

1. Agenda

Documents:

[10-11-2018 AGENDA.PDF](#)

2. Meeting Materials

Documents:

[10-11-2018 COUNCIL PACKET.PDF](#)



Peter Dewing, Mayor
Rena Hardeman, Council Place 1
Jimmy Lambert, Council Place 2

Brian Montini, Mayor Pro Tem
Roger Sessions, Council Place 4
Danny Simpson, Council Place 5

**Northlake Town Council Agenda
Thursday, October 11, 2018 at 7:00 pm
1400 FM 407 – Chamber Room - Northlake, Texas**

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 work session and regular meeting on Thursday, October 11, 2018 at 7:00 pm at the Northlake Town Hall in the Chamber Room, 1400 FM 407, Northlake Texas. The items listed below are placed on the agenda for discussion and/or action

1. Regular Work Session
Call to order
2. Special Recognition
A. Karen Bolyard, Finance Director, 5 Years of Service
3. Briefing Items
B. Overview of Street Lighting Options by Sternberg Lighting Supplier of CoServ
C. "Our Home Our Decisions – Texas Municipal League"
D. Construction Noise Regulations
4. Regular Meeting
Call to order
Pledge of Allegiance-Moment of Silence
5. Public Input
This item is available for citizens to address the Town Council on any issues that are not the subject of a public hearing. No action by law may be taken on the topic. The presiding officer reserves the right to impose a time limit on this portion of the agenda
6. Consent Items
All items listed below are considered routine by Town Council and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember so requests, in which event the item will be removed and considered separately
E. Consider for approval the Town Council meeting minutes of 9-13-18

7. Regular Items

- F. Consider for approval a Final Plat of Harvest Meadows Phase 5, a proposed subdivision consisting of 207 single-family residential lots and 6 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 56.795-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, located on the south side of Old Justin Road approximately 700 feet west of Cleveland-Gibbs Road. Harvest Meadows Phase 5, LLC is the owner/applicant/developer. Jones & Carter, Inc. is the engineer/surveyor. Case # FP-18-023
- G. Consider for approval an ordinance revising the concept plans within the "MPD" Mixed-Use Planned Development ordinances for Pecan Square
 - i. Ordinance No. 18-1011_
- H. Consider for approval a request from Waste Connections of Texas for a 2018 CPI-U DFW rate adjustment of 3.5% for residential and commercial customers effective November 1, 2018
- I. Consider for approval an ordinance amending Article 10, "Parking and Loading Standards," of the Unified Development Code of the Town of Northlake by revising off-street parking requirements for manufacturing and industrial uses in Section 10.4, "Schedule of Off-street Parking Requirements"
 - i. Public Hearing
 - ii. Ordinance No. 18-1011_
- J. Review and consider updating the roles and responsibilities of the Mayor conveyed by Council Rules of Order and/or by previous council action

8. Convene into Executive Session

Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

- a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her 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) Supreme Court of Texas - Town of Northlake vs City of Justin. No. 18-0651
 - 2) Section 551.071 consultation with the Town's attorney to seek advice on eminent domain actions to obtain right-of-way out of a certain 3.530 acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law
- b. Section 551.072 deliberation regarding the purchase, exchange, lease, or value of real property to be acquired as right-of-way out of a certain 3.530 acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law

Open Session

Consider the use of eminent domain to condemn property and consider a resolution of the Town of Northlake, Texas, authorizing the Town Attorney to bring a condemnation action for the purpose of obtaining approximately .4762 acres of a certain 3.530 acre tract of land located in the Patrick Rock Survey Abstract No. 1063 in Northlake, Denton County, Texas,

as right-of-way necessary for the construction and maintenance of roadway and utility improvements and for other public purposes permitted by law

9. Adjournment

CERTIFICATION

I hereby certify that the above agenda was posted on the front glass doors and bulletin board at Town Hall
1400 FM 407, Northlake, Texas on Thursday, October 4, 2018 by 7:00 pm



Shirley Rogers, Town Secretary

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); 55.076 (Deliberations about Security Devices); 551.087 (Economic Development Negotiations)



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Rena Hardeman, Council Place 1
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Regular Work Session

Agenda Item 1



Special Recognition

Agenda Item 2

NORTHLAKE

IN RECOGNITION AND APPRECIATION COMMEMORATING

FIVE YEARS OF EXEMPLARY SERVICE

TO THE

TOWN OF NORTHLAKE

THIS PLAQUE IS PRESENTED TO

KAREN BOLYARD

FINANCE DIRECTOR

2013 - 2018

BY

PETER DEWING - MAYOR

BRIAN MONTINI – MAYOR PRO TEM

RENA HARDEMAN – COUNCIL MEMBER

JIMMY LAMBERT – COUNCIL MEMBER

ROGER SESSIONS – COUNCIL MEMBER

DANNY SIMPSON – COUNCIL MEMBER



Briefing Items

Agenda Item 3

Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
CC: Nathan Reddin, Development Director
Shirley Rogers, Town Secretary
Date: October 11, 2018
Re: Street Lighting Options from Sternberg Lighting Supplier of CoServ

On June 28, 2018, staff briefed Town Council on lighting requirements for residential, commercial and street lighting. The Unified Development Code (UDC) residential and commercial lighting requirements were heavily influenced by several International Dark-Sky Association best practices. The UDC “does not regulate lighting in public road rights-of-way.” Standards for street lights in the public right-of-way are included in the Engineering Design Manual (EDM) which includes a standard detail for “shoebox” type street lights which have been primarily used for commercial areas and thoroughfares.

CoServ, as electric utility, provides street light installation and maintenance services only for specific street light fixtures but not the cost of the fixture nor the ongoing electric bill. The two CoServ fixtures in Northlake are *Old Town* (in North Ridge Estates and Prairie View Farms), and *Yale* (in The Highlands) both are manufactured by Sternberg Lighting. Any fixture outside of their inventory are the sole responsibility of the municipality including cost of fixture, installation, maintenance and electric. This responsibility can be delegated to a special district or homeowners’ association.

CoServ has started replacing metal halide and high-pressure sodium bulbs with light-emitting diodes (LEDs) when no longer functioning. The replacement LEDs will have a whiter light but of a lower intensity. Northlake currently maintains the “shoebox” street lights in the commercial and industrial areas at SH 114 and IH-35W. CoServ previously had a standard “shoebox” type street light and is in the process of selecting an LED version to be included in the inventory.

A representative of Sternberg Lighting will present an overview of the LED version of CoServ street lighting to be retrofitted, proposed street lighting for Pecan Square, and existing street lighting in Harvest. All new CoServ inventory street lighting will be LED. Sternberg Lighting LED street lights all have the LED installed at the bottom of the roof of the fixture to significantly reduce up-lighting.

Please contact me at 940.242.5701 if you have any questions or comments.

STERNBERG LIGHTING

TOWN OF NORTHLAKE

OCTOBER 11, 2018

COSERV LED STANDARDS STREET LIGHTING (A850SRLED OLD TOWN AND A670SRLED YALE)

- LED array (both diodes and optics) on flat plane, located at or above the roofline of the fixture. This directs 100% of the light downwards, eliminating any light pollution, and being extremely dark sky friendly.
- Optical arrays that direct the light forwards towards the street, and away from residential areas behind the light fixture. (Fixtures are also available with symmetrical optics, distributing the light equally both in front and behind the pole if that is called for in certain areas.)

COSERV LED STANDARDS (OLD TOWN AND YALE)

- The entire fixture is rated IP65, meaning it is UL certified to be dust tight and sealed against water intrusion from sustained high power jets of water from multiple directions.
- The acorn lens is extremely impact resistant (rocks, tree branches, etc) and UV stabilized against any yellowing over time.

1760LED CHATEAU

- There are, I believe, 300+ fixtures installed throughout the Harvest development, which have experienced zero failures, to my knowledge, since Phase 1 was installed +/- 5 years ago.
- The Chateau was recently installed elsewhere in Argyle, and I believe is now an approved standard with the city.
- Like the acorns, the Chateau features an LED array up at the top, directing 100% of the light downward to the target area, keeping the night skies clear of light pollution.

EURO E450

- The slightly smaller E350 has been the campus standard at Kansas State University for over 8 years, over which time they've installed +/- 1000 fixtures in multiple phases, with no issues.
- UL certified IP65 (see above explanation).
- The Euro features our SoftVue lens, which will reduce glare by over 50% (SV1 lens) or by 75% (SV2) lens, versus a clear lens. This provides dramatically increased visual comfort, particularly in pedestrian heavy areas such as walkways and sidewalks where glare is a dangerous and unpleasant element.

STERNBERG LIGHTING

- Employee Owned since the mid-90s, and in business for 95 years since 1923.
- LED fixtures carry a 7-yr warranty and are built specifically to utility and DOT standards.
- We've been providing fixtures to CoServ for over 25 years, and have miles of TXDOT projects throughout the state in both LED and older traditional light sources.
- Roughly 50% of our business is with town and cities across the country and around the world. The remaining 50% is universities/colleges, theme parks, retail developments, etc.
- Here in Texas we provided decorative standards for CoServ, Farmers, Tri-County, and GVEC, as well as TXDOT.



A670TSRLED YALE SERIES

LED

EPA
1.40 (ft²)
WEIGHT
48 LBS

7 YEAR
WARRANTY

LUMEN
RANGE
2,230 to
11,925

LIFE
SPAN
L70
MINIMUM
100,000
HOURS

UL
LISTED

CHECK
FOR FAQ's

DLC OPL
LISTED

IP
RATING
IP 65

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: **2A-A670TSRLED-5P-4ARC45T5-MDH03-A-PEC-FHD/480PM/4212FP4/FCC/BKT**

Mounting Config.	Fixture	Fitter	LED	CCT	Type	Driver	Lens	Option Control Receptacle	Option Control	Option Fuse	Option Custom Logo	Option GFI	Option Terminal Block	Option House Side Shield	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish

Mounting Configuration

(Click here to link to mounting configuration specification page)

- IW • 2A • 3A90 • 1AM
- PT • 2A90 • 3APT • 2AM
- 1A • 2APT • 4A • 450PB
- 1APT • 3A • 4APT

W = Wall Mount PT = Post Top A = Arm Mount AM = Arm Mid-Mount PB = Pier Base

Fixture

- A670TSRLED

Fitter

- 5P¹ • 992¹ • 995¹ • BD7 • C2097¹
- 990¹ • 993¹ • BD4 • OL3
- 991¹ • 994¹ • BD5 • OL4

¹ Add "T" after fitter designation for optional "Twist-lock" fitter.

LED

- 6ARC • 4ARC • 3ARC • 2ARC

CCT - Color Temperature (K)

- 27(00) • 35(00) • 45(00)

Type

- T2 • T3 • T3R • T4 • T5

Driver

- MDL03 (120v-277v, 350Ma)
- MDH03 (347v-480v, 350Ma)
- MDL05 (120v-277v, 525Ma)
- MDH05 (347v-480v, 525Ma)

Lens

- A (Acrylic) • P (Polycarbonate)

Options (Click here to view accessories sheet)

- R² 3-Pin control receptacle only
- R5² 5-Pin control receptacle only
- R7² 7-Pin control receptacle only
- SRR Roof mounted 3-Pin control receptacle only
- SRR5 Roof mounted 5-Pin control receptacle only
- SRR7 Roof mounted 7-Pin control receptacle only
- PE³ Twist-Lock Photocontrol (120v-277v)
- PE3³ Twist-Lock Photocontrol (347v)
- PE4³ Twist-Lock Photocontrol (480v)

- SC³ Shorting Cap
- PEC Electronic Button Photocontrol (120v-277v)
- PEC4 Electronic Button Photocontrol (480v)
- FHD⁴ Double Fuse and Holder
- CL⁵ Custom Logo on Ring
- G² 15A Duplex GFI for Utility Fitter
- TB² Terminal Block
- HSS House Side Shield

² For 900 series utility fitter only.

³ Requires control receptacle.

⁴ Ships loose for installation in base.

⁵ Consult factory for specification details.

Arm (Click here to link to arm specification page)

See Arms & Wall Brackets specification sheets.

- 50 • 70 • 480 • 6236 • TA • BA
- 478 • 80 • 55 • 579 • TASCR

Pole (Click here to link to pole specification page)

See Pole specification sheets.

Finish (Click here to view paint finish sheet)

Standard Finishes⁶

- BKT Black Textured
- WHT White Textured
- PGT Park Green Textured
- ABZT Architectural Medium Bronze Textured
- DBT Dark Bronze Textured

⁶ Smooth finishes are available upon request.

Custom Finishes⁷

- CM Custom Match
- OI Old Iron
- RT Rust
- WBR Weathered Brown
- CD Cedar
- WBK Weathered Black
- TT Two Tone

⁷ Custom colors require upcharge.

Sternberg Select Finishes

- VG Verde Green
- SI Swedish Iron
- OWGT Old World Gray Textured

Specifications

Fixture

The caged acorn shall be 18" diameter and 38-5/8" tall. The caged acorn shall be supplied with a cast aluminum finial and a solid, cast aluminum roof which includes optimized heat sinks to provide maximum life and performance for the LED light sources. The caged acorn shall be sealed to the cast aluminum roof to provide a moisture-free and bug-free optics chamber for the LED light sources and Rated IP65. The Luminaire shall have a distinctively styled, decorative cast aluminum cage. The Luminaire shall be UL listed in US and Canada.

Fitter - Standard

The fitter shall be heavy wall cast aluminum, 356 alloy for high tensile strength. It shall have an 8-1/2" inside diameter opening to attach to the 8" neck of the acorn globe. The fitter shall have a one-piece ring bug gasket to resist insect penetration into lamp assembly.

900 Series Utility Fitter Option

The fitter shall be heavy wall cast aluminum, 360 die cast alloy for high tensile strength. It shall have a 9-1/4" inside diameter opening to attach to the 8" neck of the acorn globe. It shall have a hinged, tool-less entry door that provides open access to all of the components. The 900 series shall have an optional terminal block for ease of wiring, an optional Twist-Lock Photocontrol receptacle, an optional single GFCI outlet for auxiliary power needs. The top mounted ballast mounting plate shall be cast aluminum and provide tool-less removal from the housing using 2 finger latches. When ordered with a Sternberg aluminum pole, the fitter shall be set screwed to the pole top or tenon. The fitter shall have a one-piece ring bug gasket to resist insect penetration into lamp assembly.

See next page



SternbergLighting

ESTABLISHED 1923 / EMPLOYEE OWNED

800-621-3376
555 Lawrence Ave., Roselle, IL 60172
info@sternberglighting.com
www.sternberglighting.com

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A670TSRLED YALE SERIES

LED

Twist-Lock Fitter (Optional)

The TL (Twist-Lock) fitter shall have an aluminum die-cast twist-lock mechanism. The tool-less 1/4 turn action allows for easy globe removal and replacement. A die-cast ring assembly is mechanically attached to the globe and is removable if the globe is broken or replaced.

LEDs

The luminaire shall use high output, high brightness LED's. They shall be mounted in arrays, on printed circuit boards designed to maximize heat transfer to the heat sink surface. The arrays shall be roof mounted to minimize up-light. The LED's and printed circuit boards shall be 100% recyclable; they shall also be protected from moisture and corrosion by a conformal coating of 1 to 3 mils. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4500K (3500K or 2700K option) color temperature with a minimum CRI of 70. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

Optics

The luminaire shall be provided with individual, refractor type optics applied to each LED. The luminaire shall provide Type ____ (2, 3, 3R, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79.

Electronic Drivers

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload as well as short circuit protection, and have a DC voltage output, constant current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be dimmable using a 0-10V signal.

For sources over 50w: The driver shall have a minimum efficiency of 90%. The driver shall be rated at full load with THD<20% and a power factor of greater than 0.90. The driver shall contain over-heat protection.

For sources under 50w: The driver shall have a minimum efficiency of 88%.

Lens

Materials include DR Acrylic or Polycarbonate. An injection molding process adds textured surface for glare mitigation, even wall thickness and impact resistance.

Photocontrols

Button Style: On a single assembly the photocontrol shall be mounted on the fixture and pre-wired to driver. On multiple head assembly's the photocontrol shall be mounted in the pole shaft on an access plate. The electronic button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

Twist-Lock Style: The photocontrol shall be mounted in the utility fitter (or roof) and pre-wired to driver. The twist lock type photocontrol is instant on with a 3-6 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

Finish

Refer to website for details.

Performance

MODEL #	T2 DELIVERED LUMENS	EFFICACY (LPW)	T3 DELIVERED LUMENS	EFFICACY (LPW)	T3R DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTAGE
6ARC27T_-MDL05	9015	62.6	9240	64.2	9150	63.5	9045	62.8	9300	64.6	144
6ARC35T_-MDL05	10285	71.4	10545	73.2	10440	72.5	10325	71.7	10615	73.7	144
6ARC45T_-MDL05	11560	80.3	11850	82.3	11730	81.5	11600	80.6	11925	82.8	144
6ARC27T_-MDL03	6600	68.8	6785	70.7	6675	69.5	6605	68.8	6825	71.1	96
6ARC35T_-MDL03	7530	78.4	7745	80.7	7615	79.3	7535	78.5	7785	81.1	96
6ARC45T_-MDL03	8460	88.1	8700	90.6	8555	89.1	8465	88.2	8745	91.1	96
4ARC27T_-MDL03	4425	67.0	4560	69.1	4495	68.1	4460	67.6	4535	68.7	66
4ARC35T_-MDL03	5045	76.4	5200	78.8	5125	77.7	5090	77.1	5175	78.4	66
4ARC45T_-MDL03	5670	85.9	5845	88.6	5760	87.3	5720	86.7	5815	88.1	66
3ARC27T_-MDL03	3330	62.8	3435	64.8	3425	64.6	3320	62.6	3460	65.3	53
3ARC35T_-MDL03	3800	71.7	3920	74.0	3910	73.8	3785	71.4	3945	74.4	53
3ARC45T_-MDL03	4265	80.5	4405	83.1	4395	82.9	4255	80.3	4435	83.7	53
2ARC27T_-MDL03	2230	67.6	2335	70.8	2280	69.1	2240	67.9	2310	70.0	33
2ARC35T_-MDL03	2545	77.1	2665	80.8	2600	78.8	2555	77.4	2635	79.8	33
2ARC45T_-MDL03	2860	86.7	2995	90.8	2925	88.6	2870	87.0	2965	89.8	33



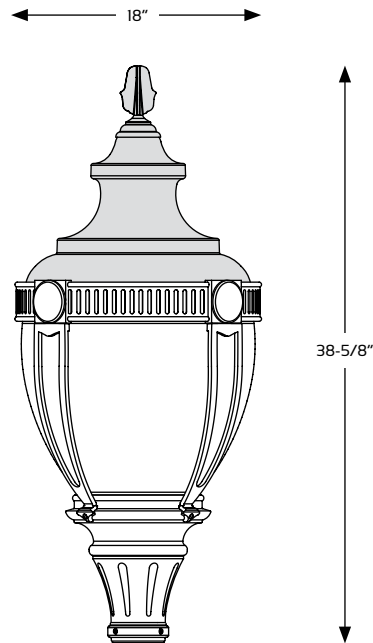
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Fixtures



A670TSRLED-5P



CDR-CL
Custom Logo

Fitters

10-1/8" W
10-3/8" H



5P or 5T*
Fits 3" OD
x 3" tall
tenon/pole

10-1/8" W
10-1/8" H



BD4
Fits 4" OD
x 5" tall
tenon/pole

10-1/8" W
10-1/4" H



BD5
Fits 5" OD
x 6" tall
tenon/pole

10-1/8" W
11-3/4" H



BD7
Fits 7" OD
x 1" tall
tenon/pole

10-1/2" W
15-3/4" H



990 or 990T*
Fits 3" OD
x 3" tall
tenon/pole
994 or 994T
Fits 4" OD
x 3" tall
tenon/pole

10-1/2" W
13-1/8" H



991 or 991T*
Fits 3" OD
x 3" tall
tenon/pole

10-1/2" W
13-1/8" H



992 or 992T*
Fits 3" OD
x 3" tall
tenon/pole

10-1/2" W
15-3/4" H



993 or 993T*
Fits 3" OD
x 3" tall
tenon/pole
995 or 995T
Fits 4" OD
x 3" tall
tenon/pole

10-1/2" W
11-3/8" H



OL3
Fits 3" OD
x 3" tall
tenon/pole
OL4
Fits 4" OD
x 3" tall
tenon/pole

10" W
3-1/4" H



C2093
Fits 7" OD
x 1" tall
tenon/pole

*Twist Lock Acorn (Fitter TL)



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A850SRLED OLD TOWN SERIES

LED

EPA
1.21 (ft²)
WEIGHT
43 LBS

7 YEAR
WARRANTY

Lumen
Range
2,375 to
13,025

Life Span
L70
MINIMUM
100,000
HOURS

UL
LISTED

CLICK
FOR FAQ's



RATED
IP65

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: **2A-A850SRLED-5P-4ARC45T5-MDH03-A-PEC-FHD/480PM/4212FP4/GFF/BKT**

Mounting Config.	Fixture	Fitter	LED	CCT	Type	Driver	Lens	Option Control Receptacle	Option Control	Option Fuse	Option Ring	Option GFI	Option Term. Block	Option House Side Shield	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish
	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼			

Mounting Configuration

(Click here to link to mounting configuration specification page)

- IW • 2A • 3A90 • 1AM
- PT • 2A90 • 3APT • 2AM
- 1A • 2APT • 4A • 450PB
- IAPT • 3A • 4APT

W = Wall Mount PT = Post Top A = Arm Mount AM = Arm Mid-Mount PB = Pier Base

Fixture

• A850SRLED

Fitter

- 5P¹ • 991¹ • 995¹ • OL3
- 73 • 992¹ • BD4 • OL4
- 74 • 993¹ • BD5 • 588
- 990¹ • 994¹ • BD7 • C2097^{1,2}

¹ Add "T" after fitter designation for optional "Twist-lock" fitter.
² Consult factory for use on concrete poles.

LED

- 6ARC • 4ARC • 3ARC • 2ARC

CCT - Color Temperature (K)

- 45(OO) • 35(OO) • 27(OO)

Type

- T2 • T3 • T3R • T4 • T5

Driver

- MDL03 (120v-277v, 350mA)
- MDH03 (347v-480v, 350mA)
- MDL05 (120v-277v, 525mA)
- MDH05 (347v-480v, 525mA)

Lens

- A (Acrylic) • P (Polycarbonate)

Options (Click here to view accessories sheet)

- R³ 3-Pin control receptacle only
- R5³ 5-Pin control receptacle only
- R7³ 7-Pin control receptacle only
- SRR Roof Mounted 3-Pin Control Receptacle Only
- SRR5 Roof Mounted 5-Pin Control Receptacle Only
- SRR7 Roof Mounted 7-Pin Control Receptacle Only
- PE⁴ Twist-Lock Photocontrol (120v-277v)
- PE3⁴ Twist-Lock Photocontrol (347v)
- PE4⁴ Twist-Lock Photocontrol (480v)

- SC⁴ Shorting Cap
- PEC Electronic Button Photocontrol (120v-277v)
- PEC4 Electronic Button Photocontrol (480v)
- FHD⁵ Double Fuse and Holder
- CDR Cast Decorative Ring
- CDRCL⁶ Cast Decorative Ring with Custom Logo
- PBDR⁷ Perforated Brass Decorative Ring
- GFI³ 15A Duplex GFI for Utility Fitter
- TB³ Terminal Block
- HSS 120° House Side Shield

³ For 900 series utility fitter only.

⁴ Requires control receptacle.

⁵ Ships loose for installation in base.

⁶ Consult factory for specification details.

⁷ Standard is polished, for painted ring specify PBDR-P.

Arm (Click here to link to arm specification page)

See Arms & Wall Brackets specification sheets.

- 50 • 70 • 480 • 6236 • TA • BA
- 478 • 80 • 55 • 579 • TASC

Pole (Click here to link to pole specification page)

See Pole specification sheets.

Finish (Click here to view paint finish sheet)

Standard Finishes⁸

- BKT Black Textured
- WHT White Textured
- PGT Park Green Textured
- ABZT Architectural Medium Bronze Textured
- DBT Dark Bronze Textured

⁸ Smooth finishes are available upon request.

Custom Finishes⁹

- CM Custom Match
- OI Old Iron
- RT Rust
- WBR Weathered Brown
- CD Cedar
- WBK Weathered Black
- TT Two Tone

⁹ Custom colors require upcharge.

Sternberg Select Finishes

- VG Verde Green
- SI Swedish Iron
- OWGT Old World Gray Textured

Specifications

Fixture

The luminaire shall be 16" diameter and 40-1/2". The acorn shall be supplied with a cast aluminum finial and a solid, cast aluminum roof which includes optimized heat sinks to provide maximum life and performance for the LED light sources. The acorn shall be sealed to the cast aluminum roof to provide a moisture-free and bug-free optics chamber for the LED light sources and Rated IP65. The Luminaire shall be UL listed in US and Canada.

Fitter - Standard

The fitter shall be heavy wall cast aluminum, 356 alloy for high tensile strength. It shall have an 8-1/2" inside diameter opening to attach to the 8" neck of the acorn globe. When ordered with a Sternberg aluminum pole, the fitter shall be welded to the pole top or tenon for safety and to ensure the fixture will be plumb, secure and level over the life of the installation. The fitter shall have a one-piece ring bug gasket to resist insect penetration into lamp assembly.

900 Series Utility Fitter Option

The fitter shall be heavy wall cast aluminum, 360 die cast alloy for high tensile strength. It shall have a 9-1/4" inside diameter opening to attach to the 8" neck of the acorn globe. It shall have a hinged, tool-less entry door that provides open access to all of the components. The 900 series shall have an optional terminal block for ease of wiring, an optional Twist-Lock Photocontrol receptacle, an optional single GFCI outlet for auxiliary power needs. The top mounted ballast mounting plate shall be cast aluminum and provide tool-less removal from the housing using 2 finger latches. When ordered with a Sternberg aluminum pole, the fitter shall be set screwed to the pole top or tenon. The fitter shall have a one-piece ring bug gasket to resist insect penetration into lamp assembly. When supplied with GFI receptacle a hole will be provided for cord and plug installation with the access door closed. When cord and plug is not in use a filler plug will be provided and shall be tethered to the fitter for easy recovery and installation. *See next page*



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A850SRLED OLD TOWN SERIES

LED

Twist-Lock Fitter (Optional)

The TL (Twist-Lock) fitter shall have an aluminum die-cast twist-lock mechanism. The tool-less 1/4 turn action allows for easy globe removal and replacement. A die-cast ring assembly is mechanically attached to the globe and is removable if the globe is broken or replaced.

LEDs

The luminaire shall use high output, high brightness LED's. They shall be mounted in arrays, on printed circuit boards designed to maximize heat transfer to the heat sink surface. The arrays shall be roof mounted to minimize up-light. The LED's and printed circuit boards shall be 100% recyclable; they shall also be protected from moisture and corrosion by a conformal coating of 1 to 3 mils. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4500K (3500K or 2700K option) color temperature with a minimum CRI of 70. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

Optics

The luminaire shall be provided with individual, refractor type optics applied to each LED. The luminaire shall provide Type ____ (2, 3, 3R, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79.

Electronic Drivers

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload, overheat and short circuit protection, and have a DC voltage output, constant current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be a high efficiency driver with a THD less than 20% and a high power factor greater than .9. It shall be dimming capable using a 0-10v signal, consult factory for more information.

Photocontrols

Button Style: On a single assembly the photocontrol shall be mounted on the fixture and pre-wired to driver. On multiple head assembly's the photocontrol shall be mounted in the pole shaft on an access plate. The electronic

button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

Twist-Lock Style: The photocontrol shall be mounted in the utility fitter (or roof) and pre-wired to driver. The twist lock type photocontrol is instant on with a 3-6 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

Finish

Refer to website for details.

Performance

LIGHT SOURCE	T2 DELIVERED LUMENS	EFFICACY (LPW)	T3 DELIVERED LUMENS	EFFICACY (LPW)	T3R DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTAGE
6ARC27T_-MDL05	9970	69.2	9785	70.6	10015	69.5	10030	69.6	10160	70.6	144
6ARC35T_-MDL05	11375	79.0	11170	80.5	11425	79.3	11445	79.5	11595	80.5	144
6ARC45T_-MDL05	12785	88.8	12550	90.4	12840	89.2	12860	89.3	13025	90.4	144
6ARC27T_-MDL03	7210	75.1	7005	76.5	7315	76.2	7290	75.9	7380	76.9	96
6ARC35T_-MDL03	8225	85.7	7990	87.3	8345	86.9	8320	86.7	8420	87.7	96
6ARC45T_-MDL03	9245	96.3	8980	98.0	9375	97.7	9345	97.3	9460	98.5	96
4ARC27T_-MDL03	4800	72.7	4685	74.8	4850	73.5	4865	73.7	4935	74.8	66
4ARC35T_-MDL03	5480	83.0	5348	85.4	5535	83.9	5550	84.1	5630	85.3	66
4ARC45T_-MDL03	6155	93.3	6005	95.9	6215	94.2	6235	94.5	6330	95.9	66
3ARC27T_-MDL03	3635	68.6	3545	70.4	3670	69.2	3665	69.1	3740	70.6	53
3ARC35T_-MDL03	4150	78.3	4045	80.4	4190	79.0	4180	78.9	4270	80.6	53
3ARC45T_-MDL03	4660	87.9	4545	90.3	4710	88.9	4700	88.7	4795	90.5	53
2ARC27T_-MDL03	2375	72.0	2395	75.6	2415	73.2	2440	74.0	2560	77.6	33
2ARC35T_-MDL03	2715	82.3	2735	86.4	2755	83.5	2780	84.2	2920	88.5	33
2ARC45T_-MDL03	3050	92.4	3075	97.0	3095	93.8	3125	94.7	3285	99.5	33



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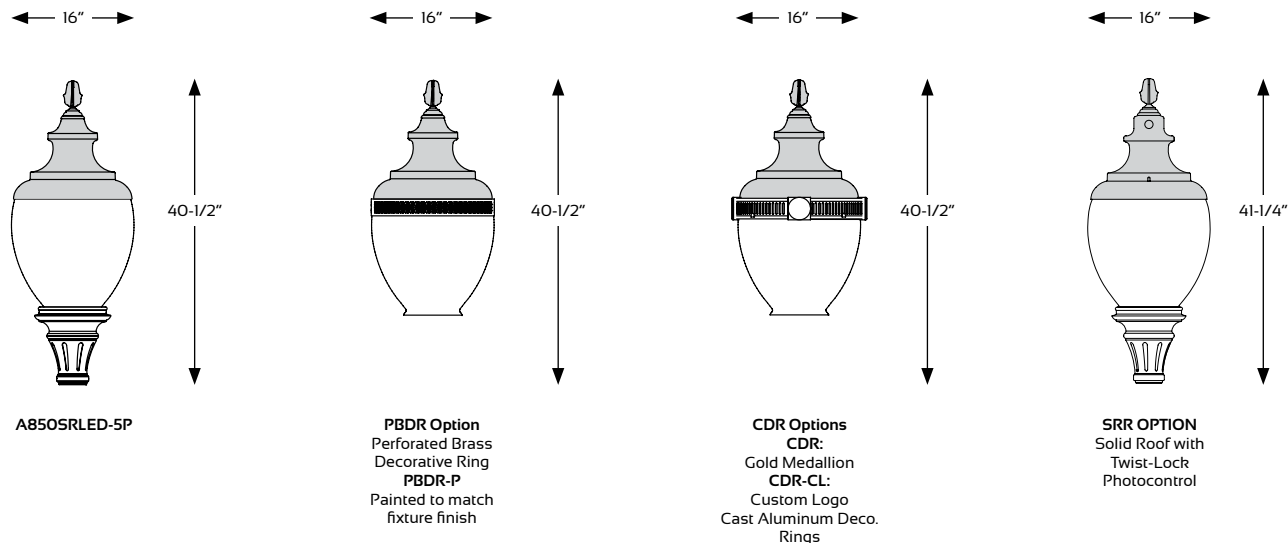
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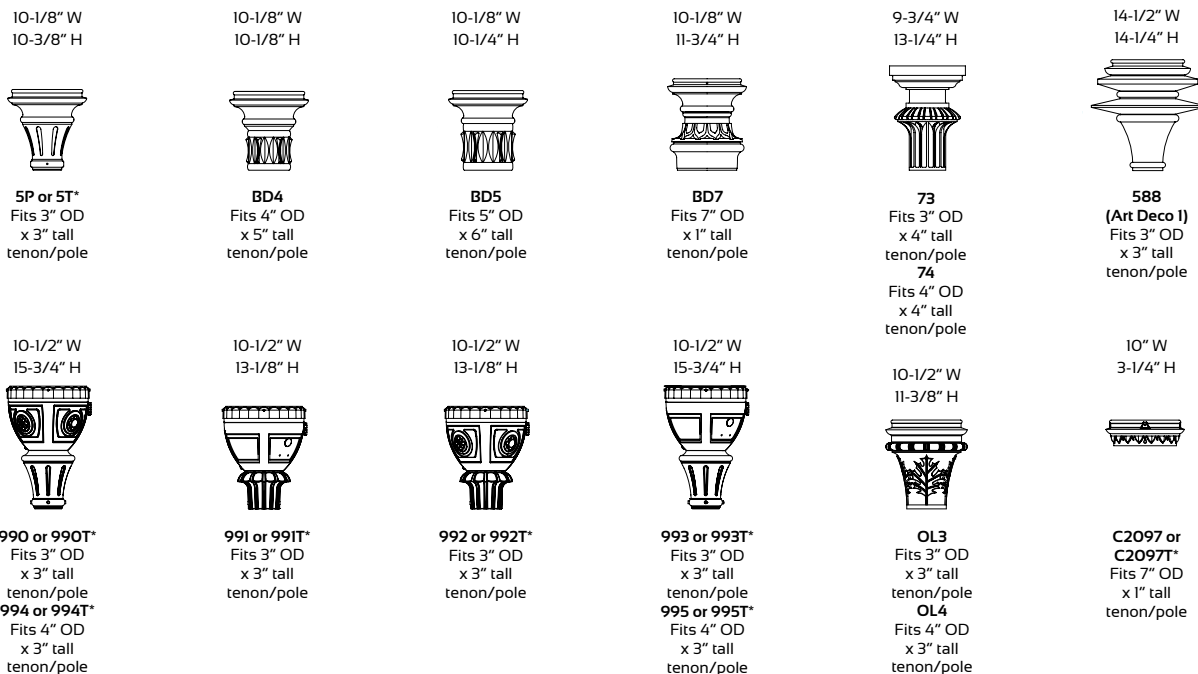
A850SRLED OLD TOWN SERIES

LED

Fixtures



Fitters



*Twist Lock Acorn (Fitter TL)



SternbergLighting

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E450LED / E460LED EURO SERIES

LED

EPA
E450LED 1.66 (ft²)
E460LED 2.2 (ft²)
WEIGHT
E450LED 52 LBS
E460LED 52 LBS

7 YEAR WARRANTY

LUMEN RANGE
3,070 - 9,565

LIFE SPAN
L70
UP TO 100,000 HOURS

UL LISTED

CLICK FOR FAQ'S

RATED IP65

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: 2A-E450LED-R3-16L45T5-MDL10-SV1-PEC-FHD/EU1PM/3312P5/SCC/BKT

Mounting Config.	Fixture	Fitter	LED	CCT	Type	Driver	Lens	Option Photocontrol	Option Fuse	Option House Side Shield	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish
v	v	v	v	v	v	v	v	v	v	v	v	v	v

Mounting Configuration

(Click here to view mounting configuration sheet)

- IW • 2A • 3A90 • 1AM
- PT • 2A90 • 3APT • 2AM
- 1A • 2APT • 4A • 55OPB
- 1APT • 3A • 4APT

W = Wall Mount PT = Post Top A = Arm Mount AM = Arm Mid-Mount PB = Pier Base

Fixture

- E450LED • E460LED

Fitter

- R3 • R4

LED

- 16L • 21L • 28L

CCT - Color Temperature (K)

- 27(00) • 35(00) • 45(00)

Type

- T2 • T3 • T4 • T5

Driver

- MDL10¹ (120v-277v, 1000mA)
- MDL14² (120v-277v, 1400mA)
- MDH10¹ (347v-480v, 1000mA)
- MDH14² (347v-480v, 1400mA)

¹ For use with 16L and 21L only.
² For use with 21L and 28L only.

Lens

- CA³ (Clear Acrylic)
- FA³ (Frosted Acrylic)
- FL⁴ (Flat Acrylic Lens)
- SG⁴ (Sag Glass)
- FSG⁴ (Frosted Sag Glass)
- SV1⁴ (Flat Soft Vue Medium Diffuse Acrylic)
- SV2⁴ (Flat Soft Vue Heavy Diffuse Acrylic)

³ For use with E460LED only.
⁴ For use with E450LED only.

Options (Click here to view accessories sheet)

- PEC Electronic Photocontrol (120v-277v)
- PEC4 Electronic Photocontrol (480v)
- FHD⁵ Dual Fuse and Holder
- HSS House Side Shield (external)

⁵ Ships loose for installation in base.

Arm (Click here to view arm website page)

See Arms & Wall Brackets specification sheets.

- HM • OL • OM • VC • VF • VL

Pole (Click here to view pole website page)

See Pole specification sheets.

Finish (Click here to view paint finish sheet)

Standard Finishes⁶

- BKT Black Textured
- WHT White Textured
- PGT Park Green Textured
- ABZT Architectural Medium Bronze Textured
- DBT Dark Bronze Textured

⁶ Smooth finishes are available upon request.

Custom Finishes⁷

- CM Custom Match
- OI Old Iron
- RT Rust
- WBR Weathered Brown
- CD Cedar
- WBK Weathered Black
- TT Two Tone

⁷ Custom colors require upcharge.

Sternberg Select Finishes

- VG Verde Green
- SI Swedish Iron
- OWGT Old World Gray Textured

Specifications

Fixture

This large scale contemporary fixture includes a cast aluminum roof, fitter and (4) sweeping support legs. The unit is provided with an acrylic tapered cylindrical molded lens matching the profile of the support legs (E460LED), or a flat acrylic lens allowing for an open body

(E450LED). The top mounted ballast mounting plate shall be cast aluminum and provide tool-less removal from the housing. The Luminaire shall be UL listed in US and Canada.

Fitter

Standard cast aluminum fitter (R3) slips a 3" OD x 3" tall tenon or pole. Optional cast aluminum fitter (R4) slips a 4" OD x 3" tall tenon or pole.

LED's

The luminaire shall use high output, high brightness LED's. They shall be mounted in arrays, on printed circuit boards designed to maximize heat transfer to the heat sink surface. The arrays shall be roof mounted to minimize up-light. The LED's and printed circuit boards shall be 100% recyclable; they shall also be protected from moisture and corrosion by a conformal coating of 1 to 3 mils. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4500K (3500K or 2700K option) color temperature with a minimum CRI of 70. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

Optics

The luminaire shall be provided with individual, refractor type optics applied to each LED. The luminaire shall provide Type ____ (2, 3, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79.

See next page

E450LED / E460LED EURO SERIES

LED

Electronic Driver

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload as well as short circuit protection, and have a DC voltage output, constant current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be dimmable using a 0-10v signal. The driver shall have a minimum efficiency of 90%. The driver shall be rated at full load with THD<20% and a power factor of greater than 0.90. The driver shall contain over-heat protection.

Photocontrols

Button Style: On a single assembly the photocontrol shall be mounted on the fixture and pre-wired to driver. On multiple head assembly's the photocontrol shall be mounted in the pole shaft on an access plate. The electronic button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

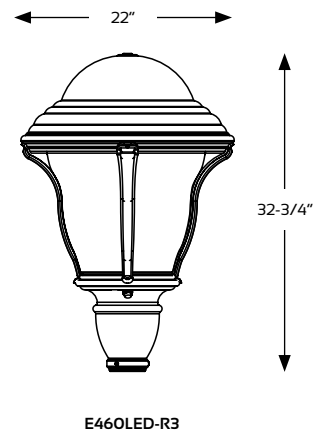
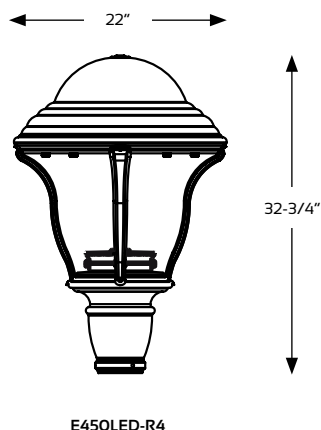
Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

Finish

Refer to website for details.

Fixtures



Performance

LIGHT SOURCE	T2 DELIVERED LUMENS	EFFICACY (LPW)	T3 DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTAGE
28L27T_MDL14	7065	53.1	6860	6860	6825	51.3	7365	55.4	133
28L35T_MDL14	8440	63.5	8195	8195	8155	61.3	8800	66.2	133
28L45T_MDL14	9175	69.0	8910	8910	8865	66.7	9565	71.9	133
21L27T_MDL14	5480	51.2	5430	5430	5315	49.7	5885	55.0	107
21L35T_MDL14	6545	61.2	6485	6485	6366	59.4	7035	65.7	107
21L45T_MDL14	7115	66.5	7050	7050	6905	64.5	7645	71.4	107
21L27T_MDL10	4190	57.4	4070	4070	3960	54.2	4385	60.1	73
21L35T_MDL10	5005	68.6	4860	4860	4730	64.8	5240	71.8	73
21L45T_MDL10	5440	74.5	5285	5285	5140	70.4	5695	78.0	73
16L27T_MDL10	3340	60.7	3145	3145	3070	55.8	3445	62.6	55
16L35T_MDL10	3995	72.6	3760	3760	3670	66.7	4115	74.8	55
16L45T_MDL10	4340	78.9	4085	4085	3990	72.5	4475	81.4	55



1750LED CHATEAU SERIES

LED

EPA
1 (ft²)
WEIGHT
38 LBS

7 YEAR
WARRANTY

LUMEN
RANGE
4,000 to
7,930

LIFE SPAN
L70
MINIMUM
100,000
HOURS

UL
LISTED

CLICK
FOR FAQ's

IP
RATING
IP 66

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: **PT-1750LED-DR-R3-1L40T5-MDL06-CA-R-PE/3212T4/BKT**

Mounting Config.	Fixture	Rings	Fitter	LED	CCT	Type	Driver	Lens	Option Receptacle Control	Option Photocontrol	Option Fuse	Option Hangstraight	Option House Side Shield	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish
v	v		v	v	v	v	v	v	v	v	v					v

Mounting Configuration

(Click here to view mounting configuration sheet)

- IW • 2A • 3A90 • 1AM • CAT¹
- PT • 2A90 • 3APT • 2AM
- 1A • 2APT • 4A • 450PB
- 1APT • 3A • 4APT • SH44^{1,2}

W = Wall Mount PT = Post Top A = Arm Mount AM = Arm Mid-Mount PB = Pier Base SH = Stem Hung CAT = Catenary

¹ For use with 1750LEDH only.

² Include Stem length in inches after designation (IE: SH44-36").

Fixture

- 1750LED • 1750LEDH

Rings

- DR (Decorative Rings) • LR (Ring-less)

Fitter³

- R3 • R4 • R5

³ Specify fitter for 1740LED only.

LED

- 1L

CCT - Color Temperature (K)

- 27(00) • 30(00) • 40(00) • 50(00)

Type

- T2 • T3 • T4 • T5

Driver

- MDL06 (120v-277v, 600mA)
- MDL08 (120v-277v, 800mA)
- MDL10 (120v-277v, 1050mA)
- MDH06 (347v-480v, 600mA)
- MDH08 (347v-480v, 800mA)
- MDH10 (347v-480v, 1050mA)

Lens

- CA (Clear Acrylic Lens)
- WA (White Acrylic Lens)
- SVID (Clear Acrylic exterior lens, Medium diffused internal dome lens.)
- SV2D (Clear Acrylic exterior lens, Heavy diffused internal dome lens.)

Options (Click here to view accessories sheet)

- R⁴ 3-Pin control receptacle only
- R5⁴ 5-Pin control receptacle only
- R7⁴ 7-Pin control receptacle only
- PE⁵ Twist-Lock Photocontrol (120v-277v)
- PE3⁵ Twist-Lock Photocontrol (347v)
- PE4⁵ Twist-Lock Photocontrol (480v)
- SC⁵ Shorting Cap
- PEC Electronic Button Photocontrol (120v-277v)
- PEC4 Electronic Button Photocontrol (480v)
- FHD⁶ Double Fuse and Holder
- HSHS⁷ Standard Horizontal Hangstraight, Spike Finial
- HSHN⁷ Standard Horizontal Hangstraight, No Finial
- HSHB⁷ Standard Horizontal Hangstraight, Ball Finial
- EZ⁷ Vertical Hangstraight, Large, "EZ" Mount
- HSV⁷ Vertical Hangstraight, Standard
- HSS 120° House Side Shield

⁴ Cannot be used with SH44, CAT, EZ or HSV

⁵ Requires control receptacle.

⁶ Ships loose for installation in base.

⁷ For use with 1740LEDH fixture only.

Arm (Click here to link to arm specification page)

See Arms & Wall Brackets specification sheets.

- OMS • HMS • OLS
- VCS • VFS • VLS

Pole (Click here to link to pole specification page)

See Pole specification sheets.

Finish

Standard Urban Finishes (Click here to view paint finish sheet)

- UGMT Gun Metal Textured
- UGM Gun Metal Matte
- UBT Urban Bronze Textured
- UB Urban Bronze Matte
- ULBT Urban Light Bronze Textured
- ULB Urban Light Bronze Matte
- USLT Urban Silver Textured
- USL Urban Silver Matte
- UWHT Urban White Textured
- UWH Urban White Matte
- UCHS Urban Champagne Satin Smooth
- BKT Black Textured

Custom Urban Finishes⁸

- CM Custom Match

⁸ Smooth finishes are available upon request.

Specifications

Fixture

The Chateau series luminaire is a medium scale, dramatic design fixture featuring a tall, cylindrical body made up of a cast aluminum top, round lens and spun aluminum shade. The Luminaire shall be UL listed in US and Canada.

Fitter - Standard

The fixture shall be provided with a heavy wall cast aluminum fitter that can accept a 3" OD (R3), 4" OD (R4) or 5" OD (R5) pole or 3" tall tenon. The end of the fitter shall have four (4) stainless steel allen head screws which secures the connection between the fitter and tenon.

LEDs

The luminaire shall use high output, high brightness LED's, consisting of a two piece assembly complete with Chip on Board (COB) LED component and COB holder frame. The LED's and printed circuit boards shall be 100% recyclable; they shall also be protected from moisture and corrosion by a conformal coating of 1 to 3 mils. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4000K (3000K or 5000K option) color temperature with a minimum of 70 CRI. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

See next page



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1750LED CHATEAU SERIES

LED

Optics

The luminaire shall be provided with individual, molded silicone refractor type optics applied to each COB (Chip On Board) LED assembly. The optic shall be at least 92% efficient while providing superior thermal, UV and impact resistance for the COB assembly. The optic ensures precise light control while providing cutoff control that limits or contains up-light. The luminaire shall provide Type ____ (2, 3, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79..

Electronic Drivers

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload as well as short circuit protection, and have a DC voltage output, constant

current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be dimmable using a 0-10V signal.

For sources over 50w: The driver shall have a minimum efficiency of 90%. The driver shall be rated at full load with THD<20% and a power factor of greater than 0.90. The driver shall contain over-heat protection.

For sources under 50w: The driver shall have a minimum efficiency of 88%.

Photocontrols

Twist-Lock Style: The photocontrol shall be mounted externally on the fixture and pre-wired to driver. The twist lock type photocontrol is instant on with a 3-6 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

Button Style: The photocontrol shall be mounted in the "catenary box" or in the pole shaft on an access plate. The electronic button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

Finish

Refer to website for details.

Performance 1750LED (Based on CA Lens)

MODEL #	T3 DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTAGE
1L27T_-MD_10	5910	98.58	5960	99.3	6495	108.3	60
1L30T_-MD_10	6665	111.1	6725	112.1	7325	122.1	60
1L40T_-MD_10	6870	114.5	6930	115.5	7550	125.8	60
1L27T_-MD_08	4740	98.8	4770	99.4	5205	108.4	48
1L30T_-MD_08	5345	111.4	5380	112.1	5870	122.3	48
1L40T_-MD_08	5510	114.8	5545	115.5	6050	126.0	48
1L27T_-MD_06	3675	99.3	3695	99.9	4025	108.8	37
1L30T_-MD_06	4145	112.0	4165	112.6	4540	122.7	37
1L40T_-MD_06	4275	115.5	4295	116.1	4680	126.5	37

Performance 1750LEDH (Based on CA Lens)

MODEL #	T3 DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTAGE
1L27T_-MD_10	6435	107.3	6555	109.3	6820	113.7	60
1L30T_-MD_10	7260	121.0	7395	123.3	7690	128.2	60
1L40T_-MD_10	7485	124.8	7625	127.1	7930	132.2	60
1L27T_-MD_08	5155	107.4	5260	109.6	5470	114.0	48
1L30T_-MD_08	5815	121.1	5935	123.6	6170	128.5	48
1L40T_-MD_08	5995	124.9	6120	127.5	6365	132.6	48
1L27T_-MD_06	4000	108.1	4075	110.1	4230	114.3	37
1L30T_-MD_06	4510	121.9	4595	124.2	4775	129.1	37
1L40T_-MD_06	4650	125.7	4735	128.0	4920	133.0	37



SternbergLighting
ESTABLISHED 1923 / EMPLOYEE OWNED

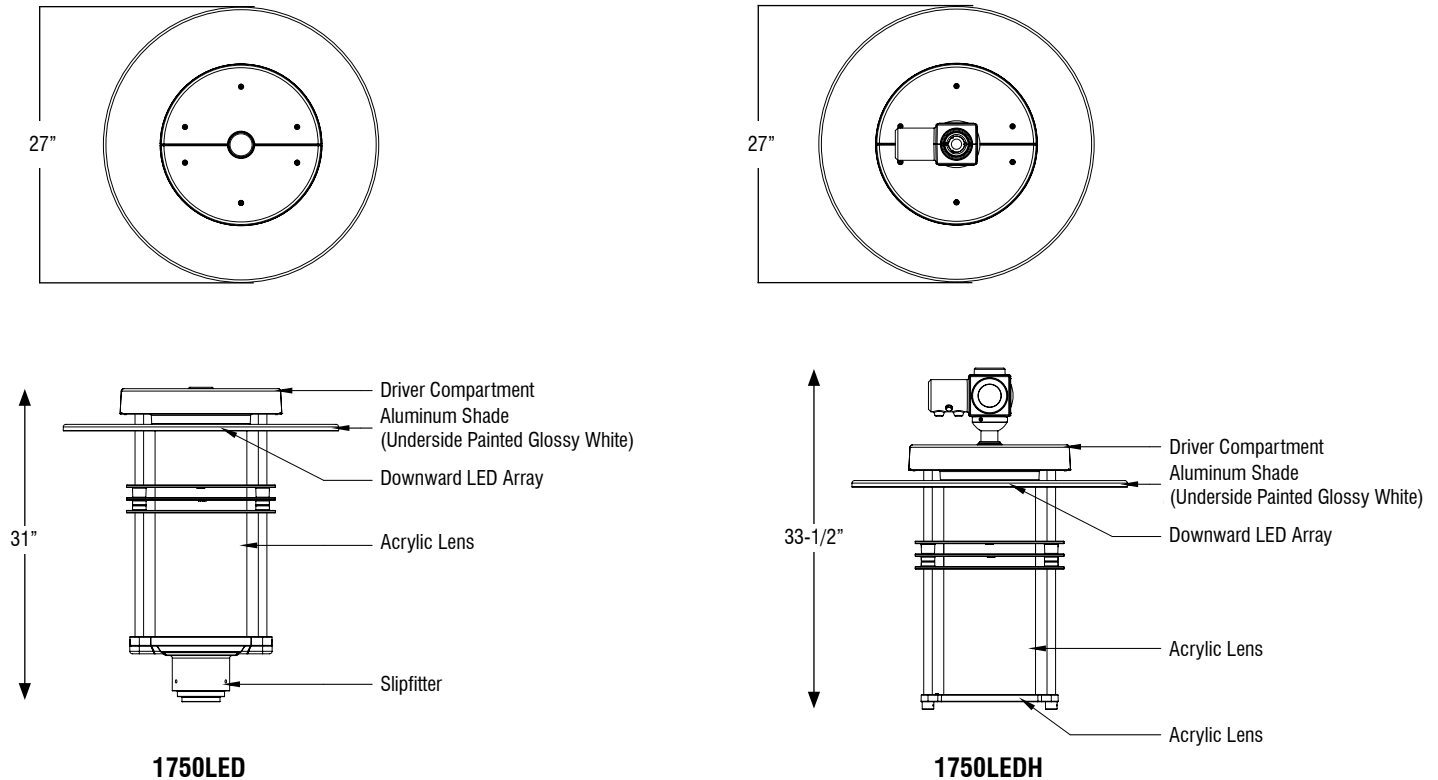
800-621-3376
555 Lawrence Ave., Roselle, IL 60172
info@sternberglighting.com
www.sternberglighting.com

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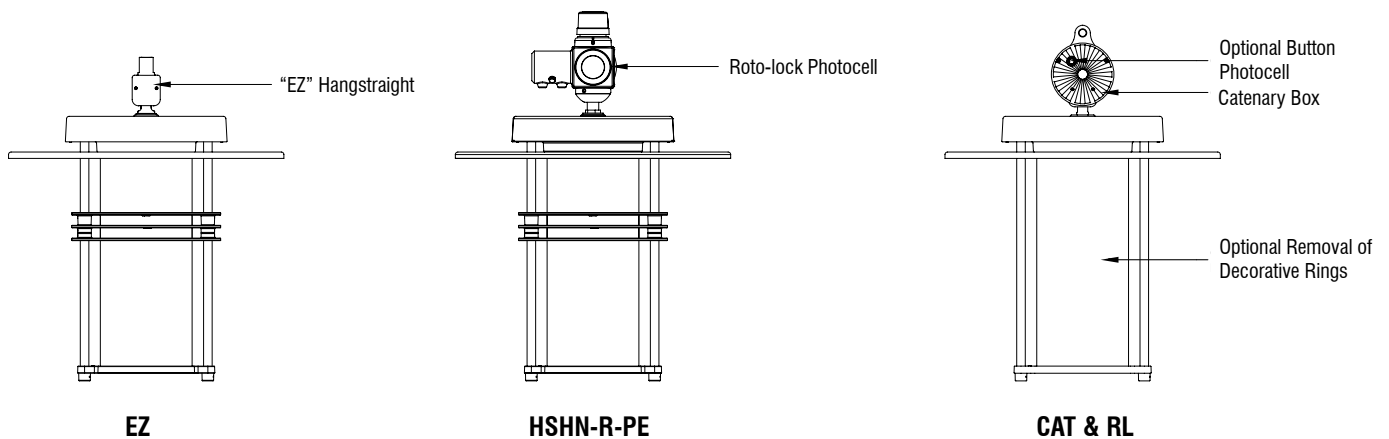
1750LED CHATEAU SERIES

LED

Fixtures



Other Options



SternbergLighting
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www.sternberglighting.com

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Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
CC: Shirley Rogers, Town Secretary
Date: October 11, 2018
Re: Our Homes Our Decisions – Texas Municipal League and Town of Northlake

Town Staff will give a presentation created by the Texas Municipal League and modified for specific Northlake issues. As you are aware, the Texas State Legislature with encouragement from Governor Greg Abbott, has embarked on an unprecedented preemption of local regulatory authority and financial decision-making. Fortunately, Northlake has been a low regulation municipality since its inception and continues to reduce regulations on property owners especially those with agricultural uses. State preemption of Northlake's regulatory authority is a threat but not the biggest threat to our local autonomy.

Northlake's finances have historically been sound but not always robust. In early days, Town staff struggled to ensure payroll was met. In 2006, the General Fund had a negative balance of about \$10,000. From 2010 to 2014, the Town's effective tax rate was below the adopted tax rate; existing property values decreased five years in a row. Northlake has deferred and delayed many projects over the years to maintain a balanced budget and fund operations. Town Council has kept the same tax rate for twenty years waiting until revenues were available before expanding operations or purchasing equipment.

The Governor and Legislature would like to take away Council's ability to control the Town's resources by placing a revenue cap on property taxes based on growth in property value. Ironically, the Legislature has benefitted tremendously from the growth in local property values. The State has capped the amount of money they spend per student so that their contribution to school funding has gone from 52% to 38% over the last ten years. The difference has been made up by local School districts. In the current biennial budget, the Legislature planned on a 14% increase in local property values to offset a four-billion-dollar reduction in school funding statewide. Yet they blame cities from benefitting from property value increases.

Please contact me at 940.242.5701 if you have any questions or comments.



Local Decisions

have created Texas cities where people want to



Local Decisions

have created Texas cities where people want to

Live



Local Decisions

have created Texas cities where people want to

Live

Work





Local Decisions

have created Texas cities where people want to

Live

Work

Play



Year after year,
Texas cities rank
among the top cities
in the nation for job
creation, population
growth and best
management.

Northlake rated AA-
by Standard & Poors

Property value growth
2018 – 25%
2017 – 31%
2016 – 36%
2015 – 16%



Texas cities lead the nation because they provide the services and infrastructure businesses need and the quality of life people want.



Instead of celebrating the amazing successes of Texas cities, some state officials are telling the world that Texas cities are bad places to do business.



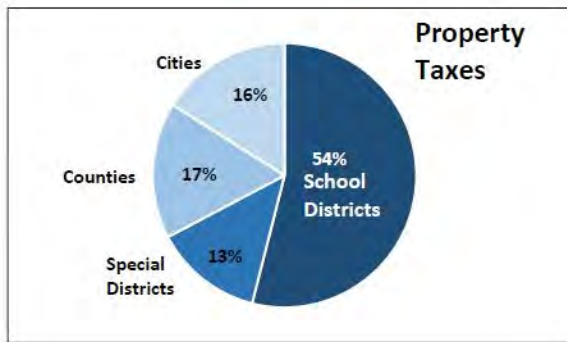


The ability of Texans to create vibrant, livable cities is under assault from state officials who want to dictate that every community and neighborhood conform to their agenda.



The greatest threat now:

State officials want to put one-size-fits-all restrictions on the annual budgets of all cities and counties.



Some state officials are trying to mislead Texans into believing cities are to blame for high property taxes.

But here's the truth:
Cities only collect 16 % of property taxes.



Look at your tax bill.
 Across the state, school district taxes are about **3.5 times higher** than city taxes.

2017 Property Tax Notice

The taxable value is: \$300,226

TAXES DUE TAXING LIMIT	TAX RATE PER \$100	TAX AMOUNT
XXXX Independent School District	1.192000	\$3,578.69
City of XXXXX	0.346760	\$1,041.06
County of XXXXX	0.368430	\$1,106.14
Special District XXXXX	0.260074	\$780.81
TOTAL TAX DUE		\$6,506.70

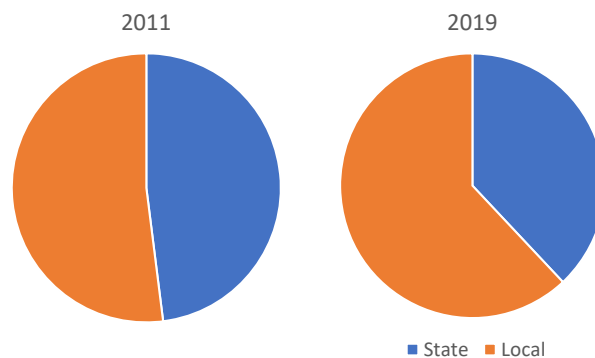
Property Taxes/Assessments in Northlake

Neighborhood	School District	Town	County	Special District
North Ridge Estates	70.2%	13.9%	15.9%	0%
Brian's Place	71.5%	13.3%	15.2%	0%
Bingham	70.2%	13.9%	15.9%	0%
The Highlands	64.1%	13.1%	14.5%	8.3%
Prairie View	71.5%	13.3%	15.2%	0%
Canyon Falls	51.8%	10.7%	11.8%	25.7%



Texas property taxes are high because the legislature has been cutting the state's share of funding for education.

This forces school districts to raise your local property taxes to make up the difference.





Texas property taxes are high

★ THE TEXAS TRIBUNE
Ross Ramsey Executive Editor

Analysis:

The state's declining support for public education in Texas

December 12, 2016

Had the state kept its share of school funding constant for the past 10 years, voters might not be griping about rising property taxes. The state is spending more than it used to, but it's spending less per student.



★ THE TEXAS TRIBUNE

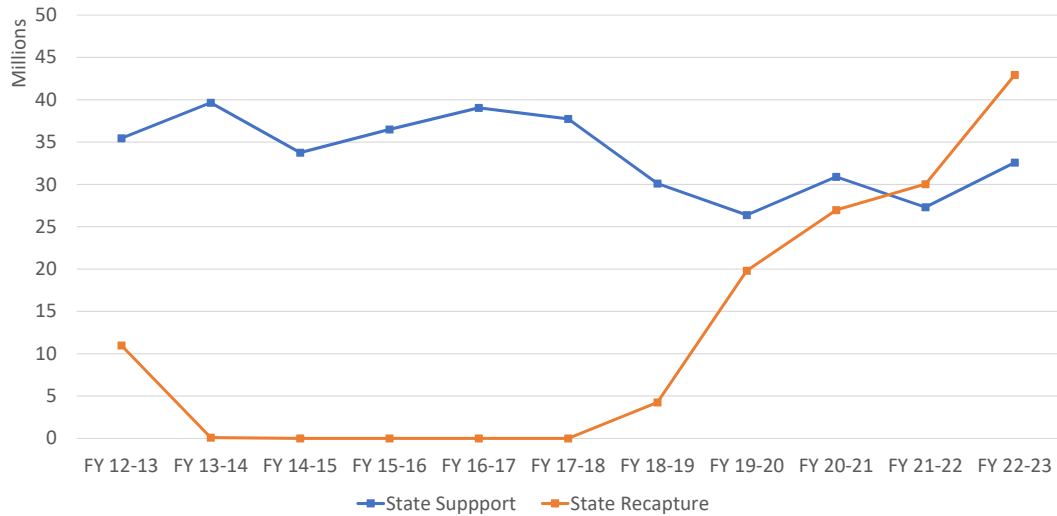
Texas Senate approves its budget, shifting school costs to local taxpayers

Senate Bill 1 – General Appropriations Bill FY 2018 – FY 2019

- 3. Foundation School Program Funding.¹⁰** Out of the funds appropriated above, a total of \$21,468,235,602 in fiscal year 2018 and \$21,503,735,602 in fiscal year 2019 shall represent the sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code.

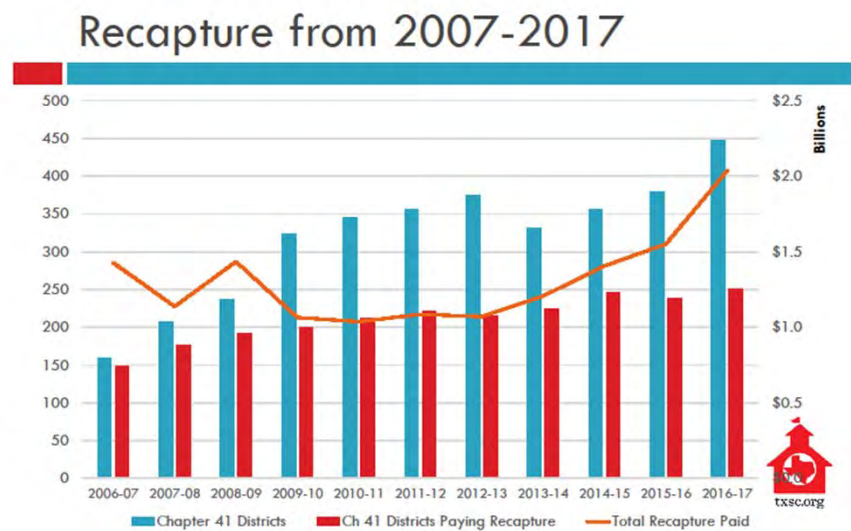
Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on the March 2017 estimates of average daily attendance and local district tax rates as determined by the Legislative Budget Board and the final tax year 2016 property values. Property values, and the estimates of local tax collections on which they are based, shall be increased by 7.04 percent for tax year 2017 and by 6.77 percent for tax year 2018.

Northwest ISD State Funding Imbalance



Shell Game

- 2007, # of districts paying and receiving recapture roughly 160 and 150
- 2017, 250 districts paying, 450 receiving





Instead of blaming cities,
the state can provide
meaningful property tax
relief by fixing the school
finance system.

Austin's Smokescreen

State needs to fix school finance problem it created

Austin has no shame when it comes
to passing the buck on school fi-
nance and property taxes.

Bad bills

Senate Bill 1 would lower the rate of revenue
increases from property taxes for cities and

E2 AUSTIN AMERICAN-STATESMAN | SUNDAY, JUNE 25, 2017

VIEWPOINTS

Austin American-Statesman
Susie Gray Publisher
Debbie Hott Editor
John Bridges Managing Editor
Juan Castillo Viewpoints Editor
Alberta Phillips, Cassia SantaCruz Viewpoints Writers

WE SAY PROPERTY TAXES

Provide real tax cuts, not illusions

To successfully pull off their stunts and tricks before audiences, great magicians employ the art of misdirection. The same is true for some politicians.

By leaving the school property tax untouched, the tax bills homeowners will pay in future years will rise sharply. That's because the state's school finance



Texas Legislature DO YOUR JOB:

**Fix the school finance system.
Quit diverting local tax value increases to
replace State support.**



Texas Legislature STOP THE BLAME GAME:

You will benefit from local property value growth by \$4B over the next two years.

Is that why you are accusing local governments of your methods?



We need to tell the real story:

Letting Texans decide at the local level what's best for their community is the foundation of the Texas Miracle.



Local decision-making gives Texans a voice:



Local decision-making gives Texans a voice:

**In the level of services
they want and how to
pay for them.**



Opportunities for Public Input on Budget

Thursday, May 10	Budget Principles/Goals
Thursday, June 14	Budget Outlook
Thursday, July 26	Proposed Tax Rate Proposed Budget
Thursday, August 9	Budget Hearing
Thursday, September 13	Adopt Budget Adopt Tax Rate



Local decision-making gives Texans a voice:

In how much they want to invest in infrastructure improvements like roads, new police and fire stations, water and sewage treatment and recreation facilities.



Opportunities for Public Input on Bonds

Thursday, November 10, 2016	Award South Pressure Plain Study
Thursday, March 8	Adopt Water Master Plan
Thursday, April 12	Award Design Contracts
Thursday, July 26	Publish Notice of Intent
Thursday, September 13	Public Hearing Issue Certificates



Local decision-making gives Texans a voice:

In rules and regulations that protect their home values and the character of their neighborhoods.





**Texans want the decisions
that affect their homes and
neighborhoods to reflect our
local priorities and values.**



It's your home.

It's your neighborhood.

It's your community.

You and your neighbors should decide what's
best for your community.





Memo

To: Honorable Mayor and Town Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: October 11, 2018
Re: Construction Noise Regulations

The Town has adopted several noise regulations to protect the health, safety, and welfare of the community. Most general noise regulations are found in Article 8.02 of the Code of Ordinances. It prohibits “loud, unnecessary or unusual noise” and lists several specific noises which are also prohibited. The Unified Development Code (UDC) also includes specific noise regulations for industrial uses and for oil and gas welling drilling and production.

Noise from construction activity is often regulated by municipal governments, but the Town of Northlake does not currently have any specific noise regulations for construction activity. This is likely because for most of Northlake’s history, noise from construction was not an issue as there was either very little construction activity or it was isolated to areas that were not near residents. As construction activity has increased, especially within new residential neighborhoods, staff has begun to receive some complaints about construction noise, particularly during early morning hours. The most common way to regulate construction noise is to limit the hours of construction. The table below provides an overview of construction hours limitations in surrounding cities.

City	Construction Hours
Argyle	7am-6pm Mon-Fri; 7am-5pm Sat; None Sun
Denton	7am (6am Jun-Sep)-8:30pm Mon-Fri; 8am-8:30pm Sat; 1pm-8:30pm Sun
Flower Mound	7am-7pm Mon-Fri; 9am-5pm Sat-Sun (within 500 feet of residence)
Fort Worth	7am-8pm Mon-Fri; 8am-9pm Sat-Sun (within 300 feet of residence)
Justin	7am-8pm Mon-Fri; 9am-8pm Sat-Sun
Roanoke	6am-9pm (within 600 feet of residence)

In addition to the general construction hours limitations, most of the ordinances for surrounding cities include exemptions for emergency or unique situations and processes for waivers or variances in limited circumstances. Some only limit the use of construction equipment or activity which generates noise at certain decibel levels.

Staff recommends adopting noise regulations for construction activity, including a limitation on the hours of construction, similar to these. Based upon guidance from the Town Council, staff will develop construction noise regulations for adoption.

Please contact me at 940.242.5703 if you have any questions or comments.



Regular Session

Agenda Item 4



Public Input

Agenda Item 5



Consent Items

Agenda Item 6



Peter Dewing, Mayor
Rena Hardeman, Council Place 1
Jimmy Lambert, Council Place 2

Brian Montini, Mayor Pro Tem
Roger Sessions, Council Place 4
Danny Simpson, Council Place 5

**Town Council Meeting Minutes
Thursday, September 13, 2018
1400 FM 407 – Chamber Room - Northlake, Texas**

1. Mayor Peter Dewing called the workshop to order at 7:00 pm and stated a quorum was present

Councilmembers present:	Peter Dewing, Rena Hardeman, Jimmy Lambert, Brian Montini, Roger Sessions, Danny Simpson
Staff present:	Drew Corn, Town Administrator; Nathan Reddin, Development Director; Robert Crawford, Chief of Police; Eric Tamayo, Public Works Director; Sergeant Kevin Ertle, Police Dept. t; Karen Bolyard, Finance Director; and Shirley Rogers, Town Secretary
Consultants present:	Ashley Dierker, Legal Counsel; Ben McGahey, PE, Town Engineer

2. Special Recognition

- A. Gary Henderson, President & CEO of United Way Denton County was on hand to receive Proclamation 18-4 recognizing United Way Live United Month of September 2018 from Mayor Dewing
- B. Mayor Dewing recognize Sergeant Kevin Ertle, Northlake Police Department with a plaque commemorating his 10 Years of Service to Northlake. Sgt. Ertle started as a reserve office in 2008 and hired full time shortly afterward. Has 16 years plus of Police experience and holds a Master Peace Officer Certification, is a Police Instructor in Standardized Field Sobriety and Taser Applications and is a Field Training Officer. Also holds an Associate Degree in Criminal Justice and is proficient in conversational sign language

3. Briefing Items

- C. Hillwood Communities representative Andrew Piper, presented a proposed amendment to Pecan Square Concept Plan. Would like to add 6-acre Mixed Use on the west side of the 'square' which allows for commercial, townhomes, and single-family and in exchange proposed to change 8-acre Mixed-Use at the SW corner of Mulkey Ln and Cleveland Gibbs Rd to convert to Commercial use only
- D. Nathan Reddin briefed the council on an amendment to the UDC parking standards (update parking standard for warehouse/distribution centers)

4. Regular Meeting to Order

Mayor Dewing called the regular meeting to order at 7:26 pm, all council members present
Pledge of Allegiance and a Moment of Silence was observed

5. Public Input

- Resident Laura McGregor addressed the council by stating as a CDC board member, she did not approve the budget, wanted more details; has concerns with the water tower bonds- called City of Ft Worth, talked with someone about water pressure issues
- Resident Joel McGregor, wanted to thank the staff for a balanced budget, would like to see the funds designated for fireworks event put back into road maintenance; had concerns about water tower bonds

6. Consent Items

Mayor Pro Tem Montini made a motion to approve the consent items. 2nd by Councilmember Lambert

Vote: motion passed unanimous
For: Montini, Lambert, Hardeman, Sessions, Simpson
Against: none

- E. Town Council meeting minutes of August 9, 2018
- F. Resolution No. 18-25 designating the Denton Record Chronicle as the official newspaper for official publication for notices
- G. Resolution No. 18-26 of the Town Council of the Town of Northlake, Texas approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2018 Rate Review Mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a saving clause, declaring an effective date and requiring delivery of this resolution to the Company and the ACSC's Legal Counsel

7. Regular Items

Mayor Dewing moved Item M before Item H per Bond Counsel request

- M. All matters incident and related to the issuance and sale of Town of Northlake, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2018 including the adoption of an ordinance authorizing the issuance of such certificates of obligation and approving all other matters related hereto

Mayor Dewing opened the public hearing at 7:58 pm to hear comments on the proposed ordinance

- Resident Bruce McDonald spoke in favor the bond proposal. Concerned about water pressure and as a resident of Canyon Falls subdivision, has been without pressure and had to boil water

Mayor Dewing closed the public hearing at 8:00 pm

- i. Councilmember Sessions made a motion to adopt Ordinance No. 18-0913F authorizing the issuance and sale of Town of Northlake, Texas, Combination Tax and Limited Surplus Revenue Certificate of Obligations, Series 2018 and approve all other matters related thereto. 2nd by Councilmember Simpson

Vote: motion to approve unanimous
For: Sessions, Simpson, Montini, Lambert, Hardeman
Against: none
Present not voting: Dewing (Mayor)

- H. An ordinance setting the levy of assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2018-19; setting the charges and liens against property in the District and against the owners thereof; providing for the collection of such assessments; reserving unto the Town Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted

- i. Mayor Dewing opened the public hearing at 8:05 pm to hear comments
 - No one came forward for or against the proposed ordinanceMayor Dewing closed the public hearing at 8:06 pm

- ii. Councilmember Sessions made a motion to approve Ordinance No. 18-0913A. 2nd by Councilmember Simpson

Vote: motion to approve unanimous
For: Sessions, Simpson, Montini, Lambert, Hardeman
Against: none
Present not voting: Dewing (Mayor)

- I. An ordinance approving the Fiscal Year 2018-19 Annual Service Plan Update to the Service and Assessment Plan and the Revised Assessment Roll for The Highlands Public Improvement District

- i. Mayor Dewing opened the public hearing at 8:11 pm to hear comments on the proposed ordinance
 - No one came forward for or againstMayor Dewing closed the public hearing at 8:12 pm

- ii. Councilmember Sessions made a motion to approve Ordinance No. 18-0913B. 2nd by Councilmember Simpson

Vote: motion to approve unanimous
For: Sessions, Simpson, Montini, Lambert, Hardeman
Against: none
Present not voting: Dewing (Mayor)

- J. Councilmember Simpson made a motion to approve Ordinance No. 18-0913C adopting a Fiscal year 2019 Annual Budget for Tax Increment Reinvestment Zone No. 1, Town of Northlake, Texas. 2nd by Councilmember Sessions

Vote:	motion to approve unanimous
For:	Sessions, Simpson, Montini, Lambert, Hardeman
Against:	none
Present not voting:	Dewing (Mayor)

K. Ordinance No. 18-0913D of the Town Council of the Town of Northlake, Texas, approving and adopting a Proposed Budget for the Fiscal Year October 1, 2018 through September 30, 2019 for the Town of Northlake, Northlake Economic Development Corporation, Northlake Community Development Corporation, Northlake Public Improvement District No. 1 (Harvest), Northlake Public Improvement District No. 2 (The Highlands) providing that expenditures for said fiscal year shall be made in accordance with said Budget and declaring an effect date

- 1) Councilmember Sessions made a motion to approve Ordinance No. 18-0913D adopting the FY 2018-19 Budget. 2nd by Mayor Pro Tem Montini
- 2) Councilmember Sessions made a motion to amend the motion to approve Ordinance No. 18-0913D to move the \$25,000.00 proposed for a fireworks event to road maintenance in the FY 2018-19 Budget. Motion to amend was 2nd by Mayor Pro Tem Montini

Vote:	motion to approve the amendment to Councilmember Sessions' motion to approve Ordinance No. 18-0913D was unanimous
For:	Sessions, Simpson, Montini, Lambert, Hardeman
Against:	none
Present not voting:	Dewing (Mayor)

Vote:	motion to approve the amended motion to approve Ordinance No. 18-0913D was unanimous
Record Vote:	Sessions, Simpson, Montini, Lambert, Hardeman
Against:	none
Present not voting:	Dewing (Mayor)

- 3) Mayor Pro Tem Montini made a motion to ratify the property tax increase reflected in the FY 2018-19 Budget because the Budget will raise more total property taxes than last year's budget by \$373,371 or 31.9%, and of that amount \$222,296 is a revenue increase from new property added to tax roll this year. 2nd by Councilmember Simpson

Vote:	motion to approve unanimous
For:	Sessions, Simpson, Montini, Lambert, Hardeman
Against:	none
Present not voting:	Dewing (Mayor)

L. Councilmember Hardeman made a motion to approve Ordinance No. 18-0913E of the Town Council of the Town of Northlake, Texas, fixing and levying municipal ad valorem taxes of the Town of Northlake, Texas, for the Fiscal year beginning October 1, 2018 and ending on September 30, 2019 at the rate of \$0.29500 per one hundred dollars (\$100.00) and for directing the assessment thereof; providing for a date on which such taxes become due and delinquent together with penalties and interest; hereon providing for repealing, savings, and severability clause providing for an effective date of this ordinance and providing for the publication of the caption thereof. 2nd by Councilmember Simpson

Vote:	motion to approve unanimous
For:	Sessions, Simpson, Montini, Lambert, Hardeman
Against:	none
Present not voting:	Dewing (Mayor)

N. Ordinance amending Article 5, “Zoning Districts,” of the Unified Development Code of the Town of Northlake by establishing an Agricultural “AG” Zoning District; by eliminating the Conservation Residential Overlay “CRO” Zoning District; and by adopting or amending certain regulations applicable to certain Zoning Districts within the Town

i. Mayor Dewing opened the public hearing at 8:36 pm to hear comments on the proposed ordinance

- No one came forward for or against

Mayor Dewing closed the public hearing at 8:37 pm

ii. Councilmember Sessions made a motion to approve Ordinance No. 18-0913G to allow proposed amendments related to Pawn Shops and Veterinarian clinics. 2nd by Councilmember Lambert

Vote:	motion to approve unanimous
For:	Sessions, Lambert, Hardeman, Montini, Simpson
Against:	none
Present not voting:	Dewing (Mayor)

O. Mayor Pro Tem Montini made a motion to nominate Northlake resident Michael Savoie to serve on the Small Cities Board of Directors of the Denton County Transportation Authority (DCTA). 2nd by Councilmember Simpson

Vote:	motion to approve unanimous
For:	Sessions, Simpson, Montini, Lambert, Hardeman
Against:	none
Present not voting:	Dewing (Mayor)

8. By general consent, the council convened into Executive Session at 8:47 pm to discuss the items below:
Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her 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) Supreme Court of Texas - Town of Northlake vs City of Justin. No. 18-0651

- b. Section 551.071 consultation with the Town’s attorney to seek advice on eminent domain actions to obtain right-of-way out of a certain 3.530 acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law
- c. Section 551.072 deliberation regarding the purchase, exchange, lease, or value of real property to be acquired as right-of-way out of a certain 3.530 acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction maintenance of roadway and utility improvements and other public purposes permitted by law

By general consent, the council reconvened into Open Session at 9:04 pm

- 1. No action - the use of eminent domain to condemn property and consider a resolution of the Town of Northlake, Texas, authorizing the Town Attorney to bring a condemnation action for the purpose of obtaining approximately .4762 acres of a certain 3.530 acre tract of land located in the Patrick Rock Survey Abstract No. 1063 in Northlake, Denton County, Texas, as right-of-way necessary for the construction and maintenance of roadway and utility improvements and for other public purposes permitted by law
- 2. Councilmember Simpson made a motion to authorize the Mayor to hire a special prosecutor for a limited engagement related to a pending case in the municipal court. 2nd by Councilman Lambert

Vote:	motion to approve unanimous
For:	Sessions, Simpson, Montini, Lambert
Against:	none
Present not voting:	Dewing (Mayor), Hardeman (recused)

- 9. Mayor Dewing adjourn the meeting at 9:06 pm

Passed and approved on this the 11th day of October 2018

Town of Northlake, Texas

Peter Dewing, Mayor

Attest:

Shirley Rogers, Town Secretary



Regular Items

Agenda Item 7

Memo

To: Honorable Mayor and Town Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: October 11, 2018
Re: Final Plat for Harvest Meadows Phase 5 (FP-18-023)

Purpose: To consider approval of a Final Plat for Harvest Meadows Phase 5, a proposed residential subdivision within the extraterritorial jurisdiction of the Town of Northlake on a 56.795-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, located on the south side of Old Justin Road approximately 700 feet west of Cleveland-Gibbs Road.

Owner/Applicant/Developer: Harvest Meadows Phase 5, LLC

Engineer/Surveyor: Jones & Carter, Inc.

Background: The location of this plat was incorporated into the Harvest development with the acquisition of the Thompson and McGee tracts by the developer and the subsequent approval by Town Council of the First Amendment to the Third Amended and Restated Development Agreement which made it subject to the same standards, including the Harvest Development Code, as the remainder of the Harvest development. This part of Harvest is referred to as Harvest Meadows. A preliminary plat was approved for Harvest Meadows Phases 4 & 5 on August 10, 2017.

Staff Analysis: The applicant has provided a final plat application in accordance with requirements of the Harvest Development Agreement and the Subdivision Ordinance in place at the time of the agreement. The final plat is comprised of 207 residential lots and 6 open space lots. The “nonresidential/open space lots” are lots dedicated for open space and amenities to be owned and maintained by the homeowners association, Fresh Water Supply District, and/or public improvement district as applicable.

The final plat is consistent with the approved preliminary plat. The entire area of this final plat is within Zone 2 as identified in the Harvest Development Code, and this plat meets or exceeds the development standards outlined in the code with regard to density and lot dimensions. Construction plans for water, sewer, streets and storm drainage have been reviewed and approved by staff.

Staff Findings: Staff finds the final plat meets all applicable requirements.

LINE TABLE		
LINE	ANGLE	DISTANCE
L1	S 44°36'32" W	14.14'
L2	S 89°36'32" W	105.00'
L3	N 89°36'32" E	5.00'
L4	S 89°36'32" W	33.17'
L5	S 00°23'28" E	54.00'
L6	S 89°36'32" W	7.45'
L7	N 44°36'32" E	5.86'
L8	S 45°06'59" E	14.21'
L9	N 44°53'01" E	14.07'
L10	S 45°06'59" E	14.21'
L11	N 44°53'01" E	14.07'
L12	N 45°23'28" W	14.14'
L13	S 44°36'32" W	14.14'
L14	S 45°23'28" E	14.14'
L15	N 33°54'44" E	11.37'
L16	N 33°38'49" W	16.28'
L17	N 44°36'32" E	14.14'
L18	N 45°23'28" W	14.14'
L19	S 44°36'32" W	14.14'
L20	N 45°23'28" W	14.14'
L21	N 44°36'32" E	14.14'
L22	S 45°23'28" E	14.14'
L23	N 44°36'32" E	14.14'
L24	S 45°23'28" E	14.14'
L25	N 44°36'32" E	14.14'
L26	N 45°10'59" W	14.19'
L27	S 44°49'01" W	14.09'
L28	N 44°49'01" E	14.09'
L29	S 45°10'59" E	14.19'
L30	N 45°10'59" W	14.19'
L31	N 44°49'01" E	14.09'
L32	S 45°10'59" E	14.19'
L33	S 44°49'01" W	14.09'
L34	S 30°25'35" W	14.60'
L35	N 89°36'32" E	7.45'
L36	N 53°53'21" W	14.57'
L37	S 33°00'37" W	14.47'
L38	N 10°37'45" W	53.74'
L39	N 45°08'57" W	14.20'
L40	S 44°51'33" W	14.08'
L41	S 44°36'32" W	14.14'
L42	S 45°23'28" E	14.14'
L43	N 45°23'28" W	14.14'
L44	N 44°36'32" E	14.14'
L45	S 35°52'47" W	14.47'
L46	N 53°22'08" W	13.89'
L47	N 30°28'36" E	14.60'
L48	S 58°41'10" E	14.92'
L49	S 43°58'00" W	13.98'
L50	S 45°23'28" E	14.14'
L51	S 44°36'32" W	34.72'
L52	S 44°48'04" E	2.33'

$\Delta = 67°41'36"$
 $R = 137.00'$
 $L = 161.86'$
 $CH = N33°27'20"E$
 $CD = 152.61'$

LEGEND	
POB	POINT OF BEGINNING
CM	CONTROL MONUMENT
R.O.W.	RIGHT OF WAY
VOL.	VOLUME
PG.	PAGE
ESMT	EASEMENT
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	5/8" CAPPED IRON ROD WITH YELLOW CAP STAMPED "JONES CARTER" SET FOR CORNER
BL	BUILDING LINE
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SSE	SANITARY SEWER EASEMENT
DE	DRAINAGE EASEMENT
WLE	WATERLINE EASEMENT
NR	NON-RADIAL LOT
D.R.D.C.T	DEED RECORDS, DENTON COUNTY, TEXAS
R.P.R.D.C.T.	REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
C.C.F.	COUNTY CLERK FILE NUMBER
WME	WALL MAINTENANCE EASEMENT
VAM	VISIBILITY, ACCESS, & MAINTENANCE EASEMENT
FME	FENCE MAINTENANCE EASEMENT

⬆
(A)

DENOTES CHANGE IN STREET NAME

BLOCK LETTER

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	78.54'	70.71'	S 44°36'32" W	90°00'00"
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C3	500.00'	117.39'	117.12'	S 82°52'59" W	13°27'06"
C4	375.00'	91.32'	91.08'	N 83°08'00" E	13°57'10"
C5	500.00'	89.23'	89.23'	S 05°30'37" E	10°14'17"
C6	50.00'	78.90'	70.97'	S 44°49'01" W	90°24'59"
C7	400.00'	73.76'	73.66'	S 84°49'36" W	10°33'58"
C8	375.00'	65.88'	65.79'	N 84°34'35" E	10°03'54"
C9	375.00'	123.08'	122.53'	S 09°47'38" E	18°48'19"
C10	500.00'	164.11'	163.37'	N 09°47'38" W	18°48'19"
C11	23.00'	36.30'	32.64'	S 44°49'01" W	90°24'59"
C12	23.00'	36.13'	32.53'	S 44°36'32" W	90°00'00"
C13	50.00'	78.54'	70.71'	S 44°36'32" W	90°00'00"
C14	50.00'	22.55'	22.36'	S 76°58'10" E	25°50'31"
C15	50.00'	123.64'	94.46'	N 45°06'35" E	141°41'02"
C16	50.00'	22.55'	22.36'	N 12°48'40" W	25°50'31"
C17	23.00'	36.13'	32.53'	S 45°23'28" E	90°00'00"
C18	50.00'	78.54'	70.71'	S 45°23'28" E	90°00'00"
C19	77.00'	120.95'	108.89'	S 45°23'28" E	90°00'00"

LAND USE TABLE		
LAND USE	ACREAGE	LOTS
RESIDENTIAL (60' x 115' TYPICAL)	28.939	207
LOA/OPEN SPACE	15.382	6
STREET - ROW	12.474	-
TOTAL	56.795	213



DEVELOPER / OWNER:
**HARVEST MEADOWS
PHASE 5, LLC**
3000 TURTLE CREEK BLVD.
DALLAS, TEXAS 75219
PHONE: (972) 201-2800

ENGINEER / SURVEYOR:
JC JONES | CARTER
Texas Board of Professional Engineers Registration No. F-439
6509 Windcrest Drive, Suite 600 • Plano, Texas 75224
972.488.3880
Texas Board of Professional Land Surveying Registration No. 100461-03
Contact: Bryan Kennedy, E-mail: bkennedy@jonescarter.com

JOB No. D160-0028 BAS/EM DWG No. 1855 SHEET 1 OF 3

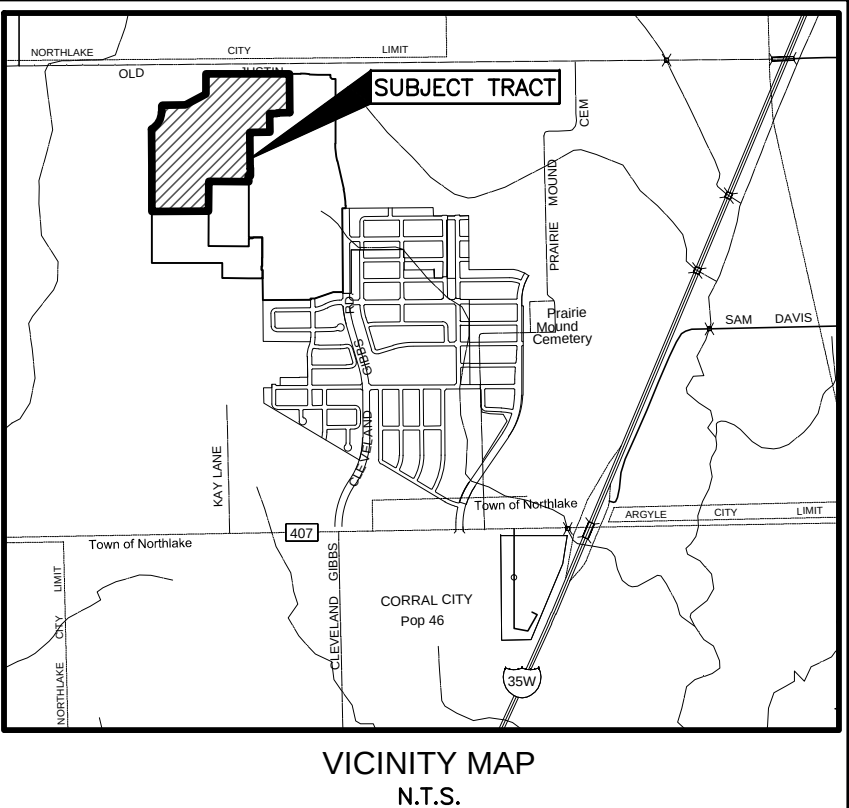
- GENERAL NOTES:
- Bearings are based on the Texas State Plane Coordinate System, NAD 83, North Central Zone 4202, per monuments found for the Final Plat of Harvest Phase I, as recorded in Instrument No. 2013-166, R.P.R.D.C.T.
 - All side lot lines are perpendicular or radial to street frontage unless otherwise noted Not Radial (NR).
 - All lots shown are Single-Family residential unless otherwise indicated.
 - All open spaces to be owned by the Home Owners Association and/or by the Fresh Water Supply District. All open spaces to be maintained by the Home Owners Association, Fresh Water Supply District, and/or the Public Improvement District.
 - All Dedicated Public Roads Will Be Maintained By The Fresh Water Supply District.
 - All side lot and rear building lines to be 5' unless otherwise noted.
 - All drainage easements are to be kept clear of fences, buildings, vegetation, and other obstructions to the operation and maintenance of the drainage facility. All property is required to drain into the drainage easement through an approved drainage structure.
 - No Direct Residential Driveway Access to Old Justin Road is allowed.
 - Maintenance of Detention Basins and Drainage Channels Shown on this plat are the responsibility of the Fresh Water Supply District.
 - All Lots are within Northlake ETJ and are within Zone 2 as Identified in the Harvest Development Agreement dated September 27, 2012 and the first amendment thereof dated October 25, 2012. All Setbacks shall conform with the Zone 2 Requirements of Section 5.1 Residential Development Standards Table of Harvest Development Code unless a more Restrictive Setback is Identified on the Plat with a Building Line.
 - All floodplain information on this plat is for graphical depiction only, as scaled off of Firm Panel Map #48121C0505, Revised Dated April 18, 2011 for Denton County, Texas. This property is in Zone X, Areas determined to be outside the 0.2% annual chance floodplain.
 - The Town of Northlake is not responsible for the design, construction, operation, maintenance, or use of any detention basin and associated drainage easements, hereinafter referred to as "improvement," to be developed and constructed by Owner or his successors. Owner will indemnify, defend and hold harmless the Town of Northlake, its officers, employees, and agents from any direct or indirect loss, damage, liability, or expense and attorneys' fees for any negligence whatsoever, arising out of the design, construction, operation, maintenance, condition, or use of the "improvement," including any non-performance of the foregoing. Owner will require any successor in interest to accept full responsibility and liability for the "improvement." All of the above shall be covenants running with the land. It is expressly contemplated that the Owner shall impose these covenants upon Lot 2X Block AM, abutting, adjacent, or served by the "improvement" the full obligation and responsibility of maintaining and operating said "improvement."

FINAL PLAT OF HARVEST MEADOWS PHASE 5

LOTS 16X & 9-16, BLOCK Z, LOTS 1X & 27-36, BLOCK AB
LOTS 9-12, BLOCK AE, LOTS 3-12, BLOCK AF,
LOTS 1X & 1-40, BLOCK AG, LOTS 1-18, BLOCK AH,
LOTS 1-12, BLOCK AI, LOTS 1X & 1-18, BLOCK AJ,
LOTS 1X & 1-18, BLOCK AK,
LOTS 2X, & 63-98, BLOCK AM, LOTS 1-16, BLOCK AN,
AND LOTS 1-17, BLOCK AO

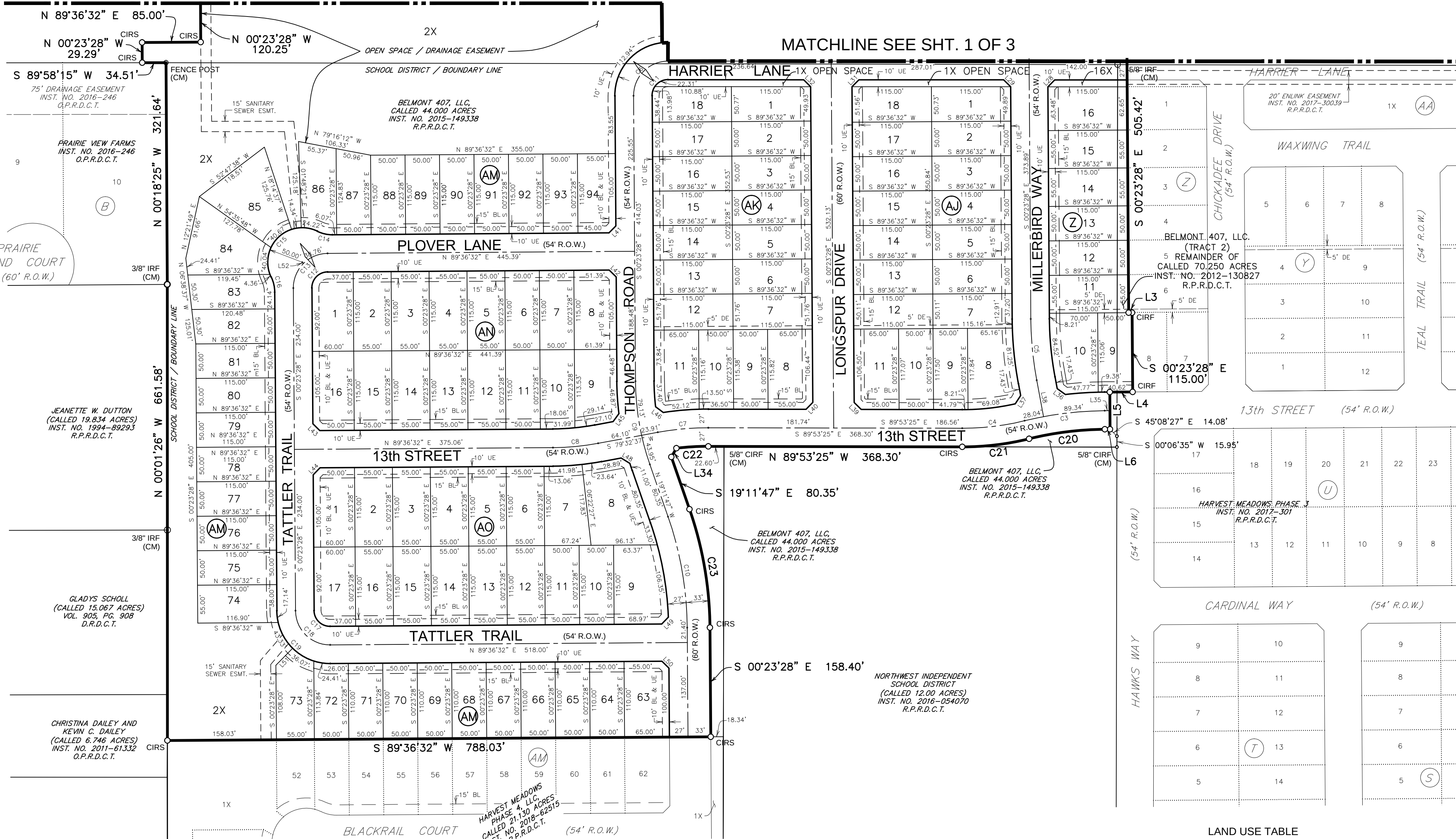
BEING 56.795 ACRES
SITUATED IN THE
PATRICK ROCK SURVEY, ABSTRACT NO. 1063
IN THE
ETJ OF TOWN OF NORTHLAKE, DENTON COUNTY, TEXAS
213 LOTS BY USE
(207 RESIDENTIAL, AND 6 NON-RESIDENTIAL/OPEN SPACE LOTS)

AUGUST 2018



0' 50' 100' 200'
SCALE: 1"=100'

LINE TABLE		
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C3	500.00'	117.39'	117.12'	S 82°52'59" W	13°27'06"	58.97'
C4	375.00'	91.32'	91.09'	N 83°08'00" E	13°57'10"	45.89'
C5	500.00'	89.34'	89.23'	S 05°30'37" E	10°14'17"	44.79'
C6	50.00'	78.90'	70.97'	S 44°49'01" W	90°24'59"	50.36'
C7	400.00'	73.76'	73.66'	S 84°49'36" W	10°33'58"	36.99'
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TOTAL	56.795	213

LEGEND	
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CM	CONTROL MONUMENT
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PG.	PAGE
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CIRS	5/8" CAPPED IRON ROD WITH YELLOW CAP
	STAMPED "JONES CARTER" SET FOR CORNER
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C.C.F.	COUNTY CLERK FILE NUMBER
WME	WALL MAINTENANCE EASEMENT
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FME	FENCE MAINTENANCE EASEMENT
	DENOTES CHANGE IN STREET NAME
(A)	BLOCK LETTER

- GENERAL NOTES:
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FINAL PLAT
OF
HARVEST MEADOWS PHASE 5

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LOTS 9-12, BLOCK AE, LOTS 3-12, BLOCK AF,
LOTS 1X & 1-40, BLOCK AG, LOTS 1-18, BLOCK AH,
LOTS 1-12, BLOCK AI, LOTS 1X & 1-18, BLOCK AJ,
LOTS 1X & 1-18, BLOCK AK,
LOTS 2X, & 63-98, BLOCK AM, LOTS 1-16, BLOCK AN,
AND LOTS 1-17, BLOCK AO

BEING 56.795 ACRES
SITUATED IN THE
PATRICK ROCK SURVEY, ABSTRACT NO. 1063
IN THE
ETJ OF TOWN OF NORTHLAKE, DENTON COUNTY, TEXAS
213 LOTS BY USE
(207 RESIDENTIAL, AND 6 NON-RESIDENTIAL/OPEN SPACE LOTS)

AUGUST 2018



DEVELOPER / OWNER:
HARVEST MEADOWS
PHASE 5, LLC
3000 TURTLE CREEK BLVD.
DALLAS, TEXAS 75219
PHONE: (972) 201-2800

ENGINEER / SURVEYOR:
JONES CARTER
Texas Board of Professional Engineers Registration No. F-439
6509 Windcrest Drive, Suite 600 • Plano, Texas 75219
972.488.3880
Texas Board of Professional Land Surveying Registration No. 100461-03
Contact: Bryan Kennedy, E-mail: bkennedy@jonescarter.com

OWNER'S CERTIFICATION

STATE OF TEXAS :
COUNTY OF DENTON :

WHEREAS, Belmont 407, LLC, is the owner(s) of part of a called 44.000 acre tract as described in deed to Belmont 407, LLC, as recorded in Instrument No. 2015-149338 of the Real Property Records of Denton County, Texas (R.P.R.D.C.T.) also being part of a remainder of a called 782.359 acre tract as described in deed to Belmont 407, LLC, as recorded in Instrument No. 2011-124875, R.P.R.D.C.T., also being a part of a remainder of a called 70.250 acre tract of land as described in deed tot Belmont 407, LLC. as recorded in Instrument No. 2012-130827 R.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with yellow cap found at the northwest corner of Harvest Meadows Phase 3, an addition to the Town of Northlake, as recorded in Instrument No. 2017-301, R.P.R.D.C.T., and being in the center of Old Justin Road;

THENCE along the west line of said Harvest Meadows Phase 3, the following courses:

- South 00 Degrees 23 Minutes 28 Seconds East, a distance of 550.09 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 89 Degrees 36 Minutes 32 Seconds West, a distance of 169.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 44 Degrees 36 Minutes 32 Seconds West, a distance of 14.14 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 89 Degrees 36 Minutes 32 Seconds West, a distance of 105.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 00 Degrees 23 Minutes 28 Seconds East, a distance of 264.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 89 Degrees 36 Minutes 32 Seconds West, a distance of 284.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 00 Degrees 23 Minutes 28 Seconds East, a distance of 505.42 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- North 89 Degrees 36 Minutes 32 Seconds East, a distance of 5.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 00 Degrees 23 Minutes 28 Seconds East, a distance of 115.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 89 Degrees 36 Minutes 32 Seconds West, a distance of 33.17 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;
- South 00 Degrees 23 Minutes 28 Seconds East, a distance of 54.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" found for corner;

THENCE departing the west line of said Harvest Meadows Phase 3, over and across said 44.000 acre tract, the following courses:

- South 89 Degrees 36 Minutes 32 Seconds West, a distance of 7.45 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner at the beginning of a tangent curve to the left;
- Southwesterly, along said tangent curve to the left having a central angle of 13 Degrees 27 Minutes 06 Seconds, a radius of 473.00 feet, an arc distance of 111.05 feet and a chord bearing and distance of South 82 Degrees 52 Minutes 59 Seconds West, 110.80 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner at the beginning of a reverse curve to the right;
- Southwesterly, along said reverse curve to the right having a central angle of 13 Degrees 57 Minutes 10 Seconds, a radius of 402.00 feet, an arc distance of 97.90 feet and a chord bearing and distance of South 83 Degrees 08 Minutes 00 Seconds West, 97.65 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner in the north line of a called 12.000 acre tract of land as described in deed to Northwest Independent School District, as recorded in Instrument No. 2016-054070, R.P.R.D.C.T.;

THENCE North 89 Degrees 53 Minutes 25 Seconds West, along the common line between said 44.000 acre tract and said Northwest Independent School District tract, at a distance of 345.71 passing the northwest corner of said 12.000 acre tract, and continuing for a total distance of 368.30 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner at the beginning of a tangent curve to the left;

THENCE over and across said 44.000 acre tract, the following courses:

- Southwesterly, along said tangent curve to the left having a central angle of 07 Degrees 07 Minutes 33 Seconds, a radius of 373.00 feet, an arc distance of 46.39 feet and a chord bearing and distance of South 86 Degrees 32 Minutes 49 Seconds West, 46.36 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner
- South 30 Degrees 25 Minutes 35 Seconds West, a distance of 14.60 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;
- South 19 Degrees 11 Minutes 47 Seconds East, a distance of 80.35 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner at the beginning of a tangent curve to the right;
- Southeasterly, along said tangent curve to the right having a central angle of 18 Degrees 48 Minutes 19 Seconds, a radius of 533.00 feet, an arc distance of 174.94 feet and a chord bearing and distance of South 09 Degrees 47 Minutes 38 Seconds East, 174.15 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;
- South 00 Degrees 23 Minutes 28 Seconds East, a distance of 158.40 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner in the north line of a called 21.130 acre tract as described in deed to Harvest Meadows Phase 4, LLC, as recorded in Instrument No. 2018-62515 R.P.R.D.C.T.;

THENCE South 89 Degrees 36 Minutes 32 Seconds West, along the north line of said 21.130 acre tract, a distance of 788.03 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner in the east line of a called 6.746 acre tract of land described in deed to Kevin C. Dailey and Christina Dailey as recorded in Instrument No. 2011-61332, O.P.R.D.C.T.;

THENCE North 00 Degrees 01 Minutes 26 Seconds West, along the west line of said 44.000 acre tract, a distance of 661.58 feet to a 3/8" iron rod found at the southeast corner of Prairie View Farms, an addition to the Town of Northlake, as recorded in Instrument No. 2016-246, O.P.R.D.C.T.,

THENCE North 00 Degrees 18 Minutes 25 Seconds West, along the east line of said Prairie View Farms, a distance of 321.64 feet to a fence post found for a northeast corner of said Prairie View Farms;

THENCE South 89 Degrees 58 Minutes 15 Seconds West, along the north line of said Prairie View Farms, a distance of 34.51 feet to 5/8" iron rod with cap stamped "Jones Carter" set for corner;

THENCE departing the north line of said Prairie View Farms, over and across said remainder of called 782.359 acre tract, the following courses:

- North 00 Degrees 23 Minutes 28 Seconds West, a distance of 29.29 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;
- North 89 Degrees 36 Minutes 32 Seconds East, a distance of 85.00 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;
- North 00 Degrees 23 Minutes 28 Seconds West, a distance of 120.25 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner at the beginning of a non-tangent curve to the left;
- Northeasterly, along said non-tangent curve to the left having a central angle of 67 Degrees 41 Minutes 36 Seconds, a radius of 137.00 feet, an arc distance of 161.86 feet and a chord bearing and distance of North 33 Degrees 27 Minutes 20 Seconds East, 152.61 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;
- North 00 Degrees 23 Minutes 28 Seconds West, a distance of 236.32 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;
- North 44 Degrees 36 Minutes 32 Seconds East, a distance of 5.89 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

North 89 Degrees 36 Minutes 32 Seconds East, a distance of 303.78 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

North 62 Degrees 04 Minutes 48 Seconds East, a distance of 374.34 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

North 00 Degrees 09 Minutes 30 Seconds East, a distance of 278.75 feet to a 5/8" iron rod with cap stamped "Jones Carter" set in the approximate center of Old Justin Road;

South 89 Degrees 50 Minutes 30 Seconds East, along the approximate center of Old Justin Road, a distance of 1183.71 feet to the POINT OF BEGINNING and containing 2,473,974 square feet or 56.795 acres of land more or less .

STATE OF TEXAS :
COUNTY OF DENTON :

Now Therefore, know all men by these presents:

That Harvest Meadows Phase 5, LLC., acting herein by and through his (its) duly authorized officer(s), does hereby adopt this plat designating the herein above described property as **Harvest Meadows Phase 5**, an addition within the extra-territorial jurisdiction of the Town of Northlake, Texas ("Town"), and does hereby dedicate, in fee simple, to Belmont Fresh Water Supply District No. 1 of Denton County ("District") forever, the easements, streets, rights-of-way and public improvements contained therein. District does hereby dedicate for the public use forever, the easements, the streets, rights-of-way and public improvements contained therein. The streets and alleys, if any, are dedicated for street purposes. The easements, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. Notwithstanding the foregoing, the District does hereby dedicate to the Town of Northlake, Texas, all water and sanitary sewer improvements contained in the right-of-way and easements as shown on this plat in consideration for the Town's agreement to utilize such improvements to serve property within the District. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the District. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easements limits the use to particular utilities, said use by public utilities being subordinate to the public's and Town's use thereof.

Harvest Meadows Phase 5, LLC,
a Texas limited liability company

By: _____

Name: _____

Title: _____

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____, 20____. By _____ of Harvest Meadows Phase 4, LLC, a Texas limited liability company, on behalf of said limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement to me that he executed the same for the purpose of and consideration therein expressed, and in the capacity therein stated.

Given my hand and seal of office, this the _____ day of _____, 20____.

Notary Public, State of Texas

My Commission expires : _____

APPROVED BY THE NORTHLAKE TOWN COUNCIL ON:

Date

Mayor, Town of Northlake

Town Secretary, Town of Northlake

REVIEWED AND APPROVED BY
BELMONT FRESH WATER SUPPLY DISTRICT NO. 1:

Date

DISTRICT ENGINEER
BELMONT FRESH WATER SUPPLY DISTRICT NO. 1



DEVELOPER / OWNER:
**HARVEST MEADOWS
PHASE 5, LLC**
3000 TURTLE CREEK BLVD.
DALLAS, TEXAS 75219
PHONE: (972) 201-2800

ENGINEER / SURVEYOR:
J|C JONES | CARTER
Texas Board of Professional Engineers Registration No. F-439
6509 Windcrest Drive, Suite 600 • Plano, Texas 75024
972.488.3880
Texas Board of Professional Land Surveying Registration No. 100461-03
Contact: Bryan Kennedy, E-mail: bkennedy@jonescarter.com

FINAL PLAT
OF
HARVEST MEADOWS PHASE 5

LOTS 16X & 9-16, BLOCK Z, LOTS 1X & 27-36, BLOCK AB
LOTS 9-12, BLOCK AE, LOTS 3-12, BLOCK AF,
LOTS 1X & 1-40, BLOCK AG, LOTS 1-18, BLOCK AH,
LOTS 1-12, BLOCK AI, LOTS 1X & 1-18, BLOCK AJ,
LOTS 1X & 1-18, BLOCK AK,
LOTS 2X, & 63-98, BLOCK AM, LOTS 1-16, BLOCK AN,
AND LOTS 1-17, BLOCK AO

BEING 56.795 ACRES
SITUATED IN THE
PATRICK ROCK SURVEY, ABSTRACT NO. 1063
IN THE
ETJ OF TOWN OF NORTHLAKE, DENTON COUNTY, TEXAS
213 LOTS BY USE
(207 RESIDENTIAL, AND 6 NON-RESIDENTIAL/OPEN SPACE LOTS)

AUGUST 2018

Memo

To: Honorable Mayor and Town Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: October 11, 2018
Re: Pecan Square Concept Plan Revision

Andrew Pieper with Hillwood Communities, the developer of Pecan Square, presented a proposed revision to the concept plan at the last Council meeting. The developer has requested a revision to the concept plan (Option 2 with school site) approved with the Mixed-Use Planned Developments for Pecan Square (Pecan Square MPD). The amendment applies to only a few acres of the overall Pecan Square development and does not involve a change in overall density, just a swap of subdistrict areas shown on the concept plan. No other changes are proposed to the Pecan Square MPD. All standards, density requirements, etc. will remain the same.

The purpose of the concept plan amendment is to add a 6-acre Mixed-Use area on the west side of the "square". Mixed use allows for commercial, townhomes, and single-family. Similar to the existing Mixed-Use areas which are located near commercial and high-traffic areas, the square is intended to be the hub of the Pecan Square district with a number of amenities and activities to draw people. In exchange for the 6 acres of Mixed-Use proposed around the square, the 8-acre Mixed-Use area at the southwest corner of Mulkey Lane and Cleveland-Gibbs Road is proposed to convert to Commercial use only. An exhibit is attached showing the proposed changes.

The Pecan Square MPD provides for changes to the concept plan. Any changes that are not considered minor (defined as "realignment of roadways, the size of each subdistrict provided the size does not change by more than 15 percent from the size of the subdistrict shown on the original Concept Plan attached to this PD Ordinance, changes to the configuration of the open space areas shown on the original Concept Plan provided a minimum of 15 percent of the overall Development shall be used as open space. Open space areas shall be a minimum of 0.5 acres in size to satisfy the minimum 15 percent requirement.") require Town Council approval, but "the procedure is not considered a zoning change and no public hearing is required." Since this proposal changes the location of subdistricts, Council approval of the concept plan amendment is required.

A draft ordinance is attached to memorialize the concept plan revision should Council choose to approved it. The revised concept plan is proposed as it was presented at the last Council meeting, but additional exhibits which are attached have been provided by the developer to support their request.

Please contact me at 940.242.5703 if you have any questions or comments.

ORDINANCE NO. 18-1011_

AN ORDINANCE REVISING THE CONCEPT PLAN ATTACHED TO ORDINANCE NO. 17-1030B, ORDINANCE NO. 17-1030C, AND ORDINANCE NO. 17-1030D, WHICH AMENDED ORDINANCE NO. 17-0413C, ORDINANCE NO. 17-0413D, AND ORDINANCE NO. 17-0413E, THAT ESTABLISHED THE PECAN SQUARE “MPD” MIXED-USE PLANNED DEVELOPMENT; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 17-0413C, Ordinance No. 17-0413D, and Ordinance No. 17-0413E (together the “Pecan Square MPD”) establishing “MPD” Mixed-Use Planned Development zoning for the Pecan Square development site (the “Property”); and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 17-1030B, Ordinance No. 17-1030C, and Ordinance No. 17-1030D (together the “Pecan Square MPD Amendment”) approving a request from the owners of the Property to amend the development regulations and concept plan established by the Pecan Square MPD; and

WHEREAS, the Town of Northlake has received a request from the owners of the Property to revise the concept plan as approved with the Pecan Square MPD Amendment; and

WHEREAS, pursuant the Pecan Square MPD, the Town Council must approve the change to the concept plan; and

WHEREAS, pursuant to the Pecan Square MPD, the change to the concept plan is not considered a change in zoning, and no public hearing shall be required; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the requested revision to the concept plan as reflected on Exhibit A attached hereto.

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

SECTION 1

The "Option 2" Concept Plan attached to Ordinance No. 17-1030B, Ordinance No. 17-1030C, and Ordinance No. 17-1030D as Exhibit B to those ordinances shall be replaced with the new "Option 2" Concept Plan attached hereto as Exhibit A, which is incorporated herein for all purposes. The "Option 1" Concept Plan attached to Ordinance No. 17-0413C, Ordinance No. 17-0413D, and Ordinance No. 17-0413E as Exhibit B to those ordinances shall remain in effect.

SECTION 2

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

SECTION 3

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the Town of Northlake, and this ordinance shall not operate to repeal or affect the Code of Ordinances of the Town of Northlake or any other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such Code of Ordinances or any other ordinances are hereby repealed.

SECTION 4

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

SECTION 5

Any person, firm, association of persons, corporation or other organization violating the provisions of the Pecan Square MPD or Pecan Square MPD Amendment as revised herein shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each day that a violation continues shall be deemed a separate offense.

SECTION 6

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

SECTION 7

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

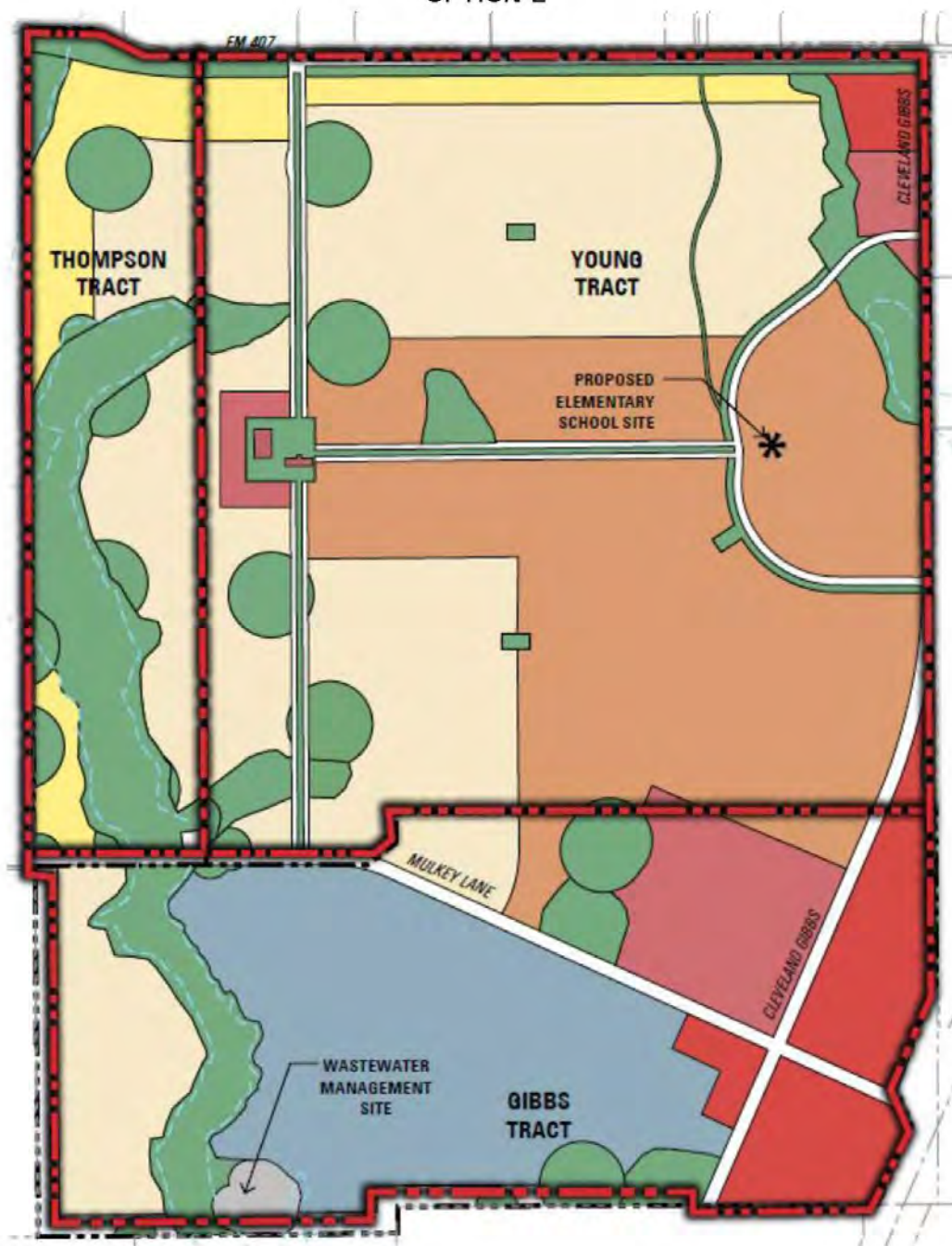
PASSED AND APPROVED on this the 11th day of October 2018.

Peter Dewing, Mayor

ATTEST:

Shirley Rogers, Town Secretary

Exhibit A
Concept Plan
CONCEPT PLAN
OPTION 2



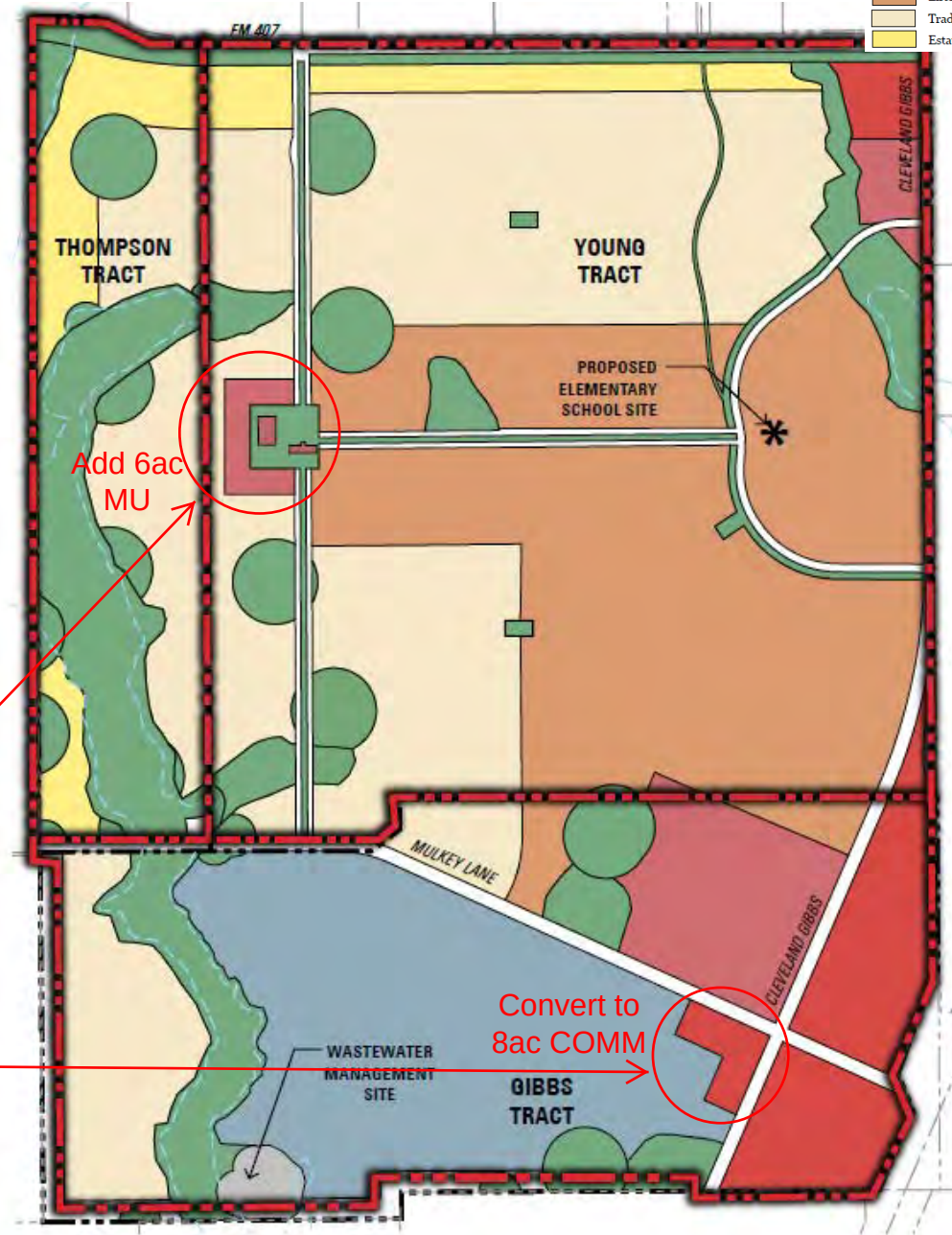
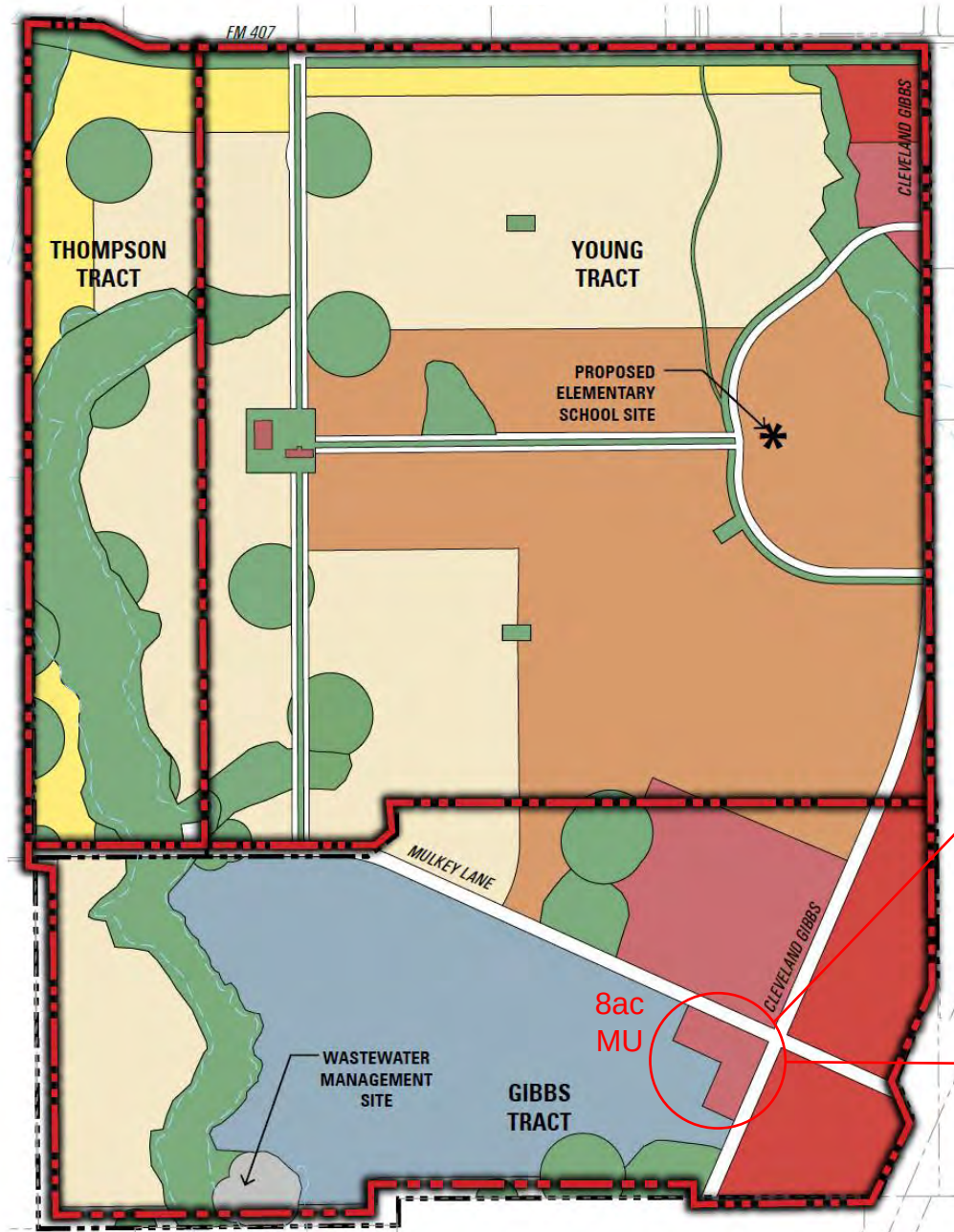
LEGEND	
SYMBOL	DESCRIPTION
[Yellow Box]	Traditional
[Light Green Box]	Estate
[Green Box]	Open Space
[Grey Box]	Waste Water Management Plant
[Red Box]	Commercial
[Pink Box]	Mixed Use
[Orange Box]	Lifestyle

[Yellow Box]	Traditional
[Light Green Box]	Estate
[Green Box]	Open Space
[Grey Box]	Waste Water Management Plant
[Blue Box]	School Site

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

EXISTING

PROPOSED

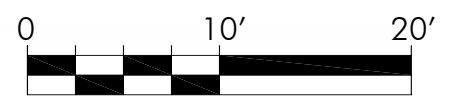


Legend	Permitted Uses
School	School
Commercial	Commercial/Retail
Mixed Use	Commercial, Townhomes, SF
Lifestyle	40', 50' lots
Traditional	50', 60', 70' lots
Estate	100' lots

40' Lots



Townhomes



Note: The Townhome dimensions provided above are based on sample unit plans and elevations provided by a regional builder. Townhome units typically vary in width from 22'-25' with some end units at a street corner being as wide as 30'. Typical Townhome runs are 4-6 attached units.



40' Lots



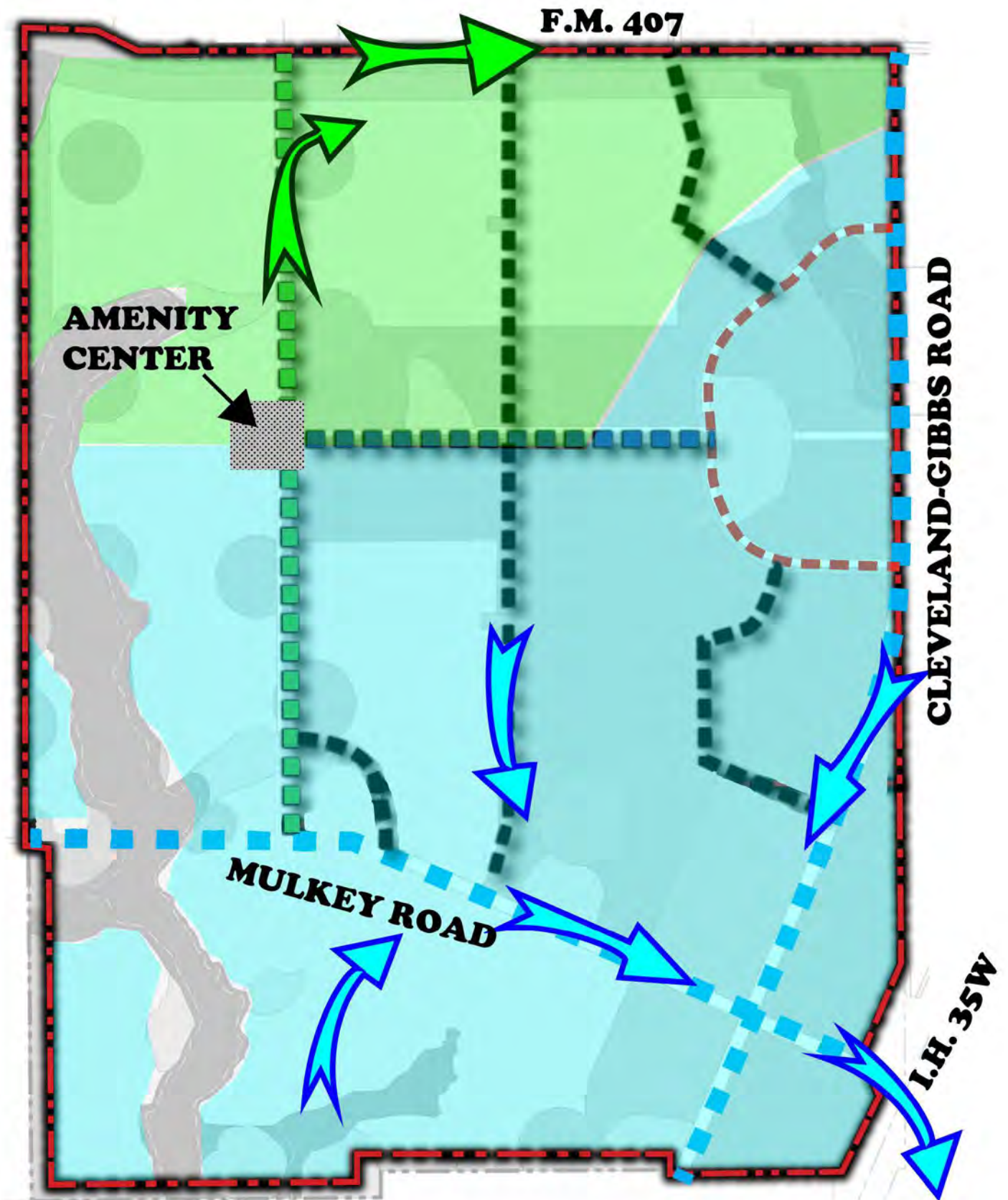
Townhomes



Note: The Townhome dimensions provided above are based on sample unit plans and elevations provided by a regional builder. Townhome units typically vary in width from 22'-25' with some end units at a street corner being as wide as 30'. Typical Townhome runs are 4-6 attached units.



POTENTIAL TRAFFIC PATTERNS



LEGEND		
SYMBOL	SECTION	STREET TYPE
	A	Cleveland Gibbs / Mulkey (100' ROW)
	B	Pecan Street
	C	Elm Esplande
	D	Collector (60' ROW)
	E	Residential Connector (64' ROW)

LEGEND	
	POTENTIAL MOVEMENT TO F.M. 407
	POTENTIAL MOVEMENT TO MULKEY / IH35



WASTE CONNECTIONS
OF TEXAS

RECEIVED
SEP 25 2018
BY: *J. Rogers*

September 14, 2018

Honorable Mayor and Members of Council
Town of Northlake
1400 FM 407
Northlake, Texas 76247

Re: Price Increase Request:

Dear Honorable Mayor and Members of Council:

Waste Connections of Texas would like to take this opportunity to express our appreciation for your business. Per our contract we would like to present to you our request for a 2018 rate adjustment. This years increase is based on the published Bureau of Labor Standard Consumer Price Index / Urban Consumers (CPI-U DFW)-all items- July 2018 (see attached). The amount of the request for 2018 is a 3.5% increase on both residential and commercial accounts. Your current price per home is \$10.37 for trash and \$3.46 for recycling. With the increase of 3.5%, your rate per home would be \$10.73 for trash and \$3.58 for recycling. We respectfully ask for your support in order to maintain our operations and continue to meet our financial obligations. If approved the effective date would be Nov 1, 2018.

If you have any questions or need additional information, please feel free to contact me if you have any questions per this request.

Sincerely,

Norm Bulaich
Municipal Manager
Progressive Waste Solutions
817-999-2584

Memo

To: Honorable Mayor and Town Council

From: Nathan Reddin, Development Director

CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary

Date: October 11, 2018

Re: Unified Development Code (UDC) text amendment to parking standards

Staff presented a proposed revision to the parking standards for certain industrial uses at the September 13th Town Council meeting and was directed to move forward with the amendment as presented. This UDC text amendment is to revise the parking standards for two uses listed in the Schedule of Off-street Parking Requirements under the Manufacturing and Industrial Uses category. These two uses are often combined within the same facility and are the most prevalent uses in our industrial zoning districts. The uses along with the current parking requirements are as follows:

Current Parking Standards	
Use	Parking Requirement
Light Manufacturing or Assembly	1 space for each 2 employees or 1 space for each 1,000 square feet of total floor area, whichever is greater
Warehousing/Distribution Center	1 space for each 2 employees or 1 space for each 1,000 square feet of total floor area, whichever is greater

With the development of the initial buildings in the Alliance Northport project, the first new industrial development in Northlake outside of ones with planned development zoning, to be governed by the UDC, staff has noted issues with the current parking standard for these uses. These standards could require many more parking spaces than necessary, especially for very large buildings such as the 1.2 million square foot building currently under construction. In addition, technological improvements have reduced the number of employees needed for these types of uses, especially for warehousing and distribution. Because of this, Hillwood requested variances for their first two buildings in Alliance Northport, and both were approved by the Board of Adjustment (BOA). As discussed at those meetings, staff recommended lowering the parking standard to 1 space per 5,000 square feet to match the standard used within the planned developments for Farmer

Brothers and Stream Realty's Northport 35 Business Center. Staff proposes that the new parking requirement for these uses be as follows:

Proposed Parking Standards	
Use	Parking Requirement
Light Manufacturing or Assembly	1 space for each 2 employees or 1 space for each 5,000 square feet of total floor area, whichever is greater
Warehousing/Distribution Center	1 space for each 5,000 square feet of total floor area

The revision provides a baseline of 1 space per 5,000 square feet to match the standards within similar planned developments as well as to match the standard approved with recent variances, but it also maintains the parking space per employee standard for light manufacturing or assembly use which tends to be more employee intensive than warehousing/distribution center use.

A draft ordinance to amend the UDC as proposed is attached. A public hearing must be held prior to acting on the ordinance. Notice of the public hearing was published in the Denton Record Chronicle 15 days prior to the hearing, and notice has also been posted on the Town's website. No comments have been received by staff as of October 4th.

Please contact me at 940.242.5703 if you have any questions or comments.

ORDINANCE NO. 18-1011_

AN ORDINANCE AMENDING ARTICLE 10, "PARKING AND LOADING STANDARDS," OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF NORTHLAKE BY REVISING OFF-STREET PARKING REQUIREMENTS FOR MANUFACTURING AND INDUSTRIAL USES IN SECTION 10.4, "SCHEDULE OF OFF-STREET PARKING REQUIREMENTS"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, the Town of Northlake, Texas is a Type A general law municipality located in Denton County, Texas created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town previously adopted the Unified Development Code ("UDC") on January 24, 2013 which includes regulations governing zoning districts; and

WHEREAS, the UDC provides for text amendments in certain situations; and

WHEREAS, the Northlake Town Council initiated a review of off-street parking requirements for manufacturing and industrial uses contained in the UDC; and

WHEREAS, upon review, the Town Council determined that certain amendments to the provisions governing off-street parking for manufacturing and industrial uses in the Town were needed; and

WHEREAS, the Town Council held a public hearing on October 11, 2018 after proper notification thereof with respect to the adoption of the proposed UDC text amendments in accordance with the UDC and the Texas Local Government Code; and

WHEREAS, the Town Council has determined that the amendments as outlined herein are in the best interest of the health, safety, and general welfare of the citizens of the Town of Northlake and the public.

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

SECTION 1. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. Article 10, Parking and Loading Standards, of the Unified Development Code, Code of Ordinances, Town of Northlake, Texas, shall be amended as shown on Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue to exist, shall be deemed a separate offense.

SECTION 4. With the exception of those Ordinances expressly repealed herein, this Ordinance shall be cumulative of all provisions of Ordinances of the Town of Northlake, except where the

provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more stringent provision shall apply and the less stringent provision, whether contained within this Ordinance or in any prior Ordinance of the Town, whether codified or un-codified, is hereby repealed to the extent of the conflict, but all other provisions of the Ordinances of the Town, whether codified or un-codified, which are not in conflict with the provisions of the Ordinance, shall remain in full force and effect.

SECTION 5. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraph section of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6. All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of this Ordinance, or any other Ordinances affecting the matters addressed herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7. The Town Secretary of the Town of Northlake is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this Ordinance.

SECTION 8. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, ON THIS THE 11th DAY OF OCTOBER 2018.

Town of Northlake, Texas

Peter Dewing, Mayor

ATTEST:

Shirley Rogers, Town Secretary

Exhibit A

Article 10 Parking and Loading Standards

1. The parking standards for Light Manufacturing or Assembly and Warehousing/Distribution Center uses in Table 10.1 under Sec. 10.4, Schedule of Off-Street Parking Requirements, shall be revised as follows:

Use	Parking Requirement
Light Manufacturing or Assembly	1 space for each 2 employees or 1 space for each 5,000 square feet of total floor area, whichever is greater
Warehousing/Distribution Center	1 space for each 5,000 square feet of total floor area

Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
CC: Shirley Rogers, Town Secretary
Date: October 11, 2018
Re: Duties of the Mayor

Town Council requested an action item be placed on the agenda to discuss and potentially modify the duties of the Mayor. This request was based on an earlier email sent to all council members on the duties which was sent on July 16, 2018. In the July 16th email, I broke down the duties and responsibilities of the Mayor into three general categories: those specifically granted in State law, those augmented by Council through the Rules of Order, and those granted by Council or other advisory groups. Subsequently, I asked Ashley Dierker, Town Counsel, to review the list; her additions to the original list are in *italics* in the lists that follow.

The first group of duties are those spelled out in the Texas Local Government Code and Government Code statutes with reference:

1. Mayor serves as presiding officer at all meetings. Local Government Code (LGC) Section 22.037.
2. Mayor may call special meetings. LGC Section 22.038.
3. Mayor is chief executive officer and shall actively ensure all laws and ordinances are carried out. Section 22.042 (a).
4. Mayor shall inspect the conduct of each subordinate municipal officer. Section 22.042 (b).
5. Mayor shall recommend any measure to improve finances, health, security, etc. Section 22.042 (c).
6. *Mayor may administer oaths of office to officers of the Town. Section 22.042(d).*
7. In the event of a riot or unlawful assembly or to preserve the peace may close a public building and may order the arrest of a person who violates state law or municipal ordinance in his presence. Section 22.042 (e).
8. Mayor serves as budget officer. LGC Section 102.001.
9. Mayor shall prepare an annual budget. Section 102.002.
10. Council shall adopt the budget but may make any changes in the budget it considers warranted. Section 102.007.
11. *Mayor is the emergency management director for the Town. Gov't Code 418.1015.*

The second group of duties are those listed as part of the Council Rules of Order. The council through official council action may change the Rules of Order. However, these duties cannot conflict or supersede the duties listed in the State statutes above:

1. Mayor acts as Council ceremonial representative. Northlake Town Council Rules of Order Section 1.4.
2. Mayor shall commence council meetings. Mayor may cancel fourth Thursday meeting without Council action. Section 2.1.
3. Mayor may call special meetings and emergency meetings. Section 2.3.
4. Mayor shall preside at all meeting of Council. Section 2.8.
5. Mayor to facilitate council meetings, following Robert's Rules of Order, and control debate. Section 4.
6. Mayor must recognize public member to speak. Section 5.3.a.
7. Mayor determines relevance of germane comments in public hearings. Section 5.3.e.
8. Mayor to sign all public responses addressed to council. Section 7.1.a.
9. Mayor serves as the lead development officer of the Town. Mayor shall report to the council in a reasonable amount of time of any contacts. Section 10.2.

The final group of duties are those delegated to the Mayor by various parties. These duties cannot conflict with the above two groups and can be revised by the council through official council action:

1. Mayor serves as lead negotiator in City of Justin lawsuit. Delegated by Town Council.
2. Mayor serves as lead negotiator for drainage easement acquisition for Cleveland-Gibbs road project. Delegated by Town Council.
3. Mayor may call a meeting of the Economic and Community Development Corporation boards. EDC/CDC bylaws.
4. Mayor chairs the Northlake Tax Increment Reinvestment Zone and may vote. Ordinance creating TIRZ board.
5. Mayor chairs the Board of Adjustment and may vote. Ordinance creating B of A.

The Council cannot revise or diminish the powers and duties from the first group as those have been designated by State statutes. The Council may revise the powers and duties from the second group but only through the revision of the Rules of Order and cannot remove any duties granted by State statutes. The Council may through official action revise duties from the third group. I have attached all the relevant statutes, ordinances, rules and bylaws supporting the mayoral duties.

Please contact me at 940.242.5701 if you have any questions or comments.

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE B. MUNICIPAL FORM OF GOVERNMENT

CHAPTER 22. ALDERMANIC FORM OF GOVERNMENT IN TYPE A GENERAL-LAW
MUNICIPALITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 22.001. CHAPTER APPLICABLE TO TYPE A GENERAL-LAW MUNICIPALITY. This chapter applies only to a Type A general-law municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.002. CONTINUATION OF OFFICES IN MUNICIPALITY CHANGING TO TYPE A GENERAL-LAW MUNICIPALITY. If a municipality changes to a Type A general-law municipality under Subchapter B of Chapter 6, the officers serving in the municipality on the date of the change shall continue in office until their offices are superseded in conformity to the law applying to Type A general-law municipalities.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.003. DATE OF MUNICIPAL ELECTION. An election for officers of the municipality shall be held annually, except as otherwise provided by law, in each ward of the municipality on an authorized uniform election date as provided by Chapter 41, Election Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.004. PLURALITY VOTE REQUIRED FOR ELECTION OF MUNICIPAL OFFICER. To be elected to an office of the municipality, a person must receive more votes than any other person for the office.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.005. OATH FOR ELECTED OR APPOINTED OFFICER. (a) A person who is elected or appointed to a municipal office under this code must take and sign the official oath of office before beginning to perform the duties of the office.

(b) The governing body of the municipality by ordinance may require a municipal officer to take any additional oath that the governing body considers best calculated to secure the faithful performance of the officer's duties.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.006. DATE ON WHICH OFFICERS BEGIN TO PERFORM DUTIES. A newly elected municipal officer may exercise the duties of office beginning on the fifth day after the date of the election, excluding Sundays.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.007. VACANCY CREATED ON FAILURE TO QUALIFY. If a municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.008. DISQUALIFICATION FROM OFFICE. (a) An officer who is entrusted with the collection or custody of funds belonging to the municipality and who is in default to the municipality may not hold any municipal office until the amount of the default, plus 10 percent interest, is paid to the municipality.

(b) If a member of the governing body changes the member's place of residence to a location outside the corporate boundaries of the municipality, the member is automatically disqualified from holding the member's office and the office is considered vacant.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 1096 (H.B. [3727](#)), Sec. 1, eff. September 1, 2017.

Sec. 22.009. REMOVAL FROM OFFICE FOR MISAPPROPRIATION OF SPECIAL FUNDS. A municipal officer who misappropriates money in a special fund created by the municipality under Section 101.004 is guilty of malfeasance in office. On the complaint of a person who has an interest in the affected funds, the officer shall be removed from office and is ineligible to hold any office in that municipality after removal.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.010. FILLING VACANCY ON GOVERNING BODY OR IN OTHER MUNICIPAL OFFICE. (a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members who are present and voting, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Section 11, Article XI, Texas Constitution. The mayor may vote on the appointment only if there is a tie.

(a-1) A person serving as a member of the governing body is not, because of that service, ineligible to be appointed to fill a vacancy in the office of mayor of the municipality, but the person may not vote on the person's own appointment.

(b) The person appointed to fill the vacancy serves until the next regular municipal election.

(c) In lieu of appointing a person to fill a vacancy on the governing body, a special election may be ordered to elect a person to fill the vacancy.

(d) If two or more vacancies on the governing body exist at the same time, a special election shall be ordered to fill the vacancies.

(d-1) A member of the governing body is ineligible to vote to fill a vacancy on the governing body by special election after resigning from the governing body.

(e) If a vacancy exists in any other municipal office, the mayor or acting mayor shall appoint a person to fill the vacancy, subject to confirmation by the governing body.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 513 (S.B. 653), Sec. 1, eff. June 16, 2007.

Acts 2017, 85th Leg., R.S., Ch. 1096 (H.B. 3727), Sec. 2, eff. September 1, 2017.

Sec. 22.011. FILLING VACANCY IN MUNICIPAL OFFICE UNDER SPECIAL CIRCUMSTANCES. If a vacancy occurs in a municipal office by a resignation or in another manner and if the vacancy cannot be filled as provided by other law, the commissioners court of the county in which the municipality is located shall order an election to fill the vacancy if the court is petitioned to do so by at least 26 taxpaying voters residing in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.012. RESIGNATION OF ELECTED OR APPOINTED MUNICIPAL OFFICER. A municipal officer elected or appointed under this chapter may resign by submitting the resignation in writing to the governing body of the municipality. The resignation is subject to the approval and acceptance of the governing body. However, a person who is appointed by the mayor may submit the written resignation to the mayor for the mayor's action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

SUBCHAPTER B. GOVERNING BODY

Sec. 22.031. COMPOSITION OF GOVERNING BODY; WARD SYSTEM OPTIONAL. (a) If the municipality is divided into wards, the governing body of the municipality consists of a mayor who is elected by the qualified voters of the municipality and of two aldermen from each ward who are elected by the qualified voters of the ward.

(b) If the municipality is not divided into wards, the governing body consists of a mayor and five aldermen who are elected by the qualified voters of the municipality, and the provisions of this subchapter relating to proceedings in a ward apply to the whole municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.032. QUALIFICATIONS OF MEMBERS OF GOVERNING BODY. (a) To be eligible for the office of mayor of the municipality, a person must be a registered voter and must have resided within the municipal limits for at least the 12 months preceding the election day. For purposes of this subsection, residency in an area while the area was not within the municipal limits is considered as residency within the limits if the area is a part of the municipality on election day.

(b) To be eligible for the office of alderman of the municipality, a person must be a registered voter and must reside on election day in the ward from which the person may be elected.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.033. GOVERNING BODY TO JUDGE ELECTION AND QUALIFICATION OF MEMBERS. The governing body of the municipality is the judge of the election and qualifications of its members.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.034. INITIAL ELECTION AND TERM OF OFFICE. (a) If the municipality is divided into wards, at the initial election for officers of the municipality, the mayor and the two aldermen from each ward shall be elected. The aldermen for each ward are the candidates from that ward who receive the highest and second highest number of votes at the initial election.

(b) The two aldermen elected from each ward shall draw lots at the first regular meeting of the governing body of the municipality to determine which alderman serves for one year and which alderman serves for two years after the initial election. At each following annual election, one alderman shall be elected from each ward for the regular term.

(c) If the municipality is not divided into wards, the governing body by ordinance may determine the number and the manner of deciding which aldermen elected at the initial election for officers serve for one year and which serve for two years.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.035. REGULAR TERM OF OFFICE. The mayor and aldermen of the municipality are elected for a term of two years unless a longer term is established under Article XI, Section 11, of the Texas Constitution.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.036. INSTALLATION OF GOVERNING BODY. On the fifth day after the date of the election, excluding Sundays, or as soon as possible after that fifth day, the newly elected governing body of the municipality shall meet at the usual meeting place and shall be installed.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE. (a) The mayor shall preside at all meetings of the governing body of the municipality and, except in elections, may vote only if there is a tie.

(b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

(c) If the mayor fails, is unable, or refuses to act, the president pro tempore shall perform the mayor's duties and is entitled to receive the fees and compensation prescribed for the mayor.

(d) If the mayor and the president pro tempore are absent, any alderman may be appointed to preside at the meeting.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.038. MEETINGS. (a) The governing body of the municipality shall meet at the time and place determined by a resolution adopted by the governing body.

(b) The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. Each member of the governing body, the secretary, and the municipal attorney must be notified of the special meeting. The

notice may be given personally or left at the person's usual place of residence.

(c) The governing body shall determine the rules of its proceedings and may compel the attendance of absent members and punish them for disorderly conduct.

(d) An alderman shall be fined \$3 for each meeting that the alderman fails to attend unless the absence is caused by the alderman's illness or the illness of a family member.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 947 (H.B. [1734](#)), Sec. 1, eff. June 14, 2013.

Sec. 22.039. QUORUM. A majority of the number of aldermen established by Section [22.031](#) for the municipality constitutes a quorum. However, at a called meeting or at a meeting to consider the imposition of taxes, two-thirds of the number of aldermen established by that section constitutes a quorum unless provided otherwise.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.040. CHANGE OF WARDS. (a) The governing body of the municipality may divide the municipality into as many wards as it considers necessary for the good of the residents and may change ward boundaries. The wards must contain an equal number of voters as far as practicable.

(b) The governing body may not change the number of wards or boundaries of a ward during the three-month period preceding the date of a municipal election.

(c) The wards of a municipality that changes to a Type A general-law municipality under Subchapter B, Chapter [6](#), are not affected by that action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.041. VACANCY ON GOVERNING BODY IS CREATED. (a) If an alderman moves from the ward from which the alderman is elected, the alderman's office is considered vacant.

(b) If a member of the governing body is absent for three regular consecutive meetings, the member's office is considered vacant unless the member is sick or has first obtained a leave of absence at a regular meeting.

(c) In addition to an absence described by Subsection (b), a member of a governing body is also considered absent for the purposes of that subsection if the member is not present at the adjournment of a meeting at which a quorum is established, unless the member is first allowed to withdraw by the unanimous vote of the members present. This subsection applies only to a municipality that is located in a county with a population of 800,000 or more that is adjacent to an international border.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 995 (H.B. [2259](#)), Sec. 1, eff. June 14, 2013.

Sec. 22.042. POWERS AND DUTIES OF MAYOR. (a) The mayor is the chief executive officer of the municipality. The mayor shall at all times actively ensure that the laws and ordinances of the municipality are properly carried out. The mayor shall perform the duties and exercise the powers prescribed by the governing body of the municipality.

(b) The mayor shall inspect the conduct of each subordinate municipal officer and shall cause any negligence, carelessness, or other violation of duty to be prosecuted and punished.

(c) The mayor shall give to the governing body any information, and shall recommend to the governing body any measure, that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or good government of the municipality.

(d) The mayor may administer oaths of office.

(e) In the event of a riot or unlawful assembly or to preserve the peace and good order in the municipality, the mayor may order and enforce the closing of a theater, ballroom, or other place of recreation or entertainment, or a public room or building and may order the arrest of a person who violates a state law or a municipal ordinance in the presence of the mayor.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.043. PETITIONS AND REMONSTRANCES PRESENTED TO GOVERNING BODY. Petitions and remonstrances may be presented to the governing body of the municipality and must be in writing.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

SUBCHAPTER C. OTHER MUNICIPAL OFFICERS

Sec. 22.071. OTHER MUNICIPAL OFFICERS. (a) In addition to the members of the governing body of the municipality, the other officers of the municipality are the secretary, treasurer, assessor and collector, municipal attorney, marshal, municipal engineer, and any other officers or agents authorized by the governing body.

(b) The governing body by ordinance shall provide for the election or appointment of the officers provided by this section.

(c) The governing body may confer on other municipal officers the powers and duties of an officer provided for by this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.072. POWERS AND DUTIES OF MUNICIPAL OFFICERS; BOND.

(a) The governing body of the municipality may require a municipal officer whose duties are prescribed by this code to perform additional duties.

(b) The governing body may prescribe the powers and duties of a municipal officer appointed or elected to an office under this code whose duties are not specified by this code.

(c) The governing body may require a municipal officer to execute a bond payable to the municipality and conditioned that the officer will faithfully perform the duties of the office.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.073. POWERS AND DUTIES OF SECRETARY. (a) The secretary of the municipality shall attend each meeting of the governing body of the municipality and shall keep, in a record

provided for that purpose, accurate minutes of the governing body's proceedings.

(b) The secretary shall:

- (1) engross and enroll all laws, resolutions, and ordinances of the governing body;
- (2) keep the corporate seal;
- (3) take charge of, arrange, and maintain the records of the governing body;
- (4) countersign all commissions issued to municipal officers and all licenses issued by the mayor, and keep a record of those commissions and licenses; and
- (5) prepare all notices required under any regulation or ordinance of the municipality.

(c) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1324, Sec. 5 (2), eff. June 17, 2011.

(d) The secretary shall draw all the warrants on the treasurer, countersign the warrants, and keep, in a record provided for that purpose, an accurate account of the warrants.

(e) The secretary serves as the general accountant of the municipality and shall keep regular accounts of the municipal receipts and disbursements. The secretary shall keep each cause of receipt and disbursement separately and under proper headings. The secretary shall also keep separate accounts with each person, including each officer, who has monetary transactions with the municipality. The secretary shall credit accounts allowed by proper authority and shall specify the particular transaction to which each entry applies. The secretary shall keep records of the accounts and other information covered by this subsection.

(f) The secretary shall keep a register of bonds and bills issued by the municipality and all evidence of debt due and payable to the municipality, noting the relevant particulars and facts as they occur.

(g) The secretary shall carefully keep all contracts made by the governing body.

(h) The secretary shall perform all other duties required by law, ordinance, resolution, or order of the governing body.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 47, eff. Sept. 1, 1989.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1184 (H.B. [3475](#)), Sec. 3(2), eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1324 (S.B. [480](#)), Sec. 5(2), eff. June 17, 2011.

Sec. 22.074. CERTIFICATION OF SECRETARIES. (a) In this section, "institution of higher education" has the meaning assigned by Section [61.003](#), Education Code.

(b) A person may be certified to practice as a municipal secretary in this state. The person shall be granted a certificate on completion of a program of instruction for municipal secretaries conducted at an institution of higher education.

(c) A private association of secretaries of municipalities may contract with an institution of higher education to use the facilities of the institution to provide a program of instruction for municipal secretaries. The association shall develop the program with the assistance of the institution. The institution shall approve a program that meets qualifications for approval developed by the institution. The association shall conduct the program at the institution.

(d) A private association of secretaries that establishes a program of instruction under this section shall pay the costs of the program, including the payment of a reasonable fee to the institution that houses the program for the use of the institution's facilities. State funds may not be appropriated to finance a certification program established under this section.

(e) A private association of secretaries that establishes a program of instruction under this section shall issue a certificate to each person who successfully completes the program. A person who holds a certificate issued under this section must renew the certificate not later than five years after the date on which the original certificate was issued. The person may renew the certificate on completion of a supplementary program of instruction conducted at the institution of higher education.

(f) This section does not require a person to be certified as a municipal secretary in order to practice in that capacity.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.075. BOND AND DUTIES OF TREASURER. (a) The treasurer of the municipality shall execute a bond. The bond must:

- (1) be in favor of the municipality;
- (2) be in the form and amount required by the governing body of the municipality;
- (3) have security approved as sufficient by the governing body; and
- (4) be conditioned that the treasurer will faithfully discharge the duties of the office.

(b) The treasurer shall receive and securely keep all money belonging to the municipality. The treasurer shall make all payments on the order of the mayor, attested by the secretary of the municipality under the seal of the municipality. The treasurer may not pay an order unless the face of the order shows that the governing body directed the issuance of the order and shows the purpose for which it is issued.

(c) The treasurer shall render to the governing body a full statement of the receipts and payments. The statement must be rendered at the governing body's first regular meeting in every quarter and at other times as required by the governing body.

(d) The treasurer shall perform other acts and duties as the governing body requires.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.076. BOND OF MARSHAL; ABOLITION OF OFFICE. (a) The marshal of the municipality shall execute a bond. The bond must be conditioned that the marshal will faithfully perform the official duties as the governing body of the municipality may require.

(b) The governing body of a municipality with a population of less than 5,000 by ordinance may abolish the office of marshal and, at the same time in the ordinance, confer the duties of the office on a municipal police officer appointed as the governing body directs or

on any other peace officer of the county. However, an elected marshal may not be removed from office under this subsection.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.077. REMOVAL OF MUNICIPAL OFFICERS. (a) The governing body of the municipality may remove a municipal officer for incompetency, corruption, misconduct, or malfeasance in office after providing the officer with due notice and an opportunity to be heard.

(b) If the governing body lacks confidence in a municipal officer appointed by the governing body, the governing body may remove the officer at any time. The removal is effective only if two-thirds of the elected aldermen vote in favor of a resolution declaring the lack of confidence.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2001, 77th Leg., ch. 402, Sec. 4, eff. Sept. 1, 2001.

LOCAL GOVERNMENT CODE

TITLE 4. FINANCES

SUBTITLE A. MUNICIPAL FINANCES

CHAPTER 102. MUNICIPAL BUDGET

Sec. 102.001. BUDGET OFFICER. (a) The mayor of a municipality serves as the budget officer for the governing body of the municipality except as provided by Subsection (b).

(b) If the municipality has the city manager form of government, the city manager serves as the budget officer.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 102.002. ANNUAL BUDGET REQUIRED. The budget officer shall prepare each year a municipal budget to cover the proposed expenditures of the municipal government for the succeeding year.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 102.003. ITEMIZED BUDGET; CONTENTS. (a) The budget officer shall itemize the budget to allow as clear a comparison as practicable between expenditures included in the proposed budget and actual expenditures for the same or similar purposes made for the preceding year. The budget must show as definitely as possible each of the projects for which expenditures are set up in the budget and the estimated amount of money carried in the budget for each project.

(b) The budget must contain a complete financial statement of the municipality that shows:

- (1) the outstanding obligations of the municipality;
- (2) the cash on hand to the credit of each fund;
- (3) the funds received from all sources during the preceding year;
- (4) the funds available from all sources during the ensuing year;
- (5) the estimated revenue available to cover the proposed budget; and

(6) the estimated tax rate required to cover the proposed budget.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 102.004. INFORMATION FURNISHED BY MUNICIPAL OFFICERS AND BOARDS. In preparing the budget, the budget officer may require any municipal officer or board to furnish information necessary for the budget officer to properly prepare the budget.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 102.005. PROPOSED BUDGET FILED WITH MUNICIPAL CLERK; PUBLIC INSPECTION. (a) The budget officer shall file the proposed budget with the municipal clerk before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year.

(b) A proposed budget that will require raising more revenue from property taxes than in the previous year must contain a cover page with the following statement in 18-point or larger type: "This budget will raise more total property taxes than last year's budget by (insert total dollar amount of increase and percentage increase), and of that amount (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll) is tax revenue to be raised from new property added to the tax roll this year."

(c) The proposed budget shall be available for inspection by any person. If the municipality maintains an Internet website, the municipal clerk shall take action to ensure that the proposed budget is posted on the website.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 924 (H.B. [3195](#)), Sec. 1, eff. September 1, 2007.

Sec. 102.006. PUBLIC HEARING ON PROPOSED BUDGET. (a) The governing body of a municipality shall hold a public hearing on the

proposed budget. Any person may attend and may participate in the hearing.

(b) The governing body shall set the hearing for a date occurring after the 15th day after the date the proposed budget is filed with the municipal clerk but before the date the governing body makes its tax levy.

(c) The governing body shall provide for public notice of the date, time, and location of the hearing. The notice must include, in type of a size at least equal to the type used for other items in the notice, any statement required to be included in the proposed budget under Section [102.005\(b\)](#).

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 924 (H.B. [3195](#)), Sec. 2, eff. September 1, 2007.

Sec. 102.0065. SPECIAL NOTICE BY PUBLICATION FOR BUDGET HEARING. (a) The governing body of a municipality shall publish notice before a public hearing relating to a budget in at least one newspaper of general circulation in the county in which the municipality is located.

(b) Notice published under this section is in addition to notice required by other law, except that if another law requires the governing body to give notice, by publication, of a hearing on a budget this section does not apply.

(c) Notice under this section shall be published not earlier than the 30th or later than the 10th day before the date of the hearing.

(d) Notice under this section must include, in type of a size at least equal to the type used for other items in the notice, any statement required to be included in the proposed budget under Section [102.005\(b\)](#).

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 24, eff. Sept. 1, 1993.

Amended by Acts 2001, 77th Leg., ch. 402, Sec. 9, eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 924 (H.B. [3195](#)), Sec. 3, eff. September 1, 2007.

Sec. 102.007. ADOPTION OF BUDGET. (a) At the conclusion of the public hearing, the governing body of the municipality shall take action on the proposed budget. A vote to adopt the budget must be a record vote.

(b) The governing body may make any changes in the budget that it considers warranted by the law or by the best interest of the municipal taxpayers.

(c) Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law.

(d) An adopted budget must contain a cover page that includes:

(1) one of the following statements in 18-point or larger type that accurately describes the adopted budget:

(A) "This budget will raise more revenue from property taxes than last year's budget by an amount of (insert total dollar amount of increase), which is a (insert percentage increase) percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll).";

(B) "This budget will raise less revenue from property taxes than last year's budget by an amount of (insert total dollar amount of decrease), which is a (insert percentage decrease) percent decrease from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll)."; or

(C) "This budget will raise the same amount of revenue from property taxes as last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll).";

(2) the record vote of each member of the governing body by name voting on the adoption of the budget;

(3) the municipal property tax rates for the preceding fiscal year, and each municipal property tax rate that has been adopted or calculated for the current fiscal year, including:

- (A) the property tax rate;
- (B) the effective tax rate;
- (C) the effective maintenance and operations tax rate;
- (D) the rollback tax rate; and
- (E) the debt rate; and

(4) the total amount of municipal debt obligations.

(e) In this section, "debt obligation" means an issued public security as defined by Section [1201.002](#), Government Code, secured by property taxes.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 924 (H.B. [3195](#)), Sec. 4, eff. September 1, 2007.

Acts 2013, 83rd Leg., R.S., Ch. 1329 (S.B. [656](#)), Sec. 1, eff. September 1, 2013.

Sec. 102.008. APPROVED BUDGET FILED WITH MUNICIPAL CLERK: POSTING ON INTERNET. (a) On final approval of the budget by the governing body of the municipality, the governing body shall:

- (1) file the budget with the municipal clerk; and
- (2) if the municipality maintains an Internet website, take action to ensure that:

- (A) a copy of the budget, including the cover page, is posted on the website; and

- (B) the record vote described by Section [102.007\(d\)\(2\)](#) is posted on the website at least until the first anniversary of the date the budget is adopted.

(b) The governing body shall take action to ensure that the cover page of the budget is amended to include the property tax rates required by Section [102.007\(d\)\(3\)](#) for the current fiscal year if the rates are not included on the cover page when the budget is filed with the municipal clerk. The governing body shall file an amended cover page with the municipal clerk and take action to ensure that the amended cover page is posted on the municipality's website.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 924 (H.B. 3195), Sec. 5, eff. September 1, 2007.

Acts 2013, 83rd Leg., R.S., Ch. 1329 (S.B. 656), Sec. 2, eff. September 1, 2013.

Sec. 102.009. LEVY OF TAXES AND EXPENDITURE OF FUNDS UNDER BUDGET; EMERGENCY EXPENDITURE. (a) The governing body of the municipality may levy taxes only in accordance with the budget.

(b) After final approval of the budget, the governing body may spend municipal funds only in strict compliance with the budget, except in an emergency.

(c) The governing body may authorize an emergency expenditure as an amendment to the original budget only in a case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention. If the governing body amends the original budget to meet an emergency, the governing body shall file a copy of its order or resolution amending the budget with the municipal clerk, and the clerk shall attach the copy to the original budget.

(d) After the adoption of the budget or a budget amendment, the budget officer shall provide for the filing of a true copy of the approved budget or amendment in the office of the county clerk of the county in which the municipality is located.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 102.010. CHANGES IN BUDGET FOR MUNICIPAL PURPOSES. This chapter does not prevent the governing body of the municipality from making changes in the budget for municipal purposes.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 102.011. CIRCUMSTANCES UNDER WHICH CHARTER PROVISIONS CONTROL. If a municipality has already adopted charter provisions that require the preparation of an annual budget covering all municipal expenditures and if the municipality conducts a public

hearing on the budget as provided by Section [102.006](#) and otherwise complies with the provisions of this chapter relating to property tax increases, the charter provisions control. After the budget has been finally prepared and approved, a copy of the budget and the amendments to the budget shall be filed with the county clerk, as required for other budgets under this chapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 924 (H.B. [3195](#)), Sec. 6, eff. September 1, 2007.

SUBCHAPTER E. LOCAL AND INTERJURISDICTIONAL EMERGENCY MANAGEMENT

Sec. 418.101. ALL POLITICAL SUBDIVISIONS SERVED. (a) Each political subdivision is within the jurisdiction of and served by the division and by a local or interjurisdictional agency responsible for disaster preparedness and coordination of response. (b) The presiding officer of the governing body of each political subdivision shall notify the division of the manner in which the political subdivision is providing or securing an emergency management program, identify the person who heads the agency responsible for the program, and furnish additional pertinent information that the division requires. The person so designated shall accomplish training prescribed by the division.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 992, Sec. 9, eff. Sept. 1, 1997.

Sec. 418.1015. EMERGENCY MANAGEMENT DIRECTORS. (a) The presiding officer of the governing body of an incorporated city or a county or the chief administrative officer of a joint board is designated as the emergency management director for the officer's political subdivision. (b) An emergency management director serves as the governor's designated agent in the administration and supervision of duties under this chapter. An emergency management director may exercise the powers granted to the governor under this chapter on an appropriate local scale. (c) An emergency management director may designate a person to serve as emergency management coordinator. The emergency management coordinator shall serve as an assistant to the emergency management director for emergency management purposes. (d) A person, other than an emergency management director exercising under Subsection (b) a power granted to the governor, may not seize state or federal resources without prior authorization from the division or the state or federal agency having responsibility for those resources.

Added by Acts 2007, 80th Leg., R.S., Ch. 865 (H.B. 1471), Sec. 1.02, eff. June 15, 2007.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1280 (H.B. 1831), Sec. 1.11, eff. September 1, 2009.

Sec. 418.102. COUNTY PROGRAMS. (a) Each county shall maintain an emergency management program or participate in a local or interjurisdictional emergency management program that, except as otherwise provided by this chapter, has jurisdiction over and serves the entire county or interjurisdictional area. (b) The county program is the first channel through which a municipal corporation or a joint board shall request assistance when its resources are exceeded. Requests that exceed the county capability shall be forwarded to the state as prescribed in the state emergency management plan.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 992, Sec. 10, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 33, Sec. 2, eff. May 14, 2003.

Sec. 418.103. MUNICIPAL PROGRAMS. (a) The governor shall determine which municipal corporations need emergency management programs of their own and shall recommend that they be established and maintained. The governor shall make the determinations on the basis of the municipality's disaster vulnerability and capability of response related to population size and concentration. (b) The emergency management program of a county must be coordinated with the emergency management programs of municipalities situated in the county but does not apply in a municipality having its own emergency management program.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 418.104. INTERJURISDICTIONAL PROGRAMS. The governor may recommend that a political subdivision establish and maintain a program and form an interjurisdictional agency jointly with one or more other political subdivisions if the governor finds that the establishment and maintenance of a joint program or participation in it is made necessary by circumstances or conditions that make it unusually difficult to provide disaster mitigation, preparedness, response, or recovery services under other provisions of this chapter.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 992, Sec. 10, eff. Sept. 1, 1997.

Sec. 418.105. LIAISON OFFICERS. (a) Each city that does not have a program and has not made arrangements to secure or participate in the services of an existing program shall designate a liaison officer to facilitate the cooperation and protection of the city in the work of disaster mitigation, preparedness, response, and recovery. (b) Each county shall provide an office and a liaison officer to coordinate with state and federal emergency management personnel concerning disaster mitigation, preparedness, response, and recovery activities under other provisions of this chapter.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 992, Sec. 10, eff. Sept. 1, 1997.

Sec. 418.106. LOCAL AND INTERJURISDICTIONAL EMERGENCY MANAGEMENT PLANS. (a) Each local and interjurisdictional agency shall prepare and keep current an emergency management plan for its area providing for disaster mitigation, preparedness, response, and recovery. (b) The plan must provide for: (1) wage, price, and rent controls and other economic stabilization methods in the event of a disaster; and (2) curfews, blockades, and limitations on utility use in an area affected by a disaster, rules governing entrance to and exit from the affected area, and other security measures. (c) The local or interjurisdictional emergency management agency shall prepare in written form and distribute to all appropriate officials a clear and complete statement of the disaster responsibilities of all local agencies and officials and of the disaster channels of assistance. (d) Each local or interjurisdictional agency shall conduct at least one public meeting each calendar year to exchange information about its emergency management plan. Each agency shall provide written notice of the date, time, and location of the meeting, not later than the fifth day before the meeting, to the pipeline safety section of the gas services division of the Railroad Commission of Texas. (e) An emergency management plan of an agency is excepted from the requirements of Subsection (d) if: (1) the emergency management plan contains sensitive information relating to critical infrastructures or facilities; and (2) the safety or security of those infrastructures or facilities could be jeopardized by disclosure of the emergency management plan.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 992, Sec. 11, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 557, Sec. 1, eff. Sept. 1, 2003.

Sec. 418.107. LOCAL FINANCE. (a) A political subdivision may make appropriations for emergency management services as provided by law for making appropriations for ordinary expenses. (b) Political subdivisions may make agreements for the purpose of organizing emergency management service divisions and provide for a mutual method of financing the organization of units on a basis satisfactory

to the subdivisions. (c) A local government entity may render mutual aid to other local government entities under mutual aid agreements or the system. (d) A political subdivision may issue time warrants for the payment of the cost of any equipment, construction, acquisition, or any improvements for carrying out this chapter. The warrants shall be issued in accordance with Chapter 252, Local Government Code, in the case of a municipality, or Subchapter C, Chapter 262, Local Government Code, in the case of a county. Time warrants issued for financing permanent construction or improvement for emergency management purposes are subject to the right of the voters to require a referendum vote under Section 252.045 or 262.029, Local Government Code, as applicable.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 1064, Sec. 30, eff. Sept. 1, 1999.

Amended by: Acts 2005, 79th Leg., Ch. 1337 (S.B. 9), Sec. 7, eff. June 18, 2005. Acts 2007, 80th Leg., R.S., Ch. 258 (S.B. 11), Sec. 1.03, eff. June 6, 2007. Acts 2007, 80th Leg., R.S., Ch. 865 (H.B. 1471), Sec. 1.03, eff. June 15, 2007. Acts 2009, 81st Leg., R.S., Ch. 1280 (H.B. 1831), Sec. 1.12, eff. September 1, 2009.

Sec. 418.1075. SUSPENSION OF DEADLINES IMPOSED BY LOCAL LAW. (a) Notwithstanding any other law, a deadline imposed by local law on a political subdivision, including a deadline relating to a budget or ad valorem tax, is suspended if: (1) the territory of the political subdivision is wholly or partly located in the area of a disaster declared by the president of the United States or the governor; and (2) the presiding officer of the political subdivision or, if there is no presiding officer, the political subdivision's governing body, proclaims the political subdivision is unable to comply with the requirement because of the disaster. (b) The presiding officer of the political subdivision or, if there is no presiding officer, the political subdivision's governing body, may issue an order ending the suspension of a deadline under this section. A deadline may not be suspended for more than 30 days after the date the presiding officer or governing body, as appropriate, makes the proclamation described by Subsection (a)(2).

Added by Acts 2009, 81st Leg., R.S., Ch. 990 (H.B. 3851), Sec. 2, eff. June 19, 2009.

Sec. 418.108. DECLARATION OF LOCAL DISASTER. (a) Except as provided by Subsection (e), the presiding officer of the governing body of a political subdivision may declare a local state of disaster. (b) A declaration of local disaster may not be continued or renewed for a period of more than seven days except with the consent of the governing body of the political subdivision or the joint board as provided by Subsection (e), as applicable. (c) An order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the city secretary, the county clerk, or the joint board's official records, as applicable. (d) A declaration of local disaster activates the appropriate recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. The appropriate preparedness and response aspects of the plans are activated as provided in the plans and take effect immediately after the local state of disaster is declared. (e) The chief administrative officer of a joint board has exclusive authority to declare that a local state of disaster exists within the boundaries of an airport operated or controlled by the joint board, regardless of whether the airport is located in or outside the boundaries of a political subdivision. (f) The county judge or the mayor of a municipality may order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the county judge or mayor if the county judge or mayor considers the action necessary for the preservation of life or other disaster

mitigation, response, or recovery. (g) The county judge or the mayor of a municipality may control ingress to and egress from a disaster area under the jurisdiction and authority of the county judge or mayor and control the movement of persons and the occupancy of premises in that area. (h) For purposes of Subsections (f) and (g): (1) the jurisdiction and authority of the county judge includes the incorporated and unincorporated areas of the county; and (2) to the extent of a conflict between decisions of the county judge and the mayor, the decision of the county judge prevails. (i) A declaration under this section may include a restriction that exceeds a restriction authorized by Section 352.051, Local Government Code. A restriction that exceeds a restriction authorized by Section 352.051, Local Government Code, is effective only: (1) for 60 hours unless extended by the governor; and (2) if the county judge requests the governor to grant an extension of the restriction.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 33, Sec. 3, eff. May 14, 2003.

Amended by: Acts 2005, 79th Leg., Ch. 274 (H.B. 3111), Sec. 1, eff. June 9, 2005. Acts 2007, 80th Leg., R.S., Ch. 258 (S.B. 11), Sec. 17.01, eff. September 1, 2007. Acts 2009, 81st Leg., R.S., Ch. 1280 (H.B. 1831), Sec. 1.13, eff. September 1, 2009.

Sec. 418.109. **AUTHORITY TO RENDER MUTUAL AID ASSISTANCE.** (a) Repealed by Acts 2007, 80th Leg., R.S., Ch. 865, Sec. 1.08, eff. June 15, 2007. (b) Repealed by Acts 2007, 80th Leg., R.S., Ch. 865, Sec. 1.08, eff. June 15, 2007. (c) Repealed by Acts 2007, 80th Leg., R.S., Ch. 865, Sec. 1.08, eff. June 15, 2007. (d) A local government entity or organized volunteer group may provide mutual aid assistance on request from another local government entity or organized volunteer group. The chief or highest ranking officer of the entity from which assistance is requested, with the approval and consent of the presiding officer of the governing body of that entity, may provide that assistance while acting in accordance with the policies, ordinances, and procedures established by the governing body of that entity.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 497, Sec. 2, eff. June 12, 1995; Acts 2003, 78th Leg., ch. 1204, Sec. 2.002, eff. Sept. 1, 2003.

Amended by: Acts 2005, 79th Leg., Ch. 1337 (S.B. 9), Sec. 8, eff. June 18, 2005. Acts 2007, 80th Leg., R.S., Ch. 258 (S.B. 11), Sec. 1.04, eff. June 6, 2007. Acts 2007, 80th Leg., R.S., Ch. 258 (S.B. 11), Sec. 1.05, eff. June 6, 2007. Acts 2007, 80th Leg., R.S., Ch. 258 (S.B. 11), Sec. 1.08, eff. June 6, 2007. Acts 2007, 80th Leg., R.S., Ch. 865 (H.B. 1471), Sec. 1.04, eff. June 15, 2007. Acts 2007, 80th Leg., R.S., Ch. 865 (H.B. 1471), Sec. 1.05, eff. June 15, 2007. Acts 2007, 80th Leg., R.S., Ch. 865 (H.B. 1471), Sec. 1.08, eff. June 15, 2007.

Sec. 418.110. **STATEWIDE MUTUAL AID PROGRAM FOR FIRE EMERGENCIES.** (a) The division, in consultation with state fire protection agencies and the Texas Commission on Fire Protection, may develop a statewide mutual aid program for fire emergencies. (b) A program developed under this section: (1) does not alter the legal obligations of a political subdivision participating in the system; and (2) must be consistent with the state emergency management plan.

Added by Acts 1997, 75th Leg., ch. 1172, Sec. 5.01, eff. Sept. 1, 1997.

Amended by: Acts 2007, 80th Leg., R.S., Ch. 865 (H.B. 1471), Sec. 1.06, eff. June 15, 2007.

Sec. 418.1101. PLAN FOR CONTINUITY OF FUNCTIONS. (a) The governing body of a political subdivision may at any time adopt a plan for the continuity of functions of the political subdivision to be carried out during a disaster declared as provided by law by the president of the United States or the governor or during another catastrophic event. (b) The plan may provide for: (1) delegating any administrative duty of the governing body of the political subdivision or any official or employee of the political subdivision to another appropriate person; (2) establishing orders of succession for performing essential functions of the political subdivision; and (3) establishing meeting procedures for the governing body of the political subdivision. (c) The plan may not provide for the delegation of a duty that the governing body or official is required to perform by the Texas Constitution.

Added by Acts 2007, 80th Leg., R.S., Ch. 338 (S.B. 61), Sec. 1, eff. June 15, 2007.

Renumbered from Government Code, Section 418.111 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(26), eff. September 1, 2009.

Sec. 418.1102. EXCEPTION TO QUORUM REQUIREMENTS. (a) This section applies to a local governmental entity created and operating under the laws of this state, including a political subdivision, school district, or special district or authority. (b) Notwithstanding any other law, a quorum is not required for the governing body of a local governmental entity to act if: (1) the entity's jurisdiction is wholly or partly located in the area of a disaster declared by the president of the United States or the governor; and (2) a majority of the members of the governing body are unable to be present at a meeting of the governing body as a result of the disaster.

Added by Acts 2007, 80th Leg., R.S., Ch. 338 (S.B. 61), Sec. 1, eff. June 15, 2007.

Renumbered from Government Code, Section 418.112 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(27), eff. September 1, 2009.

Northlake Town Council Rules of Order

SECTION I

1. AUTHORITY

1.1 CODE OF ORDINANCES

The Town of Northlake Code of Ordinances, Section 8.100 provides that the Town Council shall determine its own rules of order and procedure for meetings. These shall be in effect upon adoption by the Town Council and until such time as amended, suspended or new rules are adopted in the manner provided.

1.2 AD HOC COMMITTEES

Ad Hoc Committees are formed on an *as needed* basis with a clearly defined purpose and term, as well as reporting requirements. Ad Hoc Committees will consist of up to three Council Members as determined by a motion and vote of the Town Council.

1.3 COUNCIL MEMBER APPOINTMENTS AND ASSIGNMENTS

The Town Council shall determine Council Member appointments to outside agencies, committees, task forces, boards and commissions. Council Members provide a link for representing the values, beliefs and position of the Town Council to these entities. The representatives will periodically report to the Town Council on the activities of these organizations. Appointments to outside agencies, committees, task forces, boards and commissions shall require an affirmative vote of three (3) of the five (5) Council Members. Any appointment to any position in the Town of Northlake of a person related within the second degree of affinity or the third degree of consanguinity to the Mayor or any member of the Council shall require the affirmative vote of four (4) of the five (5) Council members. (See Section 2.09: Nepotism Policy Statement, Town of Northlake Personnel Policies for definitions). There shall be no ex-officio members of any outside agencies, committees, task forces, boards and commissions or corporation of the Town of Northlake. No Council Member appointed to any outside agency, committee, task force, board, or commission, or appointed as a Liaison to any Town Department or other agency, shall have the authority to bind the Town to any contract, obligation, or other undertaking. In accordance with applicable law, the Town of Northlake shall act only by and through its governing body.

1.4 MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE

According to The Town of Northlake Code of Ordinances, Section 8.100, the Mayor has been delegated the responsibility to act as the Town Council's ceremonial representative at public events and functions. In the Mayor's absence, the Mayor Pro Tem assumes this responsibility. In both the Mayor's and Mayor Pro Tem's absence, the Mayor will appoint another Council Member to assume the responsibility.

1.5 COUNCIL MEMBER PARTICIPATION IN COMMUNITY ACTIVITIES

From time to time, Council Members may choose to participate in community activities, committees, events and task forces. When a Council Member participates in these types of activities, the Council Member is acting as an interested party rather than acting on behalf of the Town Council. Acting or participating on behalf of the Town Council is limited to those instances when the Town Council has formally designated the Council Member as its representative for the matter.

SECTION II

2. COUNCIL MEETINGS

2.1 REGULAR MEETINGS

Consistent with The Town of Northlake Code of Ordinances, Section 8.100, regular meetings of the Town Council shall be held on the second Thursday of each month. The meetings are held in the Town Hall and begin with a Workshop session at 5:30 PM and a Regular session at 6:00 PM. At the posted commencement time of a meeting, the Mayor shall commence the meeting provided that a quorum is present for the conduct of business. In the absence of the Mayor, the Mayor Pro Tem shall start and conduct the meeting, provided a quorum is present for the conduct of business, until such time as the Mayor is present or until adjournment. In the event neither the Mayor nor the Mayor Pro Tem is present at the time appointed for commencement of a meeting, the Council shall appoint a designated Chairperson who shall start and conduct the meeting, provided a quorum is present for the conduct of business, until such time as the Mayor or Mayor Pro Tem is present or until adjournment. *In addition thereto, the fourth Thursday of each month shall be reserved for a regular meeting of the Council, provided, however, that the Mayor shall have the authority to cancel the meeting on the fourth Thursday of any month, without prior Council action or approval, if it is determined that there is not any business to be conducted at that meeting and that no necessity exists to hold a meeting on that fourth Thursday, as set forth in subsection (c). (Resolution 08-009)*

a. Other Locations

The Town Council may, occasionally, elect to meet at other locations within the Town and, upon such election, shall give public notice of the change of location in accordance with provisions of State law.

b. Location During Local Emergency

If by reason of fire, flood or other emergency, it is unsafe to meet in the Town Hall, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor or, in the Mayor's absence by the Mayor Pro Tem or the City Secretary.

c. Cancellation of Meetings

When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for such day shall be deemed canceled unless otherwise specified by the Town Council. At other times, when the Town Council deems appropriate, one or more regular meetings on the second Thursday of any month may be canceled by a majority vote of the Town Council. Cancellation of any meeting on the fourth Thursday of any month shall be governed by the following: Prior to cancelling any meeting scheduled for the fourth Thursday of any month, the Mayor, if it is determined that there is not any business to be conducted at that meeting and that no necessity exists to hold a meeting on that fourth Thursday, shall make reasonable efforts to contact each Council member, in person, by telephone, or by electronic communication, no less than seven (7) days before the fourth Thursday of the month, to notify each Council member of the Mayor's intention to cancel the meeting on the fourth Thursday of that month. If any two (2) Council members indicate that they are opposed to cancellation of the meeting, the Mayor shall not cancel the meeting. Provided, further, that should the Mayor, in making the notification required by this Section, not make contact with at least three (3) Council members, prior to, and in no event, no later than 5:00 p.m. of the seventh (7th) day before the meeting on the fourth Thursday of the month proposed to be cancelled, the Mayor shall not cancel the meeting. Under no circumstances, shall the Town Council fail to meet at least one (1) time in any month.

2.2 PRE-COUNCIL MEETING WORKSHOPS

The Town Council may conduct a Workshop prior to the Regular session to informally review future agenda items, to receive staff reports, to ask the staff questions on the following Regular session agenda, and to hold Executive sessions. The Open Workshop session shall be limited to the presentation of information. The Council shall not deliberate or act on items presented during the Open Workshop session.

2.3 SPECIAL MEETINGS AND EMERGENCY MEETINGS

Consistent with The Town of Northlake Code of Ordinances, Section 8.100, the Mayor, on his/her own motion, or on the application of three members of the town council, may call special meetings. The Town Secretary shall post notice thereof as provided by State law. Special meetings may be held at any location in the Town as long as such meetings are conducted in accordance with State law. Notice of such special meeting shall be given to each member of the Town Council, the Town Secretary, and the Town Attorney, by serving them personally or by leaving the notice at their usual place of abode. In case of emergency or urgent public necessity, which shall be expressed in the notice of the meeting, an emergency meeting may be called by the Mayor or by two members of the Town Council, and it shall be sufficient if the notice is posted two hours before the meeting is convened. Diligent effort to notify all Council Members shall be made prior to the emergency meeting. (Texas Government Code, Section 551.045)

2.4 ADJOURNED MEETINGS

The Town Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the provisions of the Texas Open Meetings Act. (Texas Government Code, Section 551)

2.5 EXECUTIVE SESSIONS

The Town Council may meet in Executive Session during any regular or special meeting, or anytime otherwise authorized by State law, to consider or hear any matter that is authorized by State law to be heard or considered in Executive Session.

- a. The Town Council may exclude from any such Executive Session any person or persons that it is authorized by State law to exclude from such sessions.
- b. The presiding officer in an open meeting shall express the general subject matter for consideration before such session is held.
- c. Council members may not reveal the nature of discussion from a closed session unless required by State law.

2.6 NOTICE OF MEETINGS AND AGENDA FOR MEETINGS

a. Notice of meetings and the agenda for all Town Council meetings shall be posted by the Town Secretary on the Town's official bulletin board pursuant to the requirements of the Texas Open Meetings Act. (Texas Government Code, Section 551). The Mayor, Mayor Pro Tem, Town Secretary, or any two (2) Council members may place an item for consideration on any Town Council Meeting Agenda. Preparation of the agenda shall be coordinated with the Town Secretary in order to permit time for appropriate legal notification in accordance with the Texas Open Meetings Act.

b. Posting a Town Hall meeting shall require the affirmative vote of three (3) out of the five (5) Council Members. The Town Hall meeting shall have a published subject(s) and be posted in accordance to the Open Meetings Act. In addition, the Town Hall meeting shall be posted 14 days in advance and the public notified of the published subject(s) on the Agenda by posting the subject on the Web site and by either a letter or an e-mail if the citizen is on the mailing list.

(Approved by town council on 7-14-05 revision 1)

c. All items to be considered on the Agenda of a Council Meeting must be submitted with a minimum of the cover sheet located in Appendix A. All Agenda items must be submitted by close of business (as determined by the Town Secretary) with the cover sheet no later than one business day prior to the required posting time for the meeting.

d. Nominations for a Town sponsored organization shall not be listed on an agenda without prior discussion and approval by the Town Council.

e. All sponsors of agenda items must give any and all supporting documents to the Town Secretary 72 hours prior to the start of the regular or special meeting. An agenda item must have supporting documents and a cover sheet, or it shall not be considered without a two-thirds approval of the Council and place this wording on the agenda item cover sheet.

f. Subject to subsection (g), below, requests for Agenda Items or Meetings can be made informally via telephone call, e-mail, or letter to the Mayor or Town Secretary. Requests may be made formally either to the Mayor or Town Secretary using the form located in Appendix B.

g. Town Council Communications Policy. The Town of Northlake and its Town Council is committed to the conduct of its business in accordance with the Texas Open Meetings Act. In that regard, members of the Town Council shall:

- Refrain from engaging in substantive discussions, for any reason or in any context, among themselves, whether or not a quorum of members is present, concerning matters over which the Town Council has supervision or control, unless such substantive discussion occurs in the context of a properly-posted open meeting or an executive session conducted in connection therewith;
- Refrain from utilizing telephonic or e-mail communications, among themselves, for the purpose of discussing substantive policy issues or for the purpose of discussions concerning matters over which the Town Council has supervision or control and shall utilize such forms of communication only to facilitate the exchange of nonsubstantive information; and
- Avoid discussing public business with less than a quorum of the Town Council outside of a properly-posted open meeting.

2.7 QUORUM

The Town of Northlake Code of Ordinances, Section 8.100(d) states that three (3) Aldermen, shall constitute a quorum to do business and the affirmative vote of a majority of those present shall be necessary to adopt any ordinance or resolution, except as required by The Town of Northlake Code of Ordinances or State law.

2.8 CHAIR

Consistent with The Town of Northlake Code of Ordinances, Section 8.100, except as provided hereinabove, the Mayor shall preside at all meetings of the Council. The Mayor may participate in the

discussion of all matters coming before the Town Council. Except in elections, the Mayor may vote only if there is a tie. The Mayor shall have the authority to preserve order at all Town Council meetings, to enforce the rules of the Town Council and to determine the order of business under the rules of the Council, provided, however, that a majority of the Council present and participating in any meeting shall have the right, by motion and vote, to suspend these rules and/or to make any modification of same deemed appropriate and reasonable to a majority of the Council. The Mayor shall also have the power to administer oaths.

a. Absence of Mayor

Pursuant to the Texas Local Government Code, the Council shall elect from among the Council Members a Mayor Pro Tem who shall act as Mayor if the Mayor fails, is unable, or refuses to act. When acting in the stead of the Mayor, the Mayor Pro Tem shall retain the right to vote on all matters that may come before the Council.

b. Absence of Mayor and Mayor Pro Tem

When the Mayor and Mayor Pro Tem are absent from any meeting of the Council, the members present shall choose another member to act as Mayor Pro Tem and that person shall, for the duration of the meeting, preside at that meeting and have the powers of the Mayor. When acting in the stead of the Mayor and the Mayor Pro Tem, such member shall retain the right to vote on all matters that may come before the Council.

2.9 ATTENDANCE BY THE PUBLIC

All meetings of the Town Council shall be open and public in accordance with the terms and provisions of the Texas Open Meetings Act except for the Executive Session or closed meetings allowed by State law. Citizens and other visitors attending Town Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the Town Council.

2.10 MINUTES

Minutes of Town Council meetings will be kept. Minutes will include final motions with votes. The minutes will also reflect the names of public speakers. Supporting material and any other items presented may be included in the minutes with direction and approval of a majority of the Council Members present.

a. Town Council Approval of Minutes

Minutes of meetings are generally submitted to the Town Council for approval at the next regularly scheduled meeting of the Town Council.

b. Recording of Meetings

Recordings of open proceedings are maintained by the Town Secretary for two years after approval of the minutes related to such meeting by the Town Council. A majority of those Council Members present may direct recordings of specific meetings to be kept longer if needed.

SECTION III

3. ORDER OF BUSINESS

3.1 GENERAL ORDER

Unless modified by majority vote of the Council members present and participating in the meeting, Town Council meetings will be generally conducted in the following order, unless otherwise specified. An Executive Session may be held at any time during a meeting consistent with applicable State law.

WORKSHOP AGENDA (If Applicable)

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

EXECUTIVE SESSION (AS NEEDED)

QUESTIONS ON CURRENT AGENDA (Release Contracted Staff after questions as possible)

FUTURE AGENDA ITEMS /ITEMS OF INTEREST

ADJOURN TO REGULAR MEETING

REGULAR MEETING AGENDA

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

PUBLIC RECOGNITION/CITIZENS' AGENDA/WRITTEN COMMUNICATIONS

CONSENT AGENDA

APPROVAL OF: MINUTES/INVOICES/ROUTINE ITEMS

PUBLIC HEARINGS

REGULAR AGENDA

OTHER BUSINESS

EXECUTIVE SESSION (*AS NEEDED*)

ADJOURNMENT

(Town Hall Meeting

INFORMATIONAL PRESENTATION ON POSTED SUBJECT

OPEN FORUM FOR PUBLIC COMMENTS AND QUESTIONS ON THE POSTED SUBJECT

3.2 NUMBERING AND INDEXING OF AGENDA ITEMS

All items of any nature shall be numbered consecutively for purposes of consideration on the agenda. Upon passage, the Town Secretary shall separately index all ordinances and resolutions.

3.3 PUBLIC RECOGNITION

All special presentations and announcements will be calendared and coordinated through the Town Secretary. A period of time, not to exceed fifteen minutes, will be set aside for public recognition at each Town Council meeting.

3.4 CONSENT AGENDA

The Consent Agenda shall contain routine, non-controversial items that require Town Council action but need little or no Town Council deliberation. Items placed upon the Consent Agenda represent routine items, including, but not limited to, minutes of previous meetings and payment of monthly expenses that may be approved by a single motion and without the necessity of debate. If a Council Member objects to a Consent Agenda item, such Council Member shall make his/her objection to that item made known before action is taken on the Consent Agenda and such item shall be removed from the Consent Agenda upon majority vote of those members present and participating in the meeting. Agenda items removed from the Consent Agenda by the majority vote of the Council Members will be considered after approval of the entire Consent Agenda.

3.5 FUTURE AGENDA ITEMS/ITEMS OF INTEREST

This Workshop agenda item includes Staff reports and, in addition, Council Members may introduce items which may be on future agendas. The Mayor, with the concurrence of the Town Council, may defer items if time is not available to complete reports prior to the start of the Regular session.

3.6 STANDARD ADJOURNMENT

The Town Council establishes 9:30 p.m. as the hour of adjournment and will not continue beyond that time without a majority vote of the Town Council. To assist in making the determination to continue an item under consideration, the Town Council should find that discussion, deliberation and action, on the item could be concluded by 10:00 p.m. If agenda items remain after the 9:30 p.m. adjournment, a special meeting may be scheduled, or the items deferred until the next regular meeting. Deferred items will appear first on the regular agenda of the next meeting.

SECTION IV

4. RULES OF CONDUCT

4.1 GENERAL PROCEDURE

These rules, consistent with The Town of Northlake Code of Ordinances and any applicable Town ordinance, statute or other legal requirement, shall govern the proceedings of the Town Council. All Council members and the Mayor shall treat each other with respect and conduct Town business in a professional and businesslike manner. All citizens shall be treated with respect and fairness.

4.2 AUTHORITY OF THE CHAIR

a. Robert's Rules of Order shall govern the discussion, debate and consideration of items coming before the Council. Subject to appeal to the full Town Council, the Mayor shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the obstruction of the business of the Town Council by ruling any such matter out of order. In so ruling, the Mayor shall be courteous and fair and should presume that the moving party is acting in good faith. Any member of the Town Council may move to require enforcement of the rules by requesting a "Point of Order". The Mayor shall address a point of order immediately. If the Council Member subsequently appeals the Mayor's ruling to the Council; the affirmative vote of a majority of the Town Council present at the meeting shall require the presiding officer to act.

b. Robert's Rules of Order, 10th edition shall be the adopted version for the Town Council's Rules of Order. Each member shall have a copy of Robert's Rules of Order, In Brief, to refer to for questions about Rules. As a minimum, the Town and Mayor shall each have a copy of the 10th Edition.

4.3 MAYOR TO FACILITATE COUNCIL MEETINGS

In the role of facilitator, the Mayor will assist the Town Council in focusing agenda discussions and deliberations.

4.4 COUNCIL DELIBERATION AND ORDER OF SPEAKERS

The Mayor has been delegated the responsibility to control the debate and the order of speakers. Speakers will generally be called upon in the order of the request to speak. With the concurrence of the Mayor, a Council Member holding the floor may address a question to another Council Member and that Council Member may respond while the floor is still held by the Council Member asking the question. A Council Member may opt not to answer a question while another Council Member has the floor.

4.5 LIMIT DELIBERATIONS TO ITEM AT HAND

Council Members will limit their comments to the subject matter, time or motion being currently considered by the Town Council.

4.6 LENGTH OF COUNCIL COMMENTS

Council Members will govern themselves as to the length of their comments or presentation. As a courtesy, the Mayor will signal by hand to a Council Member who has been speaking for over five minutes. This procedure is not meant to limit debate or to cut comments short, but rather to assist Council members in their efforts to communicate concisely.

4.7 OBTAINING THE FLOOR

Any member of the Town Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council Member who seeks the floor when appropriately entitled to do so. When, in the discretion of the Mayor, a Council Member, by his or her comments or actions, is in violation of any portion of these Rules, or has become disruptive, discourteous, or threatens the continued orderly conduct of the meeting, the Mayor may refuse to recognize said Council Member or may order such Council Member to refrain from any further comments with respect to the item being discussed. The decision of the Mayor in this regard may be overridden by a majority vote of the Town Council present and participating in such meeting.

4.8 MOTIONS

Any member of the Town Council may make motions. Any member of the Town Council, other than the person offering the motion, may second a motion.

4.9 PROCEDURES FOR MOTIONS

The following is the general procedure for making motions:

- a. Before a motion can be considered or debated it must be seconded.
- b. A Council Member who wishes to make a motion should do so through a verbal request to the Mayor.
- c. A Council Member who wishes to second a motion should do so through a verbal request to the Mayor.
- d. Once the motion has been properly made and seconded, the Mayor shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Council Member properly recognized by the Mayor.
- e. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed, provided, however, Council Members may be allowed to explain their vote.

MOTION AMENDMENTS

When a motion is on the floor and an amendment is offered, the amendment should be acted upon prior to acting on the main motion. No motion of a subject different from that under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to

amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

MOTION TO CONTINUE

A motion to continue will leave the motion in its present condition for consideration on a date and time certain.

MOTION TO REMOVE

A motion to remove will take the matter off the agenda and will not be considered by the Council for an indefinite period of time.

MOTION TO TABLE

A motion to table will delay consideration of the item being discussed by the Town Council.

MOTION TO POSTPONE INDEFINITELY

A motion to postpone indefinitely will kill or reject the item under consideration.

MOTION TO REFER

A motion to refer forwards the item under consideration to the named group, committee, or board for further study.

MOTION TO LAY ON THE TABLE

A motion to lay on the table allows the item to be temporarily set aside under discussion.

MOTION TO TAKE FROM THE TABLE

A motion to take from the table allows the matter to be discussed again and would only be used in conjunction with a motion to lay on the table at the same meeting.

WITHDRAWAL OF MOTION

A withdrawal of motion indicates a motion may be withdrawn or modified by the Council Member who originally made the motion at any time prior to its passage. If the motion is modified, the Council Member who seconded the motion may withdraw his/her second.

MOTION FOR RECONSIDERATION

A motion for reconsideration may be made at the same meeting or at the next succeeding meeting following a Town Council action, as long as the reconsideration request complies with the requirements of the Texas Open Meetings Act. A motion for reconsideration may only be made by a Council Member who voted with the majority of the Town Council on the action proposed to be reconsidered by the Town Council. Any member of the Town Council may second a motion for reconsideration.

4.10 VOTING

Abstention

a. If a Council Member abstains because of a legal conflict, he/she is not counted as present for quorum purposes and is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those voting and present."

b. When a Council Member abstains or excuses himself/herself from a portion of a Council meeting because of a legal conflict of interest, the Council Member must briefly state, on the record, the nature of the conflict. State law requires the inclusion of this information in the public record.

Tie Votes

A tie vote results in a lost motion. In such an instance, any member of the Town Council may offer a motion for further action. If there is not an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

Code of Ordinance or Statute Voting Requirements

Some actions taken by the Town Council require more than a simple majority vote of approval as required by either The Town of Northlake Code of Ordinances or State statutes. In those instances, the vote shall be governed by the requirements of the ordinance or statutory provision applicable thereto.

4.11 NON-OBSERVANCE OF RULES

Rules adopted to expedite and facilitate the transaction of the business of the Town Council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by, the Town Council.

4.12 LAWSUITS OR ADMINISTRATIVE PROCEEDINGS INVOLVING THE MAYOR OR TOWN COUNCIL

If any member of the Council or the Mayor, or any family member thereof, is involved in a lawsuit or administrative proceeding against the Town or there is the imminent threat of a lawsuit or administrative proceeding against the Town by any such person, then such Council member or the Mayor shall be denied all access to data or Executive sessions dealing directly or indirectly with said lawsuits without prior approval from the Town's Attorney and in accordance with all applicable laws, statutes, rules, and regulations.

SECTION V

5. PUBLIC HEARINGS

5.1 GENERAL PROCEDURE

The Town Council procedure for the conduct of Public Hearings is generally as follows:

- a. Staff may present its report or defer its report to such time as action on the item for which the public hearing is being held is scheduled on the agenda.
- b. Council Members may ask questions of staff or defer questions of staff to such time as action on the item for which the public hearing is being held is scheduled on the agenda.
- c. The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony. The applicant or

appellant shall have a total of fifteen minutes for a presentation when recognized by the Mayor or presiding officer. The initial comments or presentation shall be limited to ten minutes and the rebuttal or concluding comments shall be limited to five minutes.

d. Council Members may ask questions of the applicant and/or appellant.

e. The Mayor opens the Public Hearing.

f. Members of the public are provided with the opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, both are given the opportunity for closing comments.

g. The Mayor closes the Public Hearing.

h. The Town Council deliberates on the issue when the issue comes before the Town Council on the agenda.

i. If the Town Council raises new issues through deliberation and seeks to take additional public testimony, the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.

j. The Town Council deliberates and takes action.

k. The Mayor announces the final decision of the Town Council.

5.2 CONTINUANCE OF HEARINGS

Any Public Hearing being held, noticed or ordered to be held by the Town Council may, by order, notice, or motion, be continued to any subsequent meeting.

5.3 PUBLIC DISCUSSION AT HEARINGS

When a matter for Public Hearing comes before the Town Council, the Mayor will open the Public Hearing. Upon opening the Public Hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter.

a. Public Member Request to Speak

Any person wishing to speak at a Public Hearing scheduled on the agenda shall complete the form, prescribed by the Town Secretary for identification of speakers at Town Council meetings, prior to the matter being reached, and present it to the Town Secretary. Upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor. All persons wishing to speak on the matter shall be limited to three minutes each and there shall be a cumulative limit of sixty minutes for all those speaking in favor of an item and a like limit for those speaking in opposition. The time limit may be extended by a majority vote of the Town Council.

b. Time Limits

The Mayor, with the concurrence of a majority of the Council Members present, may alter any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item.

c. Questions of Speakers

Members of the Town Council who wish to ask questions of the speakers or each other during the Public Hearing portion may do so, but only after first being recognized by the Mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue.

d. Materials for Public Record

All persons interested in the matter being heard by the Town Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the Town Secretary's Office as part of the record of the hearing, in accordance with the requirements of State law.

e. Germane Comments

During the Public Hearing, no person will be permitted to speak about matters or present evidence that is not germane to the matter being considered. A determination of relevance shall be made by the Mayor but may be appealed to the full Town Council.

5.4 COMMUNICATIONS AND PETITIONS

Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor. A reading in full shall take place if requested by a majority of the Town Council.

SECTION VI

6. ADDRESSING THE TOWN COUNCIL

6.1 STAFF PRESENTATIONS

Staff presentations will be concise and will provide factual background information on the item as well as a recommendation for the Town Council.

6.2 ORAL PRESENTATIONS BY MEMBERS OF THE PUBLIC

The following procedures will guide oral presentations by members of the public at Town Council meetings:

- a. Prior to the meeting or during the meeting prior to a matter being reached, persons wishing to address the Town Council should complete the form, prescribed by the Town Secretary for identification of persons wishing to address the Town Council, and present it to the Town Secretary.
- b. When called upon, the person should come to the podium; state his/her name and address for the record; and, if speaking for an organization or other group, identify the group represented.
- c. All remarks should be addressed to the Town Council as a whole, not to individual members.
- d. Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.

- e. No person shall approach the Council without first obtaining permission to do so.
- f. No person shall use foul or abusive language in the Town Hall or when addressing the Council.
- g. All remarks to the Council shall be made from the podium and only after being recognized by the Chair of the meeting.
- h. All persons addressing the Mayor and Town Council shall treat the Mayor and Town Council with respect and fairness.
- i.. Citizens shall address the chairperson unless the chairperson grants permission to address a Council member or Staff member directly.
- j. Citizens may request permission to address the Council immediately prior to opening debate on a specific agenda item. This request is at the discretion of the Council. Multiple items shall be addressed during the citizen comment period.
- k. Citizens may present written material to the Town Secretary for distribution to the Council and Mayor prior to the meeting and during the citizen comment period.
- l. Presenters scheduled to speak on the agenda shall limit themselves to five (5) minutes of presentation time, unless coordinated with the Town Secretary in advance. Extensions are at the discretion of the Council.
- m. A designated spokesperson for a group of three or more Citizens shall have five (5) minutes to address the Council. Extensions are at the discretion of the Council.
- n. Citizens should be aware that the Council is prohibited from taking action without a properly posted agenda item.
- o. Citizens should be aware that effective comments concentrate on what action you desire the Council to take and why you wish the Council to take that action. Demanding to know why the Council has previously taken a particular action is ineffective because the action has already occurred and unless the item is still on the agenda, no action may be taken by the Council.

6.3 CITIZENS' AGENDA

This portion of the Town Council meeting is set aside for members of the public to address the Town Council on any item of business that is not formally scheduled on the agenda or scheduled as a Public Hearing. Members of the public should complete the form prescribed by the Town Secretary for identification of persons wishing to address the Town Council and present it to the Town Secretary prior to the item being reached on the agenda.

a. Timing

Citizens' Agenda is generally permitted at the beginning of the regular Town Council meeting, as specified on the agenda. Presentations shall be limited to three minutes each but may be extended for an additional two minutes with approval of a majority of the Town Council. Citizens' comments shall be limited to a cumulative total not to exceed fifteen minutes for all speakers.

b. Town Business

Presentations under Citizens' Agenda are limited to items within the subject matter jurisdiction of the Town.

c. No Council Deliberations

In compliance with the Texas Open Meetings Act, the Town Council may not deliberate or vote on any matter raised in Citizens' Agenda, except for the purpose of determining whether such matter should be placed on a future Town Council agenda. As a general rule, questions directed to the presiding officer during the Citizens' Agenda portion of the agenda will not be answered during the meeting but will be taken under advisement by the Town Council. The Mayor, however, may request the staff to provide additional information on a matter of general interest to the full Town Council, the public at large and to the citizen making the comment.

6.4 REPETITIOUS COMMENTS PROHIBITED

a. A speaker shall not present the same or substantially the same items or arguments to the Council repeatedly or be repetitious in presenting their oral comments. Nothing in the foregoing precludes submission of comments to the Town Council in writing, for such action or non-action as the Council, in its discretion, may deem appropriate.

b. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of individuals wishes to address the Council on the same subject matter, those individuals are encouraged to designate a spokesperson to address the Town Council. With the consent of the Town Council, the Mayor may extend the time allocation for a designated spokesperson.

6.5 WAIVER OF RULES

Any of the foregoing rules may be waived or suspended by a majority vote of the Council Members present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

6.6 NON-EXCLUSIVE RULES

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Town Council, or of its presiding officer, to govern the conduct of Town Council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the Town.

SECTION VII

7. COUNCIL MEMBER ADMINISTRATIVE SUPPORT

7.1 MAIL

All general mail will be opened and date stamped and distributed to individual Council Members.

a. Letters Addressed to the Mayor and Town Council

All letters addressed to the Mayor and Town Council requiring a response from staff are copied to all Council Members with a note as to which staff person will be preparing a response for the Mayor's signature. A copy of the response, along with the original letter, will be provided to each Council

Member. Letters addressed to the Mayor and Town Council that do not require a response but provide information on Town Council agenda items or like matters are copied to the full Town Council.

b. Letters Addressed to Individual Council Members

All letters addressed to individual Council Members requiring a response from staff are copied to all Council Members with a note as to which staff person will be preparing a response for the addressee's signature. Copies of the responses, along with the original letters, are provided to the full Town Council. Letters addressed to individual Council Members that do not require a response from staff but provide information on Town Council matters are copied to the full Town Council. Cards and other Council Member mail marked "personal" will not be opened and will not be copied to the full Town Council.

7.2 TOWN COUNCIL CORRESPONDENCE

All Council Member correspondence prepared with Town resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Town Council, not individual Council Member's positions.

7.3 CLERICAL SUPPORT

The Town Secretary's Office will coordinate the typing of correspondence requested by individual Council members. All correspondence typed for Council Members will be on Town letterhead and will reflect the position of the full Town Council and will be copied to the full Town Council.

7.4 MASTER CALENDAR

A master calendar of Town Council events, functions or meetings will be maintained by the Town Secretary's Office and provided to the full Town Council. Functions, events or meetings to be attended by individual Council Members will only be included on the master calendar at the request of individual Council members.

7.5 STAFF SUPPORT AND COMMUNICATIONS

a. The Staff and contracted services shall not give preferential treatment to the Mayor, any Council member, or the family member of the Mayor or Council members. The Staff and contracted services shall treat the Mayor, Council members, and family members of the Mayor or Council members the same as any other Citizen. Requests for services shall be based upon need not position. Staff and contracted services shall report to the Council any abuse or attempt to abuse power by the Mayor, Council members, or the family members of the Mayor or any Council member. The Staff and contracted services shall make every reasonable effort to protect Town interests. Unusual, non-routine requests for sensitive documents or documents not yet accepted as final by the Council shall be coordinated with the Town Secretary (Custodian of Public Records) and or the Town's Attorney prior to releasing items to individuals, including the Mayor and Council members, if in the judgment of the party to whom the request has been made the items are particularly sensitive or could be used against the Town in a lawsuit. This includes Public Information Act Requests. In the event of such a request, the party to whom the request was made shall coordinate any response with the Town Secretary or the Town's Attorney prior to release of the documents. Examples: Police Officer personnel files, confidential legal files relating to lawsuits, documents related to negotiations for land acquisition, economic development negotiations documents, and sensitive personnel matters or files. The primary means of communication with Staff and contracted services shall be e-mail, fax, or written documents. All communications shall transit or copy the Town Secretary. The Town Secretary

is responsible for distributing the documents to the entire Council and appropriate Staff in the most appropriate manner depending upon the time sensitivity of the document.

b. All members of the Town Council shall use the least cost method of obtaining information and exhaust in house sources prior to incurring the cost of contracted services. All Council Members shall coordinate in advance before incurring an expense for contracted services in another Council members area of responsibility. Routine legal questions addressed to the Town Attorney are allowed as an exception so long as they are not initiating a special or extensive project. All committee and liaison meetings shall have an agenda and the agenda shall be communicated to all parties in advance. All meetings with contracted services shall be approved in writing and in advance of the meeting with the Council Member(s) in charge of the respective area. All committee and liaison meetings shall be at the Town Hall unless efficiency dictates otherwise. All committee and liaison meetings shall have minutes and be recorded at the discretion of the Council Member(s) in charge of the respective area. All meetings concerning official Town Business shall be posted on the weekly calendar and emailed to each Council member by the Town Secretary.

7.6 REQUESTS FOR RESEARCH OR INFORMATION

Council members may request information or research from staff on a given topic. Council Members shall act reasonably in making requests of staff for information and research and will attempt to do so in a manner that does not interfere with the usual and customary work being performed by staff for the Town. All requests for information shall be considered as the official request of a Public Official and not a request via the Public Information Act. Requests for policy direction will be brought to the full Town Council at a regular meeting for consideration. All written products generated by any member of Town staff in response to a request for information or research from a Council Member will be copied to the full Town Council. Requests for information via the Public Information Act shall be considered a request from a private individual and not in pursuit of the public business of the Town of Northlake.

7.7 TOWN COUNCIL NOTIFICATION OF SIGNIFICANT INCIDENTS

In conjunction with the Town's Police Department and the Public Information Officer, the Town Secretary's Office will coordinate the notification to the Town Council of major crime, fire or other disasters or incidents.

7.8 TOWN WEBSITE AND INFORMATION TECHNOLOGY

The Council member with oversight of Information Technology (IT) and the IT technician shall maintain a master list of passwords. The Council shall determine the people authorized access to passwords. Passwords shall be changed monthly, or as necessary. Site administration of the Town's web site is the responsibility of the Council member with oversight of Information Technology (IT) and the IT technician. Limited access may be granted as necessary to maintain Departments and the Economic Development Corporations (EDC) portion of the web site. The Town's web site is a joint responsibility of the Council and Both EDCs. Staff shall secure and lock their office and if necessary password protect computer access or shut the computer down (with password protection required to start) prior to leaving their work area unattended. (*Council Committees and Liaisons dissolved per Resolution 08-015.*)

7.9 TOWN STAFF AND CONSULTANTS OR CONTRACTED SERVICES

All Staff and contracted services serve at the discretion of the Town Council or as may be provided in any other policy of the Town duly promulgated by the Town Council, which shall be in accordance

with any and all applicable provisions of the Texas Local Government Code and any and all other applicable laws, rules or regulations.

7.10 COMMUNICATIONS WITH THIRD-PARTIES BY TOWN STAFF AND CONSULTANTS OR CONTRACTED SERVICES

Any employee, consultant or contracted service provider to the Town shall make all reasonable efforts to report to the Town Secretary via e-mail, telefax or telephone, any contact with citizens, news media, or other governmental entities related to the conduct of business of the Town and no information shall be given or released to any such party unless and until approval therefore has been given by the Town Secretary in coordination with the Town Council and the Town Attorney. Provided, however, that this policy is not intended to, and shall not be construed to, restrict or prohibit the release of information as may be required by the Texas Public Information Act or other applicable laws. Additionally, as may be necessary by the nature of projects with which the Town may be involved, it is permissible for the Town Council to give prior approval to employees, consultants or any contracted service providers to make contact with citizens or other governmental entities in connection with the orderly progression of work involving the business of the Town.

7.11 AGREEMENTS AND CONTRACTS

The Town Council is the governing body of the Town. The Town acts by and through the Town Council in the conduct of official business of the Town. No person shall have the authority to bind the Town to any contract or agreement unless and until such agreement or contract has been duly considered and acted upon by the Town Council in accordance with applicable law.

7.12 KEYS TO TOWN HALL OR OTHER MUNICIPAL FACILITIES

The Town Council shall determine the person(s) authorized to hold a key to Town Hall or any other municipal facilities. No unauthorized duplicates of keys to Town Hall or any other municipal facilities will be made or permitted to be made.

SECTION VIII

8. PROCEDURES ADMINISTRATION

8.1 BIENNIAL REVIEW OF TOWN COUNCIL PROCEDURES

The Town Council will review and revise the Town Council Rules of Order and Procedure as needed, and, at a minimum, every two years.

8.2 ADHERENCE TO PROCEDURES

During Town Council discussions, deliberations and proceedings, the Mayor has been delegated the primary responsibility to ensure that the Town Council, staff and members of the public adhere to the Council's adopted procedures.

8.3 CITY ATTORNEY AS PROCEDURE ADVISOR

The Town Attorney assists the Mayor and Town Council as a resource and as an advisor for interpreting the Town Council's adopted rules and procedures.

8.4 APPLICABILITY OF PROCEDURES

The Town Council Rules of Order and Procedures shall also apply to the Town Council when sitting as other entities and agencies. The role of Mayor and Mayor Pro Tem shall be interchangeable with Chair and Vice Chair, or President and Vice President when sitting as another entity.

8.5 VIOLATIONS OF TOWN POLICIES OR THESE RULES AND PROCEDURES

Should the Mayor, any Council member, or any employee or consultant to the Town believe that any person shall have violated any provision of these Rules and Procedures, or any other policy of the Town duly promulgated by the Town Council; such alleged violation shall be brought to the attention of the Town Council. The Town Council, by affirmative vote of four (4) of the five (5) members of the Council shall determine appropriate and legal action to punish any person who shall be determined to have violated any provision of these Rules and Procedures, or any other policy of the Town duly promulgated by the Town Council. Any deliberation or action by the Town Council with respect to any alleged violation of any provision of these Rules and Procedures, or any other policy of the Town duly promulgated by the Town Council, shall be in accordance with any and all applicable provisions of the Texas Open Meetings Act and any and all other applicable laws, rules or regulations.

SECTION IX

9. FISCAL POLICIES

9.1 SIGNATORIES ON TOWN ACCOUNTS

The Town Council shall determine the person(s) entitled to be a signatory on any Town accounts. All electronic transfer of funds shall require written authorization from at least two people on the approved signatory list. All checks shall require written authorization from at least two people on the approved signatory list. The Town shall be governed by its duly approved Investment Policy with respect to investment of Town monies. Any investment purchased or sold shall require written authorization from at least two people on the approved signatory list.

9.2 UNAPPROVED PURCHASES

Any purchase over \$500 (single or aggregate purchases for the same item) not previously approved by the Town Council, or its designee, shall be the personal financial responsibility of the individual responsible for the purchase, if the purchase or invoice therefore is subsequently disapproved by the Town Council.

9.3 BUDGET APPROVAL

The Town Council shall review all budgets each quarter or more often as necessary. Annual Municipal Budget preparation shall begin with the appointment of a Budget committee consisting of two Council members and the Department Heads. Next, a goal setting workshop of the Town Council, Mayor, and Department Heads shall develop annual goals. Then a Budget calendar shall be adopted, and the Budget committee shall conduct staff meetings according to the Budget calendar and meetings as necessary until the final Budget is presented for adoption. The Budget committee shall conduct a workshop at each subsequent Council meeting until the final Budget is presented for discussion and adopted by the Town Council. (*Conflicts with Resolution 08-015 and Texas Local Government Code Sections 102.001, 102.002.*)

9.4 UNEXPECTED REVENUE

Any unexpected revenue (not budgeted "windfall" revenue) received during the fiscal year shall be designated as 50% for the general fund unrestricted fund balance until said fund equals the amount

of four months operating expense and 50% for a capital improvement fund. Spending from either fund or changing the purpose of either fund shall require the affirmative vote of four (4) of the five (5) Council members.

9.5 UNRESTRICTED FUND BALANCE

The Town Council shall build up and maintain a four-month general fund unrestricted fund balance by not later than fiscal year 2010/2011. Spending from the general fund unrestricted fund balance shall require the affirmative vote of four (4) of the five (5) Council members.

9.6 INVESTMENT OF FUNDS

All fund balances and temporary surplus funds shall remain invested according to the Town's investment policy to the maximum extent possible.

9.7 RESTRICTED FUNDS

All restricted purpose funds shall remain separate from the general fund and used for their legally intended purpose unless authorized by the affirmative vote of four (4) of the five (5) Council members.

9.8 ENTERPRISE FUNDS

All enterprise funds shall remain separate from the general fund and transfer of funds out of said funds require the affirmative vote of four (4) of the five (5) Council members.

9.9

The Town shall not enter into any contract or request for service, written or verbal, with a company or individual that owes the Town, a corporation of the Town, or an enterprise fund of the Town any past due balance or services (s) paid for in advance and not received.

SECTION X

10. ECONOMIC DEVELOPMENT

10.1 ECONOMIC DEVELOPMENT AGREEMENTS

The Council shall approve all Town agreements and EDC agreements prior to signature and date of signature.

10.2 CONTACTS REGARDING DEVELOPMENT ISSUES OR ECONOMIC DEVELOPMENT

The Mayor is the lead development officer of the Town. Any contacts made by developers or potential businesses to other Town officials shall be redirected to the Mayor. The Mayor may direct the Town Administrator to follow up on any and all economic development efforts. Any and all contacts with developers or potential businesses by the Mayor shall be reported to the Town Administrator and Council in a reasonable amount of time after the contact. All meetings and telephone contacts, even first contact with developers or potential businesses, shall be positive in nature. No one shall reject or discourage a developer or potential business without written Council approval and permission to reject. Violation of this policy shall result in denial of future participation in economic development negotiations of any type. (Resolution 17-24)

Agenda Item

Appendix A

Agenda Item Cover Sheet

Date and Time received by Town Secretary:

Request Item to be posted on the Agenda for the:

Topic to be discussed or acted upon:

Sponsor(s) of Item:

Coordination with Liaison(s), Department Head(s), and Contracted Staff:

Synopsis of Item and Purpose:

Does this Item affect the adopted Budget? Yes **No**
If Yes, how?

Does this Item require a Budget amendment? Yes **No**
(If Yes, Print on blue paper.)

Town Secretary Actions:

Item received on time and posted on Agenda for:

Item received late but will be on posted Agenda for:

All items to be considered on the Agenda of a Council Meeting must be submitted with a minimum of the cover sheet located in Appendix A. All Agenda items must be submitted by close of business day (as determined by the Town Secretary) with the cover sheet no later than one business prior to the required posting time for the meeting.

Nominations for a Town sponsored organization shall not be listed on an agenda without prior discussion and approval by the Town Council.

All sponsors of agenda items must give any and all supporting documents to the Town Secretary 72 hours prior to the start of the regular or special meeting. An agenda item must have supporting documents and a cover sheet or it shall not be considered without a two-thirds approval of the Council.

Appendix B

Council Request Form for Agenda Items or Meetings

Agenda Requests

Council Member Name:

Date and Time of Request:

Agenda Items: *Please Circle One.*

	Workshop	Interest	Consent	Regular
Are you willing to Sponsor the Agenda Item:	Yes			No

If Yes, please submit an agenda cover sheet form.

If No, please coordinate with the Town Secretary or Mayor.

Agenda Item desired: *Please state what you want, the agenda item wording may change due to other requests or to comply with procedures.*

What Staff research do you desire? Do you have information for the Council Packet?

Have you coordinated with the Council Liaison, Mayor, or Department Head?

Meeting Request

What type of meeting do you desire: *Please Circle One.*

Workshop	Special	Town Hall	Emergency
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When do you want the meeting? *Please Circle One.*

Second Thursday	Fourth Thursday	Other
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What is the purpose of the meeting and the proposed Agenda items you are seeking?

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BYLAWS OF
NORTHLAKE ECONOMIC DEVELOPMENT
CORPORATION

(A NON-PROFIT CORPORATION)

CONTENTS OF INITIAL BYLAWS

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ARTICLE ONE-CORPORATE CHARTER AND OFFICES

1.01 CORPORATE CHARTER PROVISIONS

Each provision of the Corporation's Charter shall be observed until amended by Restated Articles or Articles of Amendment, filed with the Texas Secretary of State.

1.02 REGISTERED OFFICE AND AGENT

The address of the Registered Office provided in the Articles of Incorporation, as duly filed with the Secretary of State for the State of Texas, is:

Robert C. Wendland
1717 Main St. Ste. 4400
Dallas, TX. 75201

The name of the Registered Agent of the Corporation at such address, as set forth in its Articles of Incorporation, is ~~Walt Leonard, Attorney at Law.~~

The registered agent or office may be changed by filing a Statement of Change of Registered Agent or Office or Both with the Texas Secretary of State, and not otherwise. Such filing shall be made promptly with each change. Arrangements for each change in registered agent or office shall ensure that the Corporation is not exposed to the possibility of a default judgment. Each successive registered agent shall be of reliable character and well informed of the necessity of immediately furnishing the papers of any lawsuit against the Corporation to its attorneys.

1.03 INITIAL BUSINESS OFFICE

The address of the initial principal business office of the Corporation is hereby established as:

1301 FM 407
Box 729
Northlake, TX 76247

The Corporation may have additional business offices within the State of Texas and where it may be duly qualified to do business outside of Texas, as the Board of Directors may designate or the business of the Corporation may require.

1.04 AMENDMENT OF BYLAWS

The Board of Directors may alter, amend, or repeal these Bylaws, and adopt new Bylaws. All such Bylaw changes shall take effect upon adoption by the Directors. Notice of Bylaws changes shall be given in or before notice of the first Members' meeting following their adoption.

ARTICLE TWO- DIRECTORS AND DIRECTORS' MEETINGS

2.01 POWERS

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors, subject to the limitations imposed by law, the Articles of Incorporation, and these Bylaws.

2.02 VACANCIES

Vacancies on the Board of Directors shall exist upon: (a) the failure of the Members to elect the full authorized number of Directors to be voted for at any Member's meeting at which any Director is to be elected, (b) a declaration of vacancy under Section 2.03(a) of these Bylaws; (c) an increase in the authorized number of Directors; or (d) the death, resignation, or removal of any Director.

2.02(a) DECLARATION OF A VACANCY

A majority of the Board of Directors may declare the office of a Director vacant if the Director is adjudged incompetent by a court; is convicted of a crime involving moral turpitude; or fails to accept the office of Director, either by a letter of acceptance or by attending a meeting of the Board of Directors within thirty (30) days of notice of election.

2.02(b) FILLING VACANCIES BY DIRECTORS

Vacancies other than those caused by an increase in the number of Directors shall be temporarily filled by majority vote of the remaining Directors, though less than a quorum, or by a sole remaining Director. Each Director so elected shall hold office until a successor is elected at a Member's meeting. Vacancies reducing the number of Directors to less than three shall be filled before the transaction of any other business.

2.02(c) FILLING VACANCIES BY MEMBERS

Any vacancy on the Board of Directors, including those caused by an increase in the number of Directors, shall be filled by the Members at the next annual meeting or at a special meeting called for that purpose. Upon the resignation of a Director tendered to take effect at a future time, the Board or the Members may elect a successor to take office when the resignation becomes effective.

2.03 REMOVAL OF DIRECTORS

The entire Board of Directors or any individual Director may be removed from office by a vote of a majority of Members entitled to vote at an election of Directors. However, if less than the entire Board is to be removed, and the Members are given the right to cumulate votes in the Articles of Incorporation, no one of the Directors may be removed if the votes cast against his removal would be sufficient to elect him if then voted at an election of the entire Board of Directors. If any or all Directors are so removed, their replacements may be elected at the same meeting.

2.04 ACTION BY CONSENT OF BOARD WITHOUT MEETING

Any action required or permitted to be taken by the Board of Directors may be taken without a meeting and shall have the same force and effect as a unanimous vote of Directors if all the Directors consent to the action in writing. Such consent may be given individually or collectively.

2.05 PLACE OF MEETINGS

Meetings of the Board of Directors shall be held at any place within or without the State of Texas as may be designated by the Board.

2.06 REGULAR MEETINGS

Regular meetings of the Board of Directors shall be held, without call or notice, immediately following each annual Members' meeting, and at any other regularly repeating times as the Directors may designate.

2.07 SPECIAL MEETINGS

Special meetings of the Board of Directors for any purpose may be called at any time by the President or, if the President is absent or unable or refuses to act, by any Vice President or any two Directors. Written notice of the special meeting, stating the time and place of the meeting, shall be mailed ten (10) days before, or personally delivered so as to be received by each Director not later than two (2) days before, the day appointed for the meeting. The notice may include a tentative agenda, but the meeting shall not be confined to any agenda included with the notice, and none is required.

Upon providing notice, the Secretary or other officer sending notice shall sign and file in the Corporate Record Book a statement of the details of the notice given to each Director. If such statement should later not be found in the Corporate Record Book, due notice shall be presumed.

2.08 QUORUM

The presence throughout any Directors' meeting, or adjournment thereof, of a majority of the authorized number of Directors shall be necessary to constitute a quorum to transact any business, except to adjourn. If a quorum is present, every act done or resolution passed by a majority of the Directors present and voting shall be the act of the Board of Directors, unless the act of a greater number is required by law, the Articles of Incorporation, or these Bylaws. Directors present by proxy shall not be counted toward a quorum.

2.09 ADJOURNMENT AND NOTICE OF ADJOURNED MEETINGS

A quorum of the Directors may adjourn any Directors' meeting to meet again at a stated hour on a stated day. Notice of the time and place where an adjourned meeting will be held need not be given to absent Directors if the time and place are fixed at the adjourned meeting. In the absence of a quorum, a majority of the Directors present may adjourn to a set time and place if notice is duly given to the absent members, or until the time of the next regular meeting of the Board.

2.10 CONDUCT OF MEETINGS

The President shall chair all meetings of the Board of Directors. In the President's absence, the Vice President or Chairmen chosen by a majority of the Directors present shall preside. The Secretary of the Corporation shall act as Secretary of the Board of Directors' meetings. When the Secretary is absent from any meeting, the Chairman may appoint any person to act as Secretary of that meeting.

2.11 NUMBER OF DIRECTORS

The number of Directors of this Corporation shall be five, none of whom need be residents of Texas or Members. The number of Directors may be decreased from time to time by amendment of these Bylaws. Any decrease in the total number of Directors shall not have the effect of reducing the total number of Directors below three, nor of shortening the tenure, which any incumbent Director would otherwise enjoy.

2.12 TERM OF OFFICE

Directors shall be entitled to hold office until removed or their successors are elected and qualified. Election for all Director positions, vacant or not, shall occur at each annual Members' meeting and may be held at any special Members' meeting called specifically for that purpose.

2.13 COMPENSATION

Directors as such shall not receive salaries for their services, but by resolution of the Board of Directors a fixed sum plus expenses of attendance, if any, may be paid to Directors for attendance at each meeting of the Board. This policy does not preclude any Director from serving the Corporation in any other capacity and receiving compensation for such additional service.

2.13 INDEMNIFICATION OF DIRECTORS AND OFFICERS

The Corporation shall indemnify all officers, Directors, employees, and agents to the extent required by law. The Board of Directors may, by separate resolution, provide for additional indemnification as allowed by law.

2.14 INSURING DIRECTORS, OFFICERS, AND EMPLOYEES

The Corporation may purchase and maintain insurance, or make any other Arrangement, on behalf of any person as permitted by Article 2.22A(R) of the Texas Non-Profit Corporation Act, whether or not the Corporation has the power to indemnify that person against liability for any acts.

2.15 BOARD COMMITTEES-AUTHORITY TO APPOINT

The Board of Directors may designate one or more committees to conduct the Business and affairs of the Corporation to the extent authorized. Each Board committee shall contain at least two (2) members, a majority of whom must be Directors. The Board shall have the power to change the powers and membership of, fill in vacancies in, and dissolve any committee at any time. Members of any committee shall receive such compensation as the Board of Directors may from time to time provide. The designation of any committee and the delegation of authority thereto shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed by law. The Board may also elect or appoint Members' committees, but these committees shall not conduct the business of the Corporation.

2.17 PROXIES

A Director may vote in person or by proxy executed in writing. No proxy shall be valid after three months from the date of its execution. Each proxy shall be revocable unless expressly provided therein to be irrevocable and otherwise irrevocable by law.

ARTICLE THREE-MEMBERS AND MEMBERS' MEETINGS

3.01 ADMISSION OF MEMBERS

Members shall be admitted by the Board of Directors. An affirmative vote of two-thirds of the Directors shall be required for admission. The Directors shall set, and may alter, qualifications and classes of membership. Membership is not transferable or assignable.

3.02 VOTING RIGHTS

Members of any class(es) entitled to vote shall have one vote on each matter submitted to a vote of the Members.

3.03 TERMINATION OF MEMBERSHIP

The Board of Directors by two-thirds affirmative vote, may suspend or expel a Member for cause after notice and hearing and may by a majority vote, terminate the membership of any Member who becomes ineligible for membership, or suspend or expel any Member who shall be in default in the payment of dues for the period fixed by the Directors.

3.04 REINSTATEMENT

Upon written request signed by a former Member and filed with the Secretary, the Board of Directors may, by two-thirds affirmative vote, reinstate such former Member on such terms as the Board of Directors may deem appropriate.

3.05 RESIGNATION

Any Member may resign by filing a written resignation with the Secretary, but such resignation shall not relieve the Member so resigning of the obligation to pay any dues, assessments, or other charges theretofore accrued and unpaid.

3.06 ANNUAL MEETINGS

The time, place, and date of the annual meeting of the Members of the Corporation, for the purpose of electing Directors and for the transaction of any other business as may come before the meeting, shall be set by a majority vote of the Board of Directors. If the day fixed for the annual meeting is a legal holiday in the State of Texas, such meeting shall be held on the next succeeding business day. If the election of Directors is not held on the day thus designated for any annual meeting, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the Members as soon thereafter as possible.

3.07 ACTION WITHOUT MEETING

Any action that may be taken at a meeting of the Members under any provision of the Texas Non-Profit Corporation Act, may be taken without a meeting if authorized by a consent or waiver signed by all of the persons who would be entitled to vote on that action at a meeting and filed with the Secretary of the Corporation. Each such signed consent, or a true copy thereof, shall be placed in the Corporate Record Book.

3.08 PLACE OF MEETINGS

Members' meetings shall be held at any place within or without the State of Texas as may be designated by the written consent of all persons entitled to vote at a Members' meeting. Any meeting is valid wherever held if written consent to the meeting is given by all persons entitled to vote at the meeting.

3.09 TELEPHONE MEETINGS

Subject to the notice provisions required by these Bylaws and by the Texas Non-Profit Corporation Act, Members may participate in and hold a meeting by means of conference telephone or similar communications equipment by which all persons participating can hear each other. Participation in such a meeting shall constitute presence in person at such meeting, except participation for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

3.10 FAILURE TO HOLD ANNUAL MEETING

If, within any thirteen (13) month period, an annual Members' Meeting is not held, any Member may demand, by registered mail to any officer, that the meeting be held within a reasonable time. If the meeting is not held within sixty (60) days of the demand, any Member may compel the meeting by legal action against the Board of Directors.

3.11 CONDUCT OF MEETINGS

Members' meetings shall be chaired by the President, or, in the President's absence, a Vice President or any other person chosen by a majority of the Members present in person or by proxy and entitled to vote. The Secretary of the Corporation, or, in the Secretary's absence, an Assistant Secretary, shall act as Secretary of the Members' meetings. In the absence of the Secretary or Assistant Secretary, the Chairman of the meeting shall appoint another person to act as Secretary of the meeting.

3.12 NOTICE OF MEETINGS

The officer or persons giving notice of a Members' meeting shall deliver written notice to each Director and to each Member entitled to vote at the meeting at least ten (10) but not more than fifty (50) days before the date of the meeting. Such notice shall state the place, day, and hour of the meeting, and, in case of a special meeting, the purpose or purposes for which the meeting is called. The notice may be given personally, by mail, or by other means. The notice shall be addressed to each recipient at such address as appears in the Corporation's records or as the recipient has given to the Corporation for the purpose of notice. Meetings provided for in these Bylaws shall not be invalid for lack of notice if all persons entitled to notice consent to the meeting in writing or are present at the meeting in person or by proxy and do not object to the notice given. Consent may be given either before or after the meeting. Notice of the reconvening of an adjourned meeting is not necessary unless the meeting is adjourned more than thirty (30) days past the date stated in the notice, in which case notice of the adjourned meeting shall be given as in the case of any special meeting.

3.13 SPECIAL MEETINGS

A special Members' meeting may be called at any time by the President, the Board of Directors, or one or more Members holding one-tenth or more of all the votes entitled to vote at the meeting. Such meeting may be called for any purpose. The party calling the meeting may do so only by written request sent by certified mail or delivered in person to the President or Secretary. The officer receiving the written request shall cause notice of the meeting to be sent to all the Members entitled to vote at the meeting. If the officer does not give notice of the meeting within ten (10) days after receipt of the written request, the person or persons calling the meeting may fix the time of the meeting and give the notice. The notice shall be sent pursuant to Section 3.12 of these Bylaws. The notice of a special Members' meeting must state the purpose or purposes of the meeting and, absent consent of every Member to the specific action taken, shall be limited to purposes plainly stated in the notice, notwithstanding other provisions herein.

3.14 QUORUM

3.14(a) QUORUM OF MEMBERS

As to each item of business to be voted on, the presence (in person or by proxy) of the persons who are entitled to vote at least one-tenth of the Members' votes on that matter shall constitute the quorum necessary for the consideration of the matter at a Members' meeting. If a quorum is present, every act done or resolution passed by a majority of the Members present shall be the act of the Members.

3.14 (b) ADJOURNMENT FOR LACK OF QUORUM

No business may be transacted in the absence of a quorum, or upon the withdrawal of enough Members to leave less than a quorum, other than to adjourn the meeting from time to time by the vote of a majority of the votes represented at the meeting.

3.15 VOTING BY VOICE OR BALLOT

Elections for Directors need not be by ballot, unless a Member demands an election by ballot before the voting begins.

3.16 PROXIES

A Member may vote either in person or by proxy executed in writing by the Member or his or her duly authorized attorney in fact. Unless otherwise provided in the proxy or by law, each proxy shall be revocable and shall not be valid after eleven (11) months from the date of its execution.

3.17 VOTING BY MAIL

Any election of Directors may be conducted by mail in such manner, as the Board of Directors shall determine.

ARTICLE FOUR-OFFICERS

4.01 TITLE AND APPOINTMENT

The officers of the Corporation shall be a President, a Vice President, a Secretary, and such other officers as the Board may designate. Any two or more offices, except President and Secretary, may be held by the same person. All officers shall be elected by and hold office at the pleasure of the Board of Directors, which shall fix the compensation and tenure, not to exceed two (2) years, of all officers. The Officers may serve consecutive terms. The Board of Directors may delegate this power to appoint officers to any officer or committee, and such officer or committee shall have full authority over the officers they appoint, subject to the power of the Board as a whole. Election or appointment of an officer shall not of itself create contract rights.

4.02 REMOVAL AND RESIGNATION

Any officer may be removed, with or without cause, by vote of a majority of the Directors at any meeting of the Board, or, except in case of an officer chosen by the Board of Directors, by any committee or officer upon whom that power of removal may be conferred by the Board. Such removal shall be without prejudice to the contract rights, if any, of the person removed. Any officer may resign at any time by giving written notice to the Board of Directors, the President, or the Secretary of the Corporation. Any resignation shall take effect upon receipt or at any later time specified therein. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

4.02 VACANCIES

Should any vacancy occur in any office of the Corporation, the Board of Directors may elect an acting successor to hold office for the unexpired term or until a permanent successor is elected.

4.03 COMPENSATION

The compensation of the officers shall be fixed from time to time by the Board of Directors, and no officer shall be prevented from receiving a salary by reason of the fact that the officer is also a Member or a Director of the Corporation, or both.

4.04 PRESIDENT

The President shall be the chief executive officer of the Corporation, subject to the control of the Board of Directors. The President shall have general supervision, direction, and control of the business and officers of the Corporation; shall have the general powers and duties of management usually vested in the office of the President of a corporation; shall have such other powers and duties as may be prescribed by the Board of Directors or the Bylaws; and shall be *ex officio* a member of all standing committees, including the executive committee, if any. In addition, the President shall preside at all meetings of the Members and Board of Directors.

4.05 VICE PRESIDENT

The Vice President(s) shall have such powers and perform such duties as from time to time may be prescribed by these Bylaws, the Board of Directors, or the President. In the absence or disability of the President, the senior Vice President shall perform all the duties of the President, pending action by the Board. While so acting, the senior Vice President shall have the powers of, and be subject to all the restrictions on, the President.

4.06 SECRETARY

The Secretary shall:

- (A) See that all notices are duly given as required by law, the Articles of Incorporation, or these Bylaws. In case of the absence or disability of the Secretary, or the Secretary's refusal or neglect to act, notice may be given and served by an Assistant Secretary or by the President, Vice President, or Board of Directors.
- (B) Be custodian of the minutes of the Corporation's meetings, its Corporate Record Book, its other records, and any seal which it may adopt. When the Corporation exercises its right to use a seal, the Secretary shall see that the seal is embossed upon all documents authorized to be executed under seal in accordance with these Bylaws.
- (C) Maintain, in the Corporate Record Book, a record of all Members of the Corporation, together with their current mailing addresses.
- (D) In general, perform all duties incident to the office of Secretary, and such other duties as from time to time may be required by Article Six of these Bylaws, by these Bylaws generally, by the President, by the Board of Directors, or by law.

4.07 TREASURER

The Treasurer shall:

- (A) Have charge and custody of, and be responsible for, all funds and securities of the Corporation, and deposit all funds in the name of the Corporation in those banks, trust companies, or other depositories as the Board of Directors select.
- (B) Receive, and give receipt for, monies due and payable to the Corporation.
- (C) Disburse or cause to be disbursed the funds of the Corporation as may be directed by the Board of Directors, taking proper vouchers for those disbursements.
- (D) If required by the Board of Directors or the President, give to the Corporation a bond to assure the faithful performance of the duties of the Treasurer's office and the restoration to the Corporation of all corporate books, papers, vouchers, money, and other property of whatever kind in the Treasurer's possession or control, in case of the Treasurer's death, resignation, retirement, or removal from office. Any such bond shall be in a sum satisfactory to the Board of Directors, with one or more individual securities or with a surety company satisfactory to the Board of Directors.

- (E) In general, perform all the duties incident to the office of the Treasurer, and such other duties as from time to time may be assigned to the Treasurer by Article Six of these Bylaws, by these Bylaws generally, by the President, by the Board of Directors, or by law.

4.08 ASSISTANT SECRETARY AND ASSISTANT TREASURER

The Assistant Secretary and Assistant Treasurer shall have such powers and perform such duties as the Secretary or Treasurer, respectively, or as the President or Board of Directors may prescribe. In the absence of the Secretary or Treasurer, the Assistant Secretary or Assistant Treasurer, respectively, may perform all the functions of the Secretary or Treasurer.

ARTICLE FIVE-AUTHORITY TO EXECUTE INSTRUMENTS

5.01 NO AUTHORITY ABSENT SPECIFIC AUTHORIZATION

These Bylaws provide certain authority for the execution of instruments. The Board of Directors, except as otherwise provided in these Bylaws, may additionally authorize any officer(s) or agent(s), to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless expressly authorized by these Bylaws or the Board of Directors, no officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement nor to pledge its credit nor to render it liable pecuniarily for any purpose or in any amount.

5.02 EXECUTION OF CERTAIN INSTRUMENTS

Formal contracts, promissory notes, deeds, deeds of trust, mortgages, pledges, and other evidences of indebtedness of the Corporation, other corporate documents, and certificates of ownership of liquid assets held by the Corporation shall be signed or endorsed by the President or any Vice President and by the Secretary or the Treasurer, unless otherwise specifically determined by the Board of Directors or otherwise required by law.

ARTICLE SIX-CORPORATE RECORDS AND ADMINISTRATION

6.01 MINUTES OF CORPORATE MEETINGS

The Corporation shall keep at the principal office, or such other place as the Board of Directors may order, a Corporate Record Book containing minutes of all meetings of the Corporation's Members, Directors, and committees. The minutes shall show the time and place of each meeting, whether the meeting was regular or special, a copy of the notice given or written waiver thereof, and, if it is a special meeting, how the meeting was authorized. The minutes of all meetings shall further show the proceedings and the names of those present. Minutes of Member meetings shall also show the number of votes present or represented.

6.02 BOOKS OF ACCOUNT AND ANNUAL REPORTS

The Corporation shall maintain current true and accurate financial records with full and correct entries made with respect to all financial transactions, including all income and expenditures, in accordance with generally accepted accounting practices. Based on these records, the Board of Directors shall annually prepare or approve a report of the Corporation's financial activity for the preceding year. The report must conform to accounting standards as promulgated by the American Institute of Certified

Public Accountants and must include a statement of support, revenue, expenses, and changes in fund balances, a statement of functional expenses, and balance sheets for all funds. AU records, books, and annual reports of the financial activity of the Corporation shall be kept at its principal office for at least three years after the closing of each fiscal year and shall be available to the public for inspection and copying there during normal business hours. The Corporation may charge for the reasonable expense of preparing a copy of a record or report.

6.03 MEMBERSHIP REGISTER

The Corporation shall keep, at the principal office, a membership register showing the names of the Members, their addresses, the date they became a Member, and the date any former Member's membership terminated. The above-specified information may be kept on an information storage device, such as electronic data processing equipment, provided that the equipment is capable of reproducing the information in clearly legible form for the purposes of inspection by any Member, Director, officer, or agent of the Corporation during regular business hours.

6.04 CORPORATE SEAL

The Board of Directors may at any time adopt, prescribe the use of, or discontinue the use of, such corporate seal as it deems desirable, and the appropriate officers shall cause such seal to be affixed to such documents as the Board of Directors may direct.

6.05 FISCAL YEAR

The fiscal year of the Corporation shall be October 1-September 30 as determined by the Board of Directors and approved by the Internal Revenue Service. The Treasurer shall forthwith arrange a consultation with the Corporation's tax advisers to determine whether the Corporation is to have a fiscal year other than the calendar year. If so, the Treasurer shall file an election with the Internal Revenue Service as early as possible, and all correspondence with the IRS, including the application for the Corporation's Employer Identification Number, shall reflect such non-calendar year election.

6.06 MANAGEMENT OF FUNDS

All institutional and endowment funds shall be handled pursuant to the Uniform Management of Institutional Funds Act. (Texas Property Code Sections 163.001 et seq.)

6.07 LOANS TO OFFICERS AND DIRECTORS

The Corporation shall not loan money to any of its Directors. Loans to officers may be made if the loans can reasonably be expected to benefit the Corporation, directly or indirectly, and are made to finance the officer's principal residence or do not exceed 50% of the officer's annual salary (100% if the loan is to be made during the officer's first year of employment).

6.08 WAIVER OF NOTICE AND CONSENT TO ACTION

Meetings provided for in these Bylaws shall not be invalid for lack of notice if all persons entitled to notice either waive notice or consent to the meeting, in writing, or are present and do not object to the notice given. Waiver or consent may be given either before or after the meeting.

Attendance at a meeting shall constitute a waiver of notice of such meeting, except where a person attends a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

ARTICLE SEVEN-DUES

7.01 ANNUAL DUES

The Board of Directors may determine from time to time the amount of initiation fee, if any, and the annual dues payable to the Corporation by each class of Members.

7.02 PAYMENT OF DUES

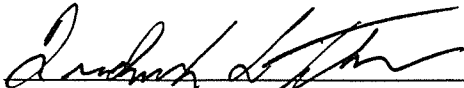
Dues shall be payable in advance on the date specified by the Board of Directors. Dues of a new Member may be prorated from the first day of the month in which such new Member is elected to membership, for the remainder of the fiscal year of the Corporation.

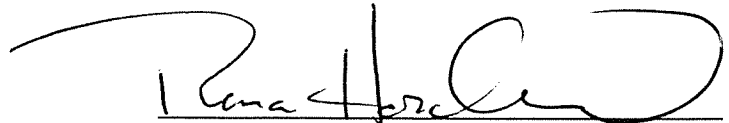
7.03 DEFAULT AND TERMINATION OF MEMBERSHIP

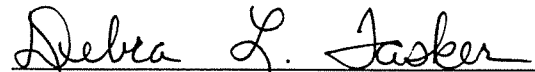
When any Member shall be in default in the payment of dues, as determined by the Board of Directors, his or her membership may be terminated by the Board of Directors in the manner provided in Article 3.03 of these Bylaws.

ARTICLE EIGHT-ADOPTION OF AMENDED BYLAWS

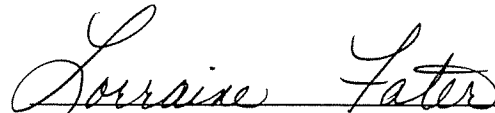
The amended bylaws were adopted by the Board of Directors on April 1, 2001.


Fred Tasker, Director


Rena Hardeman, Director

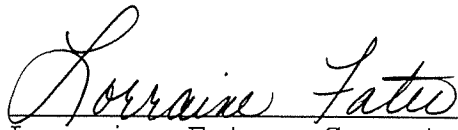

Debbie Tasker, Director


Shirley Rogers, Director


Lorraine Fater, Director

Attested to, and certified by:

Corporate Seal:


Lorraine Fater, Secretary

BYLAWS OF THE
NORTHLAKE ECONOMIC DEVELOPMENT CORPORATION 4B

ARTICLE ONE
PURPOSE AND POWERS

Section 1. Purpose. The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation, the same to be accomplished on behalf of the Town of Northlake, Texas (the "Town") as its duly constituted authority and instrumentality in accordance with Texas Local Government Code, Title 12 Planning and Development, Chapter 505 Type B Corporations, and other applicable laws.

Section 2. Powers. In the fulfillment of its corporate purpose, the Corporation shall be governed by Chapter 505 of the Local Government Code, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Code, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

ARTICLE TWO
BOARD OF DIRECTORS

Section 1. Powers, Number and Term of Office.

- (a) The property and affairs of the Corporation shall be managed and controlled by the Board of Directors (the "Board") and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws, the Board shall exercise all of the powers of the Corporation.
- (b) The Board shall consist of seven (7) directors, each of whom shall be appointed by the Town Council (the "Council") of the Town, as provided in the Articles of Incorporation. All seven directors shall reside in Denton County or within 10 miles of the Town limits. However, four of the seven directors shall reside in the Town of Northlake. No more than four directors may be Town Council Members or Town Staff.
- (c) The term of office shall be two (2) years with the term starting on June 1st and ending on May 31st. A group of four (4) directors or Group One terms will expire on odd number years and a group of three (3) directors or Group Two terms will expire on even number years. Any director may be removed from the office by the Town Council at will.

Section 2. Meetings of Directors. The directors may hold their meetings within the boundaries of the Town of Northlake.

Section 3. Notice of Meetings.

- (a) Regular meetings of the Board shall be held with proper written notice to the Directors at such times and places as shall be designated from time by the Board. The board shall meet not less than quarterly. Special meetings of the Board shall be held whenever called by the President, by a majority of the directors, by the Mayor of the Town or by a majority of the Town Council.
- (b) The President, Secretary, or a staff designee shall give notice to each director of the Special Meeting in person or by mail, telephone or e-mail, at least seventy-two (72) hours before the meeting. .
- (c) All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, Chapter 551, Tex. Gov. Code, as amended.

Section 4. Attendance. Three (3) consecutive absences or absences at more than 50% of the meetings over a 12-month period may constitute the need for a replacement. In the event the above conditions are observed, the President shall submit in writing to the Mayor the need to replace the Board member in question. The Town Council may declare a vacancy to exist, and shall fill such vacancy in accordance with Section 1 of these Bylaws.

Section 5. Quorum. A majority of the entire membership of the Board of directors shall constitute a quorum for the conduct of official business of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of the Corporation unless the act of a greater number is required by law.

Section 6. Conduct of Business.

- (a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.
- (b) At all meetings of the Board, the president shall preside, and in the absence of the president, the vice president shall exercise the powers of the president.
- (c) The secretary of the Corporation shall act as secretary of all meetings of the Board, but in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 7. Committees of the Board. The Board may designate two or more directors to constitute an official committee of the Board to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 8. Compensation of Directors. Directors shall not receive any salary or compensation for their services as directors. However, they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder.

ARTICLE THREE OFFICERS

Section 1. Titles and Term of Office.

- (a) The officers of the Corporation shall be a president, a vice president, secretary, treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the president shall not hold the office of secretary. Terms of the office shall be one (1) year to coincide with the June through May directors' terms with the right of an officer to be reelected.
- (b) All officers shall be subject to removal from an office any time by a vote of the majority of the entire Board.
- (c) A vacancy in the office of any officer shall be filled by a vote of a majority of the directors.

Section 2. Powers and Duties of the President. The president shall be the chief executive officer of the Corporation, and, subject to the paramount authority of the Board. The president shall be in general charge of the properties and affairs of the Corporation, shall preside at all meetings of the Board, and may sign and execute all contracts, conveyances, franchises, deeds, assignments, and other instruments in the name of the Corporation.

Section 3. Vice President. The vice president shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the president during that officer's absence or inability to act. Any action taken by the vice president in the performance of the duties of the president shall be conclusive evidence of the absence or inability to act of the president at the time such action was taken.

Section 4. Treasurer. The treasurer shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these Bylaws. When necessary or proper, the treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, and other obligation in or drawn upon such bank or banks or depositories as shall be designated by the Board consistent with these Bylaws. The treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all monies received and paid out on account of the Corporation. The treasurer shall, at the expense of the Corporation, give such bond for the faithful discharge of his duties in such form and amount as the Board or the council may require.

Section 5. Secretary. The Secretary shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, may sign with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances,

franchises, deeds, assignments, and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board.

Section 6. Naming Board Members. The president, each vice president and the secretary shall be named from among the members of the Board. The treasurer and any assistant secretaries may, at the option of the Board, be persons other than members of the Board, but they may be employees of the Town.

Section 7. Compensation. Officers who are members of the Board shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder. Other officers may be compensated as directed by the Board.

ARTICLE FOUR FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. General Corporate Duties and Authority.

- (a) The Board shall, if directed by the Town, research, develop, prepare, finance, and implement a recreational facilities development plan.
- (b) In carrying out its obligations under subsection (a), the Corporation shall be authorized to exercise all rights and powers granted under Chapter 505 of the Code, with the objective and for the purpose of developing and diversifying the economy of the State of Texas and the Town, and the elimination of unemployment and underemployment in the State and the Town and the expansion of commerce within the State.
- (c) The Board shall periodically submit reports to the Town Council as to the status of its activities in carrying out its obligation under this Section, and, with respect to each project undertaken by the Corporation, shall submit quarterly annual reports on the status and finances of such project.
- (d) Any and all agreements between the Corporation and other parties shall be authorized, executed, approved, and delivered in accordance with applicable law, provided, that, prior to the authorization or execution of any such agreement a copy thereof shall be provided to the Town.
- (e) All construction and other contract let or entered into by the Corporation shall be let or entered into in accordance with the laws applicable to the letting or entering into of contract by the town, unless applicable law and the Town permit otherwise.

Section 2. Annual Corporate Budget. At least thirty (30) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected

revenues and proposed expenditures of the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the Town Council. The budget shall not be effective until the same has been approved by the Town Council.

Section 3. Books, Records, Audits.

- (a) The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principals, complete books, records, accounts, and financial statements pertaining to its corporate fund activities and affairs.
- (b) At the direction of the Town Council, the book, records, accounts, and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the Town.
- (c) The Corporation, or the Town if the option described in subsection (b) is selected, shall cause its books, records, accounts, and financial statement to be audited at least once each fiscal year by an outside, independent auditing and accounting firm selected by the Corporation and approved by the Town Council. Such audit shall be at the expense of the Corporation.

Section 4. Deposit and Investment of Corporate Funds.

- (a) All proceeds from loans or from the issuance of bonds, notes, or other debt instruments ("Obligation") issued by the corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their execution or issuance.
- (b) Subject to the requirements of contracts, loan agreements, indentures or other agreements securing Obligations, all other monies of the Corporation, if any, shall be deposited secured, and/or invested in the manner provided for the deposit, security, and/or investments of public funds of the Town. The Board shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds there from for use by and for the purposes of the Corporation upon the signature of its treasurer and such other persons as the Board shall designate. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the finance director/treasurer of the Town.

Section 5. Expenditures of Corporate Money.

- (a) The monies of the Corporation, including sales and use taxes collected pursuant to Chapter 505 of the Code, monies derived from rents received from the lease or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be

expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

- (i) Expenditures from the proceeds of Obligation shall be Identified and described in the orders, resolutions, indentures, or other agreements submitted to and approved by the Town Council prior to the execution of loan or financing agreements or the sale and delivery of Obligations to the purchasers thereof required by Section 6 of this Article;
- (ii) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of monies derived from sources other than the proceeds of Obligations may be used for the purposes of financing or otherwise providing income for "Projects", as defined in Chapter 505 of the Code. The specific expenditures shall be described in a resolution or order of the Board and shall be made only after the approval thereof by the Council.
- (iii) All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article or in contracts meeting the requirements of Section 1(d) of this Article.

Section 6. Issuance of Obligations. No obligations, including refunding Obligations, shall be authorized or sold and delivered by the Corporation unless the Town Council shall approve such Obligation by action taken no more than sixty (60) days prior to the date of delivery of such Obligations or refunding Obligations.

ARTICLE FIVE MISCELLANEOUS PROVISIONS

Section 1. Principal Office.

- (a) The principal office of the Corporation shall be the registered office of the Corporation specified in the Articles of Incorporation.
- (b) The Corporation shall have and shall continually designate a registered agent at its registered office, as required by the Act.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be the same as the fiscal year of the Town.

Section 3. Seal. The seal of the Corporation shall be as determined by the Board.

Section 4. Resignations. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the president or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 5. Approval or Advice and Consent of the Council. To the extent that these Bylaws refer to any approval by the Town Council or refer to advice and consent by the Council, such approval or advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the Council.

Section 6. Indemnifications of Directors, Officer and Employees.

- (a) As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.
- (b) The Corporation shall indemnify each and every member of the Board, its officers, and its employees and each member of the Council and each employee of the Town, to the fullest extent permitted by law, against any and all liability or expense, including attorneys fees, incurred by and any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation.

ARTICLE SIX
EFFECTIVE DATE, AMENDMENTS

Section 1. Effective Date. These Bylaws shall become effective upon the occurrence of the following events:

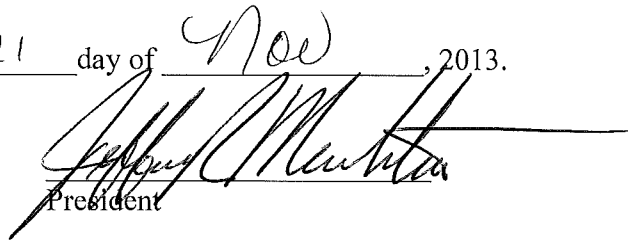
- (a) the adoption of these Bylaws by the Board; and
- (b) the approval of those Bylaws by the Town Council.

Section 2. Amendments to Articles of Incorporation and Bylaws.

The Articles of Incorporation of the Corporation and these Bylaws may be amended only in the manner provided in the Articles of Incorporation and Chapters 501 and 505 of the Code, as well as, where applicable, the Texas Business Organizations Code or other applicable law.

EXECUTED this the 21 day of Nov, 2013.




President


Corporation Secretary

ORDINANCE NO. 15-1210B

AN ORDINANCE OF THE TOWN OF NORTHLAKE, TEXAS, DESIGNATING AND CREATING A TAX INCREMENT FINANCING REINVESTMENT ZONE TO BE ENTITLED "TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, TOWN OF NORTHLAKE, TEXAS," ON APPROXIMATELY 514 ACRES OF LAND GENERALLY LOCATED ON THE EAST SIDE OF CLEVELAND GIBBS ROAD, APPROXIMATELY 1200 FEET NORTH OF FM 1171; PROVIDING FOR THE ESTABLISHMENT A BOARD OF DIRECTORS AND A TAX INCREMENT FUND FOR SUCH REINVESTMENT ZONE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Northlake Texas, (the "Town"), desires to promote the development and redevelopment of a certain geographic area to include the area described in Exhibit A attached hereto, by the creation of a reinvestment zone (the "Zone"), as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, (the "Act"); and

WHEREAS, in compliance with the Act, the Town called a public hearing to receive public comments on the advisability of creating the Zone and its benefits to the Town and the property in the proposed Zone; and

WHEREAS, in compliance with the Act, notice of such public hearing was published in a paper of general circulation in the Town, such publication date being not later than seven (7) days prior to the date of the public hearing; and

WHEREAS, such hearing was held on December 10, 2015, at the time and place mentioned in the published notice, and then closed, and

WHEREAS, at such hearing, the Town invited and allowed any interested person to appear and comment for or against the creation of the Zone, the boundaries of the proposed Zone, whether all or part of the territory included in the boundary description and depicted in the map which together are attached hereto as Exhibit "A" should be included in such proposed Zone and the concept of tax increment financing; and

WHEREAS, all owners of property located within the proposed Zone, taxing units and other interested persons were given the opportunity at such public hearing to protest the creation of the proposed Zone, the boundaries of the proposed Zone and the concept of tax increment financing; and

WHEREAS, a preliminary project and financing plan has been prepared and presented to this Town Council.

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

Section 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

Section 2. That the Town Council, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

(a) That the public hearing on creation of the Zone has been properly, called, held and conducted and that notice of such hearing has been published and provided as required by law;

(b) That creation of the proposed Zone with boundaries as described in Exhibit "A" will significantly enhance the value of all the taxable property in the zone and will be of general benefit to the Town, its residents and property owners in general;

(c) That the Zone, as defined in Exhibit "A", meets the criteria for the creation of a reinvestment zone as set forth in the Act in that:

(1) It is a contiguous geographic area located wholly within the corporate limits of the Town; and

(2) The area within the proposed Zone is predominately open and undeveloped and because of inadequate drainage and a creek and flood plain that bisects the property, lack of infrastructure and access from a major thoroughfare and other facilities that would enable or attract development or redevelopment of the area, and other factors, substantially impairs or arrests the sound growth of the Town.

(d) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal roll of the Town, together with the total appraised value of taxable real property in all other existing reinvestment zones within the Town, according to the most recent appraisal roll of the Town, does not exceed fifty percent (50%) of the current total appraised value of taxable real property in the Town and in the industrial districts created by the Town, if any;

(e) That the area within the proposed Zone is unproductive and underdeveloped, and the improvements in the Zone set forth in the preliminary project and financing plan for the proposed Zone will significantly enhance the value of all taxable real property in the Zone and be of general benefit to the Town;

(f) That the development or redevelopment of the property in the proposed Zone will not occur solely through private investment in the reasonably foreseeable future;

(g) That not more than thirty percent (30%) of the property in the proposed Zone, excluding property that is publicly owned, is currently used for residential purposes; and

(h) That improvements to the property to be included in the proposed Zone as described in the preliminary project and financing plan will significantly enhance the value of all taxable real property in the proposed Zone and will be of general benefit to the Town by providing infrastructure improvements and other facilities, improvements and other incentives that will encourage the development and redevelopment of the property within the zone that will attract visitors and consumers to the area encompassed by the zone and to commercial and retail enterprises within the Zone.

Section 3. That the Town hereby creates a tax increment reinvestment zone comprised of the area described and depicted at Exhibit "A" attached hereto, and such reinvestment zone shall hereafter be identified as "Tax Increment Reinvestment Zone Number One, Town of Northlake, Texas".

Section 4. (a) There is hereby established a board of directors for the Zone (the "Board") consisting of six members. All members shall be appointed by the Town Council. The terms of the board members shall be for two year terms. The Town Council shall appoint six individuals to serve as the initial members of the Board. Each year, the Town Council shall appoint a member to serve as the chairman of the Board for a one-year term that begins on January 1 of the following year. The Board is authorized to elect a vice-chairman to preside in the absence of the chairman or when there is a vacancy in the office of chairman. The Board may elect other officers as determined by the Board. A vacancy on the Board shall be filled for the unexpired term by appointment of the governing body of the Town. To be eligible for appointment to the Board, an individual must meet the requirements specified in the Act, as it may be amended from time to time. A simple majority of the board's membership shall constitute a quorum.

(b) The board of directors shall make recommendations to the Town Council concerning the administration of the Zone. It shall prepare and adopt a project plan and Zone financing plan for the Zone and must submit such plans to the Town Council for its approval. The board of directors shall possess all powers necessary to prepare, implement and monitor such project plan for the Zone as the Town Council considers advisable, including the submission of an annual report on the status of the Zone.

(c) To the extent permitted by the Act, the Town Council may by resolution determine that the terms of members of the board of directors be commensurate with membership on the Town Council and that the terms of board members terminate when a member's term as a Town Council member terminates. In the event of such termination, the Town Council shall appoint another member as soon as practical to fill the remainder of the term of office of the member no longer serving as a Town Council member.

Section 5. That the Zone shall take effect immediately upon passage of this Ordinance, and that the termination of the Zone shall occur on the earlier of (a) December 31, 2040, (b) an earlier time designated by subsequent ordinance of the Town Council in the event the Town determines that the Zone should be terminated due to insufficient private investment, accelerated private investment, or other good cause, or (c) at such time as all project costs, tax increment bonds, if any, and the interest thereon, and other obligations have been paid in full.

Section 6. That the Tax Increment Base for the Zone, which is the total appraised value of all taxable real property located in the Zone, is to be determined as of January 1, 2015, the year in which the Zone was designated a tax increment reinvestment zone.

Section 7. That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into such subaccounts as may be authorized by subsequent resolution or ordinance, into which all Tax Increments, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the Town Treasurer's affiliated depository bank of the Town and shall be secured in the manner prescribed by law. In addition, all revenues from the sale of any tax increment bonds and notes hereafter issued by the Town, revenues from the sale of any property acquired as part of the tax increment financing plan and other revenues to be dedicated to and used in the Zone shall be deposited into such fund or subaccount from which money will be disbursed to pay project costs for the Zone or to satisfy the claims of holders of tax increment bonds or notes issued for the Zone.

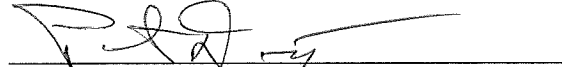
Section 8. That all provisions of the Code of Ordinances of the Town of Northlake, Texas, in conflict with the provisions of this ordinance be and are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 9. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

Section 10. That this ordinance shall take effect immediately from and after its passage.

Execution page follows.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF
NORTHLAKE, TEXAS on this 10th day of December, 2015.



Mayor
Town of Northlake, Texas

ATTESTED TO:



Town Secretary
Town of Northlake, Texas



CERTIFICATE FOR ORDINANCE

I, the undersigned Town Secretary of the Town of Northlake, hereby certify as follows:

1. The Town Council of said Town convened in regular meeting on the 10TH day of December, 2015, at the designated meeting place thereof, and the roll was called of the duly constituted officers and members of said Town Council, to-wit:

Peter Dewing, Mayor
Danny Simpson, Mayor Pro Tem
Jean Young, Councilmember
Mike McBride, Councilmember
Michael Ganz, Councilmember
Roger Sessions, Councilmember

and all of said persons were present, except

thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written Ordinance entitled

AN ORDINANCE OF THE TOWN OF NORTHLAKE, TEXAS, DESIGNATING AND CREATING A TAX INCREMENT FINANCING REINVESTMENT ZONE TO BE ENTITLED "TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, TOWN OF NORTHLAKE, TEXAS," ON APPROXIMATELY 514 ACRES OF LAND GENERALLY LOCATED ON THE EAST SIDE OF CLEVELAND GIBBS ROAD, APPROXIMATELY 1200 FEET NORTH OF FM 1171; PROVIDING FOR THE ESTABLISHMENT A BOARD OF DIRECTORS AND A TAX INCREMENT FUND FOR SUCH REINVESTMENT ZONE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

was duly introduced for the consideration of said Town Council and read in full. It was then duly moved and seconded that said Ordinance be adopted; and, after due discussion, said motion carrying with it the adoption of said Ordinance, prevailed and carried by the following vote:

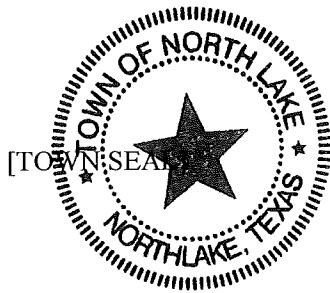
AYES: 7

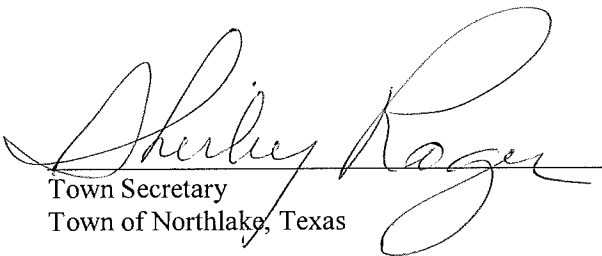
NOES: 0

ABSTENTIONS: 0

2. That a true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said Town Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said Town Council's minutes of said Meeting pertaining to the passage of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Town Council as indicated therein; that each of the officers and members of said Town Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED THE 10TH DAY OF DECEMBER, 2015.




Town Secretary
Town of Northlake, Texas

ORDINANCE NO. 97 0612 B**AN ORDINANCE FOR THE CREATION OF A BOARD OF
ADJUSTMENT FOR THE TOWN OF NORTHLAKE, TEXAS;
PROVIDING PROCEDURES FOR APPOINTING MEMBERS OF
THE BOARD AND DEFINING THEIR POWERS AND DUTIES.**

WHEREAS, the Town of Northlake has adopted a zoning ordinance in accordance with Chapter 211 of the Local Government Code;

WHEREAS, the Town of Northlake has determined that appropriate means of appeal should be provided for regulation in the zoning ordinance;

WHEREAS, the Local Government Code in § 211.008 Board of Adjustment provides for the appointment of a board of adjustment;

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

**SECTION 1
Establishment of Board**

A board of adjustment is hereby established, which shall consist of five (5) members to be appointed by the Town Council. The term of office of said members shall be two (2) years; provided, however, at the first meeting of the first five (5) members of the Board of Adjustment, such members shall draw by lot to determine which three (3) members shall serve one (1) year terms, and which two (2) members shall service two (2) year terms. Thereafter the approved number of members shall be appointed each year for a full term of two (2) years. In making such appointments, the Town Council shall name one appointee as Chairman and one as Vice Chairman. After the appointment of the original members thereof, all vacancies occurring on the Board of Adjustment shall be filled by appointment of the Town Council. Members of the Board of Adjustment may be removed from office by the Town Council for cause upon written charges and after public hearing. Vacancies shall be filled by appointment of the Town Council for the unexpired term of the member affected. There will be two (2) alternate members to the five (5) member Board of Adjustment. Each alternate member shall serve a term of two (2) years and shall serve as a member of the Board of Adjustment in the absence of the regular members. Said members shall be citizens residing in the Town of Northlake.

SECTION 2

Proceedings of the Board of Adjustment

The Board of Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meeting shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his/her absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record and be immediately filed in the office of the board.

SECTION 3

Hearings; Appeals; Notice

Appeals to the Board of Adjustment concerning interpretation or administration of this ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the town affected by any decision of the administrative official. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days or such lesser period as may be provided by the rules of the Board of Adjustment a notice of appeal specifying the ground thereof. The administrative official shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.

The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

SECTION 4

Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the administrative official from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him that, by reason of facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the administrative official from whom the appeal is taken and on due cause shown.

SECTION 5

Administrative Review

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative officials in the enforcement of this ordinance.

SECTION 6

Special Exceptions

Conditions Governing Applications; Procedures - To hear and decide only such special exceptions as the Board of Adjustment is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this ordinance. A special exception shall not be granted by the Board of Adjustment unless and until:

- a. Written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.
- b. Notice shall be given at least fifteen days in advance of public hearing. The owner of the property for which special exception is sought or his/her agent shall be notified by mail. Notice of such hearings shall be posted on the property for which special exception is sought at the Town Hall and one other public place at least 15 days prior to the public hearing.
- c. The public hearing shall be held. Any party may appear in person or by agent or attorney;
- d. The Board of Adjustment shall make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception, and that granting of the special exception will not adversely affect the public interest.

In granting any special exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

SECTION 7

Variances; Conditions Governing Applications; Procedures

To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:

- a. A written application for a variance is submitted demonstrating;
 - (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or building in the same district.
 - (2) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
 - (3) That the special conditions and circumstances do not result from the actions of the applicant;
 - (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

- b. Notice of public hearing shall be given as in *Section 6 b* above;
- c. The public hearing shall be held. Any party may appear in person, or by agent or by attorney;
- d. The Board of Adjustment shall make findings that the requirements of *Section 7 a* have been met by the applicant for a variance;
- e. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;

- f. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- g. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved or any use expressly or by implication prohibited by the terms of this ordinance in said district.

SECTION 8

Decisions of the Board of Adjustment

In exercising the above mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made and to that end shall have powers of the administrative official from whom the appeal is taken.

The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of the administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in the application of this ordinance.

SECTION 9

Appeals from the Zoning Board of Adjustment

Any person or persons, or any board, taxpayer, department, board or bureau of the Town aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the State.

SECTION 10

That this ordinance shall be cumulative of all other ordinances of the Town of Northlake; and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance;

SECTION 11

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

SECTION 12

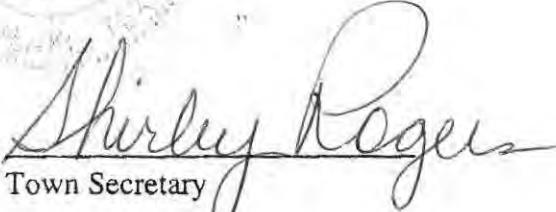
The Town Secretary of the Town of Northlake is hereby directed to engross and enroll this ordinance by copying the caption, Section 1 and the effective date clause in the minutes of the Town Council and by filing the ordinance in the ordinance records of the Town.

SECTION 13

This ordinance shall be in full force and effect from and after its passage and it is so ordained. **PASSED AND APPROVED** the 12 day of June 1997.


Mayor

ATTEST:


Town Secretary



Executive Session

Agenda Item 8