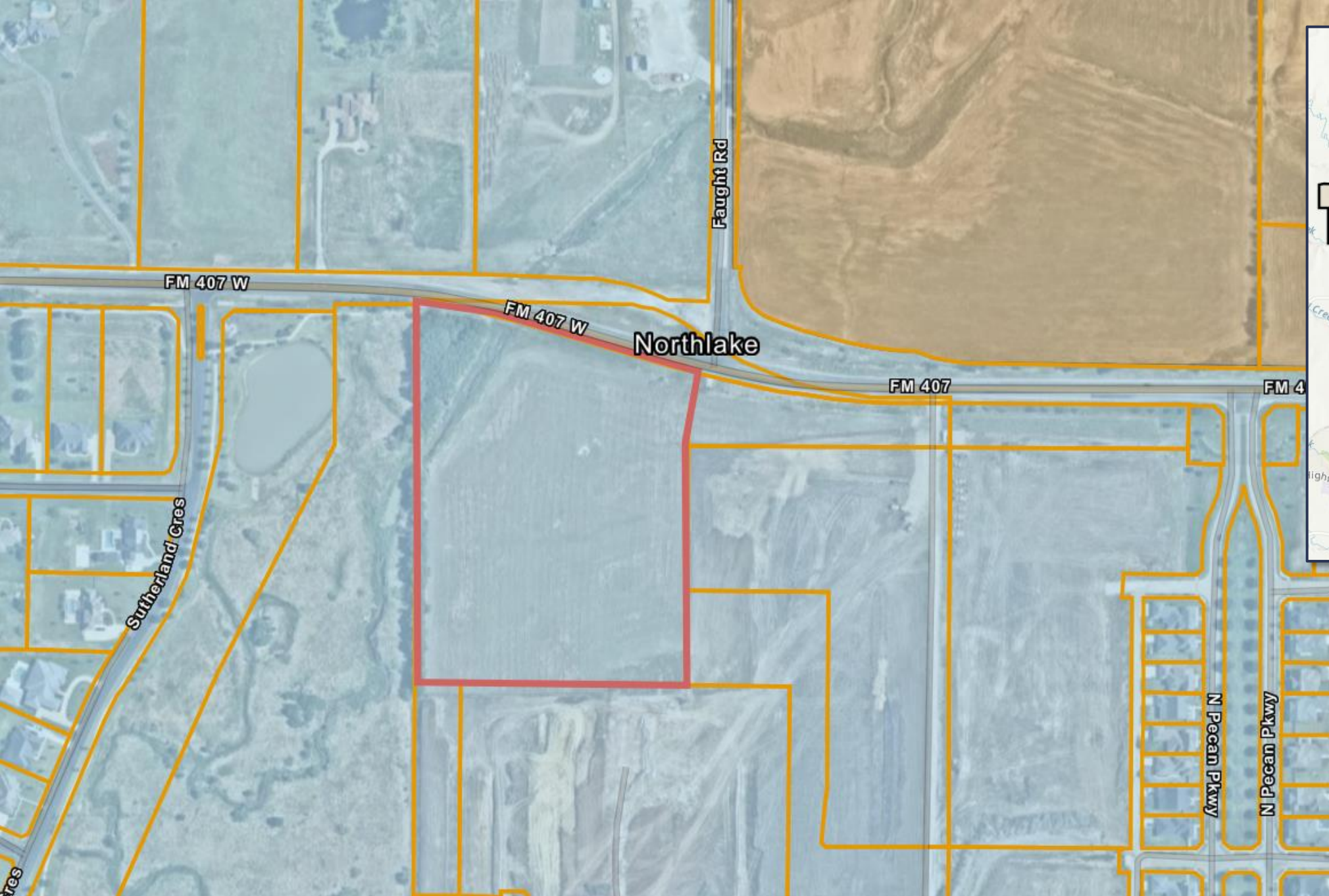
FM 407 COMMERCIAL STREET SECTION - PROPOSED 162' ROW

* DEVELOPER WILL ESCROW THE FUNDS FOR THE SHADE TREES



CONCEPTUAL AND SUBJECT TO CHANGE
BASED ON FINAL TxDOT SCHEMATIC

PECAN
SQUARE.





Property Owner and End-User



General Contractor & Development



Architect and Design Team Lead

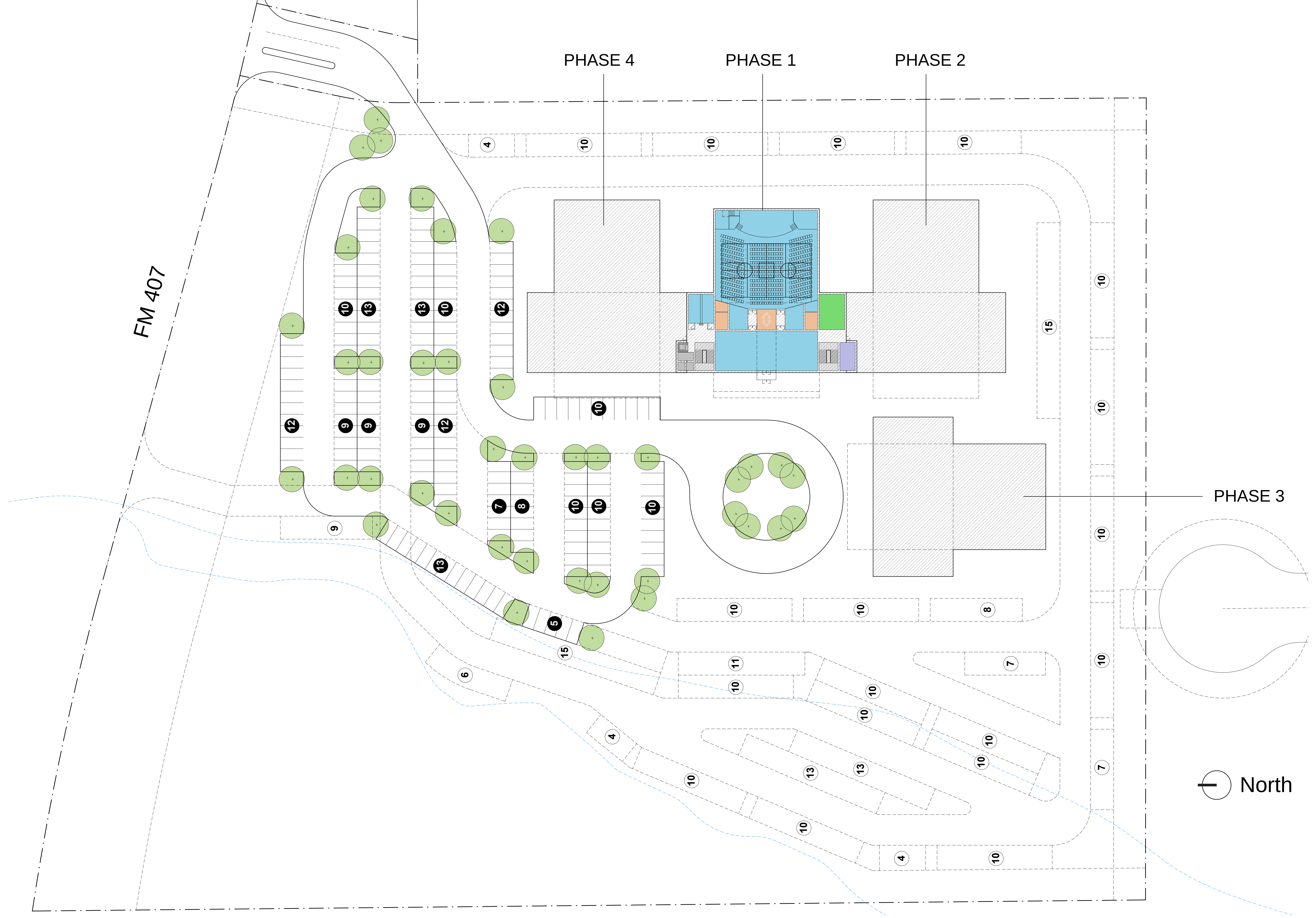
Project Team



West Elevation Rendering



North Elevation Rendering



Site Plan, All Phases



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – September 17, 2024, 5:30 pm; Town Council – October 10, 2024, 5:30 pm
Case Type: Planned Development Amendment
Case Name: Pecan Square Mixed-Use Planned Development Amendment
Case #: 24-PDA00001

WRITTEN RESPONSE

Please check one: ☐ In favor of request ☐ Neutral/Undecided on request ☒ Opposed to request

Comments (optional):

Signature: Scott Gray Watson **Date:** 9-6-24
Printed Name: Scott Gray Watson
Address: 702 Flamingo Way **City/State/ZIP:** Duncanville TX / 75116
Phone number: 214-984-0181

RETURN COMPLETED FORM VIA MAIL, EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1700 Commons Circle Ste. 200
Northlake, Texas 76226

FOR OFFICE USE ONLY

Stamp Received

9-10-24

Property within notification area: ☒ Yes ☐ No

Property ID: 68823

Property Size: 75.65 acres

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

REF. DOC.: Article 11.05 of the code of ordinances, Town of Northlake, Texas

SUBJECT: Consider adoption of an Ordinance of the Town of Northlake, Texas, amending the Code of Ordinances, Chapter 11, "Traffic and Vehicles", Article 11.05, "Commercial Vehicles", Division 2 "Size and Weight of Vehicles", and Division 3 "Truck Traffic"

GOALS/ OBJECTIVES: Protect the Public; 1.4 - Ensure safe community standards and processes

BACKGROUND INFORMATION:

- Residents have made complaints about large trucks, particularly concrete trucks driving on residential roadways
- Current Ordinance:
 - Not up-to-date with recently revised state laws
 - Specifies incorrect weight limit for trucks operating on residential streets - clerical error
 - Prohibits trucks in excess of 26 tons from driving on residential streets
- Proposed Ordinance:
 - Prohibits a ready-mixed concrete truck with a tandem axle load in excess of 36,000 lbs from driving on residential streets unless making a local delivery or if authorized by permit
 - Requires the owner of ready-mixed concrete trucks weighing over 34,000 lbs to file a surety bond in the amount of \$15,000 with the Town to cover all damages done to streets
 - Prohibits non-ready-mixed concrete trucks weighing over 26,000 lbs from operating on residential streets unless making a local delivery or authorized by permit
 - Implements updated truck routes - designated streets:
 - Interstate Hwy 35W
 - State Highway 114
 - FM 1171
 - FM 407
 - FM 156
 - Cleveland-Gibbs Rd
 - Florance Rd
 - Faught Rd
 - Mulkey Rd
- Next Steps:
 - Ordinance will be effective immediately upon passing
 - Staff will create/establish a permitting process
 - Town will post signage on roadways indicating the maximum weight permitted
 - Updated information to be shared with the public via social media

COUNCIL ACTION/DIRECTION:

Approved or disapprove proposed ordinance as presented



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING DIVISION 2 "SIZE AND WEIGHT OF VEHICLES" AND DIVISION 3 "TRUCK TRAFFIC" OF ARTICLE 11.05 "COMMERCIAL VEHICLES" OF CHAPTER 11 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE TOWN OF NORTHLAKE, TEXAS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Northlake, Texas (the "Town") is a home-rule municipality organized under the laws of the State of Texas; and

WHEREAS, the Town Council of the Town (the "Town Council") has adopted ordinances regulating the size and weight of vehicles and truck traffic on public streets and roadways within the corporate limits of, or under the jurisdiction of the Town, in accordance with state and federal law; and

WHEREAS, the Town Council has the legal authority and power, under the Town Charter and Chapters 311, 621, and 622 of the Texas Transportation Code, and other law, to adopt ordinances regulating the size and weight of vehicles and truck traffic; and

WHEREAS, the Town finds and determines that residential streets are generally insufficient (1) to carry loads greater than 26,000 lbs. gross vehicle weight; (2) residential streets are insufficient to carry a load authorized by Texas Transportation Code Section 622.012 as it relates to ready-mixed concrete trucks; and (3) it is in the best interest of the public health, safety, and welfare to amend Divisions 2 and 3 of Article 11.05 of the Code of Ordinances, Town of Northlake, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual finding of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. **Section 11.05.032** "Weight limits generally; weight limit on residential streets" of Division 2 "Size and Weight of Vehicles" of Article 11.05 "Commercial Vehicles" of Chapter 11 "Traffic and Vehicles" of the Code of Ordinances of the Town of Northlake,

Texas, is hereby amended and replaced in its entirety to read as follows:

"11.05.032 Weight limits generally; weight limit on residential streets.

Motor vehicles within the maximum limits as provided by Texas Transportation Code Chapter 621, as amended, may travel over streets, highways, roadways, and bridges designated as state or federal highways, or bus or truck routes, as designated by the federal government and the state department of transportation or by town ordinance; provided that a vehicle that is over 26,000 lbs. gross vehicle weight shall not be operated upon any residential street within the corporate limits of the town unless driving to a location within the corporate limits of the town for purposes of a delivery. If there is no practical route to reach the delivery destination in the town except by use of residential streets, a permit may be obtained from the public works director to authorize the use of a town residential street."

Section 3.

Section 11.05.033 "Vehicles transporting ready-mixed concrete" of Division 2 "Size and Weight of Vehicles" of Article 11.05 "Commercial Vehicles" of Chapter 11 "Traffic and Vehicles" of the Code of Ordinances of the Town of Northlake, Texas, is hereby amended and replaced in its entirety to read as follows:

"§11.05.033 – Vehicles transporting ready-mixed concrete.

Vehicles designed exclusively to transport ready-mixed concrete may be operated in accordance with the weight provisions of Section 622.012 of the Texas Transportation Code, as amended, on public highways of the state. However, Vehicles designed exclusively to transport ready-mixed concrete with a tandem axle weight that is heavier than 36,000 pounds, a single axle weight that is heavier than 12,000 pounds, or a gross weight that is heavier than 48,000 pounds shall be prohibited on town residential streets, except for purposes of delivery or if authorized by permit, as provided in this Chapter. A ready-mixed concrete truck shall not be operated within the corporate limits of the town unless (1) it shall contain a functioning device attached to the concrete chute which traps concrete, and (2) a surety bond shall have been filed with the town by the owner of such vehicle, in a sum of \$15,000.00, and conditioned that the owner of such vehicle will pay to the town all damages done to streets by reason of the operation of any such vehicle with a tandem axle load in excess of 34,000 lbs."

Section 4.

Section 11.05.035 "Weight limit signs" of Division 2 "Size and Weight of Vehicles" of Article 11.05 "Commercial Vehicles" of Chapter 11 "Traffic and Vehicles" of the Code of Ordinances of the Town of Northlake, Texas, is hereby amended and replaced in its entirety to read as follows:

"§11.05.033 Weight Limit Signs.

The public works director, as directed by the Town Manager, is hereby authorized to post appropriate warning signs on the right-hand side of all streets, roadways, highways, parkways or bridges in the corporate limits of the town indicating the maximum weight limit permitted to travel upon said roadways, highways, parkways or bridges."

Section 5. **Subsection (b) of Section 11.05.061** “Generally” of Division 3 “Truck Traffic” of Article 11.05 “Commercial Vehicles” of Chapter 11 “Traffic and Vehicles” of the Code of Ordinances of the Town of Northlake, Texas, is hereby amended and replaced in its entirety to read as follows:

“(c) The Town may procure and erect signs to give notice of the terms of this division.”

Section 6. **Subsection (c) "Truck routes designated" of Section 11.05.063** "Truck routes; parking of heavy vehicles" Division 3 "Truck Traffic" of Article 11.05 "Commercial Vehicles" of Chapter 11 "Traffic and Vehicles: of the Code of Ordinances of the Town of Northlake, Texas, is hereby amended and replaced in its entirety to read as follows:

(b) Truck routes designated. The following streets or parts of streets are designated as truck routes:

- (1) Interstate Highway 35 W
- (2) State Highway 114
- (3) FM 1171
- (4) FM 407
- (5) FM 156
- (6) Cleveland Gibbs Rd
- (7) Florance Rd
- (8) Faught Rd
- (9) Mulkey Rd

Section 7. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 8. All rights and remedies of the Town of Northlake are expressly saved as to any and all violations of the provisions of any ordinances that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 9. This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the Town of Northlake, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event, the conflicting provisions of such ordinances are hereby repealed.

Section 10. It shall be unlawful for any person to violate any provision of the Ordinance, and any person violating or failing to comply with any provision hereof shall be fined in accordance with Town Code of Ordinances Section 1.01.009, or as otherwise provided by applicable law, as amended, and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 11. The Town Secretary of the Town of Northlake is hereby directed to publish the Caption, Penalty, and Effective Date of this ordinance in the official newspaper of the Town as required by Section 16.05 of the Town's Charter.

Section 12. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: S.A.S. Boutique Pioneer Grant Performance Agreement
SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, approving an amendment to the Pioneer Grant for S.A.S. Boutique and authorizing the Northlake Economic Development Corporation and Northlake Community Development Corporation to enter into an amended performance agreement; and providing an effective date
GOALS/ OBJECTIVES: Promote Economic Vitality; 6.2 - Target business development through economic incentives

BACKGROUND INFORMATION:

Pioneer Grant Program (PGP) Recipient

- S.A.S. Boutique
 - Boutique women's clothing store
 - Approved for \$20,000 in PGP funding on May 26, 2022
 - Obtained Certificate of Occupancy on July 13, 2022
 - Business closed in August 2024

Pioneer Grant Program Funding Guidelines

- Five-year forgivable loan
- 1/5 of loan forgiven after each year of first five years of business operation
- After final Performance Date (5 years from CO issuance), funding mechanism converts to a grant
 - Thereafter, no repayment required if performance targets change or a business closes

Background and Repayment Obligation

- Repayment amount and timing per agreement:
 - \$12,000 is due within 30 days of Town providing notice since business closed after 2nd anniversary of CO issuance but before 3rd anniversary
 - Grantee initially requested consideration of sales tax paid and more time for repayment
 - Formal notice has not been provided pending approval of repayment plan
- July 18th EDC & CDC Meetings
 - Voted to amend performance agreement with repayment terms as follows:
 - Repayment amount of \$20,000 less credit of all sales tax received by Town from business
 - Estimated repayment to be approximately \$8,000
 - Repayment in 24 monthly installments
- July 25th Town Council Meeting
 - Denied performance agreement amendment as approved by EDC and CDC
 - Provided guidance that 24-month payment plan acceptable for full amount of \$12,000 due per agreement

Grantee Payment and Updated Request

- Paid \$10,000 lump sum toward repayment on September 3rd
- \$2,000 balance remains
- Requests payment plan for the remaining balance of \$2,000:
 - \$100 payments over 20 months
 - Payable by the 1st of each month beginning January 1, 2025
 - Payoff date of August 1, 2026

Economic Development Corporation (EDC) and Community Development Corporation (CDC) Action

- September 19th joint meeting
 - EDC and CDC voted to amend performance agreement to accept the \$10,000 lump sum payment as payment in full with no further repayment obligation

COUNCIL ACTION/DIRECTION:

- Approve resolution authorizing amended Pioneer Grant Performance Agreement with S.A.S. Boutique
- Disapprove resolution and provide guidance to EDC and CDC for their reconsideration



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AN AMENDMENT TO A PIONEER GRANT FOR S.A.S. BOUTIQUE AND AUTHORIZING THE NORTHLAKE ECONOMIC DEVELOPMENT CORPORATION AND THE NORTHLAKE COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO AN AMENDED PERFORMANCE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town Council on December 11, 2014 approved Resolution No. 14-32 adopting an Incentives Policy for the Town as amended, which: (1) established certain guidelines and criteria for the use of Town incentive programs for private development projects; and (2) authorized the establishment of programs for making loans and grants of Type A and Type B economic development sales tax funds to promote local economic development and to stimulate business and commercial activity in the Town of Northlake pursuant to the Development Corporation Act, codified in Chapters 501-505 of the Texas Local Government Code; and

WHEREAS, the Town of Northlake, Texas, an incorporated municipality of Denton County, Texas, the Northlake Economic Development Corporation (the "EDC") and the Northlake Community Development Corporation (the "CDC") (the Town of Northlake, together with the EDC and CDC, the "Town") has established the Pioneer Grant Program pursuant to the Policy to promote the development of retail, restaurant, and service businesses in the Town of Northlake; and

WHEREAS, N-Spurred LLC dab S.A.S. Boutique (the "Grantee") submitted an application to receive a Pioneer Grant for the development of S.A.S. Boutique, a women's clothing store; and

WHEREAS, on May 26, 2022, the Town approved Grant funds in the amount of \$20,000 for use by the Grantee, pursuant to a Pioneer Grant Performance Agreement; and

WHEREAS, S.A.S. Boutique obtained a Certificate of Occupancy on July 13, 2022 and within 30 days a \$20,000 payment was issued to the Grantee; and

WHEREAS, S.A.S. Boutique operated in the Northlake Commons from July 2022 to August 2024; and

WHEREAS, Pioneer Grants function as a forgivable loan with 1/5 of the loan forgiven after each year of the first five years of business operation; and

WHEREAS, the S.A.S. Boutique Pioneer Grant Performance Agreement established a repayment

schedule requiring repayment of \$12,000 “on or after the 2nd anniversary of CO issuance but before the 3rd anniversary of CO issuance;” and

WHEREAS, on September 19, 2024, the EDC and the CDC boards of directors approved a repayment plan as described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Town Council hereby authorizes the EDC and CDC to enter into an amended performance agreement with the Grantee to accept a \$10,000 lump sum payment as payment in full with no further repayment obligation.

Section 3. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO. 22-32

A RESOLUTION OF THE TOWN OF NORTHLAKE, TEXAS, REPEALING RESOLUTION 22-12 AND APPROVING A PIONEER PROGRAM GRANT IN THE AMOUNT OF \$20,000 FOR S.A.S. BOUTIQUE AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PERFORMANCE AGREEMENT

WHEREAS, the Town Council on December 11, 2014 approved Resolution No. 14-32 adopting an Incentives Policy for the Town as amended, which: (1) established certain guidelines and criteria for the use of Town incentive programs for private development projects; and (2) authorized the establishment of programs for making loans and grants of Type A and Type B economic development sales tax funds to promote local economic development and to stimulate business and commercial activity in the Town of Northlake pursuant to the Development Corporation Act, codified in Chapters 501-505 of the Texas Local Government Code; and

WHEREAS, the Town of Northlake, Texas, an incorporated municipality of Denton County, Texas, the Northlake Economic Development Corporation (the "EDC") and the Northlake Community Development Corporation (the "CDC") (the Town of Northlake, together with the EDC and CDC, the "Town") has established the Pioneer Grant Program pursuant to the Policy to promote the development of retail, restaurant, and service businesses in the Town of Northlake; and

WHEREAS, N-Spurred LLC dba S.A.S. Boutique (the "Grantee") has submitted an application to receive a Pioneer Grant for the development of a S.A.S Boutique women's clothing store; and

WHEREAS, the Town has reviewed the application and is willing to provide Grant funds for the use of the Grantee, pursuant to a performance agreement;

WHEREAS, the EDC and CDC boards of directors approved a grant in the total amount of \$20,000 (payment to be split evenly between the EDC and CDC) as a project that will promote new business development at their February 17, 2022 board meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All of the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Town Council hereby authorizes the Town Manager to enter into a performance agreement with Grantee for a grant payment not to exceed \$20,000.



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

Section 3. Resolution Number 22-12 is hereby repealed for all purposes.

Section 4. This resolution is effective immediately upon passage.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 26th day of May 2022.

Town of Northlake, Texas

A handwritten signature in blue ink, appearing to read 'D. Rettig', written over a horizontal line.

David Rettig, Mayor

Attest:

A handwritten signature in blue ink, appearing to read 'Zolaina Parker', written over a horizontal line.

Zolaina Parker, Town Secretary





**PIONEER GRANT
PERFORMANCE AGREEMENT**

This Pioneer Grant Performance Agreement is entered into by and between the Town of Northlake, Texas, an incorporated municipality of Denton County, Texas, the Northlake Economic Development Corporation (the "EDC") and the Northlake Community Development Corporation (the "CDC") (the Town of Northlake, together with the EDC and CDC, the "Town"), and N-Spurred LLC dba S.A.S. Boutique (the "Grantee").

WITNESSETH:

WHEREAS, the Town Council on December 11, 2014 approved Resolution No. 14-32 adopting an Incentives Policy for the Town (the "Policy") as amended, which: (1) established certain guidelines and criteria for the use of Town incentive programs for private development projects; and (2) authorized the establishment of programs for making loans and grants of Type A and Type B economic development sales tax funds to promote local economic development and to stimulate business and commercial activity in the Town of Northlake pursuant to the Development Corporation Act, codified in Chapters 501-505 of the Texas Local Government Code, (the "Act"); and

WHEREAS, the Town has established the Pioneer Grant Program pursuant to the Policy to promote the development of retail, restaurant, and service businesses in the Town of Northlake; and

WHEREAS, the Grantee has submitted an application to receive a Pioneer Grant for the development of a S.A.S Boutique women's clothing store; and

WHEREAS, the Town has reviewed the application and is willing to provide Grant funds for the use of the Grantee, provided that the Grantee meets certain criteria relating to maintenance of the facility as a S.A.S Boutique women's clothing store, capital investments and new jobs; and

WHEREAS, the Grantee is required to return all or a portion of the funds received to the Town if the performance criteria of the Grantee are not met; and

WHEREAS, the Town and the Grantee desire to set forth their understanding and agreement as to the payout of the Grant proceeds, the obligations of the Grantee regarding capital investment and new job creation, and the repayment by the Grantee of all or part of the Grant under certain circumstances; and

WHEREAS, the Grantee's plans to construct an approximately 1,400 square-foot boutique tea and gourmet food shop (the "Facility") will entail a capital expenditure of greater than \$125,000 referred to in the Agreement as the "Capital Investment"; and

WHEREAS, it is expected that at least 3 New Jobs, as defined herein, will be created at the Facility; and

WHEREAS, the Grantee plans to maintain the facility as a S.A.S Boutique for 5 years unless otherwise approved by the Town; and

WHEREAS, together, the Capital Investment target of \$125,000; the New Jobs target of 3; and the 5-year Maintenance target are referred to herein as the “Targets”; and

WHEREAS, the Facility is expected to generate approximately \$480,000 in annual taxable sales in addition to the indirect benefit of establishing Northlake as a retail destination with the potential to encourage additional retail development; and

WHEREAS, the EDC and CDC boards of directors designated an incentive for the development of the Facility in the total amount of \$20,000 (payment to be split evenly between the EDC and CDC) as a project that will promote new business development at their February 17, 2022 board meetings; and

WHEREAS, all requirements of the Act shall be met prior to distribution of grant funds, including, but not limited to, any requirements for public hearings, notice and authorization of the Town Council, if necessary;

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

Section 1. Disbursement of the Grant.

The Grant in the amount of \$20,000 will be paid to the Grantee upon completion of the Facility as certified by the issuance of a Certificate of Occupancy (the “CO”) by the Town. Within 30 days of issuance of the CO, the Town will disburse the Grant proceeds to the Grantee as an inducement to the Grantee to achieve the Targets at the Facility.

Section 2. Targets and Definitions.

The Grantee will develop the Facility as a finish out space within Northlake Commons, make a capital investment of at least \$125,000, create and maintain at least 3 New Jobs at the Facility, and maintain the branding of the Facility as a S.A.S Boutique unless otherwise approved by the Town. The actual construction costs of the Facility shall meet the Capital Investment Target and such investment shall be satisfied with completion of construction which shall culminate in the issuance of a CO within one year of the date of this agreement. The New Jobs Target shall be met within one year of the issuance of the CO and the Target shall be maintained through the final Performance Date which shall be five years from the issuance of the CO. The Maintenance Target shall be maintained through final Performance Date unless alteration of the branding is otherwise approved by the Town.

For the purpose of this Agreement, the following terms shall have the following definitions:

“Capital Investment” means a capital expenditure in taxable real property, taxable tangible personal property, or both at the Facility (excluding the purchase of land or existing real property improvements). The capital investment must be in addition to the capital improvements at the Facility at the date of this Agreement.

“Employee” means the full-time equivalent (FTE) employment of a person performing a duty for the Grantee at the facility. This term shall not include contract workers who are considered independent contractors for the Grantee.

“Maintain” means that the new jobs created pursuant to the Grant will continue without interruption from the date of creation through the Performance Date as it relates to the Jobs Target. “Maintain” as it relates to the Maintenance Target means that the branding of the Facility will remain as initially proposed from the date of opening through the Performance Date.

“New Job” means new permanent employment of an Employee for an indefinite duration at the Facility. Each New Job must require a minimum of either (1) 30 hours of an Employee’s time per week for the entire normal year of the Grantee’s operations, which “normal year” must consist of a least 52 weeks, or (2) 1,560 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Town limits of Northlake, and positions with contractors, suppliers, and similar multiplier or spin-off jobs shall not qualify as New Jobs.

Section 3. Repayment Obligation.

Determination of Inability to Comply: If the Town, in its sole discretion, determines at any time prior to the Performance Date (a “Determination Date”) that the Grantee is unable or unwilling to meet and maintain any of its Targets by and through the Performance Date and the Town has not authorized any alteration or change to the applicable Target, and if the Town promptly notifies the Grantee of such determination, the Grantee must repay the Grant proceeds based upon the following schedule:

In the 1st year following CO issuance	Repay \$20,000
On or after the 1st anniversary of CO issuance but before the 2nd anniversary of CO issuance	Repay \$16,000
On or after the 2nd anniversary of CO issuance but before the 3rd anniversary of CO issuance	Repay \$12,000
On or after the 3rd anniversary of CO issuance but before the 4th anniversary of CO issuance	Repay \$8,000
On or after the 4th anniversary of CO issuance but before the 5th anniversary of CO issuance	Repay \$4,000

Repayment Dates: Such repayment shall be due from the Grantee to the Town within thirty days of the Performance Date or the Determination Date, as applicable.

Section 4. Grantee Reporting.

The Grantee shall provide, at the Grantee's expense, detailed verification reasonably satisfactory to the Town of the Grantee's progress on the Targets. Such progress reports will be provided at least annually, starting at twelve months from the date that the Grantee receives the Grant, and at such other times as the Town may require for a period of five years from the grant proceeds award date.

Section 5. Notices.

Any notices required or permitted under this Agreement shall be given in writing, and shall be deemed to be received upon receipt or refusal after mailing of the same in the United States Mail by certified mail, postage fully pre-paid or by overnight courier (refusal shall mean return or certified mail not accepted by the addressee):

If intended for the Town, to:

Town of Northlake
1500 Commons Circle, Suite 300
Northlake, Texas 76262
Attn: Drew Corn, Town Manager
Phone: (940) 648-3290
Fax: (940) 648-0363
Email: dcorn@town.northlake.tx.us

If intended for the Grantee, to:

N-Spurred LLC dba S.A.S. Boutique
204 Wallis Avenue
Santa Anna, Texas 76878
Attn: Kyra Neff
Phone: (817) 235-0186
Email: santannastore@yahoo.com

With a copy to:

Taylor, Olson, Adkins, Sralla & Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107
Attn: Ashley D. Dierker
Phone: (817) 332-2580
Fax: (817) 332-4740
Email: adierker@toase.com

Northlake EDC
1500 Commons Circle, Suite 300
Northlake, Texas 76262
Attn: President
Phone: (940) 648-3290
Fax: (940) 648-0363
Email: northlakeedc@town.northlake.tx.us

Northlake CDC
1500 Commons Circle, Suite 300
Northlake, Texas 76262
Attn: President

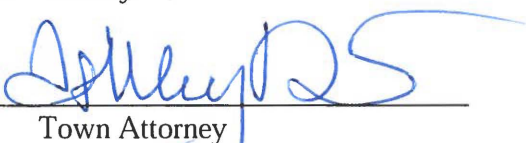
Phone: (940) 648-3290
Fax: (940) 648-0363
Email: northlakeedc@town.northlake.tx.us

Section 6. Miscellaneous.

- A. Entire Agreement; Amendments: This Agreement constitutes the entire agreement between the parties hereto as to the subject matter contained herein and may not be amended or modified, except in writing signed by each of the parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Grantee may not assign its rights and obligations under this Agreement without the prior written consent of the Town.
- B. Governing Law; Venue: This Agreement is made and performable in the Town limits of Northlake in Denton County, Texas and shall be construed and enforced by local and state laws within the State of Texas. Venue for any litigation arising out of or involving this Agreement shall lie in Denton County, Texas.
- C. Counterparts: This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.
- D. Severability: If any provision of this Agreement is determined to be unenforceable, then the remaining provisions of this Agreement shall, in the discretion of the Town, be voidable or interpreted as in effect as if such unenforceable provision were not included therein.

EXECUTED and effective as of the date of the last authorized signature below.

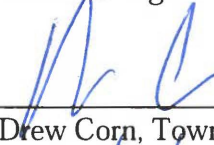
APPROVED AS TO FORM:
ASHLEY D. DIERKER,
TAYLOR, OLSON, ADKINS,
SRALLA & ELAM, L.L.P.
Town Attorney

By: 
Town Attorney

Date: 05/26/2022

TOWN OF NORTHLAKE
DREW CORN

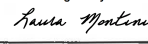
Town Manager

By: 
Drew Corn, Town Manager

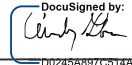
Date: 5/27/22



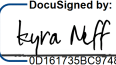
**NORTHLAKE ECONOMIC DEVELOPMENT
CORPORATION**

By:  DocuSigned by:
87FDCB63B7444C7
Laura Montini, President of Board of Directors
Date: 6/5/2022

**NORTHLAKE COMMUNITY DEVELOPMENT
CORPORATION**

By:  DocuSigned by:
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Andy Gibson, President of Board of Directors
Date: 6/5/2022

GRANTEE:

By:  DocuSigned by:
001B1735BC9748D...
Kyra Neff, Owner
N-Spurred LLC dba S.A.S. Boutique
Date: 6/7/2022

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
REF. DOC.: Texas Tax Code, Section 6.03 Appraisal District Board of Directors
SUBJECT: Consider approval of a Resolution of the Town of Northlake, Texas, nominating a member or members to the Board of Directors of the Denton Central Appraisal District
GOALS/ OBJECTIVES: Advance Northlake's Interest; 5.3 - Influence local- regional - and state issues

BACKGROUND INFORMATION:

- Taxing jurisdictions nominate then vote on five DCAD board members
- DCAD Board Members Guidelines:
 - Term: two years beginning January 1, 2025
 - Must have resided in Denton County throughout previous two years
 - Elected officials of taxing unit may serve, Town employees may not

COUNCIL ACTION/DIRECTION:

Nominate candidate(s) for DCAD Board of Directors



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO. NOT APPROVED - NO ACTION TAKEN

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS TO NOMINATE CANDIDATES TO THE DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE TERM OF JANUARY 1, 2025 THROUGH DECEMBER 31, 2027; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Northlake, Texas, has joined in the formation of a Denton Central Appraisal District; and

WHEREAS, the Denton County Chief Appraiser has notified each taxing entity that nominations are in order for five seats on this board; and

WHEREAS, the Denton County Chief Appraiser has notified the Town of its nominating entitlement of five (5) nominations.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. That the Town of Northlake hereby nominates its no more than five (5) nominations for the following candidate(s) _____ to serve on the Board of the Denton Central Appraisal District Board of Directors.

Section 3. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on October 10, 2024.

Town of Northlake, Texas

Brian Montini, Mayor

Attest:

Zolaina Parker, Town Secretary



Denton Central Appraisal District
3911 Morse Street
Denton, TX 76208

 (940) 349-3800
 www.dentoncad.com

M E M O

TO: Denton County, School Districts and Cities that Levy a Tax

FROM: Don Spencer, Chief Appraiser

SUBJECT: Request for Nominations for DCAD Board of Directors

DATE: August 14, 2024

It is time again for the Denton County taxing entities to select five individuals to serve as the DCAD Board of Directors. Each jurisdiction may nominate by written resolution up to five people to be considered for the DCAD Board of Directors. According to Section 6.03 of the Texas Property Tax Code, it is the chief appraiser's responsibility to initiate this process, which is the purpose of this memo.

Please note that a chief appraiser does not have the authority, or the duty, to investigate or judge the qualifications of the nominees. Further, a chief appraiser cannot extend the deadline for receiving nominations.

Please return your nomination(s) by written resolution before October 15, 2024.

Please provide the name and address of the nominee(s). The District will send a questionnaire to each nominee requesting additional information to assist the entities in the voting process.

CALENDAR FOR APPOINTMENTS:

1. Before October 1st - Each jurisdiction will be advised of the number of votes they are entitled to cast in the election of the board of directors (those numbers are included in this email).
2. Before October 15th - The governing body of each jurisdiction may nominate by written resolution up to five candidate(s) to the DCAD Board of Directors. (The number of votes that each jurisdiction has is not relevant in the initial nomination phase.)
3. Before October 30th - A comprehensive list of the nominees will be compiled and this information will be sent to the taxing jurisdictions in the form of a ballot.
4. Before December 15th - The taxing jurisdictions choose by written resolution the candidate, or candidates, of their choice. The jurisdictions then submit the names of their candidates and the votes they cast for each candidate before the December 15th deadline.
5. Before December 31st - A tabulation of the votes will be forwarded to the jurisdictions. The five candidates that have received the most votes become the Board of Directors as of January 1st.



Denton Central Appraisal District
3911 Morse Street
Denton, TX 76208

 (940) 349-3800
 www.dentoncad.com

Memo, Appointing Board of Directors, August 14, 2024

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SELECTING A NOMINEE

AUTHORITATIVE GUIDELINES - The selection process is set forth in Section 6.03 of the Property Tax Code. This process is not an "election" governed by the Texas Election Code. It is an independent procedure unique to the property tax system.

ELIGIBILITY - An appraisal district director must reside in Denton County for at least two years immediately preceding the date he or she takes office. Most residents are eligible to serve as a director. An individual that is serving on the governing body of a city, county, or school district is eligible to serve as an appraisal district's director.

An employee of a taxing unit served by the appraisal district is **not** eligible to serve as a director. However, if the employee is an elected official, he or she is eligible to serve.

A statute relevant to the Board selection process prohibits nepotism and conflict of interest for appraisal district directors and chief appraisers. In summary, the law states that:

..... "a person may not serve as director if closely related to anyone in the appraisal district or if related to anyone who represents owners in the district, or if the person has an interest in a business that contracts with the district or a taxing unit. A chief appraiser may not employ someone closely related to a member of the board of directors".

TERM OF OFFICE – Section 5.13(d) of SB2 Second Special Session 88th Legislature redefined the terms for appointed positions on the appraisal district board of directors. For the term of office beginning on January 1, 2025, officers will serve either a one or a three year term. All terms thereafter will be 4 year staggered terms. Term length each appointed position will be determined by drawing during the first calendar meeting of 2025.

FREQUENCY OF MEETINGS - The applicable statutes require the board of directors to meet a minimum of once each calendar quarter.

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024
Section: 6. EXECUTIVE SESSION

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

Section: 7. RECONVENE INTO OPEN SESSION

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: October 10, 2024

Section: 8. ADJOURN
