



**NORTHLAKE TOWN COUNCIL  
REGULAR MEETING AGENDA  
FEBRUARY 13, 2025, 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 February 13, 2025, 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. Employee Anniversary - Alex Arnold, Police Department - 15 Years
- B. Employee Anniversary - Lora Hutchings, Development Services - 10 Years
- C. Briefing - Denton County Bond Program and Texas Department of Transportation Road Projects
- D. Briefing - Northlake Police Department Recap 2024
- E. Briefing - Fiscal Year 2025 First Quarter Investment & Financial Report (Oct - Dec 2024)

**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 January 9, 2025
- B. Consider acceptance of the Northlake Police Department Racial Profiling Report for 2024
- C. Consider an Ordinance of the Town of Northlake, Texas, authorizing and ordering a General

Uniform (Municipal) Election to be held in the Town of Northlake on May 3, 2025, and if required, a Runoff Election on June 7, 2025, for the purpose of electing Council Members to Places 4, 5, and 6; prescribing the time and designating the locations, and manner of conducting the election to be in accordance with the Joint Election Agreement and Contract for Election Services with Denton County and the Denton County Elections Administrator; authorizing the Mayor to execute the agreement and contract; and providing an effective date

- D. Consider approval of a Resolution of the Town of Northlake, Texas, authorizing continued participation with the steering committee of cities served by ONCOR; and authorizing the payment of eleven cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to ONCOR Electric Delivery Company, LLC

## 5. **ACTION ITEMS**

The Following Items will be Considered:

- A. Consider approval of a Resolution of the Town of Northlake, Texas, approving the terms and conditions of an incentives policy to promote economic development and stimulate business and commercial activity in the town; establishing guidelines and criteria for approval of tax abatements and other incentives; electing to become eligible to participate in tax abatement; and providing an effective date
  - i. Public Hearing
  - ii. Consider Approval

## 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 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.
- ii. 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.
- iii. 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.
- iv. Potential annexation and development agreement for Lots 3 & 4, Block A, The Hills of

Northlake West, approximately 4.253 acres of land generally located on the north side of 1500 block of FM 407 in the extraterritorial jurisdiction of the Town.

- v. Potential amendment to development agreement between Sandstrom Development Tx, LTD and the Town of Northlake for development of Hawthorne Estates.
- vi. Potential amendment to development agreement between Gaddy Commercial Venture, LLC and the Town of Northlake for development of Florance Road Business Park.

**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. Proposed purchase of 0.0180 acre (786 sq. ft) tract of land on property situated in the George Shamblin Survey, Abstract No. 1191, Town of Northlake, Denton County, Texas, and being part of Lot 2R1, Block 1, Creekside at Northlake II, for the use by the Town of Northlake for the construction and maintenance of Elizabethtown Road Bridge and for other public purposes permitted by law.
- ii. Proposed purchase of 0.0797 acre (3,473 sq. ft) tract of land on property situated in the George Shamblin Survey, Abstract No. 1191, Town of Northlake, Denton County, Texas, and being part of a tract of land described to Puskoor M. Kumar, Trustee of the Puskoor M. Kumar Irrevocable Trust, for the use by the Town of Northlake for the construction and maintenance of Elizabethtown Road Bridge and for other public purposes permitted by law.
- iii. Proposed purchase of 0.1898 acre (8,266 sq. ft) tract of land on property situated in the George Shamblin Survey, Abstract No. 1191, Town of Northlake, Denton County, Texas, for the use by the Town of Northlake for the construction and maintenance of Elizabethtown Road Bridge and for other public purposes permitted by law.
- iv. Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of roadway, drainage, and sanitary sewer improvements for commercial areas north of FM 407 and east of Faught Road.
- v. Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of water system improvements in the Town's northwest pressure plain.

**C. Section 551.087 - Economic Development Negotiations**

The Town Council may convene in an executive session to discuss or deliberate regarding commercial or financial information that the Town has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the Town and with which the Town is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described below.

- 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 economic development agreement with Northport Partners, LLC for the development of 1.32 acres of land owned by the Town of Northlake generally located at the

northeast corner of Interstate 35W and Ashmore Lane.

## 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.

- A. Consider approval of a resolution of the Town of Northlake, Texas, authorizing the purchase of 0.0180 acre (786 sq. ft) tract of land on property situated in the George Shamblin Survey, Abstract No. 1191, Town of Northlake, Denton County, Texas, and being part of Lot 2R1, Block 1, Creekside at Northlake II, for the use by the Town of Northlake for the construction and maintenance of Elizabethtown Road Bridge and for other public purposes permitted by law
- B. Consider approval of a resolution of the Town of Northlake, Texas, authorizing the purchase of 0.0797 acre (3,473 sq. ft) tract of land on property situated in the George Shamblin Survey, Abstract No. 1191, Town of Northlake, Denton County, Texas, and being part of a tract of land described to Puskoor M. Kumar, Trustee of the Puskoor M. Kumar Irrevocable Trust, for the use by the Town of Northlake for the construction and maintenance of Elizabethtown Road Bridge and for other public purposes permitted by law
- C. Consider approval of a resolution of the Town of Northlake, Texas, authorizing the purchase of 0.1898 acre (8,266 sq. ft) tract of land on property situated in the George Shamblin Survey, Abstract No. 1191, Town of Northlake, Denton County, Texas, for the use by the Town of Northlake for the construction and maintenance of Elizabethtown Road Bridge and for other public purposes permitted by law

## 8. ADJOURN

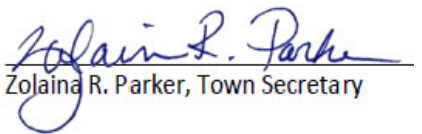
With no further items to consider, the meeting will be adjourned.

**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 February 7, 2025, by 6:00 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.

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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025

**Section:** 1. CALL TO ORDER

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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025

**Section:** 2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:** Employee Anniversary Policy  
**SUBJECT:** Employee Anniversary - Alex Arnold, Police Department - 15 Years  
**GOALS/** Protect the Public; 1.5 - Attract and retain top quality staff  
**OBJECTIVES:**

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### **BACKGROUND INFORMATION:**

- Sgt. Alex Arnold has served in the Police Department since January 2010
  - 15 year award
  - Supervisor over Patrol and Administrative Services
  - Took over Criminal Investigations in 2023 with 2 full-time Detectives, added 3rd Detective in 2024
  - Over 28 years of law enforcement experience

### **COUNCIL ACTION/DIRECTION:**

Provide feedback as Town Council deems necessary

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:** Employee Anniversary Policy  
**SUBJECT:** Employee Anniversary - Lora Hutchings, Development Services - 10 Years  
**GOALS/** Protect the Public; 1.5 - Attract and retain top quality staff  
**OBJECTIVES:**

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### BACKGROUND INFORMATION:

- Lora Hutchings, Planning & Permitting Coordinator has worked in Development Services since January 2015:
  - 10 Year Award
  - Supervisor over Code Enforcement and Permitting
  - Promoted in 2023 to Planning Coordinator
  - 1st Development Services Team Member hired by Nathan Reddin, Development Services Director

### COUNCIL ACTION/DIRECTION:

Provide feedback as Town Council deems necessary

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:** Denton County and TXDOT Road Projects  
**SUBJECT:** Briefing - Denton County Bond Program and Texas Department of Transportation Road Projects  
**GOALS/ OBJECTIVES:** Invest in Infrastructure; 4.3 - Prioritize road projects and mitigate traffic

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### BACKGROUND INFORMATION:

- John Polster with Innovative Transportation Solutions will provide an update on the following
  - Current Denton County Bond Program Projects
  - Potential Denton County Bond Program Projects
  - Current TXDOT Roadway Projects
- Project updates to include but not limited to:
  - SH 114 East
  - FM 1171 West
  - US 377 Argyle Section
  - US 377 Creek Section
  - I-35W Frontage Roads
  - FM 407
  - FM 407 Breakout
  - FM 407 West Feasibility Study
  - Faught Road
  - Strader Road

### COUNCIL ACTION/DIRECTION:

Provide feedback as Town Council deems necessary

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:**  
**SUBJECT:** Briefing - Northlake Police Department Recap 2024  
**GOALS/** Protect the Public; 1.1 - Ensure police presence in the community  
**OBJECTIVES:**

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### BACKGROUND INFORMATION:

- Overview of Performance Measures
  - Police Involvement
  - Public Safety Coordination
  - Response Times
- Areas of Analysis
  - Vehicle Pursuits
  - Use of Force
  - Accidents & Injuries
- Accomplishments
- Mental Health
- Programs
  - Golf Cart Awareness
  - Citizens on Patrol
- Overview of Operations Division (Patrol)
  - Comparison Data
  - 5-Year Calls for Service
- Overview of Support Division (Criminal Investigations & Support Staff)
  - Caseload and Clearance Rate
  - Clearance type
- Future

### COUNCIL ACTION/DIRECTION:

Provide feedback as Town Council deems necessary

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:** Fiscal Year 2024-2025 Adopted Budget  
**SUBJECT:** Briefing - Fiscal Year 2025 First Quarter Investment & Financial Report (Oct - Dec 2024)  
**GOALS/** Exercise Fiscal Responsibility; 2.4 - Project future staffing - facilities - and resources  
**OBJECTIVES:**

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### BACKGROUND INFORMATION:

Quarterly Investment Reports displayed on Town website:

<https://www.town.northlake.tx.us/334/Quarterly-Investment-Reports>

- Fiscal Year (FY) 2024 first quarter total cash and investment book value: \$95,004,699
- First quarter total interest earnings: \$973,454
  - \$40,203 (4%) more than the prior quarter.
- Minimal increase of 3% (\$2,726,639) from last quarter in total book value
  - Increase the result of first quarter revenue collections and interest income.

Quarterly Financials displayed on Town website:

<https://www.town.northlake.tx.us/472/Quarterly-Financial-Reports>

- Year-to-Date (YTD) Budget Highlights:
  - 25% of the fiscal year transpired
    - Revenues have outpaced expenditures in YTD actuals vs. budgeted
      - Due to collection on property taxes and other revenues while large expenditures (example: debt service and interest payments) have not yet been expensed
  - 22% of revenues collected
    - 35% of property taxes received for year
    - 10% of sales taxes collected for year
  - 10% of budgeted expenditures spent
    - 18% of personnel expenditures spent
    - \$316,000 of capital project expenditures spent
      - Projects in planning, bidding, or construction phases but expenses were not booked in first quarter
      - An uptick in invoices for project expenses is expected in the second quarter

### COUNCIL ACTION/DIRECTION:

Provide feedback as Town Council deems necessary

# Exhibit A:

First Quarter Investment Report



## **QUARTERLY INVESTMENT REPORT**

### **For the Quarter Ended**

**December 31, 2024**

**Prepared by**

**Valley View Consulting, L.L.C.**

The investment portfolio of the Town of Northlake is in compliance with the Public Funds Investment Act and the Investment Policy and its incorporated strategies.

John Thomson, Finance Director

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Investment Officer

A handwritten signature in black ink, appearing to read 'John Thomson', is written over a horizontal line.

**Disclaimer:** These reports were compiled using information provided by the Town. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

## Summary

### Quarter End Results by Investment Category:

| Asset Type     | September 30, 2024   |                      | December 31, 2024    |                      |              |
|----------------|----------------------|----------------------|----------------------|----------------------|--------------|
|                | Book Value           | Market Value         | Book Value           | Market Value         | Ave. Yield   |
| Pools/Bank/MMA | \$ 73,111,351        | \$ 73,111,351        | \$ 77,705,774        | \$ 77,705,774        | 3.98%        |
| Securities/CDs | 19,166,709           | 19,166,709           | 17,298,925           | 17,298,925           | 5.16%        |
| <b>Totals</b>  | <b>\$ 92,278,060</b> | <b>\$ 92,278,060</b> | <b>\$ 95,004,699</b> | <b>\$ 95,004,699</b> | <b>4.19%</b> |

#### Quarter End Average Yield (1)

|                              |       |
|------------------------------|-------|
| Total Portfolio              | 4.19% |
| Rolling Three Month Treasury | 4.56% |
| Rolling Six Month Treasury   | 4.63% |
| TexPool                      | 4.56% |

#### Fiscal Year-to-Date Average Yield (2)

|                              |       |
|------------------------------|-------|
| Total Portfolio              | 4.19% |
| Rolling Three Month Treasury | 4.56% |
| Rolling Six Month Treasury   | 4.63% |
| Quarterly TexPool Yield      | 4.56% |

#### Interest Earnings (Approximate)

|                              |            |
|------------------------------|------------|
| Quarterly Interest Income    | \$ 973,454 |
| Year-to-date Interest Income | \$ 973,454 |

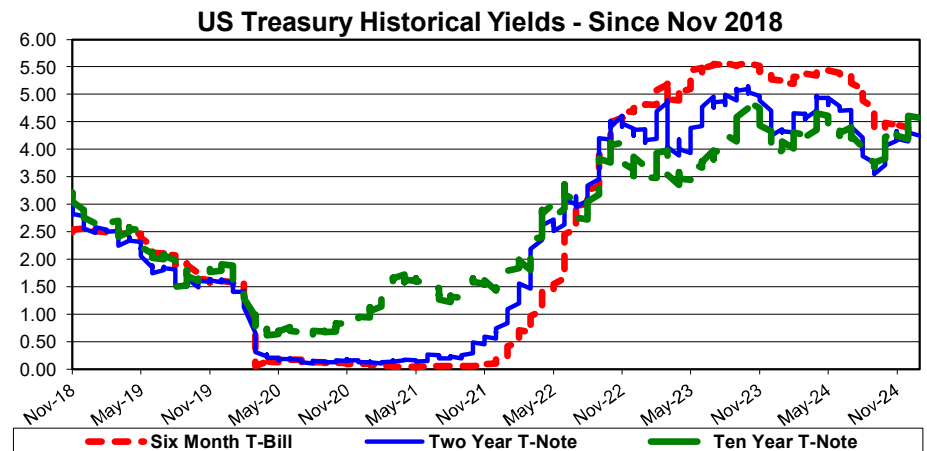
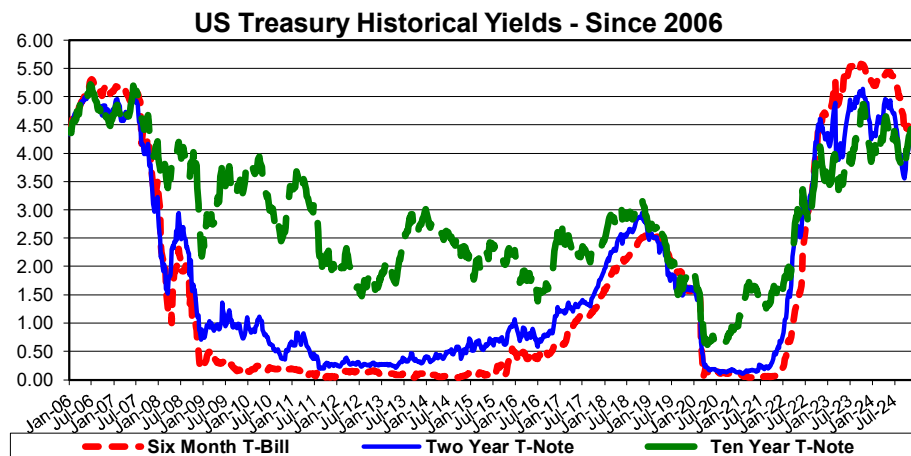
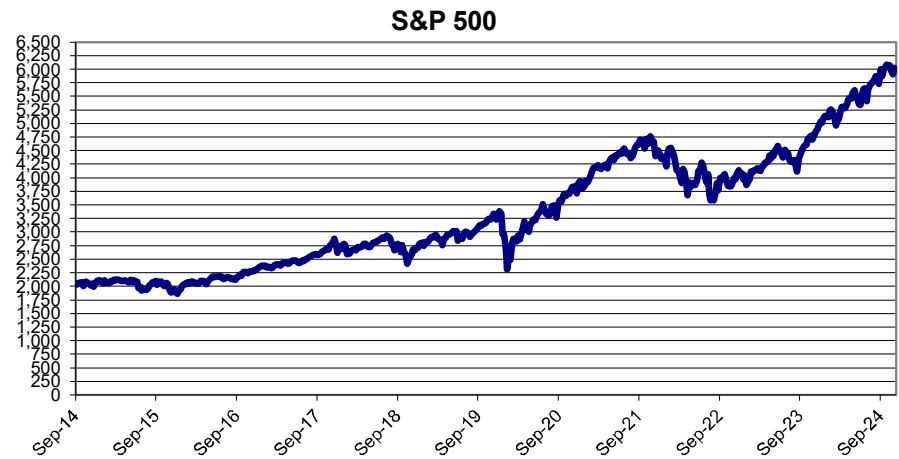
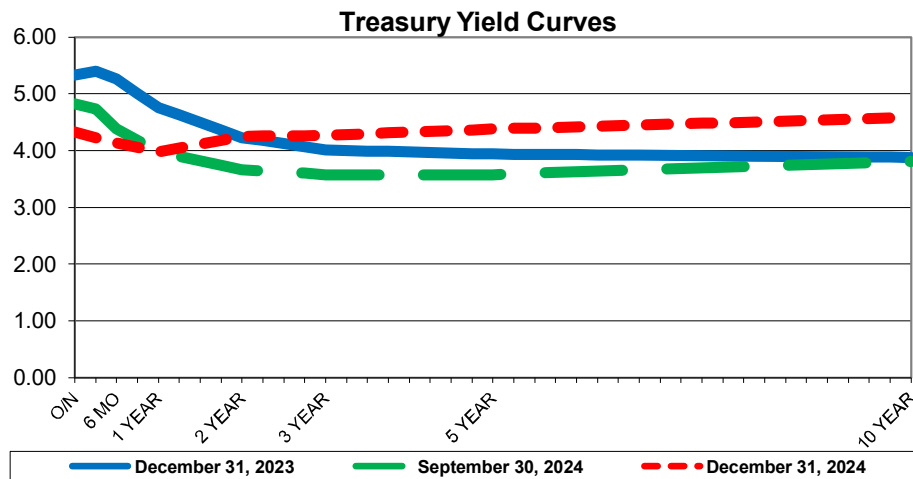
(1) **Quarter End Average Yield** - based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank, pool, and money market balances.

(2) **Fiscal Year-to-Date Average Yield** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

## Economic Overview

12/31/2024

The Federal Open Market Committee (FOMC) reduced the Fed Funds target range to 4.25% - 4.50% (Effective Fed Funds trade +/-4.33%). Expectations for additional rate cuts have diminished with one 0.25% cut projected in March/May. The next cut might not be until October. December Non-Farm Payroll improved to +256k new jobs, with the Three Month Rolling Average falling slightly to +170k (from the previous +173k). Third Quarter 2024 GDP final number increased to +3.1. The S&P 500 Stock Index experienced some volatility but still exceeds 6,000. The yield curve adjusted to a slight checkmark shape. Crude Oil bounced +/- \$70 per barrel. Inflation remains above the FOMC 2% target (Core PCE +/-2.8% and Core CPI +/-3.3%). Declining global economic outlook and ongoing/expanding international political disruptions increases uncertainty.

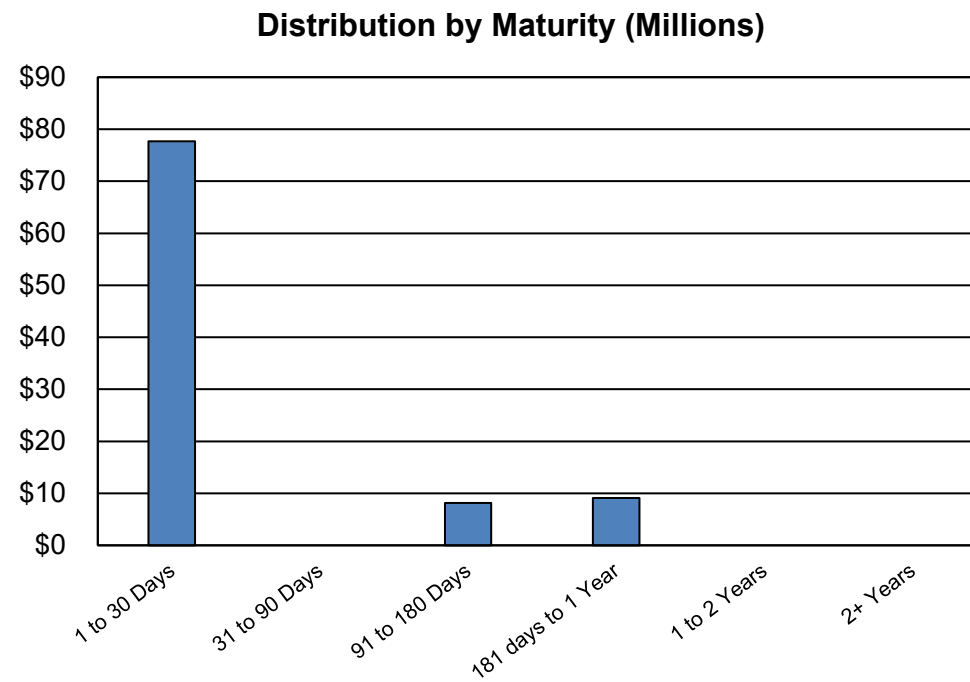
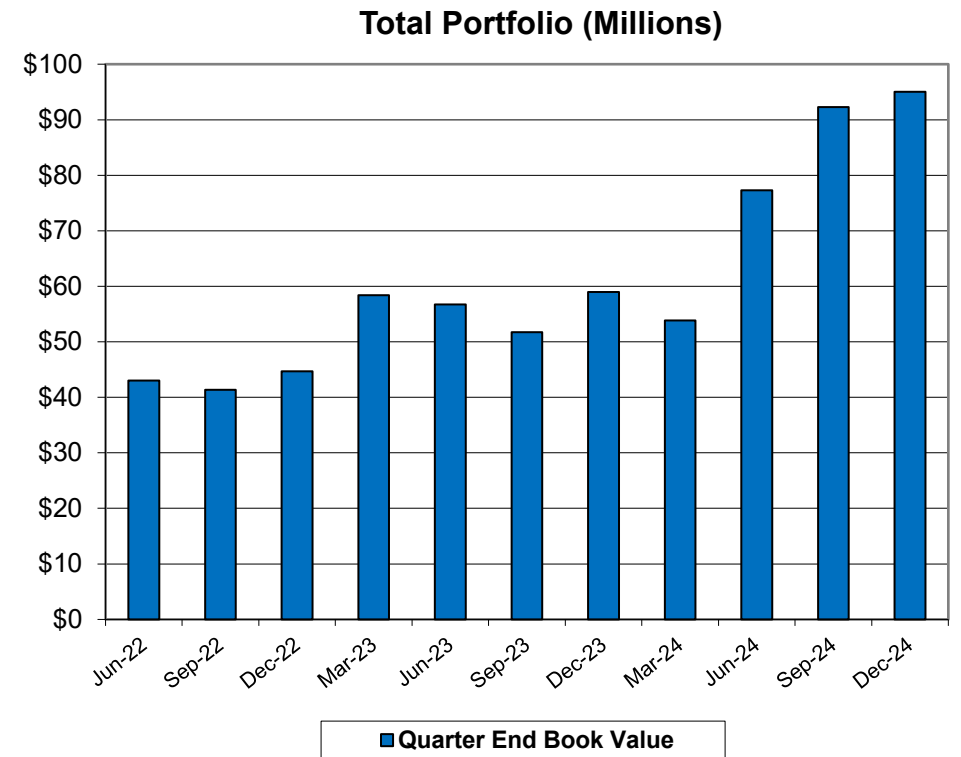
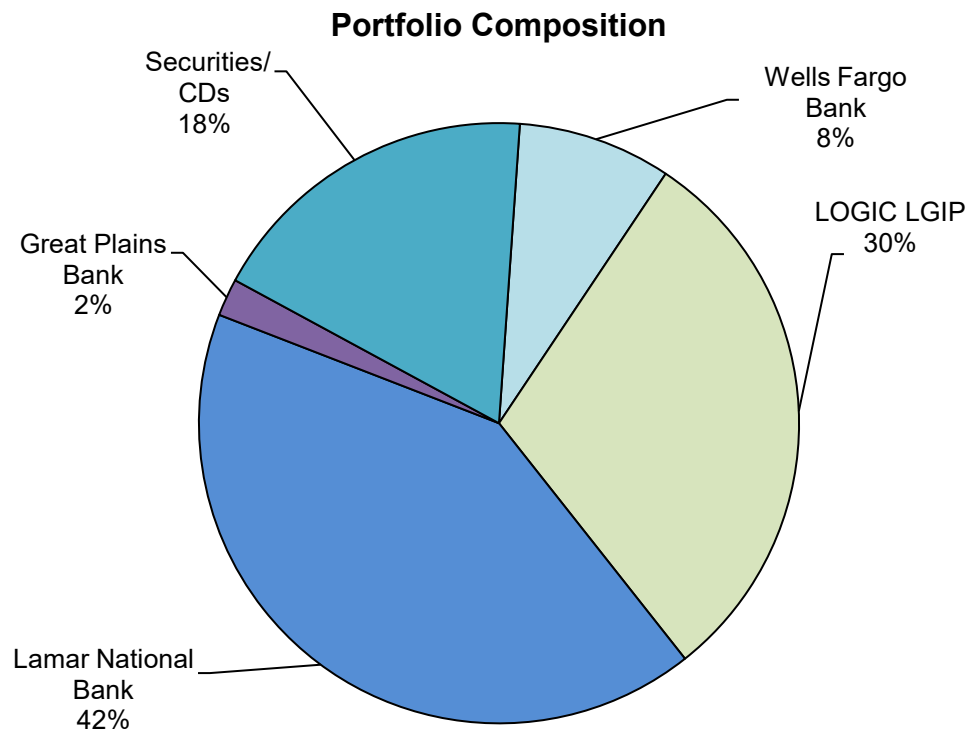


**Investment Holdings**  
**December 31, 2024**

| Description                        | Ratings | Coupon/<br>Discount | Maturity<br>Date | Settlement<br>Date | Par Value            | Book<br>Value        | Market<br>Price | Market<br>Value      | Life<br>(Days) | Yield        |
|------------------------------------|---------|---------------------|------------------|--------------------|----------------------|----------------------|-----------------|----------------------|----------------|--------------|
| Wells Fargo - Investment Account   |         | 0.93%               | 01/01/25         | 12/31/24           | \$ 84,111            | \$ 84,111            | 1.00            | \$ 84,111            | 1              | 0.93%        |
| Wells Fargo - General Account      |         | 4.80%               | 01/01/25         | 12/31/24           | 6,939,361            | 6,939,361            | 1.00            | 6,939,361            | 1              | 4.80%        |
| Wells Fargo - Grants               |         | 0.00%               | 01/01/25         | 12/31/24           | 831,227              | 831,227              | 1.00            | 831,227              | 1              | 0.00%        |
| Lamar National Bank MMA            |         | 0.11%               | 01/01/25         | 12/31/24           | 124,512              | 124,512              | 1.00            | 124,512              | 1              | 0.11%        |
| Lamar National Bank MMA #2         |         | 1.95%               | 01/01/25         | 12/31/24           | 18,623,453           | 18,623,453           | 1.00            | 18,623,453           | 1              | 1.95%        |
| Lamar National Bank ICS account    |         | 0.11%               | 01/01/25         | 12/31/24           | 124,512              | 124,512              | 1.00            | 124,512              | 1              | 0.11%        |
| Lamar National Bank ICS account #2 |         | 4.00%               | 01/01/25         | 12/31/24           | 20,577,471           | 20,577,471           | 1.00            | 20,577,471           | 1              | 4.00%        |
| Great Plains Bank - Checking       |         | 0.00%               | 01/01/25         | 12/31/24           | 10                   | 10                   | 1.00            | 10                   | 1              | 0.00%        |
| Great Plains Bank - ICS Account    |         | 4.25%               | 01/01/25         | 12/31/24           | 1,920,009            | 1,920,009            | 1.00            | 1,920,009            | 1              | 4.25%        |
| LOGIC   2024 GO Bonds              |         | 5.23%               | 01/01/25         | 12/31/24           | 8,983,651            | 8,983,651            | 1.00            | 8,983,651            | 1              | 5.23%        |
| LOGIC   2024 CO Bonds              |         | 5.23%               | 01/01/25         | 12/31/24           | 10,330,820           | 10,330,820           | 1.00            | 10,330,820           | 1              | 5.23%        |
| LOGIC   Debt Service Fund          |         | 5.23%               | 01/01/25         | 12/31/24           | 2,025,881            | 2,025,881            | 1.00            | 2,025,881            | 1              | 5.23%        |
| LOGIC LGIP                         |         | 5.23%               | 01/01/25         | 12/31/24           | 7,140,757            | 7,140,757            | 1.00            | 7,140,757            | 1              | 5.23%        |
| East West Bank CD                  |         | 5.31%               | 01/28/25         | 08/01/24           | 8,180,050            | 8,180,050            | 100.00          | 8,180,050            | 180            | 5.45%        |
| East West Bank CD                  |         | 4.46%               | 05/05/25         | 11/05/24           | 5,035,136            | 5,035,136            | 100.00          | 5,035,136            | 181            | 4.56%        |
| American Nat'l B&T CDARS           |         | 5.18%               | 05/07/25         | 08/07/24           | 4,083,739            | 4,083,739            | 100.00          | 4,083,739            | 273            | 5.32%        |
| <b>Total</b>                       |         |                     |                  |                    | <b>\$ 95,004,699</b> | <b>\$ 95,004,699</b> |                 | <b>\$ 95,004,699</b> | <b>38</b>      | <b>4.19%</b> |
|                                    |         |                     |                  |                    |                      |                      |                 |                      | <b>(1)</b>     | <b>(2)</b>   |

**(1) Weighted average life** - For purposes of calculating weighted average life, cash equivalent investments are assumed to have a one day maturity.

**(2) Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for pool, and bank account investments.



## Book & Market Value Comparison

| Issuer/Description                 | Yield        | Maturity Date | Book Value<br>09/30/24 | Increases            | Decreases             | Book Value<br>12/31/24 | Market Value<br>09/30/24 | Change in<br>Market Value | Market Value<br>12/31/24 |
|------------------------------------|--------------|---------------|------------------------|----------------------|-----------------------|------------------------|--------------------------|---------------------------|--------------------------|
| Wells Fargo - Investment Account   | 0.93%        | 01/01/25      | \$ 83,977              | \$ 134               | \$ —                  | \$ 84,111              | \$ 83,977                | \$ 134                    | \$ 84,111                |
| Wells Fargo - General Account      | 4.80%        | 01/01/25      | 3,142,173              | 3,797,188            | —                     | 6,939,361              | 3,142,173                | 3,797,188                 | 6,939,361                |
| Wells Fargo - Grants               | 0.00%        | 01/01/25      | 831,227                | —                    | —                     | 831,227                | 831,227                  | —                         | 831,227                  |
| Lamar National Bank MMA            | 0.11%        | 01/01/25      | 124,512                | —                    | —                     | 124,512                | 124,512                  | —                         | 124,512                  |
| Lamar National Bank MMA #2         | 1.95%        | 01/01/25      | 18,532,111             | 91,342               | —                     | 18,623,453             | 18,532,111               | 91,342                    | 18,623,453               |
| Lamar National Bank ICS account    | 0.11%        | 01/01/25      | 124,512                | —                    | —                     | 124,512                | 124,512                  | —                         | 124,512                  |
| Lamar National Bank ICS account #2 | 4.00%        | 01/01/25      | 20,343,840             | 233,631              | —                     | 20,577,471             | 20,343,840               | 233,631                   | 20,577,471               |
| Great Plains Bank - Checking       | 0.00%        | 01/01/25      | 10                     | —                    | —                     | 10                     | 10                       | —                         | 10                       |
| Great Plains Bank - ICS Account    | 4.25%        | 01/01/25      | 1,901,023              | 18,986               | —                     | 1,920,009              | 1,901,023                | 18,986                    | 1,920,009                |
| LOGIC   2024 GO Bonds              | 5.23%        | 01/01/25      | 10,854,052             | —                    | (1,870,401)           | 8,983,651              | 10,854,052               | (1,870,401)               | 8,983,651                |
| LOGIC   2024 CO Bonds              | 5.23%        | 01/01/25      | 8,118,146              | 2,212,674            | —                     | 10,330,820             | 8,118,146                | 2,212,674                 | 10,330,820               |
| LOGIC   Debt Service Fund          | 5.23%        | 01/01/25      | 2,001,378              | 24,503               | —                     | 2,025,881              | 2,001,378                | 24,503                    | 2,025,881                |
| LOGIC LGIP                         | 5.23%        | 01/01/25      | 7,054,391              | 86,366               | —                     | 7,140,757              | 7,054,391                | 86,366                    | 7,140,757                |
| East West Bank CD                  | 5.65%        | 11/01/24      | 7,064,634              | —                    | (7,064,634)           | —                      | 7,064,634                | (7,064,634)               | —                        |
| East West Bank CD                  | 5.45%        | 01/28/25      | 8,071,305              | 108,745              | —                     | 8,180,050              | 8,071,305                | 108,745                   | 8,180,050                |
| East West Bank CD                  | 4.56%        | 05/05/25      | —                      | 5,035,136            | —                     | 5,035,136              | —                        | 5,035,136                 | 5,035,136                |
| American Nat'l B&T CDARS           | 5.32%        | 05/07/25      | 4,030,770              | 52,969               | —                     | 4,083,739              | 4,030,770                | 52,969                    | 4,083,739                |
| <b>TOTAL / AVERAGE</b>             | <b>4.19%</b> |               | <b>\$ 92,278,060</b>   | <b>\$ 11,661,674</b> | <b>\$ (8,935,035)</b> | <b>\$ 95,004,699</b>   | <b>\$ 92,278,060</b>     | <b>\$ 2,726,639</b>       | <b>\$ 95,004,699</b>     |

# Exhibit B:

First Quarter Financial Report



## 1st Quarter Year-to-Date Financials

Fiscal Year 2024-2025 (October 2024 - December 2024)

### Overview

Year-to-date (YTD) refers to the period of time beginning the first day of the fiscal year up to the current date. The Town of Northlake provides a quarterly YTD report that provides useful information for Town leaders and residents. This information provides insights regarding the Town's budget and actual spending and trends in revenues and expenditures. Quarterly reports cover the following periods:

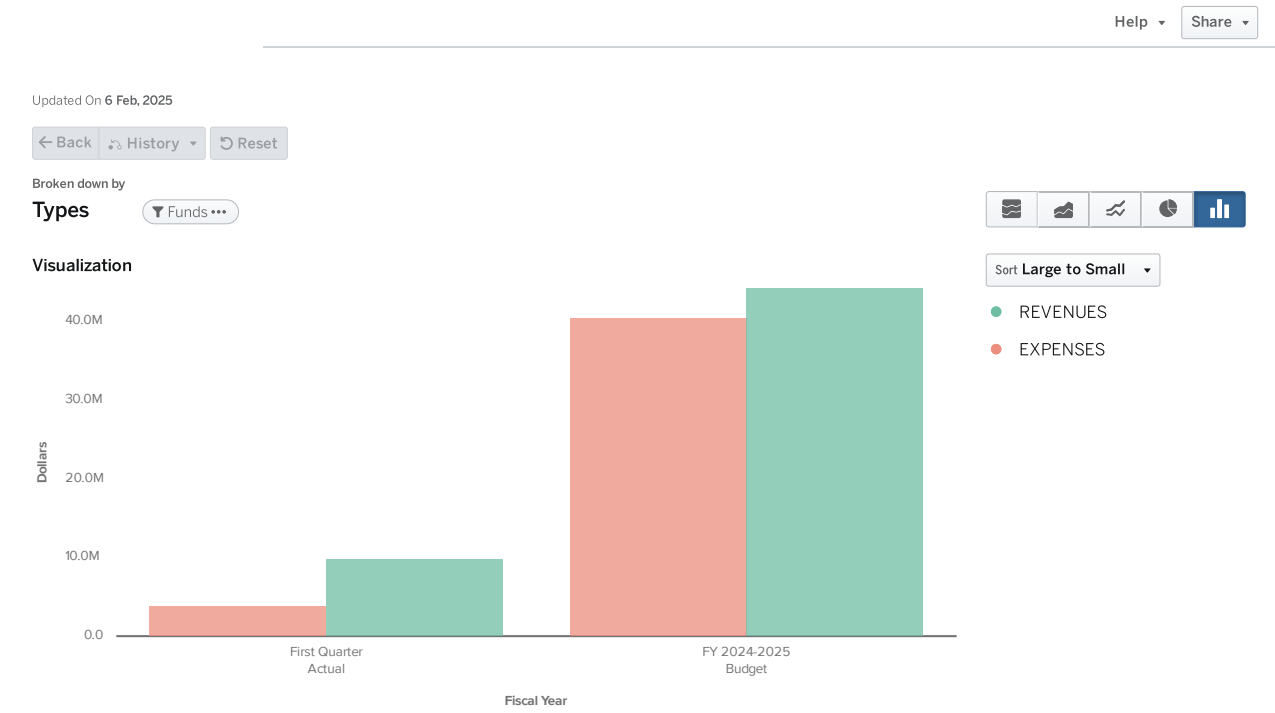
- First Quarter: October to December
- Second Quarter: January to March
- Third Quarter: April to June
- Fourth Quarter: July to September

Please note that the Town's fiscal year always begins on October 1st and ends on September 30th of the following year. For example, Fiscal Year 2024-2025 began on October 1, 2024 and will end on September 30, 2025.

# Operational Revenues and Expenditures

As of the creation of this report, 25% of the Town's fiscal year has expired, with 22% of operational revenues having been collected and 10% of operational expenditures having been spent. This operational view of the budget shows all revenues and expenditures after excluding revenues and expenditures related to capital projects and internal fund transfers. Revenues have outpaced expenditures at the beginning of the fiscal year because the Town has started to collect on key revenue sources, such as property tax, while larger expenditures, like debt service and interest payments, have yet to be expensed. The Town's operational budget for Fiscal Year 2024-2025 budgets for \$44,161,364 in revenues and \$40,642,920 in expenses.

## Revenues and Expenditure: Budgeted vs. YTD Actuals



### Operating Revenues and Expenses

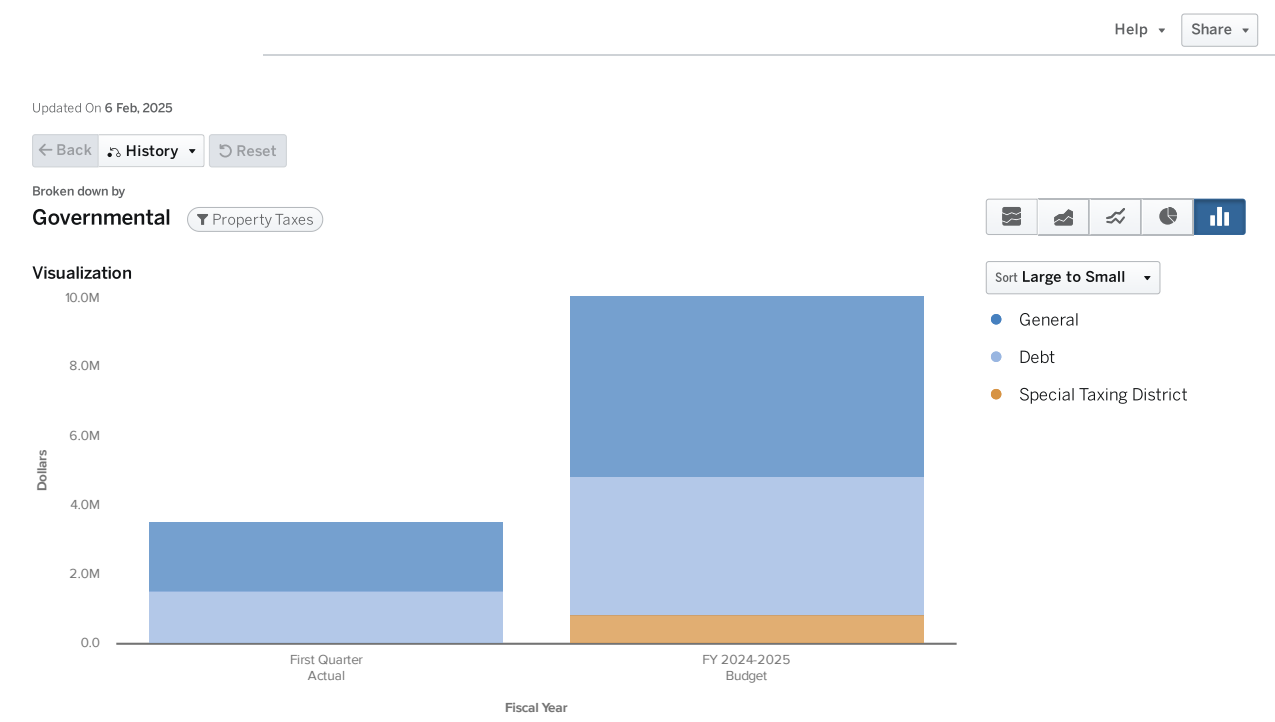
|                        | First Quarter Actual | FY 2024-2025 Budget |
|------------------------|----------------------|---------------------|
| REVENUES               | \$9,859,690          | \$44,161,364        |
| EXPENSES               | \$3,928,623          | \$40,642,920        |
| REVENUES LESS EXPENSES | \$5,931,067          | \$3,518,444         |

# Property Tax Revenue

As of the first quarter, the Town has collected 35% of property taxes that are expected to be received during the fiscal year. The Town levies a property tax rate of \$0.295 per \$100 of valuation. This property tax rate is one of the lowest in the region. Including fines and penalties, the Town expects to collect \$10,057,006 in property taxes in Fiscal Year 2025.

Collected Town property taxes are split between the General Fund and the Debt Service Fund. Collected taxes deposited into the General Fund help to fund the daily governmental operations. Taxes deposited into the Debt Service fund are used to make principal and interest payments on debt that the Town has assumed for water, sewer, road, and facility projects. The General Fund has a rate of \$0.166677 per \$100 of valuation, while the Debt Service Fund has a rate of \$0.128323. The combined rate of these two funds equals the \$0.295 property tax rate levied by the Town.

## Property Tax Revenue



### Property Taxes by Fund

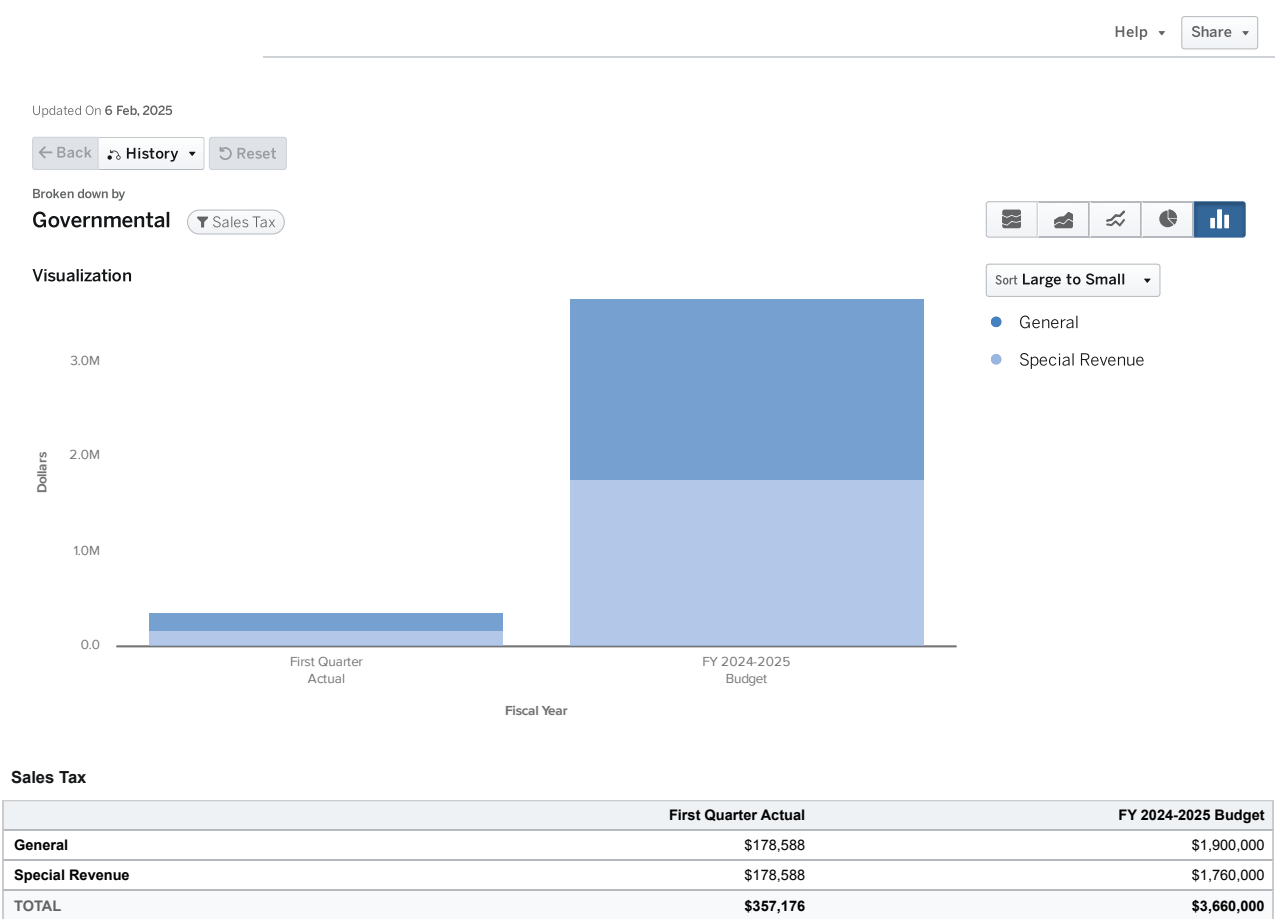
|                         | First Quarter Actual | FY 2024-2025 Budget |
|-------------------------|----------------------|---------------------|
| General                 | \$2,013,571          | \$5,210,219         |
| Debt                    | \$1,550,229          | \$4,004,478         |
| Special Taxing District | \$0                  | \$842,309           |
| TOTAL                   | \$3,563,801          | \$10,057,006        |

# Sales Tax Revenue

As of the first quarter, the Town has collected 10% of sales taxes that are expected to be received during the fiscal year. Sales taxes are split between several funds. Sales tax is divided between the General Fund, the Economic Development Corporation (EDC), Community Development Corporation (CDC), and the Sports Venue Fund. As of the end of the first quarter, the General Fund has collected \$178,588; the EDC and CDC has collected \$66,971 each; and the Sports Venue Fund has collected \$44,647.

Received and reported sales tax lags by two months. For example, sales tax received and reported in December is actually for the month of October. As such, sales tax for the holiday season (November and December) is not reported in the first quarter report. This can lead to a lower-than-expected reported sales tax for the first quarter of the fiscal year.

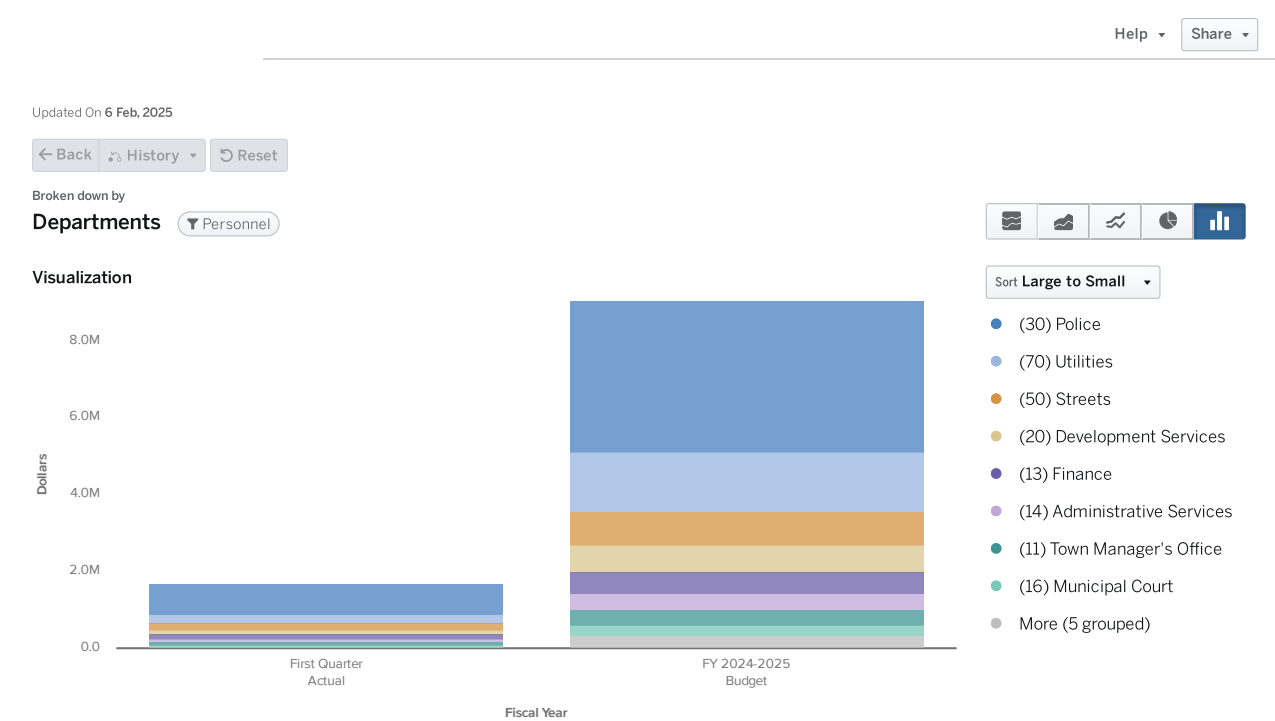
## Sales Tax Revenue



# Personnel Expenses

After capital projects, personnel is the largest expenditure category for the Town. As of the first quarter, 18% of personnel expenditures have occurred. Personnel expenditures includes salary, benefits, and supply and equipment costs for personnel. Police and Public Works (which is split between Utilities and Streets) are the Town's two highest cost centers when it comes to personnel costs. To date, the Town has expended \$1.6 million on personnel, with roughly 45% going to Police and 25% to Public Works.

## Personnel Expenses by Department



Personnel Expenses

|                              | First Quarter Actual | FY 2024-2025 Budget |
|------------------------------|----------------------|---------------------|
| Police                       | \$765,124            | \$3,937,019         |
| Utilities                    | \$211,683            | \$1,539,737         |
| Streets                      | \$199,959            | \$853,738           |
| Development Services         | \$118,670            | \$705,896           |
| Finance                      | \$114,012            | \$576,155           |
| Administrative Services      | \$69,947             | \$410,606           |
| Town Manager's Office        | \$72,536             | \$382,836           |
| Municipal Court              | \$57,598             | \$287,421           |
| Town Secretary's Office      | \$28,324             | \$143,807           |
| Communications and Marketing | \$19,151             | \$94,232            |
| Stormwater & Drainage        | \$0                  | \$92,892            |
| Non-Departmental             | \$8,054              | \$15,000            |
| Mayor & Council              | \$90                 | \$0                 |
| TOTAL                        | \$1,665,147          | \$9,039,339         |

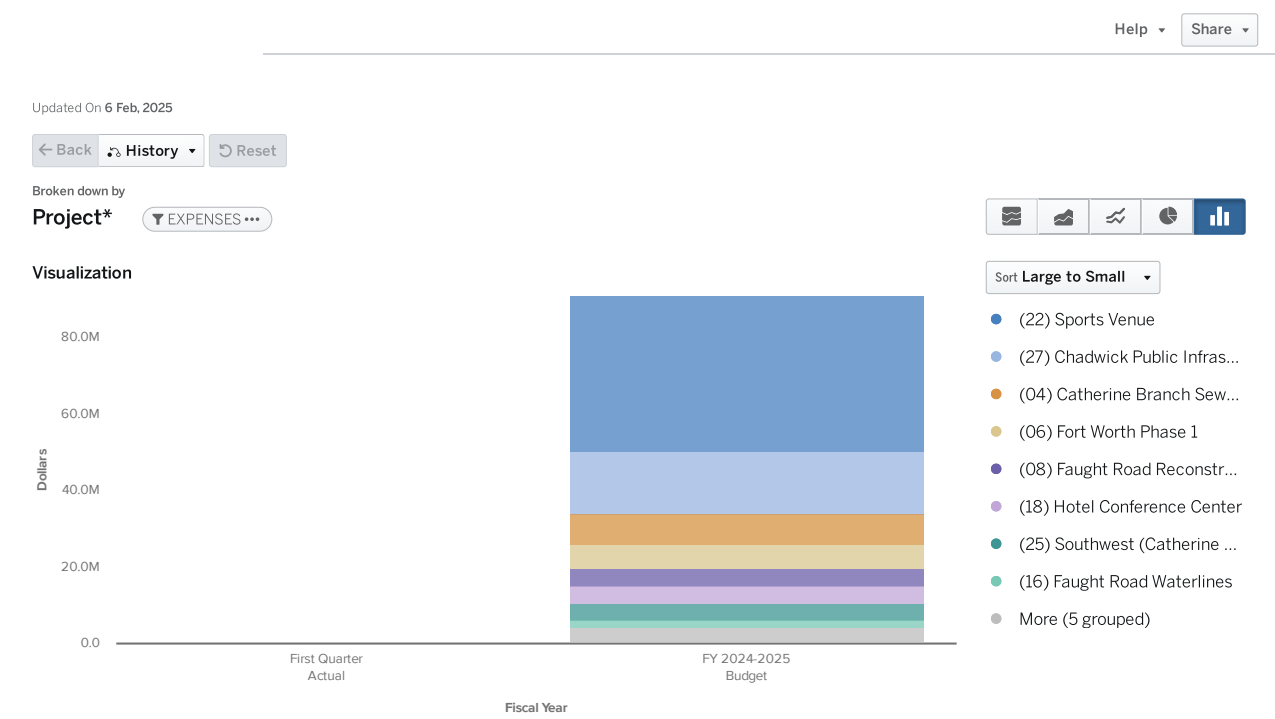
# Capital Projects

The largest annual expense for the Town is capital project expenses. The major project for Fiscal Year 2024-2025 is the Stars Center (sports venue) project. Additional projects of note include the cellular meter endpoint project and the Hotel Conference Center. While the Town is engaged with projects in various stages of planning, bidding, and construction, few of those associated costs have been booked in the first quarter. The Town expects to see an uptick payout for capital project expenses in the second quarter. As of the end of the first quarter the Town has booked \$316 thousand in project expenses.

To fund capital projects, the Town uses a variety of methods, including fees and debt. The Town plan to issue \$43.2 million dollars in debt during FY 2025. This debt issuance will be split between General Obligation Bonds, Certificates of Obligation, and Hotel Occupancy Tax Revenue Bonds. These bonds will support the construction of a number of road, water, sewer, and building projects.

View the Town's [Capital Improvement Program](#) here.

## Capital Project Expenses

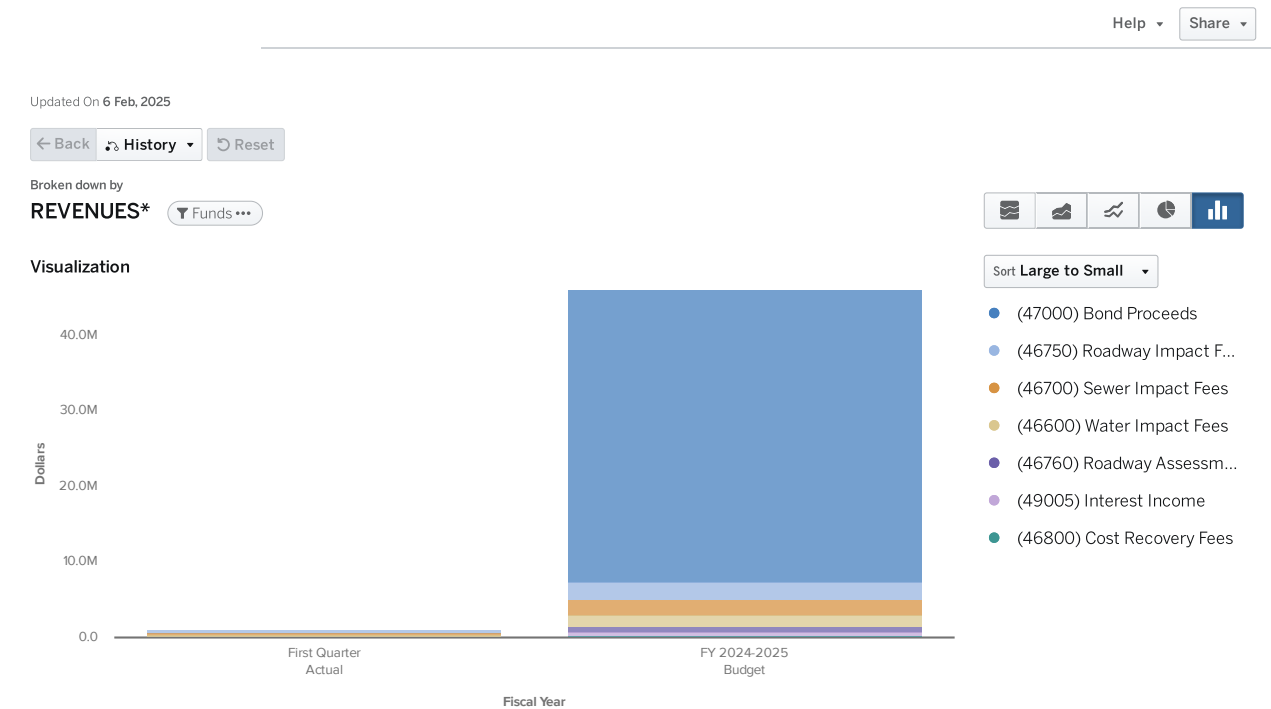


# Revenues for Capital Projects

The chart below shows the revenues collected in Fiscal Year 2025 that are restricted to capital projects. These revenues can be utilized to support current and future capital projects. Key revenue sources to support capital projects include bond proceeds, impact and assessment fees, and transfers in from other funds, such as the Water and Wastewater Fund.

The Town expects to collect \$46 million in revenues for capital projects. To date, the Town has collected \$1.1 million, or 2% of these revenues. The lack of collected revenues is primarily due to timing. For example, the Town has plans to issue debt and receive bond proceeds in the second and third quarter of Fiscal Year 2025.

When compared with the chart showing capital project expenses, the observer may notice that capital project costs for Fiscal Year 2025 are greater than expected revenues related to capital projects. This is due to the nature of the report and Town budget practices: the Town rolls the remaining amount budgeted for expenses for a project into the budget for the next fiscal year but does not roll collected revenues. To learn more about what funding sources are supporting what projects, visit the Town's [Capital Improvement Program](#).



Revenue to Support Capital Projects

|                         | 2024 - 25 Actual | FY 2025 Budget |
|-------------------------|------------------|----------------|
| Bond Proceeds           | \$0              | \$38,650,000   |
| Roadway Impact Fees     | \$368,758        | \$2,308,108    |
| Sewer Impact Fees       | \$376,425        | \$2,000,000    |
| Water Impact Fees       | \$294,097        | \$1,507,983    |
| Roadway Assessment Fees | \$0              | \$750,000      |
| Interest Income         | \$87,326         | \$494,600      |
| Cost Recovery Fees      | \$0              | \$328,600      |
| TOTAL                   | \$1,126,607      | \$46,039,291   |



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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025

**Section:** 3. PUBLIC INPUT

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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025

**Section:** 4. CONSENT ITEMS

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:** Northlake Home Rule Charter  
**SUBJECT:** Consider approval of the Town Council Meeting Minutes for January 9, 2025  
**GOALS/** Invest in Infrastructure; 4.5 - Leverage technology and equipment to deliver services  
**OBJECTIVES:**

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### **BACKGROUND INFORMATION:**

- Approval of Minutes:
  - January 9, 2025 - 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  
JANUARY 9, 2025**

The Northlake Town Council convened in a Regular Meeting on January 9, 2025, 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                    | Maryl Lorencz, Mayor Pro Tem Place 5 |
| Michael Ganz, Place 2 - - Absent with notice | John Kelley, Place 6                 |
| Aaron Fowler, Place 3                        |                                      |

Also present were Drew Corn, Town Manager, and Dean Roggia, Town Attorney, was present by telephone during Executive Session.

- Invocation was given by Drew Corn, Town Manager.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

**2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

The following will be addressed:

- A. Employee Anniversary - Lora Hutchings, Development Services - 10 Years

Due to weather this recognition will be presented in February.

- B. Briefing - Fiscal Year 2025 Debt Service Issuance

The item was presented by Drew Corn, Town Manager, and discussion followed.

The item was for information and presentation purposes only.

C. Briefing - Regulation of Noise and Outdoor Lighting Nuisances Beyond Town Limits

The item was presented by Drew Corn, Town Manager, and discussion followed.

The Council consensus was for staff to proceed with the item as presented and bring back for consideration during a future meeting.

D. Briefing - Northlake Business Park Development Update

The item was presented by Drew Corn, Town Manager, and discussion followed.

The item was information and presentation purposes only.

3. **PUBLIC INPUT**

The following individuals shared comments as allowed under the Public Input portion of the agenda. All comments may be viewed in their entirety on the Town's Website at <https://www.town.northlake.tx.us/337/Watch-Council-Meetings>.

- Rena Hardeman - address on file, stated entire actionable item on consent; addressed spirit of the law; read letter from Ken Paxton on Open Meetings Act

4. **CONSENT ITEMS**

The Consent Agenda consisted of Item 4.A. - 4.F., and not items were pulled for individual consideration.

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

AYES (6): Montini, Holmes, Fowler, Sessions, Lorencz, Kelley

NAYS (0): None

ABSENT (1): Ganz

A. Consider approval of the Town Council Meeting Minutes for December 12, 2024

**APPROVED**

B. Consider a Resolution of the Town of Northlake, Texas, expressing intent to reimburse certain Town of Northlake expenditures from the proceeds of debt obligations to be issued in the future

**APPROVED RESOLUTION NO. 25-01**

C. Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an agreement with Lockwood, Andrews & Newnam, Inc. (LAN), for Engineering design services of the Pecan Square Interceptor, in an amount not to exceed \$815,268

**APPROVED RESOLUTION NO. 25-02**

- D. Consider calling and authorizing a public hearing to be held on February 13, 2025, at 5:30 p.m., at Northlake Town Hall, regarding the proposed adoption of guidelines and criteria governing tax abatements

**APPROVED PUBLIC HEARING TO BE HELD ON FEBRUARY 13, 2025**

- E. Consider a Resolution of the Town of Northlake, Texas authorizing publication of Notice of Intent to issue Certificates of Obligation; approving the preparation of a preliminary official statement and a notice of sale; and providing for the effective date thereof

**APPROVED RESOLUTION NO. 25-03**

- F. Consider approval of a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to negotiate and execute a purchase agreement for a three-year subscription with OpenGov, for purchasing, procurement and contract management, in an amount not to exceed \$65,553.62

**APPROVED RESOLUTION NO. 25-04**

**5. EXECUTIVE SESSION**

The Town Council convened into an Executive Session, at 6:03 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 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.
- ii. 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.
- iii. 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.
- iv. Potential annexation and development agreement for Lots 3 & 4, Block A, The Hills of Northlake West, approximately 4.253 acres of land generally located on the north side of 1500 block of FM 407 in the extraterritorial jurisdiction of the Town.
- v. Legal matters concerning the Northlake StarCenter Lease and Operating Agreement with DSE Hockey Centers, LP.

**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 roadway, drainage, and sanitary sewer improvements for commercial areas north of FM 407 and east of Faught Road.
- ii. Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of roadway improvements of Private Road 6202.

- iii. Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of water system improvements in the Town's northwest pressure plain.
- iv. Deliberation regarding the purchase, exchange, lease, or value of real property in the Town of Northlake to be acquired from the Kumar Trust for the construction of roadway, drainage, and sanitary sewer improvements, and receipt of the confidential trust agreement as protected from release pursuant to Texas Gov't Code Ch. 2252.

**C. Section 551.087 - Economic Development Negotiations**

- 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 economic development agreement with Northport Partners, LLC for the development of 1.32 acres of land owned by the Town of Northlake generally located at the northeast corner of Interstate 35W and Ashmore Lane.

**6. RECONVENE INTO OPEN SESSION**

Mayor Montini reconvened the Regular Meeting at 6:16 p.m., to address Council action regarding the items deliberated during Executive Session. No votes or actions were taken on any of the items deliberated.

**7. ADJOURN**

With no further business, Mayor Montini adjourned the meeting at 6:16 p.m.

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Brian Montini, Mayor

ATTEST:

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Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: \_\_\_\_\_

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025  
**REF. DOC.:** Code of Criminal Procedure Article 2.131 - 2.138  
**SUBJECT:** Consider acceptance of the Northlake Police Department Racial Profiling Report for 2024  
**GOALS/** Protect the Public; 1.4 - Ensure safe community standards and processes  
**OBJECTIVES:**

---

### **BACKGROUND INFORMATION:**

- Chief administrators must submit an annual report to their governing body and the Texas Commission on Law Enforcement
- The report covers January 1 through December 31 for all traffic stops conducted
- The Department uses an outside research consultant to complete the annual report and complete an analysis of the data
- The Department has met all the criteria established by law

### **COUNCIL ACTION/DIRECTION:**

Consider Acceptance of the Northlake Police Department Racial Profiling Report for 2024



**TOWN OF NORTHLAKE, TEXAS  
OFFICIAL RESOLUTION**

**NO.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS ACCEPTING THE NORTHLAKE POLICE DEPARTMENTS RACIAL PROFILING REPORT IN COMPLIANCE OF SB1074, HB 3389 AND TEXAS COMMISSION ON LAW ENFORCEMENT FOR CALENDAR YEAR 2024**

**WHEREAS**, in 2001, the Texas Legislature adopted laws to address the issue of racial profiling by enacting the Texas Racial Profiling Law. Since 2001, the Northlake Police Department, in accordance with the law, has collected and reported traffic-related contact data for the purpose of identifying and addressing, if necessary, areas of concern regarding racial profiling practices; and

**WHEREAS**, this report must be presented to the Northlake Town Council and Texas Commission on Law Enforcement (TCOLE) on an annual basis as evidence of compliance with the Texas Racial Profiling Law.

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

**Section 1.** The findings, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by Town Council and made a part hereof for all purposes.

**Section 2.** The 2023 Northlake Police Department's Racial Profiling Report, a copy of which is attached to this Resolution as Exhibit A, was presented on this date and is hereby accepted by the Northlake Town Council.

**Section 3.** The resolution shall take effect immediately from and after its passage by the Town Council.

**PASSED AND APPROVED** by the Town Council of the Town of Northlake, Texas, on February 13, 2025.

Town of Northlake, Texas

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Brian Montini, Mayor

Attest:

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Zolaina Parker, Town Secretary

## TOWN OF NORTHLAKE

POLICE DEPARTMENT  
1400 FM 407  
NORTHLAKE, TEXAS 76247  
(940) 648-4804



January 8, 2025

Dr. Eric Fritsch & Dr. Chad Trulson  
Justice Research Consultants  
2223 Knob Hill Drive  
Corinth, TX 76210

Dear Sirs,

Attached to this document or corresponding documents is the information needed to complete the TCOLE Racial Profiling Report for 2024. If you have any questions, please reach out by email or phone.

1. Motor vehicles stop template (attached document)
2. Department Policy 401 – Bias-Based Policing (policy update 12/05/2024) (attached document)
3. Department Policy 1010 – Personnel Complaints (policy update 12/10/2024) (attached document)
  - i. Policy 1010.4 Complaint Forms
- 3a. Our website contains information regarding filing a complaint [www.town.northlake.tx.us](http://www.town.northlake.tx.us) (Complaint form – attached document)
4. Racial profiling complaints received = Zero (0)
5. All Northlake Officers have been trained on Racial Profiling meeting all requirements set by the licensing authority; Texas Commission On Law Enforcement (TCOLE)

A handwritten signature in black ink, appearing to read 'Robert Crawford', is written over the printed name.

Robert Crawford  
Chief of Police  
Northlake Police Department  
(940) 648-4804

| Stop Table                                      | White | Black | Hispanic /Latino | Asian /Pacific Islander | Alaska Native /American Indian | Total |
|-------------------------------------------------|-------|-------|------------------|-------------------------|--------------------------------|-------|
| Number of Stops                                 | 3598  | 1232  | 1266             | 343                     | 141                            | 6580  |
| Gender                                          |       |       |                  |                         |                                |       |
| Female                                          | 1189  | 400   | 249              | 80                      | 22                             | 1940  |
| Male                                            | 2409  | 832   | 1017             | 263                     | 119                            | 4640  |
| Reason for Stop                                 |       |       |                  |                         |                                |       |
| Violation of Law                                | 47    | 11    | 18               | 3                       | 1                              | 80    |
| Preexisting Knowledge                           | 38    | 17    | 29               | 1                       | 0                              | 85    |
| Moving Traffic Violation                        | 1660  | 405   | 418              | 217                     | 70                             | 2770  |
| Vehicle Traffic Violation                       | 1853  | 799   | 801              | 122                     | 70                             | 3645  |
| Result of Stop                                  |       |       |                  |                         |                                |       |
| Verbal Warning                                  | 1308  | 413   | 375              | 128                     | 67                             | 2291  |
| Written Warning                                 | 767   | 195   | 88               | 58                      | 11                             | 1119  |
| Citation                                        | 1475  | 602   | 781              | 156                     | 63                             | 3077  |
| Written Warning and Arrest                      | 23    | 13    | 12               | 1                       | 0                              | 49    |
| Citation and Arrest                             | 17    | 5     | 8                | 0                       | 0                              | 30    |
| Arrest                                          | 8     | 4     | 2                | 0                       | 0                              | 14    |
| Arrest Based On                                 |       |       |                  |                         |                                |       |
| Violation of Penal Code                         | 27    | 14    | 10               | 0                       | 0                              | 51    |
| Violation of Traffic Law                        | 6     | 2     | 1                | 0                       | 0                              | 9     |
| Violation of City Ordinance                     | 0     | 0     | 0                | 0                       | 0                              | 0     |
| Outstanding Warrant                             | 15    | 6     | 11               | 1                       | 0                              | 33    |
| Physical Force Resulting in Bodily Injury Used? |       |       |                  |                         |                                |       |
| No                                              | 3598  | 1232  | 1266             | 343                     | 141                            | 6580  |
| Yes                                             | 0     | 0     | 0                | 0                       | 0                              | 0     |

\*\*\* If any “yes” for “Physical Force Resulting in Bodily Injury Used”, please specify who was injured (TCOLE requests this information for the online submission system. Adding all the below should equal the total number of “yes”).

Example: Suspect: 1 Officer: 1 Both: 2 = Total Yes: 4

Agency Numbers: Suspect: \_\_\_\_\_ Officer: \_\_\_\_\_ Both: \_\_\_\_\_ = Total Yes: \_\_0\_\_

| Search Table                                         | White | Black | Hispanic /Latino | Asian /Pacific Islander | Alaska Native /American Indian | Total |
|------------------------------------------------------|-------|-------|------------------|-------------------------|--------------------------------|-------|
| <b>Search Conducted</b>                              |       |       |                  |                         |                                |       |
| Yes                                                  | 134   | 141   | 117              | 5                       | 4                              | 401   |
| No                                                   | 3464  | 1091  | 1149             | 338                     | 137                            | 6179  |
| <b>Reason for Search</b>                             |       |       |                  |                         |                                |       |
| Consent                                              | 15    | 3     | 10               | 0                       | 0                              | 28    |
| Contraband in Plain View                             | 2     | 2     | 2                | 0                       | 0                              | 6     |
| Probable Cause                                       | 65    | 100   | 50               | 2                       | 1                              | 218   |
| Inventory                                            | 33    | 31    | 54               | 3                       | 3                              | 124   |
| Incident to Arrest                                   | 19    | 5     | 1                | 0                       | 0                              | 25    |
| <b>Was Contraband Discovered</b>                     |       |       |                  |                         |                                |       |
| Yes                                                  | 74    | 92    | 56               | 3                       | 1                              | 226   |
| No                                                   | 60    | 49    | 61               | 2                       | 3                              | 175   |
| <b>Description of Contraband</b>                     |       |       |                  |                         |                                |       |
| Drugs                                                | 55    | 73    | 32               | 2                       | 1                              | 163   |
| Weapons                                              | 6     | 12    | 5                | 0                       | 0                              | 23    |
| Currency                                             | 0     | 0     | 0                | 0                       | 0                              | 0     |
| Alcohol                                              | 17    | 14    | 17               | 0                       | 0                              | 48    |
| Stolen Property                                      | 0     | 0     | 0                | 0                       | 0                              | 0     |
| Other                                                | 13    | 14    | 9                | 1                       | 0                              | 37    |
| <b>Did Discovery of Contraband Result in Arrest?</b> |       |       |                  |                         |                                |       |
| Yes                                                  | 15    | 12    | 6                | 1                       | 0                              | 34    |
| No                                                   | 33    | 10    | 16               | 0                       | 0                              | 59    |

| Additional Information                          | Total |
|-------------------------------------------------|-------|
| <b>Was Race/Ethnicity Known Prior to Stop</b>   |       |
| Yes                                             | 332   |
| No                                              | 6248  |
| <b>Approximate Location of Stop</b>             |       |
| City Street                                     | 2266  |
| US Highway                                      | 3062  |
| County Road                                     | 123   |
| State Highway                                   | 1095  |
| Private Property/Other                          | 34    |
| <b>Number of Complaints of Racial Profiling</b> |       |
| Resulted in Disciplinary Action                 | 0     |
| Did Not Result in Disciplinary Action           | 0     |

## Bias-Based Policing

### 401.1 PURPOSE AND SCOPE

#### Best Practice

This policy provides guidance to department members that affirms the Northlake Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

#### 401.1.1 DEFINITIONS

##### State

Definitions related to this policy include:

**Bias-based policing or improper profiling** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Tex. Code of Crim. Pro. art. 2B.0051). This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes toward certain groups).

### 401.2 POLICY

#### Best Practice

The Northlake Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural, or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively, and without discrimination toward any individual or group (Tex. Code of Crim. Pro. art. 2B.0053).

### 401.3 BIAS-BASED POLICING PROHIBITED

#### Best Practice

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### 401.4 MEMBER RESPONSIBILITIES

#### Best Practice

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to

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a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

#### 401.4.1 REASON FOR CONTACT

##### **Best Practice**

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

#### 401.4.2 REPORTING TRAFFIC STOPS

##### **State** **MODIFIED**

The Patrol Captain or Designee should ensure that the Department has appropriate systems in place to collect information required by state racial profiling laws.

Each time an officer makes a traffic stop, the officer shall gather the required information using the system in place for racial profiling reporting (Tex. Code of Crim. Pro. art. 26B.0054).

#### 401.5 SUPERVISOR RESPONSIBILITIES

##### **Best Practice** **MODIFIED**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer in a timely manner.
  - 1. Supervisors should document these discussions in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, body-worn camera (BWC) media, Mobile Computer Terminal (MCT) data, and any other available resource used to document contact between officers and the public to ensure compliance with this policy (Tex. Code of Crim. Pro. art. 2B.0151).
  - 1. Supervisors should document these periodic reviews.
  - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

# Northlake Police Department

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### *Bias-Based Policing*

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#### **401.6 STATE REPORTING**

**State**

The Chief of Police shall submit a report to the Texas Commission on Law Enforcement (TCOLE) and to each governing body served by the Department by March 1 of each year in accordance with Tex. Code of Crim. Pro. art. 2B.0055.

The report may not include identifying information about the officer who made the traffic stop or about any individual who was stopped or arrested (Tex. Code of Crim. Pro. art. 2B.0055).

#### **401.7 ADMINISTRATION**

**Best Practice** **MODIFIED**

The Chief of Police or Designee should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public, or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service (Tex. Code of Crim. Pro. art. 2B.0053).

Supervisors should review the annual report and the report submitted to TCOLE and discuss the results with those they are assigned to supervise.

#### **401.8 COMPLIMENTS AND COMPLAINTS**

**State** **MODIFIED**

The Chief of Police or Designee is responsible for educating the public on the department's compliment and complaint process (see the Personnel Complaints Policy). This education may be achieved by information provided through the department website. This information shall include the telephone number, mailing address, and email address to make a compliment or complaint regarding a ticket, citation, or warning issued by an officer.

In the event that an investigation is initiated against an officer for a violation of this policy, the Chief of Police or Designee should ensure that a copy of any related recording is provided as soon as practicable to the officer upon written request (Tex. Code of Crim. Pro. art. 2B.0053).

#### **401.9 TRAINING**

**Best Practice**

Training on fair and objective policing and review of this policy shall be conducted annually and include:

- (a) Explicit and implicit biases.
- (b) Avoiding improper profiling.

# Personnel Complaints

## 1010.1 PURPOSE AND SCOPE

**State**

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Northlake Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

## 1010.2 POLICY

**Best Practice**

The Northlake Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements or memorandum of understanding.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

## 1010.3 PERSONNEL COMPLAINTS

**Best Practice**

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

### 1010.3.1 COMPLAINT CLASSIFICATIONS

**Best Practice** **MODIFIED**

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Patrol Captain, if applicable, is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to Internal Affairs, depending on the seriousness and complexity of the investigation.

# Northlake Police Department

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### *Personnel Complaints*

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**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or Internal Affairs, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

#### 1010.3.2 SOURCES OF COMPLAINTS

##### **Best Practice**

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

#### 1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

##### **Best Practice**

##### 1010.4.1 COMPLAINT FORMS

###### **Best Practice** **MODIFIED**

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Town facilities.

##### 1010.4.2 ACCEPTANCE

###### **Best Practice**

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

##### 1010.4.3 ACCEPTANCE OF COMPLAINTS AGAINST PEACE OFFICER

###### **State**

# Northlake Police Department

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Complaints against an officer must be in writing and signed by the person making the complaint (Tex. Gov't Code § 614.022). Nothing in this section is intended to preclude a supervisor from serving as the complainant to satisfy the requirements of Tex. Gov't Code § 614.022 if the original complainant does not want to appear in person and/or reduce the complaint to writing.

#### 1010.5 DOCUMENTATION

**Best Practice** **MODIFIED**

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Patrol Captain, if applicable, should audit the log and send an audit report to the Chief of Police.

##### 1010.5.1 COPY OF COMPLAINT TO PEACE OFFICER

**State**

If the complaint is against an officer, the receiving supervisor shall ensure that a copy of the signed complaint form is given to the officer within a reasonable time after it is filed (Tex. Gov't Code § 614.023).

#### 1010.6 ADMINISTRATIVE INVESTIGATIONS

**Best Practice** **MODIFIED**

All complaints regarding misconduct or formal complaints against an employee shall be reported to the Chief of Police immediately through the chain of command. Notification can be sent through email or in person. Allegations of misconduct will be administratively investigated as follows.

##### 1010.6.1 SUPERVISOR RESPONSIBILITIES

**Best Practice** **MODIFIED**

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
  1. The original complaint form will be directed to the appropriate Captain, if applicable, or the Chief of Police, of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.

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2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the appropriate Captain, if applicable, or the Chief of Police, following the chain of command, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
  - (c) Resolving those personnel complaints that can be resolved immediately.
    1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
    2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the appropriate Captain, if applicable, or the Chief of Police, following the chain of command..
  - (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the appropriate Captain, if applicable, or Chief of Police are notified via the chain of command as soon as practicable.
  - (e) Promptly contacting the Patrol Captain, if applicable, or the Chief of Police, following the chain of command, for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
  - (f) Forwarding unresolved personnel complaints to the appropriate Captain, if applicable or the Chief of Police, following the chain of command, who will determine whether to contact the complainant or assign the complaint for investigation.
  - (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
  - (h) Investigating a complaint as follows:
    1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
    2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
  - (i) Ensuring that the procedural rights of the accused member are followed.
  - (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### 1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

**Best Practice** **MODIFIED**

Whether conducted by a supervisor or a member of Internal Affairs, the following applies to employees:

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.

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- (b) Unless waived by the employee, interviews of an accused employee shall be at the Northlake Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
  - 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
  - 2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
- (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

#### 1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

##### **Best Practice**

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

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**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

**Evidence** - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

#### 1010.6.4 DISPOSITIONS

##### **Best Practice**

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

#### 1010.6.5 COMPLETION OF INVESTIGATIONS

##### **State**

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within 180 days from the date of discovery by an individual authorized to initiate an investigation.

#### 1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

##### **Best Practice**

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

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#### **1010.7 ADMINISTRATIVE SEARCHES**

##### **Best Practice**

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

#### **1010.8 ADMINISTRATIVE LEAVE**

##### **Best Practice**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

#### **1010.9 CRIMINAL INVESTIGATION**

##### **Best Practice**

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Northlake Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

##### **1010.9.1 REPORT OF CRIMINAL INVESTIGATION TO TCOLE**

##### **State**

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The Chief of Police or the authorized designee shall report to TCOLE an investigation into alleged criminal misconduct for which criminal charges are filed against the member within 30 days after the investigation is completed (Tex. Occ. Code § 1701.4522).

#### **1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

##### **Best Practice**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

##### **1010.10.1 CHIEF OF POLICE OR DESIGNEE RESPONSIBILITIES**

###### **Best Practice**

Upon receipt of any completed personnel investigation, the Chief of Police or Designee of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Chief of Police or Designee may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Chief of Police or Designee may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Chief of Police or Designee shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

##### **1010.10.2 CHIEF OF POLICE RESPONSIBILITIES**

###### **Best Practice** **MODIFIED**

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the submitter for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
  - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

# Northlake Police Department

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2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

#### 1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

##### **Best Practice**

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

#### 1010.10.4 REPORT OF ADMINISTRATIVE INVESTIGATION TO TCOLE

##### **State**

The Chief of Police or the authorized designee shall prepare and submit a report of the administrative investigation, including the disposition and any informational findings, to TCOLE using the approved template within a timely manner, but not later than the 30th day after the date of the member's separation from the agency, if applicable. The Chief of Police or the authorized designee shall notify TCOLE if a matter is under appeal and the disposition of the appeal within 30 days of receipt of the decision (Tex. Occ. Code § 1701.4522).

#### 1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

##### **Best Practice**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to conduct further investigation, the employee shall be provided with the results prior to the imposition of any discipline.

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- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

#### **1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

##### **Best Practice**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

#### **1010.13 POST-DISCIPLINE APPEAL RIGHTS**

##### **Best Practice MODIFIED**

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the following procedures:

- a. A notice of appeal must be submitted to the Chief of Police, in writing, within 5 business days after notice of discipline has been received.
- b. The Chief of Police will review the appeal and meet with the employee within 5 business days of receiving the appeal to discuss the appeal.
- c. Should the resolution between the Chief of Police and employee be unsatisfactory to the employee, the employee may arrange a meeting with the Town Manager, following the guidelines established in the Town of Northlake Employee Handbook.

#### **1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS**

##### **Best Practice**

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

#### **1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES**

##### **State MODIFIED**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy. All records regarding personnel complaints will be secured in the office of the Chief of Police. The file shall be locked in a secure

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drawer or cabinet only accessible to the Chief of Police. An electronic document will be available on the PD Admin drive for supervisors to review the number of complaints, reason for complaint, officer involved and disposition of complaint for performance purposes.



## **Northlake Police Department**

**1600 Commons Circle  
Northlake, Texas 76226  
(940) 648 - 4804 – Office  
(940) 648 - 5803 – Fax**



## **Complaints**

The Northlake Police Department is dedicated to providing exceptional service to its employees and citizens through a problem-solving approach, emphasizing a commitment to excellence through teamwork. Police employees are carefully selected, held to the highest standards and provided with the best training available.

The purpose of any Internal Affairs system is the diligent pursuit of the truth. We are committed to that objective, recognizing that our agency's credibility depends upon the community's belief that we can police ourselves. With that in mind, we provide the following information regarding how you can file a complaint, how a complaint is investigated, and how it is disposed.

### **HOW TO FILE A COMPLAINT**

A person wishing to file a complaint should contact the Northlake Police Department, Chief of Police or his designee at (940)648-4804 during normal business hours. All complaints will be handled promptly. You will be interviewed regarding your complainant.

The Texas Government Code Section 614.021 provides that a complaint regarding a peace officer's conduct must be in writing and signed by the complainant, in order to be considered by the Chief of Police. A copy of the complaint will also be provided to the officer or employee, if the investigation will not be compromised and before disciplinary action is taken.

### **WHAT HAPPENS WHEN A COMPLAINT IS SUBSTANTIATED?**

When the investigation of a complaint reveals the charges are true and should be sustained against the police employee, the department may take one of the following actions, depending on the nature of the violation: 1) Structured counseling; 2) Verbal reprimand; 3) Written reprimand; 4) Suspension; 5) Demotion or 6) Termination.

### **WHAT HAPPENS IF THE COMPLAINT IS NOT SUBSTANTIATED?**

If there is not sufficient evidence to support the allegation, the investigation is closed with no further action taken.

### **WHAT HAPPENS IF THE INVESTIGATION REVEALS THE CLAIM OF IMPROPER CONDUCT IS FALSE?**

The Texas Penal Code 37.08 states that a person commits an offense if he/she knowingly makes a false statement that is material to a criminal investigation. This offense is a class "B" misdemeanor punishable by up to 180 days in jail and/or a \$2,000.00 fine. The Northlake Police Department will pursue all false reports in accordance with the law.

### **WHAT HAPPENS IF YOU ARE NOT SATISFIED WITH THE DISPOSITION OF YOUR COMPLAINT?**

If you are not satisfied with the investigation or action taken relating to your complaint, you may seek additional action from: 1) The Denton County District Attorney's Office if criminal violations are alleged; 2) Federal Bureau of Investigation if civil rights violations are alleged or 3) Personal Legal Counsel.

The Northlake Police Department is vitally interested in the welfare of all citizens, in establishing the facts regarding any reported incident and in taking action where its employees have been proven derelict in their duties or are guilty of wrongdoing. If it becomes necessary for you to make a complainant, you can be assured that it will be given a fair and thorough investigation.

By the same token, if you have occasion to see a police employee doing outstanding work, we encourage you to tell him/her or us about it.

The Northlake Police Department is comprised of professionals dedicated to serving you and our community.

# Northlake Police Department Complaint Form

I, the undersigned, wish to make a complaint to the Northlake Police Department regarding:  
(please make sure you identify the date, time, location and officer(s) involved in your explanation)

Blank lined paper for writing.

I understand that a knowingly false statement, material investigation, is a violation of Texas Penal Code 37.08, a Class B misdemeanor, punishable by up to 180 days in jail and/or up to a \$2,000.00 fine, and that the Northlake Police Department will pursue all false complaints in accordance with law.

Printed Name

**Signed Name**

City

State

Zip

Phone Number

Subscribed and sworn to before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Notary Public**

(seal)

Return To:

Chief of Police  
Northlake Police Department  
1600 Commons Circle  
Northlake, Texas 76226

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025

**REF. DOC.:** Texas Election Code; Northlake Home Rule Charter

**SUBJECT:** Consider an Ordinance of the Town of Northlake, Texas, authorizing and ordering a General Uniform (Municipal) Election to be held in the Town of Northlake on May 3, 2025, and if required, a Runoff Election on June 7, 2025, for the purpose of electing Council Members to Places 4, 5, and 6; prescribing the time and designating the locations, and manner of conducting the election to be in accordance with the Joint Election Agreement and Contract for Election Services with Denton County and the Denton County Elections Administrator; authorizing the Mayor to execute the agreement and contract; and providing an effective date

**GOALS/ OBJECTIVES:** Plan Intentionally and Responsibly; 3.2 - Embrace and adapt to state legislative actions

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### BACKGROUND INFORMATION:

- Per statute Town Council shall order an election no later than the 62nd day before election day
- Election shall be held on uniform election date of May 3, 2025
- Town Councilmember Place 4, Place 5, and Place 6 will be placed on the ballot
- Town Secretary shall notice election per posting requirements at Town Hall, website and paper of record
- Election will be held jointly with other political subdivisions
- Town will contract with Denton County Elections Administration to provide election services
  - Denton County in process of determining voting locations - will be added to Agreement as Exhibit A
- Candidate Filing period - January 15, 2025 - February 14, 2025

### COUNCIL ACTION/DIRECTION:

Approve proposed Ordinance calling General Election and authorize staff to contract with Denton County for election services



**TOWN OF NORTHLAKE, TEXAS  
OFFICIAL ORDINANCE**

**NO.**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AUTHORIZING AND ORDERING A GENERAL UNIFORM (MUNICIPAL) ELECTION TO BE HELD IN THE TOWN OF NORTHLAKE ON MAY 3, 2025, AND IF REQUIRED, A RUNOFF ELECTION ON JUNE 7, 2025, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS TO PLACES 4, 5, AND 6; PRESCRIBING THE TIME AND DESIGNATING THE LOCATIONS, AND MANNER OF CONDUCTING THE ELECTION TO BE IN ACCORDANCE WITH THE JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH DENTON COUNTY AND THE DENTON COUNTY ELECTIONS ADMINISTRATOR; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND CONTRACT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the General Uniform Election for the Town of Northlake, as set forth by the Texas Election Code, is required to be held on May 3, 2025, at which time the voters will elect Councilmembers for positions designated as Town Council Places 4, 5, and 6; and

**WHEREAS**, the Town Council finds that it is in the public interest to enter into a Joint Election Agreement and Contract for Election Services (the "Agreement") with Denton County, to provide the most efficient and convenient voting opportunities; and

**WHEREAS**, the Town Council of Northlake desires to hold a joint election with Denton County and to enter into the Agreement, which attached hereto as Exhibit "A" whereby the general election will be administered by the Denton County Elections Administrator; and

**WHEREAS**, in accordance with Sections 31.092 and 271.002 of the Texas Election Code, the General Uniform Election for the Town of Northlake will be conducted jointly with other political subdivisions of Denton County, Texas.

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

**Section 1.** The facts and recitations contained in the above preamble of this Ordinance are hereby incorporated herein for all purposes.

**Section 2.** The Town Council hereby calls and orders a General Uniform Election to be held on May 3, 2025, between the hours of 7:00 a.m., and 7:00 p.m., for the purpose of

electing Councilmembers to Town Council Places 4, 5, and 6 for two-year terms each beginning May 2025 and continuing through May 2027, or until their successors are duly elected and qualified.

**Section 3.** Eligible persons wishing to become candidates must file application with the Town Secretary of the Town of Northlake, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, and may do so beginning at 8:00 a.m., January 15, 2025 and continuing through February 14, 2025, until 5:00 p.m. Each application shall be on a form meeting the requirements of Section 141.031 of the Election Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by lot in a drawing by the Town Secretary. Notice of the time and place for such drawing shall be given in accordance with the Town Charter and State Law.

**Section 4.** The election shall be held in accordance with and shall be governed by, the election laws of the State of Texas. Pursuant to Chapter 271 of the Texas Election Code, the Town Council authorizes the Town Manager to enter and execute a Joint Election Agreement and Contract for Election Services (the "Agreement") with Denton County and other participating political subdivisions for this election, which is attached to this Ordinance as Exhibit "A". The Town Secretary and Town Manager are hereby authorized to perform all duties and take all actions as required by the Texas Election Code and the Agreement.

**Section 5.** Denton County shall designate the Main Early Voting Location for early voting for the election.

**Section 6.** Early voting by personal appearance will be held jointly with other Denton County political subdivisions at Denton County's Main Early Voting Site, located at the Denton County Elections Office in Denton, Texas beginning on April 22, 2025, and continuing through April 29, 2025, at the times set forth as follows:

**Denton County Elections Administration  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208**

| <b>DATE</b>                                        | <b>TIME</b>            |
|----------------------------------------------------|------------------------|
| Tuesday, April 22, 2025 - Saturday, April 26, 2025 | 8:00 a.m. - 5:00 p.m.  |
| Sunday, April 27, 2025                             | 11:00 a.m. - 5:00 p.m. |
| Monday, April 28, 2025 - Tuesday, April 29, 2025   | 7:00 a.m. - 7:00 p.m.  |

Branch offices for early voting by personal appearance may also be established as outlined in the Agreement between the Town of Northlake and Denton County.

**Section 7.** Any eligible registered voter may cast their vote at any of the additional early voting locations. The final early voting locations will be available via the Denton County Elections Administration website [www.votedenton.gov](http://www.votedenton.gov).

**Section 8.**

The Denton County Election Administrator is hereby appointed to serve as the Early Voting Clerk and the Election Administrator's permanent county employees are appointed as deputy early voting clerks. Election officials for the election shall be appointed by Denton County as authorized by Chapter 271 of the Texas Elections Code.

Applications for ballot by mail shall be submitted via the following methods:

|                                 |                                                                                                         |
|---------------------------------|---------------------------------------------------------------------------------------------------------|
| <b>REGULAR MAIL:</b>            | Frank Phillips, Early Voting Clerk<br>P.O. Box 1720<br>Denton, Texas 76202                              |
| <b>COMMON/CONTRACT CARRIER:</b> | Frank Phillips, Early Voting Clerk Denton County Elections<br>701 Kimberly Drive<br>Denton, Texas 76208 |
| <b>FAX:</b>                     | (940) 349-3201                                                                                          |
| <b>EMAIL:</b>                   | <a href="mailto:elections@dentoncounty.gov">elections@dentoncounty.gov</a>                              |

Applications for ballots by mail which are hand-delivered must be received no later than the close of business on April 22, 2025. Applications for ballots by mail which are submitted via mail, fax, email, or contract carrier must be received no later than the close of business April 22, 2025. A hard copy of the application must be received within 4 (four) business days, and it must include a wet signature to be considered a valid application.

Federal Post Card Applications must be received no later than the close of business on April 22, 2025.

**Section 9.**

The election shall be conducted pursuant to the election laws of the State of Texas and in accordance with the Constitution of the State of Texas. In the event no candidate receives a majority of votes for an office, there shall be a runoff election held on June 7, 2025. To the extent required by law, the election materials outlined in Chapter 272 of the Texas Election Code shall be printed in both English and Spanish for use at the polling places and for early voting for said election.

**Section 10.**

This ordinance shall be construed with any action of the Denton County Commissioners Court providing for the conduct of a joint election with other public entities as herein contemplated.

**Section 11.**

The Agreement between the Town of Northlake and Denton County, which is incorporated herein as Exhibit "A" for all purposes is hereby approved. In the event of a conflict between this ordinance and the Agreement, the Agreement shall control.

**Section 12.**

The Town Secretary shall issue notice of said election to be published one time in the Denton Record Chronicle, which is hereby found and declared to be a newspaper of general circulation in the Town of Northlake, not less than ten (10) days nor more than

thirty (30) days prior to the date of said election; in addition, notice of said election shall be posted on the bulletin board in Town Hall not later than the twenty-first (21st) day before election day and remain posted thorough election day.

**Section 13.** The Mayor, Town Manager, and the Town Secretary, in consultation with the Town Attorney, are hereby authorized and directed to take all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 14** This ordinance shall be effective immediately upon adoption.

**PASSED AND APPROVED** by the Town Council of the Town of Northlake, Texas, on February 13, 2025.

Town of Northlake, Texas

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Brian Montini, Mayor

Attest:

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Zolaina Parker, Town Secretary

## **THE STATE OF TEXAS COUNTY OF DENTON**

### **JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES**

This CONTRACT for election services is made by and between the Denton County Elections Administrator and the following political subdivisions, herein referred to as “participating authority or participating authorities” located entirely or partially inside the boundaries of Denton County:

Participating Authorities:

This contract is made pursuant to Texas Election Code Sections 31.092 and 271.002 and Texas Education Code Section 11.0581 for a joint May 3, 2025 election to be administered by Frank Phillips, Denton County Elections Administrator, hereinafter referred to as “Elections Administrator.”

#### ***RECITALS***

Each participating authority listed above plans to hold a General or Special Election on May 3, 2025. Denton County plans to hold county-wide voting for this General Election.

The County owns the Hart InterCivic Verity Voting System, which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended and is compliant with the accessibility requirements for persons with disabilities set forth by Texas Election Code Section 61.012. The contracting political subdivisions (participating authorities) desire to use the County’s voting system and to compensate the County for such use and to share in certain other expenses connected with joint elections, in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended.

NOW THEREFORE, in consideration of the mutual covenants, agreements, and benefits to all parties, IT IS AGREED as follows:

#### **I. ADMINISTRATION**

The participating authorities agree to hold a “Joint Election” with Denton County and each other in accordance with Chapter 271 of the Texas Election Code and this agreement. The Elections Administrator shall coordinate, supervise, and handle all aspects of administering the Joint Election as provided in this agreement. Each participating authority agrees to pay the Elections Administrator for equipment, supplies, services, and administrative costs as provided in this agreement. The Elections Administrator shall serve as the administrator for the Joint Election; however, each participating authority shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of each participating authority as necessary.

It is understood that other political subdivisions may wish to participate in the use of the County's Verity voting system and polling places, and it is agreed that the Elections Administrator may enter into other contracts for election services for those purposes, on terms and conditions generally similar to those set forth in this contract. In such cases, costs shall be pro-rated among the participants according to Section XI of this contract.

## **II. LEGAL DOCUMENTS**

Each participating authority shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or the participating authority's governing body, charter, or ordinances, except that the Elections Administrator shall be responsible for the preparation and publication of all voting equipment testing notices that are required by the Texas Election Code. Election orders should include language that would not necessitate amending the order if any of the Early Voting and/or Election Day polling places change.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of each participating authority, including translation to languages other than English. Each participating authority shall provide a copy of their respective election orders and notices to the Elections Administrator.

## **III. VOTING LOCATIONS**

The Elections Administrator shall select and arrange for the use of and payment for all Early Voting and Election Day voting locations. Voting locations will be, whenever possible, the usual voting location for each election precinct in elections conducted by each participating authority and shall be compliant with the accessibility requirements established by Election Code Section 43.034 and the Americans with Disabilities Act (ADA). The proposed voting locations are listed in Exhibit A of this agreement. In the event a voting location is not available or appropriate, the Elections Administrator will arrange for use of an alternate location. The Elections Administrator shall notify the participating authorities of any changes from the locations listed in Exhibit A.

## **IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL**

Denton County shall be responsible for the appointment of the presiding judge and alternate judge for each polling location. The Elections Administrator shall make emergency appointments of election officials if necessary.

Upon request by the Elections Administrator, each participating authority agrees to assist in recruiting bilingual polling place officials (fluent in both English and Spanish). In compliance with the Federal Voting Rights Act of 1965, as amended, each polling place containing more than 5% Hispanic population as determined by the 2020 Census shall have one or more election officials who are fluent in both the English and Spanish languages. If a presiding judge is not bilingual, and is unable to appoint a bilingual clerk, the Elections Administrator may recommend a bilingual worker for the polling place. If the Elections Administrator is unable to recommend or recruit a bilingual worker, the participating authority or authorities served by that polling

place shall be responsible for recruiting a bilingual worker for translation services at that polling place.

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code and will take the necessary steps to insure that all election judges appointed for the Joint Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Election judges and clerks who attend in-person voting equipment training and/or procedures training, shall be compensated at a flat rate of \$78. Election judges and clerks that elect to complete online training shall be compensated at a rate of a flat \$50. In the event that an Election judge or clerk completes both in-person and online training, they shall be compensated for the training resulting in the highest pay and will not be compensated for both trainings.

The Elections Administrator shall arrange for the date, time, and place for presiding election judges to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Administrator notifying them of their appointment, the dates/times and locations of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint.

Each election judge and clerk will receive compensation at the hourly rate established by Denton County pursuant to Texas Election Code Section 32.091 and overtime after 40 hours worked per week, if applicable. The election judge, or their designee, will receive an additional sum of \$25.00 for picking up the election supplies and equipment prior to Election Day and for returning the supplies and equipment to the central counting station after the polls close. Likewise, the Presiding Judge in Early Voting, or their designee, will receive an additional sum of \$25.00 for picking up the election supplies prior to the first day of Early Voting and for returning the supplies and equipment to the Elections Department after Early Voting has ended.

The compensation rates established by Denton County are:

Early Voting – Presiding Judge (\$19.557/hour), Alternate Judge (\$18.2532/ hour), Clerk (\$16.9494/ hour)

Election Day – Presiding Judge (\$19.557/hour), Alternate Judge (\$18.2532/ hour), Clerk (\$16.9494/ hour)

The Elections Administrator may employ other personnel necessary for the proper administration of the election, as well as, pre and post-election administration. In such cases, costs shall be pro-rated among participants of this contract. Personnel working in support of full-time staff will be expensed on a pro-rated basis and include a time period of one week prior to the election, during the election, and one week post-election. Personnel working in support of the Early Voting Ballot Board and/or central counting station on election night will be compensated at the hourly rate set by Denton County in accordance with Election Code Sections 87.005, 127.004, and 127.006.

If elections staff is required outside of the hours of the office's normal scope of business, the entity(ies) responsible for the hours will be billed for those hours. The Elections Administrator will determine when those hours are necessary, the number of staff and who are necessary, along with to whom the hours are to be billed. Cost for these hours will be billed at a rate of 1.5 times the staff's hourly rate (See Sections XV #9). The Election Administrator has the right to waive these costs as they see fit.

## **V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT**

The Elections Administrator shall arrange for delivery of all election supplies and voting equipment including, but not limited to, the County's Verity voting system and equipment, official ballot paper, sample ballots, voter registration lists, and all forms, signs, maps and other materials used by the election judges at the voting locations. The Elections Administrator shall ensure availability of tables and chairs at each polling place and shall procure rented tables and chairs for those polling places that do not have tables and/or chairs. Any additional required materials (required by the Texas Election Code) must be provided by the participating authority, and delivered to the Elections Office thirty-three (33) calendar days (March 31, 2025) prior to Election Day. If this deadline is not met, the material must be delivered by the participating authority, to all Early Voting and Election Day locations affected, prior to voting commencing. The Elections Administrator shall be responsible for conducting all required testing of the voting equipment, as required by Chapters 127 and 129 of the Texas Election Code.

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating authorities shall share a mutual ballot in those precincts where jurisdictions overlap. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap. The Elections Administrator shall provide the necessary voter registration information, maps, instructions, and other information needed to enable the election judges in the voting locations that have more than one ballot style to conduct a proper election.

Each participating authority shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which the authority's ballot is to be printed). **Said list must be provided to the Elections Office within three (3) business days following the last day to file for a place on the ballot** or after the election is ordered, whichever is later. The list of candidates and/or propositions must be completed on the ballot language form provided by the Elections Administrator, the information will preferably be in sentence case format, and must contain candidate contact information for the purposes of verifying the pronunciation of each candidate's name. Each participating authority shall be responsible for proofreading and approving the ballot insofar as it pertains to that authority's candidates and/or propositions. Each participating authority shall be responsible for proofing and approving the audio recording of the ballot insofar as it pertains to that authority's candidates and/or propositions. **The approval must be finalized with the Elections Office within five (5) calendar days of the receipt of the proofs, or the provided proofs shall be considered approved.**

The joint election ballots shall list the County's election first. The joint election ballots that contain ballot content for more than one joint participant because of overlapping territory shall be arranged with the Central Appraisal District, then the appropriate school district ballot content appearing on the ballot, followed by the appropriate city ballot content, and followed by the appropriate water district or special district ballot content.

Early Voting by personal appearance and on Election Day shall be conducted exclusively on Denton County's Verity voting system including provisional ballots.

The Elections Administrator shall be responsible for the preparation, testing, and delivery of the voting equipment for the election as required by the Election Code.

The Elections Administrator shall conduct criminal background checks on the relevant employees upon hiring as required by Election Code 129.051(g).

## **VI. EARLY VOTING**

The participating authorities agree to conduct joint early voting and to appoint the Election Administrator as the Early Voting Clerk in accordance with Sections 31.097 and 271.006 of the Texas Election Code. Each participating authority agrees to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. The participating authorities further agree that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by Denton County pursuant to Section 83.052 of the Texas Election Code. Deputy early voting clerks who are permanent employees of the Denton County Elections Administrator or any participating authorities shall serve in that capacity without additional compensation.

Exhibit A of this document includes locations, dates, and times that voting will be held for Early Voting by personal appearance. Any qualified voter of the Joint Election may vote early by personal appearance at any one of the joint early voting locations. All requests for temporary branch polling places will be considered and determined based on the availability of the facility and if it is within the Election Code parameters. All costs for temporary locations including coverage by Election Administration staff will be borne by the requesting authority. The Elections Administrator will determine when those hours are necessary, the number of staff and who are necessary, along with to whom the hours are to be billed. Cost for these hours will be billed at a rate of 1.5 times the staff's hourly rate (See Sections XV #10). The Election Administrator has the right to waive these costs as they see fit.

The standard dates and hours for the May 3, 2025 election will be as follows:

Tuesday, April 22, 2025 through Saturday, April 26, 2025; 8am – 5pm

Sunday, April 27, 2025; 11am-5pm

Monday, April 28, 2025 through Tuesday, April 29, 2025; 7am-7pm

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the participating authorities shall be forwarded immediately by fax or courier to the Elections Administrator for processing. The address of the Early Voting Clerk is as follows:

Frank Phillips, Early Voting Clerk  
Denton County Elections  
PO Box 1720  
Denton, TX 76202  
Email: elections@dentoncounty.gov

Any requests for early voting ballots to be voted by mail, and the subsequent actual voted ballots that are sent by a contract carrier (ie. UPS, FedEx, etc.) shall be delivered to the Early Voting Clerk at the Denton County Elections Department physical address as follows:

Frank Phillips, Early Voting Clerk  
Denton County Elections  
701 Kimberly Drive, Suite A100  
Denton, TX 76208  
Email: elections@dentoncounty.gov

The Elections Administrator shall post on the county website, the participating authority's Early Voting Roster on a daily basis. In accordance with Section 87.121 of the Election Code, the daily roster showing the previous day's early voting activity will be posted no later than 11:00 am each business day.

## **VII. EARLY VOTING BALLOT BOARD**

Denton County shall appoint the Presiding Judge of an Early Voting Ballot Board (EVBB) to process early voting results from the Joint Election. The Presiding Judge, with the assistance of the Elections Administrator, shall appoint an Alternate Judge and one or more additional members to constitute the EVBB. The Elections Administrator shall determine the number of EVBB members required to efficiently process the early voting ballots.

## **VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS**

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Counting Station Manager: Brandy Grimes, Deputy Elections Administrator  
Tabulation Supervisor: Jason Slonaker, Technology Resources Coordinator

Presiding Judge: Early Voting Ballot Board Judge  
Alternate Judge: Early Voting Ballot Board Alternate Judge

The counting station manager or their representative shall deliver timely cumulative reports of the election results as precincts report to the central counting station and are tabulated by posting on the Election Administrator's Election Night Results website. The manager shall be responsible for releasing unofficial cumulative totals and precinct returns from the election to the joint participants, candidates, press, and members of the general public by distribution of hard copies at the central counting station (if requested) and by posting to the Election Administrator's Election Night Results website. To ensure the accuracy of reported election returns, results printed on the reports produced by Denton County's voting equipment will not be released to the participating authorities at the remote collection locations or from individual polling locations.

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted and will deliver a copy of the unofficial canvass to each participating authority as soon as possible after all returns have been tabulated. The Elections Administrator will include the tabulation and precinct-by-precinct results that are required by Texas Election Code Section 67.004 for the participating authorities to conduct their respective canvasses. Each participating authority shall be responsible for the official canvass of its respective election(s), and shall notify the Elections Administrator, or their designee, of the date of the canvass, no later than three days after Election Day.

The Elections Administrator shall be responsible for conducting the post-election manual recount required by Section 127.201 of the Texas Election Code unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to each participating authority and the Secretary of State's Office.

## **IX. PARTICIPATING AUTHORITIES WITH TERRITORY OUTSIDE DENTON COUNTY**

Each participating authority with territory containing population outside of Denton County agrees that the Elections Administrator shall administer only the Denton County portion of those elections. On a case-by-case basis, the Elections Administrator may consider administering an entities election for portions outside of Denton County.

## **X. RUNOFF ELECTIONS**

Each participating authority shall have the option of extending the terms of this agreement through its runoff election, if applicable. In the event of such runoff election, the terms of this agreement shall automatically extend unless the participating authority notifies the Elections Administrator in writing within three (3) business days of the original election.

Each participating authority shall reserve the right to reduce the number of early voting locations and/or Election Day voting locations in a runoff election.

Each participating authority eligible to hold runoff elections agrees that the date of the runoff election, if necessary, shall be determined by the Secretary of State, with early voting being held in accordance with the Election Code.

## **XI. ELECTION EXPENSES AND ALLOCATION OF COSTS**

The participating authorities agree to share the costs of administering the Joint Election.

Allocation of general expenses, which are not directly attributable to an individual polling location, will be expensed by each participating authority's percentage of registered voters of the total registered voters of all participating authorities.

Expenses for Early Voting by personal appearance shall be allocated based upon the actual costs associated with each early voting location. Each participating authority shall be responsible for an equal portion of the actual costs associated with the early voting locations within their jurisdiction. Participating authorities that do not have a polling location within their jurisdiction shall pay an equal portion of the nearest polling location. If an entity requests an Early Voting location outside of their jurisdiction and the request is granted, the participating authority shall be responsible for an equal portion of the actual cost associated with the early voting location requested.

Election Day location expenses will be allocated based on each participating authority's percentage of registered voters assigned to each polling place.

In the event that participating authorities with overlapping boundaries cannot make an agreement on Early Voting and/or Election Day locations, the requesting participating authority agrees to bear the entire expense of the location.

Final determination of Early Voting and/or Election Day locations will be confirmed by the Elections Administrator.

Each participating authority requesting additional hours, outside of the standard hours, for a location or locations, agree to split the cost of the additional open hours equally amongst the requesting participating authorities.

Costs for Early Voting by mail, in-person ballots, ballots, provisional ballots, and Poll Pad paper shall be allocated according to the actual number of ballots issued to each participating authority's voters and the cost shared equally amongst participating authorities of each ballot style.

Each participating authority agrees to pay the Elections Administrator an administrative fee equal to ten percent (10%) of its total billable costs in accordance with Section 31.100(d) of the Texas Election Code.

The Elections Administrator shall deposit all funds payable under this contract into the appropriate fund(s) within the county treasury in accordance with Election Code Section 31.100.

The Elections Administrator reserves the right to adjust the above formulas in agreement with an individual jurisdiction if the above formula results in a cost allocation that is inequitable.

If any participating authority makes a special request for extra Temporary Branch Early Voting by Personal Appearance locations as provided by the Texas Election Code, that entity agrees to pay the entire cost for that request.

Participating authorities having the majority of their voters in another county, and/or fewer than 500 registered voters in Denton County, and that do not have an Election Day polling place or early voting location within their Denton County territory shall pay a flat fee of \$750 for election expenses.

Election expenses, including but not limited to, overtime charges for Election Office staff, and any unforeseen expenses needed to conduct the election, will be borne by the participating authority or authorities, affected.

The fee for programming each participating authority's election will be based on the number of races within their election. The fee schedule is as follows:

| Programming Fees |            |
|------------------|------------|
| # of Races       | DCEA fee   |
| 1-5              | \$750.00   |
| 6-10             | \$1,265.00 |
| 11-20            | \$1,650.00 |
| 21-40            | \$2,090.00 |
| 41-75            | \$2,640.00 |
| 76-100           | \$3,135.00 |

## **XII. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION**

Any participating authority may withdraw from this agreement and the Joint Election should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code. The withdrawing authority is fully liable for any expenses incurred by the Denton County Elections Administrator on behalf of the authority plus an administrative fee of ten percent (10%) of such expenses. Any monies deposited with the Elections Administrator by the withdrawing authority shall be refunded, minus the aforementioned expenses and administrative fees, if applicable.

It is agreed that any of the joint election early voting locations that are not within the boundaries of one or more of the remaining participating authorities, with the exception of the early voting location at the Denton County Elections Building, may be dropped from the joint election unless one or more of the remaining participating authorities agreed to fully fund such location(s). In the event that any early voting location is eliminated under this section, as addendum to the contract shall be provided to the remaining participants within five days after notification of all intents to withdraw have been received by the Elections Administrator.

### **XIII. RECORDS OF THE ELECTION**

The Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each participating authority to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the appropriate participating authority.

### **XIV. RECOUNTS**

A recount may be obtained as provided by Title 13 of the Texas Election Code. By signing this document, the presiding officer of the contracting participating authorities agree that any recount shall take place at the office of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor, and the participating authority's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

The Elections Administrator agrees to provide advisory services to each participating authority as necessary to conduct a proper recount.

### **XV. MISCELLANEOUS PROVISIONS**

1. It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.
2. The Elections Administrator shall file copies of this document with the Denton County Treasurer and the Denton County Auditor in accordance with Section 31.099 of the Texas Election Code.

3. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
4. This agreement shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Denton County, Texas.
5. In the event that one of more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
6. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
7. The waiver by any party of a breach of any provision of this agreement shall not operate as or be construed as a waiver of any subsequent breach.
8. Any amendments of this agreement shall be of no effect unless in writing and signed by all parties hereto.
9. Failure for a participating authority to meet the deadlines as outline in this contract may result in additional charges, including but not limited to, overtime charges, etc.

Elections Staffing Hourly Rate (includes all benefit pay):

|                                  |                     |
|----------------------------------|---------------------|
| Absentee Voting Coordinator      | \$46.798            |
| Voter Registration Clerk         | \$35.788 - \$37.718 |
| Technology Resources Coordinator | \$50.666            |
| Elections Technician             | \$32.593 - \$40.057 |
| Voter Registration Coordinator   | \$42.854            |
| Training Coordinator             | \$52.800            |
| Election Coordinator             | \$35.635            |

## **XVI. COST ESTIMATES AND DEPOSIT OF FUNDS**

The total estimated obligation for each participating authority under the terms of this agreement is listed below. The exact amount of each participating authority's obligation under the terms of this agreement shall be calculated after the May 3, 2025 election (or runoff election, if applicable). The participating authority's obligation shall be paid to Denton County within 30 days after the receipt of the final invoice from the Denton County Elections Administrator.

The total estimated obligation for each participating authority under the terms of this agreement shall be provided within 45 days after the last deadline for ordering an election:

| Entity | Estimate |
|--------|----------|
|--------|----------|

v.0525

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XVII. JOINT CONTRACT ACCEPTANCE AND APPROVAL

IN TESTIMONY HEREOF, this agreement has been executed on behalf of the parties hereto as follows, to-wit:

- (1) It has on the 13<sup>th</sup> day of January, 2025 been executed by the Denton County Elections Administrator pursuant to the Texas Election Code so authorizing;
- (2) It has on the 13th day of February, 2025 been executed on behalf of the Town of Northlake pursuant to an action of the Northlake Town Council so authorizing;

ACCEPTED AND AGREED TO BY DENTON COUNTY ELECTIONS ADMINISTRATOR:

APPROVED:



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Frank Phillips, CERA

ACCEPTED AND AGREED TO BY THE TOWN OF NORTHLAKE, TX:

APPROVED:

ATTESTED:

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BRIAN MONTINI, MAYOR

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ZOLAINA PARKER, TOWN SECRETARY

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025

**REF. DOC.:** Texas Utilities Code, Chapter 33

**SUBJECT:** Consider approval of a Resolution of the Town of Northlake, Texas, authorizing continued participation with the steering committee of cities served by ONCOR; and authorizing the payment of eleven cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to ONCOR Electric Delivery Company, LLC

**GOALS/ OBJECTIVES:** Advance Northlake's Interest; 5.4 - Partner regionally to mitigate adverse impacts, Advance Northlake's Interest; 5.3 - Influence local- regional - and state issues

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### BACKGROUND INFORMATION:

- Benefits of membership:
  - Advocates for municipalities and residents to ensure reasonable electric transmission and distribution rates
  - Protect municipal authority, and save ratepayers millions by challenging unreasonable charges
- Membership cost \$0.11 per capita, total cost \$1039.83
- Town has had annual participation for nearly 20 years

### COUNCIL ACTION/DIRECTION:

Approve the Resolution allowing the Town to renew membership with the ONCOR Steering Committee



**TOWN OF NORTHLAKE, TEXAS  
OFFICIAL RESOLUTION**

**NO.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF ELEVEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Town of Northlake is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the town; and

**WHEREAS**, the Steering Committee of Cities Served By Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

**WHEREAS**, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

**WHEREAS**, the Town is a member of the Steering Committee; and

**WHEREAS**, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

**WHEREAS**, the Steering Committee at its December 2024 meeting set a budget for 2025 that compels an assessment of eleven cents (\$0.11) per capita; and

**WHEREAS**, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

- Section 1.** That the Town is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the Town of Northlake and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the Town limits.
- Section 2.** The Town is further authorized to pay its assessment to the Steering Committee of eleven cents (\$0.11) per capita based on the population figures for the Town shown in the latest TML Directory of Town Officials.
- Section 3.** A copy of this Resolution and the assessment payment check made payable to “Steering Committee of Cities Served by Oncor, c/o City of Arlington” shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, Mail Stop 63-0300, PO Box 90231, Arlington, Texas 76004.
- Section 4.** 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 5.** 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 February 13, 2025.

Town of Northlake, Texas

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Brian Montini, Mayor

Attest:

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Zolaina Parker, Town Secretary

## MEMORANDUM

TO: Steering Committee of Cities Served by Oncor  
FROM: Molly Shortall, Chair  
DATE: January 13, 2025  
RE: **Action Needed – 2025 Membership Assessment Invoice**

Enclosed please find the 2025 Steering Committee of Cities Served by Oncor (“Steering Committee”) membership assessment invoice and draft resolution. These items are discussed below. We ask that your city please take action on the membership assessment as soon as possible.

Although the Steering Committee does not require that your city take action by resolution to approve the assessment, some members have requested a resolution authorizing payment of the 2025 membership assessment. Payment of the membership assessment fee shall be deemed to be in agreement with the terms of the Steering Committee participation agreement.

Please forward the membership assessment fee and, if applicable, the signed resolution to Brandi Stigler, Steering Committee of Cities Served by Oncor, Mail Stop 63-0300, PO Box 90231, Arlington, Texas 76004. Checks should be made payable to: *Steering Committee of Cities Served by Oncor, c/o City of Arlington*. If you have any questions, please feel free to contact me at (817-459-6878) or Thomas Brocato ([tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com), (512/914-5061).

### **Membership Assessment Invoice and Resolution**

The Steering Committee is the most active consumer group advocating the interests of cities and residential and small commercial customers within the cities to keep electric transmission and distribution (*i.e.*, wires) rates reasonable. Steering Committee activities protect the authority of municipalities over the regulated wires service and rates charged by Oncor Electric Delivery Company, LLC (“Oncor”).

The work undertaken by the Steering Committee has saved cities and ratepayers millions of dollars in unreasonable charges. In order to continue to be an effective voice before the Public Utility Commission of Texas (“Commission” or “PUC”), ERCOT, the Legislature, and in the courts, the Steering Committee must have your support. The membership assessment is deposited in an account which funds Steering Committee activities.

On December 12, 2024, the Steering Committee approved the 2025 assessment for Steering Committee membership. Based upon the population-based assessment protocol previously adopted by the Steering Committee, the assessment for 2025 is a per capita fee of \$0.11 based upon the population figures for each city shown in the latest TML Directory of City Officials. The enclosed invoice represents your city’s assessment amount.

To assist you in the assessment process, we have attached several documents to this memorandum for your use:

- OCSC 2024 Year in Review

- Model resolution approving the 2025 assessment (optional, provided for those cities that have requested a resolution to authorize payment)
- Model staff report supporting the resolution
- List of Steering Committee members
- 2025 Assessment invoice
- 2024 Assessment invoice and statement (only if not yet paid)
- Blank member contact form to update distribution lists

Oncor Cities Steering Committee

C/O City of Arlington  
Attn: Brandi Stigler  
PO Box 90231  
Arlington, TX 76004

Invoice

|            |           |
|------------|-----------|
| Date       | Invoice # |
| 12/30/2024 | 25-164    |

|                   |
|-------------------|
| Bill To           |
| Town of Northlake |

| Item                                                                                                                                                                                         | Population | Per Capita | Amount                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|-------------------------|
| 2025 Membership Assessment                                                                                                                                                                   | 9,453      | 0.11       | 1,039.83                |
| Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, C/O City of Arlington, Attn: Brandi Stigler, PO Box 90231, Arlington, Texas 76004 |            |            | <b>Total</b> \$1,039.83 |

## OCSC Master List of Members (169 Total)

|                            |                    |                          |             |
|----------------------------|--------------------|--------------------------|-------------|
| 1. Addison                 | 57. Forest Hill    | 112.New Chapel Hill      | 167.Wilmer  |
| 2. Allen                   | 58. Forney         | 113.North Richland Hills | 168.Woodway |
| 3. Alvarado                | 59. Fort Worth     |                          | 169.Wylie   |
| 4. Andrews                 | 60. Frisco         | 114. Northlake           |             |
| 5. Anna                    | 61. Frost          | 115.Oak Leaf             |             |
| 6. Archer                  | 62. Gainesville    | 116.Oak Point            |             |
| 7. Argyle                  | 63. Garland        | 117.Odessa               |             |
| 8. Arlington               | 64. Garrett        | 118.O'Donnell            |             |
| 9. Azle                    | 65. Glenn Heights  | 119.Ovilla               |             |
| 10. Bedford                | 66. Grand Prairie  | 120.Palestine            |             |
| 11. Bellmead               | 67. Granger        | 121.Pantego              |             |
| 12. Belton                 | 68. Grapevine      | 122.Paris                |             |
| 13. Benbrook               | 69. Gunter         | 123.Parker               |             |
| 14. Beverly Hills          | 70. Haltom         | 124.Plano                |             |
| 15. Big Spring             | 71. Harker Heights | 125.Pottsboro            |             |
| 16. Breckenridge           | 72. Haslet         | 126.Prosper              |             |
| 17. Bridgeport             | 73. Henrietta      | 127.Ranger               |             |
| 18. Brownwood              | 74. Hewitt         | 128.Red Oak              |             |
| 19. Buffalo                | 75. Highland Park  | 129.Rhome                |             |
| 20. Burkburnett            | 76. Honey Grove    | 130.Richardson           |             |
| 21. Burleson               | 77. Howe           | 131.Richland Hills       |             |
| 22. Caddo Mills            | 78. Hudson Oaks    | 132.River Oaks           |             |
| 23. Cameron                | 79. Hurst          | 133.Roanoke              |             |
| 24. Canton                 | 80. Hutchins       | 134.Robinson             |             |
| 25. Carrollton             | 81. Hutto          | 135.Rockwall             |             |
| 26. Cedar Hill             | 82. Iowa Park      | 136.Rosser               |             |
| 27. Celina                 | 83. Irving         | 137.Rowlett              |             |
| 28. Centerville            | 84. Jolly          | 138.Royse                |             |
| 29. Cleburne               | 85. Josephine      | 139.Sachse               |             |
| 30. Coahoma                | 86. Justin         | 140.Saginaw              |             |
| 31. Colleyville            | 87. Kaufman        | 141.Sansom Park          |             |
| 32. Collinsville           | 88. Keene          | 142.Seagoville           |             |
| 33. Colorado               | 89. Keller         | 143.Seymour              |             |
| 34. Comanche               | 90. Kemp           | 144.Sherman              |             |
| 35. Commerce               | 91. Kennedale      | 145.Snyder               |             |
| 36. Coppell                | 92. Kerens         | 146.Southlake            |             |
| 37. Copperas Cove          | 93. Killeen        | 147.Springtown           |             |
| 38. Corinth                | 94. Krum           | 148.Stephenville         |             |
| 39. Cross Roads            | 95. Lake Worth     | 149.Sulphur Springs      |             |
| 40. Crowley                | 96. Lakeside       | 150.Sunnyvale            |             |
| 41. Dallas                 | 97. Lamesa         | 151.Sweetwater           |             |
| 42. Dalworthington Gardens | 98. Lancaster      | 152.Temple               |             |
| 43. De Leon                | 99. Lavon          | 153.Terrell              |             |
| 44. Denison                | 100.Lewisville     | 154.The Colony           |             |
| 45. DeSoto                 | 101.Lindale        | 155.Trophy Club          |             |
| 46. Duncanville            | 102.Lindsay        | 156.Tyler                |             |
| 47. Early                  | 103.Little River   | 157.University Park      |             |
| 48. Eastland               | Academy            | 158.Venus                |             |
| 49. Edgecliff Village      | 104.Malakoff       | 159.Waco                 |             |
| 50. Ennis                  | 105.Mansfield      | 160.Watauga              |             |
| 51. Euless                 | 106.McKinney       | 161.Waxahachie           |             |
| 52. Everman                | 107.Mesquite       | 162.Westover Hills       |             |
| 53. Fairview               | 108.Midland        | 163.Westworth Village    |             |
| 54. Farmers Branch         | 109.Midlothian     | 164.White Settlement     |             |
| 55. Fate                   | 110.Murchison      | 165.Wichita Falls        |             |
| 56. Flower Mound           | 111.Murphy         | 166.Willow Park          |             |

# 2024 OCSC Newsletter

Steering Committee of  
Cities Served by  
**Oncor**

## 2024 YEAR IN REVIEW ISSUE

This past year was an active one for the Steering Committee of Cities Served by Oncor. This Year in Review edition of the OCSC newsletter highlights significant 2024 events and looks ahead to 2025.



## ONCOR 2024 YEAR IN REVIEW

### **PUC Approves Oncor Resiliency Plan in 2024; OCSC Negotiates Improvements**

A \$3 billion resiliency plan submitted by Oncor, the north Texas electric utility, received approval Nov. 14 by the Texas Public Utility Commission.

The plan, which includes pro-consumer modifications negotiated by OCSC and other intervenors, marks a first. Several other utilities have also submitted resiliency plans to the PUC as authorized by House Bill 2555, enacted by the Texas Legislature in 2023. The resiliency plans are intended to harden the grid against extreme weather events, wildfires, cybersecurity, and physical threats.

Oncor said its planned upgrades will reduce the impact of severe weather outages and address other physical and cybersecurity risks. Investments include those for overhead and underground lines, smart grid technologies, enhanced wildfire mitigation, additional vegetation management, improved physical security, and improved cybersecurity risk mitigation.

Oncor based its plan on two decades of weather and grid data. The improvements will “substantially reduce outage minutes,” Oncor CEO Allen Nye said in a statement.

However, because the plan was the first of its kind, it lacked some of the technical data common to some other rate filings. As such, OCSC, during settlement talks, focused on obtaining commitments from Oncor to improve its metrics so parties can better evaluate the plan’s success and have a baseline to judge the success of plans in the future.

Oncor’s current plan covers the three-year period from 2025 to 2027. The company will recover implementation costs through interim rate adjustment mechanisms, such as the Distribution Cost Recovery Factor. Details of the settlement agreement, which was reached after multiple meetings between Oncor, the OCSC, and other intervenors, can be found on the PUC website, under PUC Docket No. 56545.

The PUC's approval allows Oncor to begin implementing its resiliency measures and — as specified in House Bill 2555 — allows the utility to recover the costs associated with the improvements through rates applied to their customers' future electric bills.

## PUC Adopts Ancillary Services Rules with OCSC Input

On Dec. 19, the Public Utility Commission adopted a new set of rules governing Ancillary Services, a key component of the ERCOT-managed energy market employed to help maintain system reliability.

The rules included considerations of recommendations forwarded by OCSC and other intervenors and were adopted as part of a study of the state's Ancillary Services posture mandated by Texas lawmakers in the aftermath of Winter Storm Uri. In approving the Ancillary Services Study in December, the PUC made two significant AS policy decisions as detailed below.

### **ERCOT Confirms—and Maintains—Recent “Conservative Operations”**

During the AS study process, ERCOT confirmed a recent shift in its operational practices. Before Winter Storm Uri, ERCOT acquired AS quantities necessary to avoid load shed or blackout events. After Winter Storm Uri, ERCOT acquired greater quantities of AS so as also to avoid emergency “Watches.” OCSC and an allied municipal coalition, the Texas Coalition for Affordable Power, argued that this new conservative posture is unnecessary and inflates consumer costs and that ERCOT's AS new acquisition procedures are ambiguous and require supporting cost analysis.

However, the PUC directed ERCOT to continue conservative operations until ERCOT produces the cost analysis necessary to compare competing operating postures. ERCOT will now develop cost analysis related to various operating postures before 2027 when the Commission will update the AS Study. In 2027, cost analysis may compel ERCOT to adjust its operating

posture to a less conservative, more consumer-friendly, approach.

### **PUC Broadens the Scope of AS Objectives**

The Commissioners, in its adopted AS Study, also directed ERCOT to develop the Dispatchable Reliability Reserve Service — that is, ERCOT's newest AS — in a manner that both promotes operational reliability and resource adequacy initiatives. Cities argued that resource adequacy initiatives are outside the scope of AS policy and could possibly inflate DRRS costs. Nonetheless, in large part due to ongoing resource adequacy concerns, the PUC directed ERCOT to develop DRRS in a manner that preserves “optionality”— i.e., the ability to deploy DRRS for operational reliability *and* resource adequacy. ERCOT stakeholders, including Cities, will now determine to what extent DRRS should serve as a resource adequacy initiative.

The rulemaking comes in response to Senate Bill 3 from 2021, under which the PUC, ERCOT, and ERCOT's Independent Market Monitor (IMM) were charged with conducting a top-to-bottom examination of Ancillary Services in the ERCOT region. This examination includes the type, volume, and cost of ancillary services, whether those services continue to meet the needs of the ERCOT region, and whether additional services are needed for reliability, with an emphasis on dispatchable generation.

More information about this rulemaking can be found on the PUC website, under Project No. 55845, *Review of Ancillary Services in ERCOT*. More information about Ancillary Services can be found in the OCSC ERCOT glossary, found online on the OCSC website.



# Oncor Receives Approval for Multiple DCRF Increases

On Oct. 24, the PUC adopted another Oncor Distribution Cost Recovery Factor rate increase —the fourth since June 2023 — bringing the total increases over that period to more than \$377 million.

Under the newest increase, the per-customer DCRF charge will increase from .003472 per kilowatt hour approved in its most recent DCRF case to .004553. This new charge amounts to more than \$71 per year for a typical customer consuming 1,300 kWh of power per month.

The repeated rate hikes are a result of state laws adopted in 2011 and 2023 that created and then modified the DCRF ratemaking process. Under it, transmission and distribution utilities can file for rate increases at the Public Utility Commission to recover capital expenditures on their distribution systems in an expedited fashion.

Texas lawmakers initially adopted Senate Bill 1693 in 2011 that laid out initial DCRF guidelines and included rules barring utilities from filing more than one DCRF per year. Then, in 2023, the Texas Legislature adopted Senate Bill 1015 that allowed electric utilities to seek DCRF rates hike twice annually.

However, Oncor has taken advantage of an otherwise trivial semantic distinction— that is, the difference in meaning between “calendar year” and “every 12 months” — to file a total of four rate cases within 14 months. That is, the company filed two rate cases during the 2023 calendar year and two during the 2024 calendar year, making for a total of four rate hikes since the law took effect in June 2023.

Under DCRF rules, the PUC reviews the rate requests in an accelerated fashion, and interested parties, such as the Steering Committee of Cities Served by Oncor, can intervene in those reviews.

Details of Oncor’s four recent rate filings include:

## Docket No. 55190

- Application filed on June 29, 2023.
- Distribution revenue requirement increase requested by utility: \$152,777,465.
- Distribution revenue requirement increase granted: \$152,508,937 (\$268,528 decrease from request).

## Docket No. 55525

- Application filed on September 15, 2023.
- Distribution revenue requirement increase requested by utility: \$56,536,428.
- Distribution revenue requirement increase granted: \$53,536,428 (\$3 million decrease from request).

## Docket No. 56306

- Application filed on March 1, 2024.
- Distribution revenue requirement increase requested by utility: \$81,323,815.
- Distribution revenue requirement increase granted: \$81,323,815.

## Docket No. 56963

- Application filed on August 16, 2024.
- Distribution revenue requirement increase requested by utility: \$90,288,143.
- Distribution revenue requirement increase granted: \$90,288,143.



Find out more about ERCOT, the non-profit corporation that oversees the state’s electric power grid, in the glossary and primer from the Steering Committee of Cities Served by Oncor. The 18-page document includes definitions of key ERCOT terms, plus information about the organization’s history, structure and board structure. You can find the publication, “Coming to Terms with ERCOT,” in PDF form on the OCSC Report page at this [link](#).

# OCSC Advocates for Consumers in 2024 Securitization Proceeding

Although facing years of Winter Storm Uri-related debt, residential and commercial customers should end up shouldering a smaller portion of it thanks in part to regulatory recommendations made by cities.

Adopted Aug. 29 by the Public Utility Commission as part of a broader set of debt-financing rules, the recommendations should result in indirect benefits for residential and commercial customers. At the same time, certain industrial energy users could end up paying comparatively more.

## The Background

In 2021, the Texas Legislature funded several debt-financing programs to soften the short-term pain of spiraling gas and electric energy costs during Winter Storm Uri. Known as “securitized” financing or “securitization,” the programs allow for large fiscal obligations to be retired over time with interest.

As has been widely reported, wholesale prices exceeded a regulatory threshold during Winter Storm Uri because of emergency orders issued by the PUC. One such securitization program is designed to address \$2.1 billion in excess market costs associated with those controversial regulatory decisions. The securitization program would provide short-term relief for retail electric providers and other “Load Serving Entities” (such as electric cooperatives and municipal utilities) affected by those high prices, with the cost of that relief generally borne by market participants.

One of the recommendations from the OCSC adopted by the PUC would increase the relative share of that burden borne by certain industrial customers. This, in turn, would indirectly lessen the burden on retail electric

providers and other LSEs that serve residential and small commercial users.

## The Details

In more specific terms, ERCOT, under the program will assess securitization charges to each Load Serving Entity in accordance with their actual, real-time energy usage. However, transmission voltage customers — that is, certain large industrial users — have the option to “opt-out” of the program. Those that do so wouldn’t be eligible to benefit from payments under it nor would they have to make payments to support it.

Under the Aug. 29 PUC ruling, transmission-voltage customers who have had a transfer in ownership will lose the ability to opt-out. All else equal, this should benefit other load serving entities. The OCSC and PUC staff recommended this regulatory interpretation.

## Regulatory History

PUC staff earlier filed a petition seeking a declaratory order that transmission-voltage customers, after a transfer in ownership, lose their securitization opt-out status. OCSC also took that position in agency proceedings, arguing that that interpretation was consistent with legislative directives while simultaneously avoiding a disproportionate assessment of securitization charges to residential ratepayers.

Texas Industrial Energy Consumers, a coalition including transmission voltage customers, argued otherwise. Because many transmission voltage customers are owned by the same parent company, TIEC’s interpretation would have almost certainly reduced cost savings for non-industrial customers.

# Oncor Loses Appeal in Rate Case

On February 22, a District Court Judge denied “with prejudice” an Oncor legal objection relating to a 2022 rate case, a legal action representing the final determination in the case.

## The History and Background

Oncor’s 2022 rate case resulted in a June 2023 PUC Order on Rehearing that set a 6.65 percent rate of return and ordered a reduction to Oncor’s revenues. In September 2023, Oncor filed a petition in District Court in Travis County appealing the PUC’s June Order on Rehearing.

In November 2023, the PUC, represented by attorneys with the Texas Attorney General, filed a “Plea to the Jurisdiction” arguing that Oncor failed to meet the requirements for an administrative appeal. On February 22, 2024, a District Court Judge granted the PUC’s Plea to the Jurisdiction. Oncor’s petition for review of the PUC’s decision was denied with prejudice, meaning this is the final determination in the case and Oncor cannot re-file its appeal.

# Oncor Reports Increased Revenues in 2024, Anticipates More Spending Going Forward

Oncor reported year-to-date earnings of \$800 million, as compared to the \$683 million during last year's corresponding nine-month period, according to information released to investors on Nov. 6.

The \$117 million increase was driven by overall higher revenues primarily attributable to updated interim rates and new base rates implemented in May 2023, according to the company.

As of September 30, Oncor had 884 active generation and LC&I transmission points of interconnection requests in queue. Generation customers represented 505 of the active requests, of which 44 percent are solar, 44 percent are storage, 7 percent are wind, 4 percent are gas and 1 percent are other.

Oncor also expects to announce a new five-year

capital expenditure plan for 2025 through 2029 during the first quarter of 2025 that will project a 40-50 percent increase over its previously announced 2024 through 2028 capital plan of \$24.2 billion. The increase is largely driven by the forecasted growth of customer demand within ERCOT, according to Oncor.

## About Oncor

Headquartered in Dallas, Oncor Electric Delivery Company operates the largest transmission and distribution system in Texas. The company delivers electricity to more than 4 million homes and businesses and operates more than 143,000 circuit miles of transmission and distribution lines. While Oncor is owned by two investors (indirect majority owner, Sempra, and minority owner, Texas Transmission Investment LLC), it is managed by a separate board of directors.

## Arlington City Attorney Molly Shortall Named OCSC Chair



Molly Shortall

OCSC welcomed a new chair in 2024, Arlington City Attorney Molly Shortall. Prior to being named City Attorney in 2022, Ms. Shortall was an assistant city attorney for 15 years. Ms. Shortall has been a licensed attorney since 2006. Congratulations Ms. Shortall!

Ms. Shortall replaced Paige Mims, City Attorney for the City of Plano, who stepped down as OCSC chair at the end of 2023 after serving nine years in the position. Ms. Mims has been a tireless advocate for the organization, and OCSC thanks her for her years of leadership.



Paige Mims

2025 OCSC Meetings  
March 6  
June 12 (virtual only)  
September 11  
December 11 (virtual only)

OCSC Officers  
Chair—Molly Shortall  
Vice Chair—Don Knight  
Secretary—Lupe Orozco  
Treasurer—David Johnson

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato  
(512) 322-5857  
tbrocato@lglawfirm.com

Jamie Mauldin  
(512) 322-5890  
jmauldin@lglawfirm.com

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## NORTHLAKE TOWN COUNCIL COMMUNICATION



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**DATE:** February 13, 2025

**Section:** 5. ACTION ITEMS

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## NORTHLAKE TOWN COUNCIL COMMUNICATION

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**DATE:** February 13, 2025

**REF. DOC.:** Chapter 312, Texas Tax Code; Resolution 14-32, Town of Northlake Incentives Policy

**SUBJECT:** Consider approval of a Resolution of the Town of Northlake, Texas, approving the terms and conditions of an incentives policy to promote economic development and stimulate business and commercial activity in the town; establishing guidelines and criteria for approval of tax abatements and other incentives; electing to become eligible to participate in tax abatement; and providing an effective date

- i. Public Hearing
- ii. Consider Approval

**GOALS/ OBJECTIVES:** Promote Economic Vitality; 6.2 - Target business development through economic incentives

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### BACKGROUND INFORMATION:

- Town's Incentives Policy adopted on December 11, 2014
  - Covers a variety of incentive types including tax abatements
  - Requirements added to Texas Tax Code in 2019 regarding tax abatements
    - Guidelines and criteria to be adopted, reauthorized, or amended following public hearing
    - Effective for two years from date adopted
    - Re-evaluate in 2027
- Public hearing must be held before Town Council and guidelines and criteria adopted or reauthorized in order to consider tax abatements
- Minor updates proposed in attached redline format of policy
  - Changes related to Comprehensive Plan updates
  - Updated contact information including new addresses and title references
  - Updates for clarity
- January 16, 2025: Economic Development Corporation (EDC) and Community Development Corporation (CDC) boards unanimously recommended approval of incentives policy
- Incentives policy will be effective for two years from the date of adoption
- Vote of three-fourths members of the Town Council necessary to amend or repeal policy in that period

### COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Consider approval of incentives policy



**TOWN OF NORTHLAKE, TEXAS  
OFFICIAL RESOLUTION**

**NO.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INCENTIVES POLICY TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE TOWN; ESTABLISHING GUIDELINES AND CRITERIA FOR APPROVAL OF TAX ABATEMENTS AND OTHER INCENTIVES; ELECTING TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Town Council of the Town of Northlake ("Town") originally adopted Resolution No. 14-32 on December 11, 2014, approving an Incentives Policy ("Policy") to promote economic development and stimulate business and commercial activity in the Town; and

**WHEREAS**, the Policy established guidelines and criteria for approval of tax abatements and other incentives; and

**WHEREAS**, the Town's Type A Economic Development Corporation on January 16, 2025, and the Town's Type B Community Development Corporation on January 16, 2025, considered and recommended approval of the attached Policy to the Town Council; and

**WHEREAS**, the Town Council held a public hearing regarding the proposed adoption of the Policy at which members of the public were given the opportunity to be heard; and

**WHEREAS**, pursuant to Texas Tax Code Section 312.002, the guidelines and criteria governing tax abatements for the Town are included in the Policy, and by adopting this resolution the Town elects to become eligible to participate in tax abatement; and

**WHEREAS**, upon full review and consideration of the Policy attached as Exhibit A and all matters attendant and related thereto, the Town Council is of the opinion that the Policy will assist in implementing programs whereby state and local economic development will be promoted and business and commercial activity will be stimulated in the Town.

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

**Section 1.** The Town Council finds that the guidelines and criteria of the Policy, attached hereto as Exhibit "A", will promote economic development and stimulate business and commercial activity in the Town.

**Section 2.** The Town Council hereby adopts the Policy, attached hereto as Exhibit “A”, authorizing the Town to participate in tax abatement and other incentives and take other specified actions, in accordance with the guidelines and criteria outlined in the Policy.

**Section 3.** The guidelines and criteria of the Policy, having been reviewed by the Town Council of Northlake and found to be acceptable and in the best interest of the Town and its citizens and businesses, are hereby approved.

**Section 4.** The recitals and findings in this Resolution are true and correct legislative findings of the Town Council and are incorporated into this Resolution as if fully set forth herein, and the Town elects to become eligible to participate in tax abatement.

**Section 5.** This Resolution shall become effective from and after its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Northlake, Texas, on February 13, 2025.

Town of Northlake, Texas

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Brian Montini, Mayor

Attest:

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Zolaina Parker, Town Secretary

## Exhibit A

### Northlake, Texas

#### *Incentives Policy*

**WHEREAS**, the Town's Type A Economic Development Corporation on ~~November 20, 2014~~January 16, 2025 and the Town's Type B Community Development Corporation on ~~November 20, 2014~~January 16, 2025 considered and recommended approval of this Incentives Policy ("Policy") to the Town Council; and

**WHEREAS**, upon full review and consideration of this Policy, the Town Council is of the opinion that this Policy will assist in implementing programs whereby state and local economic development will be promoted and business and commercial activity will be stimulated in the Town.

**NOW, THEREFORE, BE IT KNOWN**, that the Town Council on ~~December 11, 2014~~February 13, 2025 approved Resolution ~~14-32~~ adopting the following guidelines and criteria as the Town of Northlake's Incentive Policy and electing to become eligible to participate in tax abatement.

#### **1. INTRODUCTION / GOALS**

It is the intent of this Policy to provide guidelines and criteria, requirements, and procedures to evaluate and approve any Incentives deemed necessary by the Town for the furtherance of its economic development and community goals. This Policy shall include provisions for Tax Abatement as well as use of Type A or Type B economic development sales tax funds, and any other resources as approved by the Town Council. Incentives may be considered for both new facilities and for the Expansion or Modernization of existing Facilities and structures. Nothing herein shall imply or suggest that the Town is under any obligation to provide any Incentive to any Applicant. The Council retains the right to evaluate applications and grant Incentives, if any, as deemed appropriate on a case-by-case basis without the necessity of amending any contrary provisions of this Policy. Following are the goals of this Policy.

- A. When in the best interests of the Town, provide Incentives to existing businesses that will enhance the commercial viability and sustainability of existing commercial properties in the Town; and
- B. When in the best interests of the Town, provide Incentives to attract desired businesses or developers to invest in the Town; and
- C. Increase the non-residential ad-valorem tax and / or sales and use tax revenue base for the Town; and
- D. Ensure that all policies, procedures and any resulting Performance Agreements related to the provision of Incentives to stimulate economic development shall comply with all applicable state statutes.

#### **2. DEFINITIONS**

The following definitions shall apply to the terms used in this Policy. These Definitions shall apply to all subsequent Performance Agreements unless amended by that Performance Agreement.

**380 Agreement**: Shall mean an agreement to provide incentives as authorized by Chapter 380 of the Local Government Code. It may also be referenced herein as a Performance Agreement.

**Act**: Shall mean the Development Corporation Act, now codified in Chapters 501-505 of the Texas Local Government Code.

Applicant: Shall mean the Property owner or business occupant signing the Incentives Application.

Application: Shall mean the Incentives Application as maintained by Staff.

Benefits: Any combination of group benefits for health care, dental care, vision care, disability insurance, or life insurance.

Board: Shall mean the Board of the Type A or Type B Development Corporation of the Town.

Business Personal Property: Shall be as defined by the Denton County Appraisal District.

Code Violations: Shall be as defined in the Town's adopted building or zoning codes.

Construction Costs: The cost of permits, fees, construction materials, and installation labor. All other associated costs are deemed excluded, including, but not exclusively, the following costs: design, construction document preparation, bidding, and construction financing.

Effective Date: The date this Policy was approved by the Town Council.

Employee, Full-Time: Shall mean any employee of the company that regularly works a minimum of thirty (30) hours per week.

Employee, Part-Time: Shall mean any employee that regularly works less than thirty (30) hours a week.

Employees, Full-Time Equivalent (FTE): Shall mean the number of employees equivalent to full-time employees, e.g. two part-time employees working 20 hours each is equal to one full-time employee.

Expansion: Shall mean the addition of buildings, structures, fixed equipment or machinery for the purpose of increasing production capacity.

Facility: Shall mean the site, building(s) and improvements.

Freeport Exemption: ~~If adopted by the Town, t~~The Freeport Exemption from ad valorem taxation applies only if qualifying goods, wares, merchandise, ores, and certain aircraft and aircraft parts have been detained in the state for 175 days or less for the purpose of assembly, storage, manufacturing, processing, or fabricating.

Grants: Funds provided by the Town for a particular Project in accordance with this Policy.

Impact Fees: Fees adopted by the Town in accordance with Chapter 395 of the Local Government Code.

Incentives: Shall be as defined in Section 7 herein.

Modernization: Shall mean the replacement and upgrading of existing facilities which increases the productive input or output, updates the technology, or substantially lowers the unit cost of the operation, and extends the economic life of the Facility. This shall not include reconditioning, refurbishing, repairing or completion of deferred maintenance on the Facility or its equipment.

Payroll: The company's total expenditures for all employees for the month immediately preceding the Application, multiplied by twelve (12).

Performance Agreement: A written contract summarizing the performance requirements of a business or developer and the Incentives to be provided by the Town upon fulfillment of those performance requirements.

Policy: Shall mean this Incentives Policy.

Primary Job: A job that is 1) available at a company for which a majority of the products or services of that company are ultimately exported to regional, statewide, national, or international markets,

infusing new dollars into the local economy; and 2) included in an acceptable sector of the North American Industry Classification System (NAICS) as identified in Section 501.002 (12) of the Act.

Project: The initiative or investment to be provided in accordance with the performance standards of any Performance Agreement providing Incentives. To the extent that any Type A or Type B funds are to be used as Incentives, the Project shall meet the definitions provided in the Act.

Project Classification: Shall be as defined in Section 6 herein.

Project Eligibility: Shall be as defined in Section 7 herein.

Property: Shall mean the physical lot and / or building to which Incentives are being given.

Public Works Improvements: Shall mean improvements that upon completion and acceptance shall be owned by the Town. (e.g. water, sewer, streets, drainage)

Real Property: Shall be as defined by the Denton County Appraisal District.

Recapture (aka Claw-back): A provision in a Performance Agreement that states how and to what extent any Incentives provided must be paid back to the Town if the required performance criteria are not met.

Staff: The Town ~~Administrator~~ Manager or their designee.

Tax Abatement: Shall mean the full or partial exemption from paying ad valorem taxes on real property or tangible personal property in accordance with provisions of Chapter 312 of the Texas Tax Code.

Tax Abatement Agreement: Shall mean an agreement to provide Tax Abatement as authorized by Chapter 312 of the Texas Tax Code. It may also be referenced herein as a Performance Agreement.

Town: The Town of Northlake, Texas.

Town Council: The Town Council of the Town.

### **3. GENERAL ELIGIBILITY**

The following shall establish the minimum eligibility for receiving Incentives identified in this Policy.

A. Properties: Only properties meeting the following requirements shall be eligible to receive Incentives outlined by this Policy:

- i. Within the Town: The property must be located within the Town's municipal boundaries.
- ii. Zoning: The property must be adequately zoned for proposed uses.
- iii. Taxes: The property shall be in good standing as it relates to taxes due to the Town.
- iv. Liens: The property shall be in good standing as it relates to any liens held by the Town.
- v. Ownership: Property owners must provide proof of ownership.
- vi. Code Violations: Property must not have any outstanding code violations with the Town.

B. Businesses: Only businesses meeting the following requirements shall be eligible to receive Incentives outlined by this Policy:

- i. Taxes: The business shall be in good standing as it relates to taxes due to the Town.
- ii. Property Owner Approval: Businesses, if not the owner of the property to be occupied, must provide a copy of their lease agreement and support of the Incentives Application from the Property Owner prior to Town approval of the Application.

- iii. Length of Operations: Existing businesses must have maintained operations in the Town for five (5) years consecutively in order to receive Incentives.
- C. Statutory Limitations: It is the intent of the Town to comply with all statutory limitations on the use of any Type A or Type B sales and use tax funds for Projects as authorized by the Act.

#### 4. **PRIORITIES**

The Town has determined that the following are priorities for the Incentives potentially granted pursuant to this Policy. The evaluation of the merits of any Application shall take into consideration whether or not the Application also meets these priorities.

- A. Preferred Areas: The following areas of the Town are areas of priority for implementation of this Policy.
  - i. I-35W at S.H. 114: This area with highway access and available water and sewer infrastructure is most ready for immediate development with the least impact on the Town for providing adequate services.
  - ii. Comprehensive Plan – Industrial: Areas designated as “Industrial Innovation” or “Light Industrial/Commercial Flex” on the Town’s Comprehensive Plan.
  - iii. Comprehensive Plan – ~~Commercial~~Mixed-use: Areas ~~along I-35W or in proximity to Texas Motor Speedway and are~~ designated as “Mixed-useNeighborhood Retail” or “Corridor Commercial” on the Town’s Comprehensive Plan.
  - ~~iii-iv.~~ Comprehensive Plan – Mixed-use: Areas designated as “Lifestyle Neighborhood” or “Livable Center” on the Town’s Comprehensive Plan.
  - ~~iv-v.~~ Ineligible Areas: Areas designated as “Rural ResidentialReserve” or “Rural Estate” on the Town’s Comprehensive Plan.
- B. Preferred Businesses: The following types of businesses are a priority for implementation of this Policy.
  - i. Industrial: Industrial or manufacturing that has minimal impacts on the environment.
  - ii. Logistics / Distribution: Distribution centers or logistics hubs.
  - iii. Retail: Retail development or businesses that provide a significant sales tax contribution to the Town.
  - iv. Entertainment: Entertainment venues of a unique nature that serve the Town and the region.
  - v. Office: Professional corporate or service offices.
  - vi. Ineligible Businesses: Any businesses that do not reflect a positive image for the Town.

#### 5. **INCENTIVES**

Following are Incentives that the Town, on a case-by-case basis, could consider granting for specific Projects depending on the merits of the Project. Incentives, including Tax Abatement, are available to new Facilities and structures and the Expansion and Modernization of existing Facilities and structures. *This shall include the redevelopment of existing properties.* Eligibility for each type of Incentive shall be as shown in Section 7 herein.

- A. Financial – Ad Valorem Taxes: The Town may consider granting the following Incentives relative to Ad Valorem Taxes.

- i. Real Property Tax: The Town may consider abating the taxes on Real Property by approval of a Tax Abatement Agreement or by approval of a 380 Agreement rebating Real Property taxes paid to the Town.
  - ii. Business Personal Property Tax: The Town may consider abating the taxes on Business Personal Property by approval of a Tax Abatement Agreement or by approval of a 380 Agreement granting back Business Personal Property taxes paid to the Town.
  - iii. Inventory Tax: The Town grants relief of inventory taxes through their prior adoption of the Freeport Exemption. Inventory that is not eligible for Freeport Exemption is also not eligible for Incentives through this Policy.
  - iv. Tax Stabilization / Incremental Increase: In a situation where an existing Facility may be Expanded or Modernized, the Town may consider stabilizing the ad valorem taxes collected as of the date of completion and / or an incremental yearly increase to market rates. This shall be accomplished by granting back the increase in taxes paid to the Town.
- B. Financial – Sales Tax Grants / Reimbursements: Through approval of a 380 Agreement, the Town may provide Grants of all or a portion of the following sales and use taxes. Where the Project is a retail development, for the purposes of evaluating and granting incentives in accordance with this Policy, sales and use taxes shall be measured net of any business relocations occurring within the Town. i.e. if a retail business is currently operating in the Town, and relocates to the new development, it's sales taxes shall be excluded from the calculation of new sales taxes generated.
- i. Sales Tax – Development Corporation: The sales tax going to the Town's Type A and Type B Economic Development Sales Tax funds.
  - ii. Alcohol Sales Tax: The sales taxes collected by the Town from the sale of alcohol in the Town.
  - iii. Construction Materials Sales Tax: As permitted by Chapter 3 of Title 34 Texas Administrative Code.
- C. Financial - Fee Reductions / Credits: The Town may consider the reduction or credit of all or a portion of the following fees. This shall not include any charges by third-parties assisting the Town with implementation of services provided by the fees unless so provided in an approved Performance Agreement.
- i. Impact Fee - Water: Any water Impact Fee charged by the Town. This shall not include the "pass-through" Impact Fees owed to any other Agency.
  - ii. Impact Fee - Wastewater: Any wastewater (aka sanitary sewer) Impact Fee charged by the Town. This shall not include the "pass-through" Impact Fees owed to any other Agency.
  - iii. Impact Fee - Roadway: Any roadway Impact Fee charged by the Town.
  - iv. Road Participation Fee: Any roadway participation fee charged by the Town.
  - v. Drainage Improvement Fee: Any fee charged for the improvement of drainage facilities in the Town.
  - vi. Building Permit Fee: Any fee related to the review of non-Public Works construction plans and building plans required for the issuance of a building permit.
  - vii. Plan Review Fee: Any fee related to the review and administrative processing of construction plans for Public Works Improvements.
  - viii. Inspection Fee: Any fee related to the inspection of Public Works Improvements.
- D. Financial - Misc.: The Town may consider the following miscellaneous financial Incentives.

- i. Equipment Purchase: Funds provided to assist with or provide for the purchase of equipment that increases production for the business.
  - ii. Forgivable Loan: An agreement by the Town to provide a loan whose repayment may be forgiven under particular circumstances.
- E. Sales, Lease or Exchange of Land or Buildings: The Town recognizes that the sale and conveyance, lease, or exchange of certain property owned by the Town may meet the objectives identified in this Policy. In accordance with the provisions of Sections [-253.0125](#) and [272.001](#) of the Local Government Code, [and other applicable law](#), the Town may consider the sale, lease or exchange of land without the necessity of accepting written bids pursuant to a published notice and at or below market value to further the objectives identified herein.
  - i. Build-to-Suit / Leaseback: An agreement where the Town builds a building or facility to suit the needs of the Applicant in exchange for a commitment from the applicant to lease the facility from the Town.
  - ii. Free / Reduced-Cost Land: Any provision where the Town provides free or reduced-cost lands to the Applicant.
  - iii. Free / Reduced-Cost Building: Any provision where the Town provides a free or reduced-cost building to the Applicant.
  - iv. Land Lease: Any provision where the Town leases rights to Town-owned land to the Applicant to allow construction of their Facility.
- F. Employment-Related: The Town may consider the following employment-related Incentives.
  - i. Relocation Assistance: Any provision where the Town provides assistance to new employees relocating to residency within the Town.
  - ii. Cash for Jobs: Any provision where the Town provides for one-time payments to the Applicant for each new job of a certain classification established at a new or existing Facility in the Town.
  - iii. Employee Recruitment Assistance: Any provision where the Town provides assistance with the recruiting of new employees to a new or existing facility in the Town.
  - iv. Employee Training Assistance: Any provision where the Town provides assistance in the training of new employees employed at a new or existing facility in the Town.
- G. Infrastructure Assistance: The Town may consider the following infrastructure assistance Incentives.
  - i. Water Line Extensions/~~Oversizing~~: Participation in all or a portion of the costs of extending ~~and/or oversizing~~ water ~~distribution~~ lines to serve the Facility.
  - ii. Sewer Line Extensions/~~Oversizing~~: Participation in all or a portion of the costs of extending ~~and/or oversizing~~ sanitary sewer lines to serve the Facility.
  - iii. Roadway Improvements: Participation in all or a portion of the costs of roadway improvements serving the Facility.
  - iv. Storm Drainage Improvements: Participation in all or a portion of the costs of storm drainage improvements at or downstream of the Facility.
  - v. Franchise Utility Extensions: Participation in all or a portion of the costs of extending franchise utility services to the Facility.

- H. Development Cost Participation: The Town may consider participation in the following development cost Incentives.
- Demolition: Participation in all or a portion of the costs of demolishing existing structures on a property.
  - Environmental Mitigation: Participation in all or a portion of the costs of mitigating environmental issues on a property in accordance with Sections 504.304 and 505.305 of the Local Government Code.
- I. Process Related: The Town may consider the following process-related Incentives. In all instances, any accelerated or unique process shall meet all statutory requirements.
- Fast-track Zoning: Provisions allowing an accelerated consideration of zoning entitlements for the Project.
  - Fast-track Permitting: Provisions allowing an accelerated review of building and construction plans for the Project.
  - Dedicated Inspections: Provisions allowing for Town inspector(s) to be dedicated solely or primarily to the Project either at critical times or throughout construction of the Project. This may or may not include a requirement for on-site office space to accommodate the inspector.
    - Exemptions: This shall not include the costs of “call-back” inspections, weekend inspections, or holiday inspections.
- J. Economic Development District Establishment: In instances where the Project is of a significant scope and scale, the Town may consider the establishment of unique economic development districts.
- K. Hotel Occupancy Tax: The Town may consider the use of Hotel Occupancy Tax in accordance with the provisions of Chapter [156321](#) of the Texas Tax Code.
- L. Support for State Incentives: The Town may consider providing support for the Project in the application and processing of State of Texas incentives.

## 6. **PROJECT CLASSIFICATIONS**

The following Project Classifications shall identify the minimum performance requirements for each project classification for the purposes of determining the eligibility of Incentives for different types of Projects. These requirements are new construction, revenues or employees attributable to the Project.

| Project Classification | Min. New Construction Cost | Min. New FTE Employees | Min. New Taxable Sales <sup>1</sup> | Notes                                                                                                    |
|------------------------|----------------------------|------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------|
| Corporate              | \$5,000,000                | 50                     | -                                   | • Significant office uses, e.g. Corporate HQ or regional HQ                                              |
| Industrial             | \$5,000,000                | 50                     | -                                   | • <del>Owner occupied, i</del> Industrial / logistics business                                           |
| Retail                 | -                          | -                      | \$1,000,000                         | • <u>Excludes Pioneer Grant Program with separate criteria</u>                                           |
| Development            | \$5,000,000                | -                      | \$5,000,000                         | • New <u>non-residential or mixed-use</u> development that <del>does not</del> <u>may</u> include retail |

<sup>1</sup>Generated annually

## 7. **PROJECT ELIGIBILITY MATRIX**

The following Project Eligibility Matrix shall provide a framework for identifying the potential Incentives that are eligible to various classifications of Projects as identified above. Term and amount of Incentives shall be determined on a case-by-case basis.

| Potential Incentive       | Project Classification |            |               |               |
|---------------------------|------------------------|------------|---------------|---------------|
|                           | Corporate              | Industrial | Retail        | Development   |
| Tax Abatement             | X                      | X          | -             | <del>-X</del> |
| Other AV Tax Relief       | X                      | X          | -             | -             |
| Sales Tax Grants          | -                      | -          | X             | X             |
| Constr. Sales Tax Grants  | X                      | X          | X             | X             |
| Fee Reductions / Credits  | X                      | X          | X             | X             |
| Misc. Financial           | X                      | X          | <del>-X</del> | -             |
| Land / Building Related   | -                      | X          | X             | -             |
| Employment Related        | X                      | X          | -             | -             |
| Infrastructure Assistance | X                      | X          | X             | X             |
| Dev. Costs                | X                      | X          | X             | X             |
| Process Related           | X                      | X          | -             | X             |
| E.D. Districts            | -                      | -          | X             | X             |
| HOT                       | -                      | -          | -             | X             |
| State Assistance          | X                      | X          | X             | X             |

## 8. **ADMINISTRATIVE PROCEDURES**

The Applicant shall follow the Administrative Procedures noted below to apply for Incentives as identified herein.

- A. **Pre-Submittal:** All Applicants are encouraged to meet with Staff prior to preparation of an Application. Contact the following to set up a meeting.

Development Services Department

Office of Economic Development

1400 FM 4071700 Commons Circle, Suite 200-

Northlake, TX 7624776226

PH: (940) 648-3290

EM: ~~nreddin@town.northlake.tx.us~~

- B. **Application:** The submittal of an Application is required prior to any evaluation of the request for Incentives. The Application shall be on a form prepared by Staff and available on the Town's website or in the office of Economic Development.

- i. **Required Information:** The following shall be included with the Application.

- Legal description of the property.
- Proof of ownership of the property.
- Drawings, renderings, plans of the proposed improvements.
- Current ad valorem tax appraised value estimates by the applicable appraisal district showing appraised values for three similar type and size projects within the County.
- If Applicant is not the property owner:

1. Written approval of the Incentive Application from the owner
  2. Copy of the signed lease agreement
- ii. Required Performance Criteria: Provide the following information over time from establishment to full operation.
    - a. Improvements: List the kind, number, use, square footage and location of all the proposed improvements on the property.
    - b. Jobs: Number, type, quality and wage levels of jobs created.
    - c. Payroll: As defined in Section 2.
    - d. Benefits: Benefits provided to employees.
    - e. Capital Investment: Total capital investment including acquisitions, site improvements, building costs and equipment.
    - f. Taxable Sales: The amount of taxable sales that is generated at the Facility.
    - g. Infrastructure: The extent that any infrastructure component of the Town is enhanced or expanded.
  - iii. Requested Incentives: The Applicant shall itemize the Incentives they are requesting from the Town. These are to be prioritized by order of preference by the Applicant.
  - iv. Amendments: Staff may amend the form of the Application as needed to more efficiently evaluate the merits of requested Incentives.
- C. Review & Evaluation: Following are review criteria and steps to review and evaluate the application.
- i. Review Criteria:
    - a. Completeness of Application: Completeness of the Application to include all required documentation.
    - b. Priorities: Does the Application include a targeted business classification or is it located in a targeted area?
    - c. General Eligibility: Does the Project meet the General Eligibility requirements?
    - d. Impacts: An estimation of the positive and negative impacts that the Project might have.
      1. Cannibalization of Existing Businesses: To what extent does the Project cannibalize the profitability of an existing business?
      2. Private Investment Catalyst: To what extent does the Project act as a catalyst for future private investment?
      3. Town Services: To what extent does the Project have an impact on the Services or infrastructure of the Town?
  - ii. Staff Evaluation and Recommendation: The coordinating Staff member shall convene a team of the appropriate Staff members to evaluate the Application. Upon review, Staff shall prepare a recommendation to forward to the Board and/or Town Council.
  - iii. Consulting Services: To the extent that a consulting service is deemed necessary by the Town to aid in their evaluation (e.g. financial impacts / cost-benefit analysis, infrastructure impacts

or capabilities), the Town may require that the Applicant participate up front in the cost of obtaining these services.

- D. Approvals: The following shall be required for approval of Incentives.
- i. Board Recommendation: Where funds to be used for any Incentive herein are subject to authorization of a Board, the Board shall consider the request for Incentives and make a recommendation to the Town Council.
  - ii. Town Council: The Council shall make the final decision regarding the merits of the Application and the appropriate Incentives to be provided, if any.
- E. Performance Agreement: Upon mutual agreement on the Project's performance requirements and the Incentives to be provided by the Town, a Performance Agreement shall be prepared to the satisfaction of both parties and approved by the Council.
- i. Approval Process: All Performance Agreements, including any Tax Abatement Agreement, shall follow and comply with all statutory requirements for notice, hearings and readings where applicable.
  - ii. Tax Abatement Minimum Requirements: Any Performance Agreement including Tax Abatement shall include the following at a minimum:
    - a. Improvements: List the kind, number and location of all the proposed improvements on the Property.
    - b. Access: Provide access to and authorize inspection of the property by Town employees to ensure that the improvements or repairs are made according to the specifications and conditions in the agreement.
    - c. Uses: Limit the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect.
    - d. Recapture Provisions: Provide for the recapture of property tax revenue lost as a result of the agreement if the owner of the Property fails to make the improvements or repairs as provided by the agreement.
    - e. Term: Describe the term of the agreement.
    - f. Certification: Require the owner of the Property to certify annually to the governing body of each taxing unit that the owner is in compliance with each applicable term of the agreement.
    - g. Cancellation / Modification: Provide that the Town may cancel or modify the agreement if the property owner fails to comply with the agreement.
  - iii. Compliance Reporting: All Performance Agreements shall include requirements for reporting compliance with the provisions of the agreement prior to disbursement of incentive funds.

## **9. APPLICANT / OWNER CERTIFICATIONS**

- A. Application Accuracy: The Applicant shall certify that the information provided in this Application, and all that may have been affixed hereto, is true and correct, and that the Town may rely on all of the information contained herein, and all that may have been affixed hereto, as being true and correct.

- B. Discretionary Rights: The Applicant shall acknowledge that the Town has the absolute right of discretion in deciding whether or not to approve any Incentive relative to this Application, whether or not such discretion is deemed arbitrary or without basis in fact.

#### 10. GENERAL PROVISIONS

- A. Flexibility: The terms and conditions of this Policy are to be considered guidelines for the Boards and/or Town Council during their deliberation and evaluation. The Town reserves the right to modify the terms and conditions herein at any time, including for any pending application.
- B. Section or Other Headings: Section or other headings contained in this Policy are for reference purposes only and shall not affect in any way the meaning or interpretation of this Policy.
- C. Severability: In the event that any provision of this Policy is illegal, invalid, or unenforceable under present or future laws, the remainder of this Policy shall not be affected thereby.

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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025  
**Section:** 6. EXECUTIVE SESSION

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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025

**Section:** 7. RECONVENE INTO OPEN SESSION

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**NORTHLAKE TOWN COUNCIL COMMUNICATION**

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**DATE:** February 13, 2025

**Section:** 8. ADJOURN

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