

1. Agenda

Documents:

[5-23-2019 AGENDA.PDF](#)

2. Meeting Materials

Documents:

[COUNCIL PACKET 5-23-19.PDF](#)



David A. Rettig, Mayor
Rena Hardeman, Council Place 1
Jimmy Lambert, Council Place 2

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

**Northlake Town Council Agenda
Thursday, May 23, 2019 at 7:00 pm
1500 Commons Circle Suite 300 – Chamber Room
Northlake, Texas 76226**

Notice is hereby given of a Work Session and Regular Meeting to be held on Thursday, May 23, 2019 at 7:00 pm at the Northlake Town Hall in the Chamber Room, 1500 Commons Circle, Suite 300, Northlake Texas. The items listed below are placed on the agenda for discussion and/or action

1. Call Work Session to Order and announce a quorum present
Invocation given by Dr. Matthew Harding
Pledge of Allegiance to the American Flag
2. Special Recognition
A. Thomas W. Hobbs, Northlake Municipal Court Judge - 20 Years of Service
3. Presentation
B. Sally Aldridge, President & CEO, Northwest Metroport Chamber's Annual Update
4. Briefing Items
C. FY 2020 Budget Principles and Goals
D. Overview Home Rule Charter Process
5. Call Regular Meeting to Order
6. 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
7. 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 4-25-19
F. Consider for approval the Town Council meeting minutes of 5-10-19

8. Regular Items

- G. Consider for approval the appointment of a Mayor Pro-Tem for a one-year term
- H. Consider for approval the appointment of a Municipal Court Judge for a two-year term
- I. Consider an ordinance amending Section 1.02.001 of the Code of Ordinances by amending the start time of Town Council meetings and providing an effective date (Ordinance No. 19-0523A)
- J. Consider for approval an ordinance for a zoning change from Rural Residential (RR) to C-PD Commercial Planned Development for Hillwood Communities Case PD-19-001 (Self-storage)
 - i. Public Hearing
 - ii. Ordinance No. 19-0523B
- K. Consider a resolution appointing voting directors for Northlake Municipal Management District No. 1 of Denton County pursuant to Section 375.064 of the Texas Local Government Code (Resolution No. 19-11)
- L. Consider for approval the appointment of Northlake Economic Development and Northlake Community Development Board of Directors

9. 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
 - (c) Case # FP 18-020 considered by the Town at the January 24, 2019 Town Council meeting; or
 - (d) Eminent domain actions to obtain right-of-way out of a certain 3.05-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 3.05-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 551.087 Economic Development negotiations for Hotel Conference Center Incentives

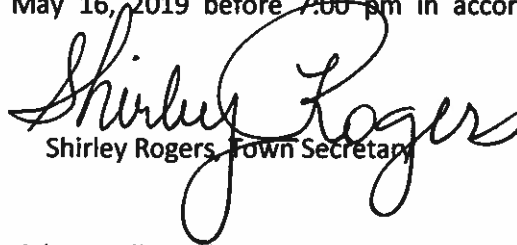
10. Open Session

- M. 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 .2707 acres of a certain 3.05 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
 - a. Resolution No. 19-

11. Adjournment

CERTIFICATION

I hereby certify that the above agenda was posted on the bulletin board at Town Hall 1500 Commons Circle, Suite 300, Northlake, Texas on Thursday, May 16, 2019 before 7:00 pm in accordance with Chapter 551, Texas Government Code


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)

****If you have a disability that requires special arrangements and you plan to attend this public meeting, please contact the Town Secretary at (940) 648.3290 ext. 202 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting****



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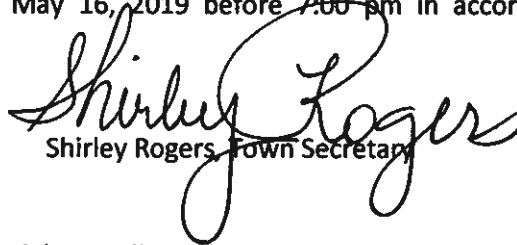
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Regular Work Session

Agenda Item 1



Special Recognition

Agenda Item 2



Judge Hobbs



20
Yrs



Presentation

Agenda Item 3

Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
CC: Shirley Rogers, Town Secretary
Date: May 23, 2019
Re: Annual Update from Northwest Metroport Chamber of Commerce

Sally Aldridge, President and CEO of the Northwest Metroport Chamber of Commerce, will update Town Council on the Chamber. This presentation of the Chamber's year-in-review will include a short video highlighting successes and slides detailing the benefits the Town receives by being a chamber member. Sally will also provide the latest copy of the Chamber's regional information brochure.

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



Briefing Items

Agenda Item 4

Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
CC: Karen Bolyard, Finance Director
Shirley Rogers, Town Secretary
Date: May 23, 2019
Re: Budget Principles Update for FY 2019

Staff will give a presentation on the status of the Fiscal Year 2018-2019 Council Budget Principles. As a reminder, the current budget principles are as follows:

- Maintain Fiscal Responsibility while Investing in Town Resources and Assets
- Ensure Sustainable Development through Strategic Planning
- Attract and Retain Diversified Business Types for Stable Future Tax Base
- Improve, Construct and Maintain Road, Water, Sewer and Drainage Infrastructure
- Attract, Retain and Train Highly Qualified and Motivated Personnel
- Validate External and Internal Capabilities with Appropriate Staffing and Facilities
- Utilize Equipment and Technology to Increase Productivity and Efficiency

Staff will present on accomplishments from the current budget year that align with the budget principles and will propose short-term, mid-range and long-term goals (see attached).

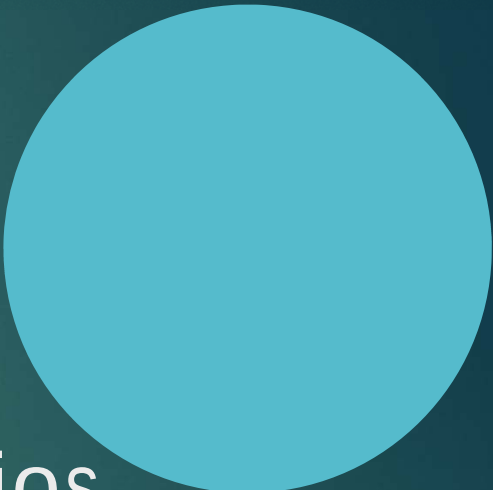
Also, staff will discuss budget scenarios for each department and major cost center. As a reminder, the four budget scenarios as delineated by Mayor Rettig are as follows:

- Scenario One – Service Reduction, elimination of services including positions
- Scenario Two – Current Service Levels, freeze current spending levels
- Scenario Three – Maintain Service Levels, increases due to growth in residents and customers
- Scenario Four – New Service, a service that the Town does not currently provide

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

TOWN OF NORTHLAKE

FY 2019 Budget Principles	Accomplishments	Short Term Objectives (less than one year)	Mid Range Objectives (one to two years)	Long Term Objectives (over two years)
<i>Maintain Fiscal Responsibility while Investing in Town Resources and Assets</i>	Issued \$12 M debt for water system improvements while maintaining low tax rate	Identified one-time draw-down of cash balance for finish-out of Police offices	Develop capital projects budget with schedule	Balance operations to debt ratio to 60/40; Maintain 25% fund balance
<i>Ensure Sustainable Development through Strategic Planning</i>	Conducted sustainability analysis	Begin home rule charter process	Update Town Park, Trails & Open Space Plan	Develop annexation plan; Update Comprehensive Land Use Plan
<i>Attract and Retain Various Business Types for Diverse Future Tax Base</i>	Recruited retailers identified in analysis; Used EDC funds to improve infrastructure	Recruit partners to develop joint full-service hotel and/or conference center	Revisit economic development incentive policies	Ensure balanced tax base with incentives & development standards
<i>Improve, Construct & Maintain Road, Water, Sewer & Drainage Infrastructure</i>	Designed water storage and distribution improvements; Repaired sewer system I&I	Construct storage and distribution capacity; Procure necessary sites, ROW and easements	Initiate water rate study; Explore drainage fee and potential drainage projects	Begin impact fee study update
<i>Recruit, Retain and Train Highly Qualified Personnel</i>	Implemented survey recommendations as part of budget process	Conduct 2020 salary survey; Investigate additional employee incentives	Enhance employee training programs	Update Town personnel policies
<i>Enhance External and Internal Capabilities with Appropriate Staffing and Facilities</i>	Leased additional lease space for Police offices	Expand supervisory and middle management positions	Transition to Court of Record; Enhance staff supervision and expertise	Assess ultimate Town building needs and future sites
<i>Utilize Equipment and Technology to Increase Productivity and Efficiency</i>	Installed recording and projection for new council chamber/ court room	Implement "always-on" connectivity for patrol & field staff with database management system	Explore video streaming of Council meetings; Upgrade Town facilities' security systems	Develop equipment purchase and replacement plan

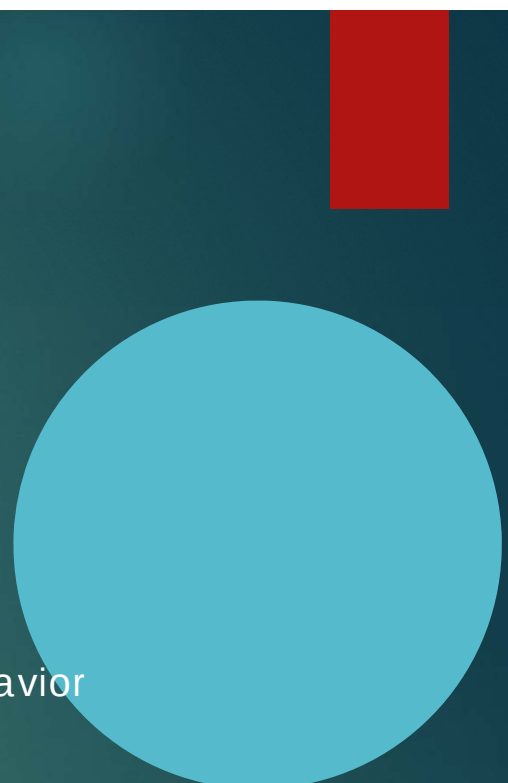


Budget Overview and Scenarios

TOWN OF NORTHLAKE

MAY 23, 2019

Budget Terms Overview



▶ Revenues

- ▶ Taxes – generally applied for benefit of entire community
- ▶ Franchise – applied to utilities for use of right-of-way
- ▶ Fees – applied to party for cost of service or asset recovery
- ▶ Fines – applied to offender as punishment for negative behavior

▶ Expenditures

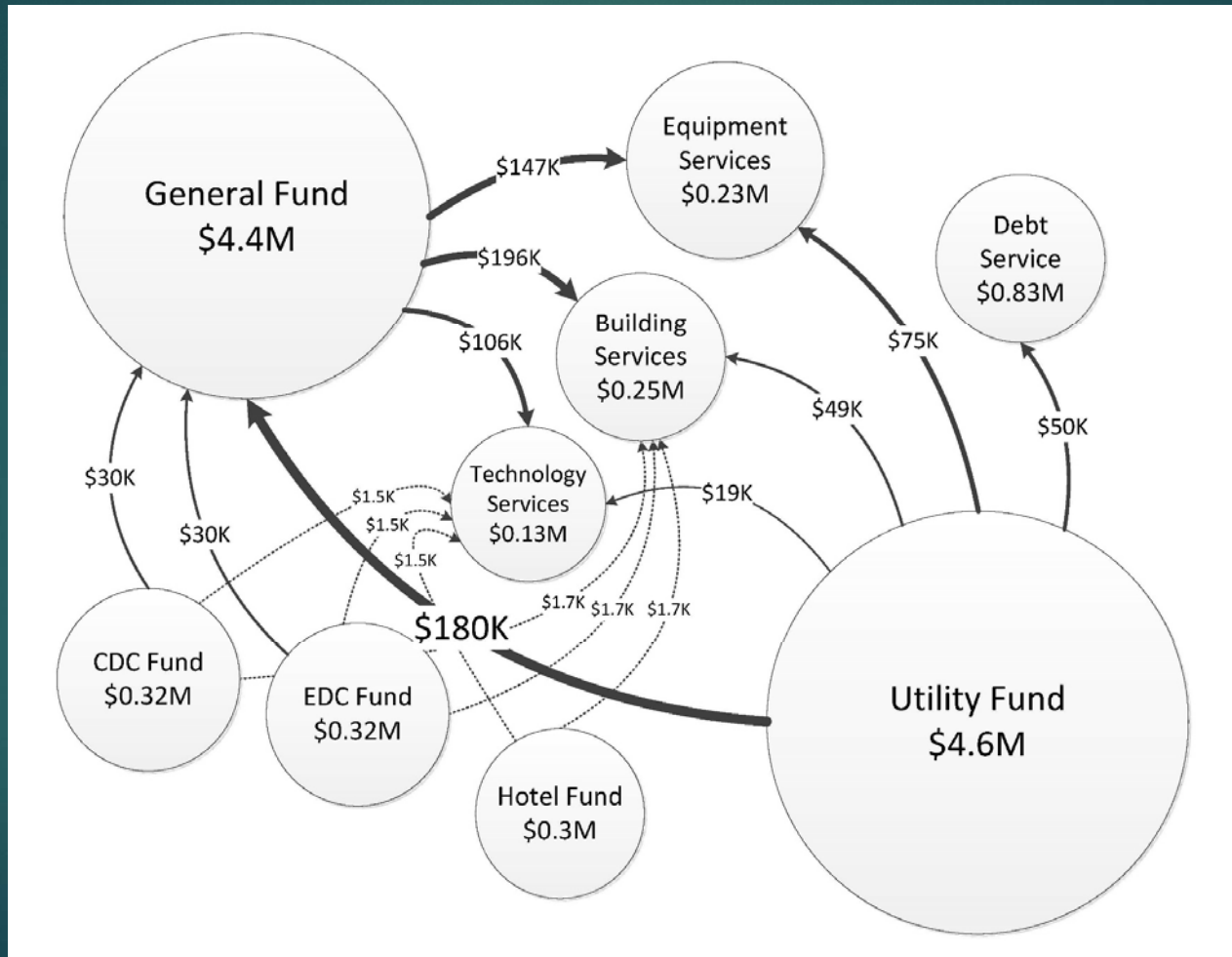
- ▶ Salaries and benefits – for Town staff to provide services
- ▶ Supplies – to carry out services
- ▶ Services – those not provided by staff, outsourced
- ▶ Capital – longer lasting items

Fund Accounting

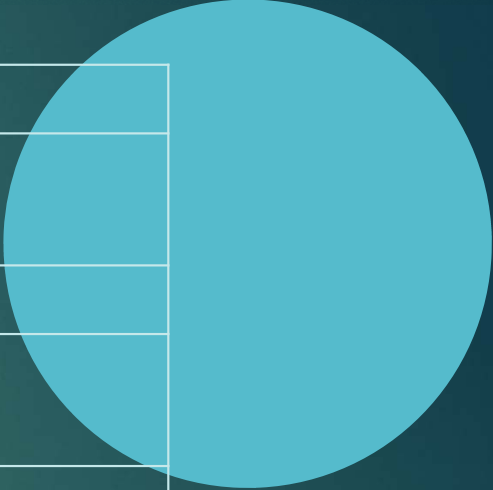
- ▶ Governmental Funds
 - ▶ General Fund
 - ▶ Debt Service Fund
 - ▶ Capital Project Fund
- ▶ Enterprise Funds
 - ▶ Utility Fund
 - ▶ Internal Service Funds
- ▶ Special Revenue Funds
 - ▶ Economic Development Corporations
 - ▶ Special Court Fees
 - ▶ Hotel Occupancy Tax



Fund Transfer Flow Chart

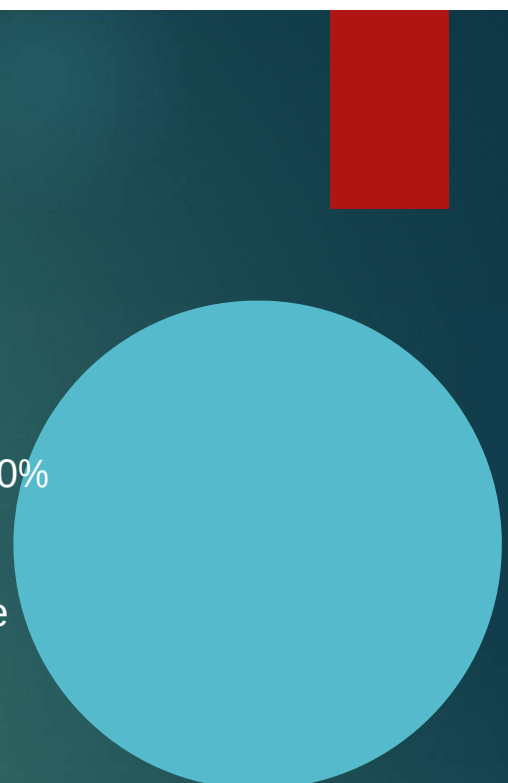


Budget Calendar



May 23	Budget Principles/Goals
June 13 or June 27	Budget Outlook and/or Preliminary Budget
June 27 or July 11	Preliminary Budget
July 25	Certified Values Proposed Budget
August 8	Tax Rate Hearing (1 st) Budget Hearing
August 22	Tax Rate Hearing (2 nd)
September 12 or 26	Adopt Budget Adopt Tax Rate

Property Tax “Reform”



- ▶ Step One – Shell Game
 - ▶ Last ten years state contributions to school finance 60% to 40%
 - ▶ Difference made up by increased appraisals
 - ▶ Current school finance budget counting on 10.26% increase
- ▶ Step Two – Blame Game
 - ▶ Accuse cities of benefitting from increased appraisals
 - ▶ Most cities have increased exemptions or lowered tax rate
- ▶ Step Three – Kill The Messenger
 - ▶ Empower Texans funded by two families in Midland and Cisco
 - ▶ Current bill by Senator Nelson silences TML and city lobbyists

Senate Bill 2 Status

- ▶ House passed version of bill with 3.5% revenue cap
- ▶ House version
 - ▶ Allows cities to bank increases under 3.5% cap
 - ▶ Allows small cities to increase at least \$500,000 without cap
 - ▶ Ties enactment of this bill to school finance bill
 - ▶ Allows consideration for local tax exemptions
- ▶ Senate version
 - ▶ Allows cities with combined \$15M property and sales tax to be exempt after an opt-in election
- ▶ Next step conference committee
- ▶ Major sticking point – conditioning on school finance fix



Mayor Rettig's Budget Scenarios

- ▶ Scenario One – Service Level Reduction
- ▶ Scenario Two – Current Service Level
- ▶ Scenario Three – Maintain Service Levels
- ▶ Scenario Four – New Services



Scenario One – Service Reductions

- ▶ Areas to cut or reduce resulting in 5-10% reductions
- ▶ Impact to services
 - ▶ Lowering service levels, or
 - ▶ Eliminating services
- ▶ Justification/Ramification
 - ▶ Some service eliminations cause revenue reduction
- ▶ Examples
 - ▶ Cut detective – cases unresolved, less patrol time for officers
 - ▶ Remove chip-seal – initial cost but less spent on patching
 - ▶ Outsource planning review – slower turnaround, higher fees



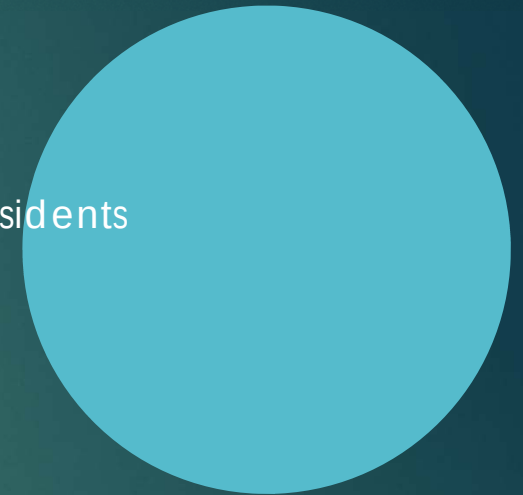
Scenario Two – Current Levels

- ▶ Maintain existing staffing, equipment, activities
- ▶ Impact to services
 - ▶ Lowering service levels (due to growth)
 - ▶ Include cost increases (COLA, unit price increases, etc.)
- ▶ Justification/Ramification
 - ▶ Many costs increase due to inflation, market forces
- ▶ Examples
 - ▶ Keep current staffing with COLA and healthcare increase
 - ▶ Keep current fleet with fuel cost adjustment
 - ▶ Keep current service contracts with activity increases



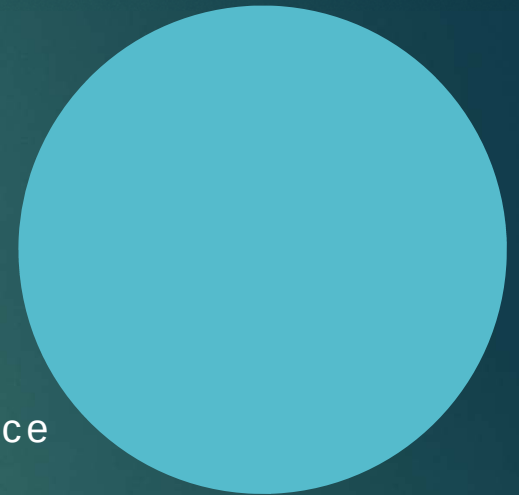
Scenario Three – Maintain Levels

- ▶ Increases in staff, materials, equipment
- ▶ Impact to services
 - ▶ Service level increase to meet increase customers, activity, residents
 - ▶ No new services
- ▶ Justification/Ramification
 - ▶ Due to population and customer increases
- ▶ Examples
 - ▶ Add police officers due to increase in population
 - ▶ Add maintenance workers due to increase in water meters
 - ▶ Add marketing position due to increase media presence



Scenario Four – New Services

- ▶ New services (planned or desired)
- ▶ Impact to services
 - ▶ Increase existing services due to growth
 - ▶ Add new services
- ▶ Justification/Ramification
 - ▶ How new service will provide higher service levels or new service
- ▶ Examples
 - ▶ Citizens Academy – educate residents on municipal functions
 - ▶ ROW beautification and maintenance
 - ▶ Court of Record – potential decrease in appeals



Town Administrator Budget Scenarios

- ▶ Service Reduction – Cut training, travel and professional memberships; cut vehicle allowance; no involvement in regional events or associations
- ▶ Current Service Level – freeze health and retirement benefits, no COLA or salary survey adjustments
- ▶ Maintain Service Level – implement remainder of salary survey; increase to retirement benefits; add part-time administrative intern position
- ▶ New Service – add full-time management assistant to assist with budget, marketing, social media and other projects

Town Secretary Budget Scenarios

- ▶ Service Reduction – Cut training, travel, education, and professional memberships; reduce health and retirement benefits
- ▶ Current Service Level – freeze health and retirement benefits, and salary, no Northlake location for Town election
- ▶ Maintain Service Level – possible cost increases for health and retirement benefits, additional budget for legal advertising
- ▶ New Service – Employment background service to use on all new hires

Finance Department Budget Scenarios

- ▶ Service Reduction – Eliminate the Finance Director position and add an Accounting Clerk to help maintain service levels
- ▶ Current Service Level – No certification pay, freeze health & retirement benefits, Longer response times for providing services due to customer growth
- ▶ Maintain Service Level – COLA and health and retirement benefit increases, additional meter read route
- ▶ New Service – Add an Accountant for proactive internal audit, improved budget planning, capital budget development and performance measure tracking

Police Department Budget Scenarios

- ▶ Service Reduction – Cut Criminal Investigations Division and Administrative Assistant and delay purchasing vehicle. Backlog of cases and records.
- ▶ Current Service Level – No increase for certificate or higher education pay when achieved, healthcare cost increases put on employees, cut licensing fees – reduce warranty coverage on equipment
- ▶ Maintain Service Level – Add Captain, Officer/CID, and civilian position to maintain service level due to increases in calls and population anticipated
- ▶ New Service – Add forensic equipment to Criminal Investigations, add License Plate Readers to Traffic Officer vehicles, add cameras in hotel and industrial areas to monitor crime.

Municipal Court Budget Scenarios

- ▶ Service Reduction – Eliminate one of two court clerks. Cut hours of operation to 8 am to 4 pm. Reduced collections/revenue
- ▶ Current Service Level – Cut overtime, office equipment rental, printing and advertising, dues and subscriptions and office supplies
- ▶ Maintain Service Level – increase to certification pay, and overtime
- ▶ New Service – add full-time supervisor position, increase to certification pay, overtime, dues and subscriptions, travel and training and technology fund

Public Works - GF Budget Scenarios

- ▶ Service Reduction – Elimination of admin asst. and maintenance worker. Reduce roadway budget. No vehicle replacements.
- ▶ Current Service Level – Fill two vacant positions. Limited roadway repairs due to increased lane miles.
- ▶ Maintain Service Level – Add superintendent, crew leader, equipment operator and maintenance worker to keep up with the increased work load. Purchase two vehicles for added staff.
- ▶ New Service – Right-of-way and median landscaping and maintenance

Public Works - UF

Budget Scenarios

- Service Reduction – Elimination of admin asst. and maintenance worker. Reduce water and sewer system preventive maintenance. No vehicle replacements.
- Current Service Level – Fill vacancies. Limited preventative maintenance on water and wastewater systems.
- Maintain Service Level – Add superintendent, crew leader, equipment operator and maintenance worker to keep up with the increased work load. Purchase two vehicles for added staff.
- New Service – cellular water meter readers

Development – General Fund Budget Scenarios



- ▶ Service Reduction – Cut training, travel and professional memberships; reduce health and retirement benefits; outsource code enforcement, health inspections, and/or planning services
- ▶ Current Service Level – freeze salaries, health and retirement benefits
- ▶ Maintain Service Level – implement remainder of salary survey; slight increase to retirement benefits; add permit tracking program
- ▶ New Service – corridor planning study to implement enhanced design aesthetic in high visibility corridor/s (possible coordination with marketing/branding plan)

Development – EDC Budget Scenarios

- ▶ Service Reduction – Cut training, travel and professional memberships; reduce health and retirement benefits; cut advertising; opt-out of Buxton contract for retail recruitment
- ▶ Current Service Level – freeze salaries health and retirement benefits
- ▶ Maintain Service Level –add marketing position; COLA; increased health and retirement benefit costs; increase incentives based on increase activity
- ▶ New Service –engage a consultant to conduct a marketing or branding plan for the Town; purchase properties for land bank

Development – CDC Budget Scenarios

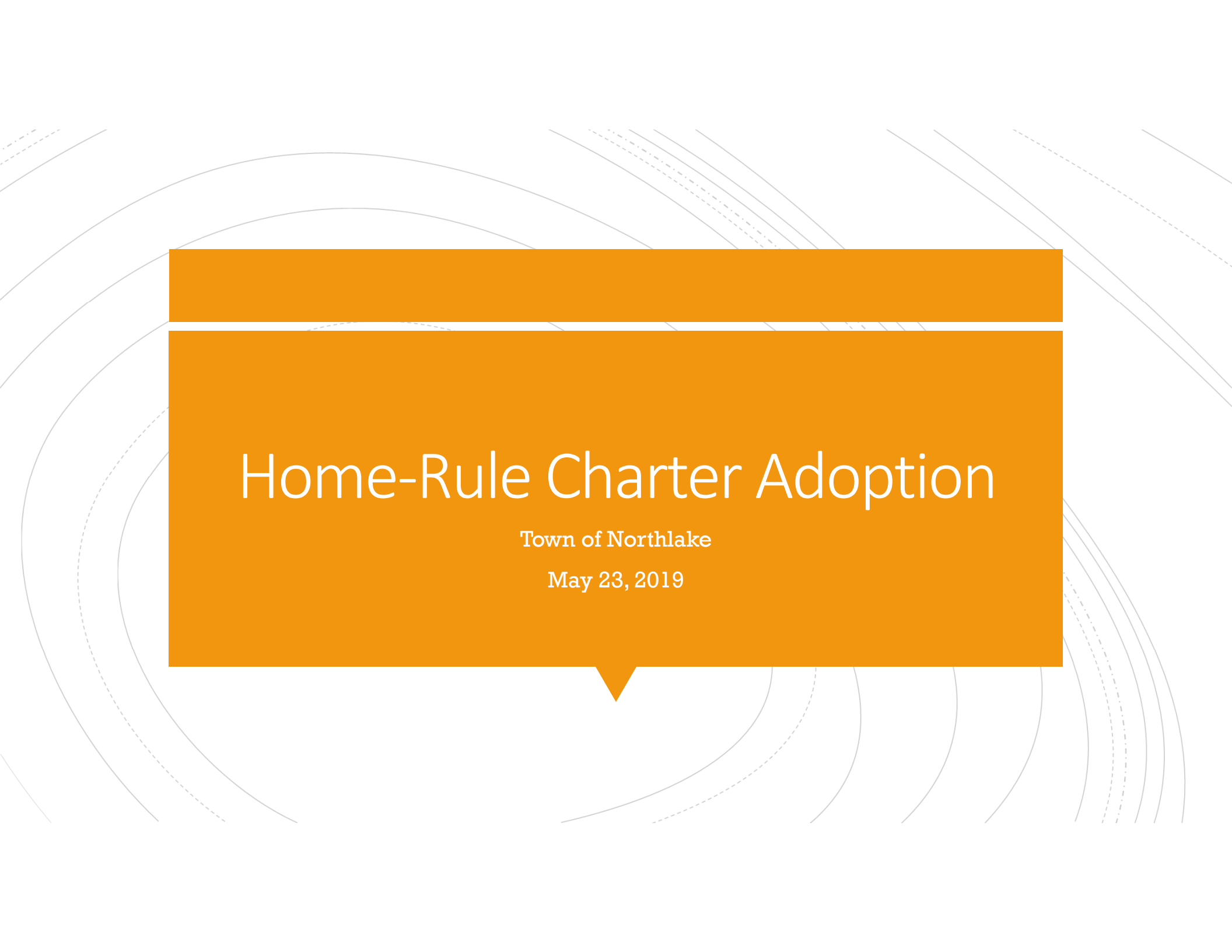
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Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
CC: Shirley Rogers, Town Secretary
Date: May 23, 2019
Re: Overview of the Home-rule Charter Adoption Process

At the recent Council Orientation, Mayor Rettig requested an overview of the home-rule charter adoption process. I have prepared a brief presentation going over the authority to create a charter, the steps involved in creating a charter, and the key articles that are typically included in a charter. I have borrowed heavily from a monograph, *Texas Home Rule Charters*, written by Terrell Blodgett as updated by Kelly McBride and Scott Houston of the Texas Municipal League. Mr. Blodgett is considered by many to be the dean of Texas city charters.

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



Home-Rule Charter Adoption

Town of Northlake

May 23, 2019

Charter Adoption Authorization

- 1836 - 1845 – Special act of Congress of Republic of Texas
- 1845 - 1912 – Special act of Texas Legislature
- 1912 - Present – Home Rule Act
- Article XI, Section 5 of Texas Constitution
 - More than 5,000 inhabitants may vote on charter
 - Charter cannot violate Texas Constitution
 - May levy, assess and collect taxes up to 2.5%
 - May issue debt with interest and sinking fund

Selection of Charter Commission

- Process starts by ordering a charter commission election, either:
 - Two-thirds vote of Council, or
 - Petition of at least 10% of qualified voters
- Election held after 30th day of ordinance and before 90th day unless there is no uniform election date
- Charter Commission must have at least 15 members
- Charter Commission selection options:
 - Election
 - Mass meeting appointment
 - Mayor appointment

Vote on Charter

- Charter Commission prepares proposed charter
- Town Council may not change proposed charter
- Vote occurs on first available uniform election date or 40 days after the commission submits charter
- 30 days before Charter Election, copy of charter mailed to every registered voter
- Each provision of the charter voted on separately
- Majority vote approves charter provisions
- Becomes effective when Town enters order into records
- Concurrent election of officers in charter allowed
- Certification by Town and registration with State

Model Charter Provisions

- **Article I – Name, Form and Boundaries**
- **Article II – Statement of Powers**
- **Article III - City Council**
- **Article IV - City Manager**
- **Article V - Departments, Office and Agencies**
- **Article VI - Financial Procedures**
- **Article VII – Elections**
- **Optional Articles**
 - Initiative, referendum and recall (direct democracy)
 - Franchises
 - Municipal planning and zoning
- **Charter Amendment Procedures**

Form of Government

- **Mayor-Council**
 - Typical of cities of the northeast, older Midwest
 - “Strong” mayor version (Denver, CO)
 - “Weak” mayor version (Houston)
- **Commission**
 - Created by Texas Legislature after Galveston Hurricane
 - Not very common, 143 exist in US (Portland, OR)
- **Council-Manager**
 - Predominate in Texas and California
 - Voters – stockholders
 - Council – board of directors
 - Manager – chief executive officer

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Powers of Municipality

- **Inherent Powers**

- Municipal organization
- Annexation
- Direct democracy measures
- Charter amendments

- **Police Powers**

- Preserve and promote health, safety and welfare
- Supremacy of rights of general public over individual
- Examples:
 - Police
 - Planning and subdivision controls
 - Regulations of streets and public places
 - Construction of public facilities

The Mayor

- **Role of Mayor**
 - Mayor-Council – “strong” mayor
 - Council-Manager – “facilitative” mayor
- **Selection of Mayor**
 - Elected at-large
 - Elected from among councilors
- **Compensation**
- **Vote in council meetings**
- **Veto**
- **Budget role**
- **Appointment powers**
- **Term of office (typically longer than councilor)**

The City Council

- **Council Elections**
 - At-large – top vote getters (Justin)
 - At-large-by-place (Northlake)
 - Single-member district (Fort Worth)
 - Combination (Duncanville)
- **Term of Office**
 - Two-year term (most common)
 - Three-year term (Roanoke)
- **Compensation, Benefits, Staff**
- **Legislative Body**
- **Council Meeting Agenda and Protocol**

The background of the slide features several thin, curved lines in a light gray color, some solid and some dashed, creating a modern, abstract design. On the left side, there is a large orange square with a smaller orange rectangle on top of it. The text 'The City Manager' is centered within the larger orange square.

The City Manager

- **Vote required for appointment**
- **Education and experience requirement**
- **Residency requirement**
- **Term of appointment or at-will of Council**
- **Removal – majority, super-majority, unanimous**
- **Powers**
 - **Appointment, removal oversight of staff**
 - **Preparation of budget**
 - **Ensure all laws, ordinances are enforced**
 - **Attend council meetings with right to partake**
- **Other duties as assigned**

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Departments

- **City Attorney**
- **City Secretary**
- **Municipal Judge**
- **Planning function**
 - Department
 - Planning and zoning commission required
 - Comprehensive Plan
- **Civil Service**
- **Boards and Commissions**

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Financial Administration

- Organization for financial administration
- Designation of fiscal year (95% start Oct. 1st)
- Property tax (power to tax)
- Other revenues
- Operating budget preparation and adoption
- Operating budget execution and monitoring
- Capital budget
- Purchasing and contracts
- Municipal debt, short and long-term



Regular Session

Agenda Item 5



Public Input

Agenda Item 6



Consent Items

Agenda Item 7



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

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

**Town Council Meeting Minutes
Thursday, April 25, 2019
1500 Commons Circle Suite 300 – Chamber Room
Northlake, Texas 76226**

1. Mayor Peter Dewing called the regular work session to order at 7:01 pm, quorum present

Council Members present: Peter Dewing, Jimmy Lambert, Brain Montini, Roger Sessions, Danny Simpson

Council Member absent: Rena Hardeman

Staff present: Drew Corn, Town Administrator; Nathan Reddin, Development Services; Robert Crawford, Chief of Police; Eric Tamayo, Public Works Director; Karen Bolyard, Finance Director; and Shirley Rogers, Town Secretary

Consultants present: Ashley Dierker, Town Counsel; Ben McGahey, PE, Town Engineer

2. Special Recognition

- A. Sharon Valentine with the Children’s Advocacy Center of Denton County spoke about the justice and healing for child abuse victims and their families and for the community; how to get involved and community outreach
- B. Mayor Dewing read Proclamation No. 19-1 - Motorcycle Awareness and Safety Month May 2019
- C. Mayor Dewing read Proclamation No. 19-2 - National Police Week May 12th – 18th
- D. Mayor Dewing read Proclamation No. 19-3 - National Public Works Week May 21th – 27th

3. Briefing Items

- E. Kevin Shepherd, PE, ENV-SP Founder & CEO of Verdunity, spoke to council about a proposal for a Fiscal Sustainability Study using fiscal analysis to frame discussions and inform decisions on growth, infrastructure and development. Specializes in the long-term economic viability and sustainability of municipalities
- F. Drew Corn updated the council on SC Tracking Solutions Contract Cancellation and In-House Tracking of OSSF State Compliance
- G. Drew Corn presented options for Household Hazardous Waste Removal to council because of request received from residents for such a service. There are two types of services: one provides a center for

drop-off and collection vehicle, these are charged by each household drop-off using a voucher system. The second type provides from front porch pick-up on a designated day of the month, charged by total number of households in the community whether service is provided or not. Seeks input from Council on how they would like to proceed

H. FY 19 Quarterly Investment Report given by Karen Bolyard

I. FY 19 Quarterly Budget Update given by Karen Bolyard

4. Mayor Dewing called the regular meeting to order at 8:04 pm, quorum present
Mayor Dewing led the audience in the Pledge of Allegiance and a Moment of Silence

5. Public Input

- Michael Ganz, resident of Northlake, thanked Mayor Dewing for a successful 12 years of service as Mayor and with 9 of years himself as council member, it was a privileged to work along side him. Stated when Mayor Dewing took over, the town was in poor financial shape, now at the end of his term, have a surplus of funds in reserve. Appreciated Mayor Dewing avoided getting the town into lawsuits unlike prior administrations. Believed there has been responsible growth under the Mayor's leadership, expanded tax base without raising taxes, eased the burden on property owners. Spoke about how Mayor Dewing managed to avoid mistakes that could impacted the town severely. Hopes the Mayor-elect continues on the path for responsible growth and avoid the anti-growth faction that seems to populate on Facebook. Mr. Ganz's advice to sitting council members to vote your conscience and stand by it
- Clifford Travis, resident of Northlake thanked Mayor Dewing for his leadership for the past 12 years. Said without some of the growth in NL, he would not be here raising his two grandchildren. He wished Mayor Dewing well in his future endeavors

6. Consent Items

Mayor Dewing pulled Item M on behalf of Councilmember Sessions request

Councilmember Sessions made the motion to approve the Consent Items J-K-L as presented. 2nd by Mayor Pro Tem Montini

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

J. Town Council meeting minutes of 3-28-19

K. Resolution 19-10 of the Town of Northlake finding that Oncor Electric Delivery Company LLC'S application for approval to amend its distribution cost recovery factor pursuant to 16 Tex. Admin Code §25.243 to increase distribution rates within the Town should be denied; finding that the Town's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and Legal Counsel

- L. Interlocal Agreement regarding wastewater treatment services between the Town of Northlake and Northlake Municipal Management District No. 1
- M. Councilmember Simpson made the motion to approve Ordinance 19-0425 providing for the maximum prima facie speed limit for Dale Earnhardt Way within the corporate limits of the Town. 2nd by Councilmember Lambert

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

- 7. Mayor Dewing convened the council into Executive Session at 8:40 pm
 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
 - (c) Case # FP 18-020 considered by the Town at the January 24, 2019 Town Council meeting; or
 - (d) Eminent domain actions to obtain right-of-way out of a certain 3.05 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 3.05 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 551.087 Economic Development negotiations for Hotel Conference Center Incentives
 - d. Section 551.072 Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired by the Town for the south water pump station and ground storage site

- 8. Mayor Dewing reconvened the council into Open Session at 8:40 pm

- N. Councilmember Sessions made the motion to approve a land purchase agreement for the south water pump station and ground storage site and authorize the Town Administrator to negotiate and execute the land purchase agreement between the Town and the seller, Chadwick Farms. 2nd by Mayor Pro Tem Montini

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

- O. No action taken on 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 .2707 acres of a certain 3.05 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
- P. Councilmember Sessions moved to approve a memorandum of understanding between the Town and Lodging Host Hotel Corp. concerning Hotel Conference Center Incentives and authorize the Town Administrator to negotiate and execute the memorandum of understanding. 2nd by Councilmember Simpson

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

- 9. Mayor Dewing adjourned the meeting at 8:42 pm

Passed and approved on this the 23rd day of May 2019

Town of Northlake, Texas

David A. Rettig, Mayor

Attest:

Shirley Rogers, Town Secretary



David A. Rettig, Mayor
Rena Hardeman, Council Place 1
Jimmy Lambert, Council Place 2

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

**Town Council Work Session/Orientation
Meeting Minutes-Notes
Friday, May 10, 2019
1500 Commons Circle Suite 300 – Chamber Room - Northlake, Texas 76226**

1. Mayor Pro-Tem Brian Montini called the workshop to order at 2:00 pm, stated a quorum was present

Council present: Danny Simpson, Roger Sessions, Brian Montini, Jimmy Lambert, Rena Hardeman (arrived at 2:39 pm), David Rettig

Staff present: Drew Corn, Town Administrator; Nathan Reddin, Development Services Director; Chief of Police Robert Crawford; Eric Tamayo, Public Works Director; Karen Bolyard, Finance Director; Leann Oliver, Court Administrator; and Shirley Rogers, Town Secretary

Consultants present: Ashley Dierker, Legal Counsel; Ben McGahey, PE Engineer

Mayor Pro-Tem Montini led the Pledge of Allegiance and a moment of silence

2. Shirley Rogers, Town Secretary, administered the Statement of Officer and Oath of Office to the following newly elected Members of Council:

David A Rettig - Mayor, Roger Sessions - Place 4, Danny Simpson - Place 5

Mayor Rettig presented the Certificate of Election to Council Members Sessions and Simpson

Mayor Pro Tem Montini presented Mayor Rettig the Certificate of Election

Mayor Rettig placed his name plate on the council dais

3. Council Orientation Workshop
 - Mayor Rettig briefed the council on his background, career and education, his history with Northlake and reflections on the election
 - a. Mayor Rettig's Core Principles and Vision for Northlake

To be a town that delivers the highest quality of life, maintain the lowest cost-to-serve, and leaves people free to enjoy their environment and community; build on the effective fiscal and administrative management function of the town; reflect on and design aesthetic theme for

Northlake with input from residents, improve communication to and from residents, staff and council on decisions, how the town operates, services and events, bring together the various components of the long term plan for Northlake into a comprehensive, proactive plan of action

Key objectives include: preserve competitively low property tax rate, invest in preparedness for the unexpected, maintain effective and efficient town staff and services, ensure high quality safety programs, strive for sustainable not just balanced growth and define space for citizens to enjoy community and nature

- b. Council Rules of Order, Council Meeting Protocol, Council-Staff Relations included: brief review of current Rules of Order, duties of Mayor by Texas Statute, role of Town Administrator, role of Town Attorney

Vision of the Mayor's role to include: facilitator of decision-making process, communicator to and from citizens, staff, and co-partners; practices the approach of leadership to be informed yet decisive, act with objectivity and neutrality, demonstrate empathy and servant leadership

Mayor's protocols and expectations: be candid, honest and open, avoid labels or suppressing debate, be informed but don't live in the past, assume the best intentions from everyone, refrain from impulsive decisions and punitive measures, and always examine the context and solicit opposing views

- c. Attorney Items (Public Meetings, Open Records) included: personal liability, Texas Open Meetings Act, public notices, public comments, executive session requirements and procedures, conflict of interest, gift to public servants, Public Information Act (open records requests)
- d. Department Head one-on-one meetings with each Council Member: discussions relating to functions of each department
- e. Budget Process: Mayor's budget scenarios were discussed and the upcoming budget calendar introduced
- f. Zoning and Platting Process discussions included: basics of zoning and platting, zoning and comp plan, the role of town staff, role of town council, zoning decisions, planned developments, specific use permits, platting process including final plat approval, 30-day rule, plat approval authority, town council approval authority
- g. Purchasing Policy, Purchasing Authority, Bidding Process
- h. Wrap-up and Mayor and Council Direction

- 4. By general consent, Mayor Rettig adjourned the workshop at 6:19 pm

Passed and approved on this the 23rd day of May 2019

Town of Northlake

David A. Rettig, Mayor

Attest:

Shirley Rogers, Town Secretary



Regular Items

Agenda Item 8

Memo

To: Honorable Mayor and Council Members
From: Shirley Rogers, Town Secretary
cc: Drew Corn, Town Administrator
Date: May 16, 2019
Re: Appointment of Mayor Pro Tempore

Dear Honorable Mayor and Council Members:

Each year following the general election, the council is allowed to appoint a member of the council as mayor pro tempore. At each new governing body's first meeting or as soon as practicable, the governing body shall elect one council member to serve as mayor pro tempore for a term of one year. If the mayor fails, is unable, or refuses to act, the mayor pro tempore shall perform the mayor's duties and is entitled to receive the fees and compensation prescribed for the mayor.

If the mayor and the mayor pro tempore are absent, any council member may be appointed to preside at the meeting. (LGC 22.037)

22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE

(a) The mayor shall reside 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.

Should you have any questions relating to this item, please do not hesitate to give me a call on my direct line 940.242.5702 or by email srogers@town.northlake.tx.us.

Memo

To: Honorable Mayor and Council Members
From: Shirley Rogers, Town Secretary
CC: Drew Corn, Town Administrator
Leann Oliver, Court Administrator
Date: May 16, 2019
Re: Appointment of Municipal Court Judge and Prosecutor

Dear Honorable Mayor and Council Members:

The city council of a general law municipality may appoint a municipal court judge to serve a two-year term and in Northlake's case, this has been historically done at the time of the election of the Mayor. The judge is not an employee-at-will and can only be removed for cause. The judge of a municipal court may administer an oath and give certificate of the fact in a matter pertaining to a duty of the court.

Each municipal court judge in the State of Texas who is not a licensed attorney in this state must complete successfully a 32-hour course in the performance of his duties within one year from the date he is first elected or appointed. The judge must complete a minimum of 12 hours each calendar year following a calendar year in which the initial course was taken.

All prosecutions in a municipal court shall be conducted by the city attorney or a deputy city attorney of the municipality. The deputy city attorney does not have to be employed by the city attorney's firm. It is the primary duty of the municipal prosecution not to convict but to see that justice is done. The prosecutor is also empowered to conduct plea negotiations with defense attorneys and enter into plea agreements at the prosecutor's discretion.

Please call or email me if you should have any questions regarding this item. I can be contacted directly at 940.242.5702.



May 13, 2019

The Honorable David Rettig
Town of Northlake, Texas
1301 FM 407
Northlake, Texas 76247

Re: Municipal Court Judge
Town of Northlake, Texas

Honorable Mayor and Council Members:

I have had the honor of serving as Municipal Court Judge for the Town of Northlake since the Court was established in 1999. It is my heartfelt desire to be reappointed so that I may continue to serve.

I live, office and worship in the Northlake community. Presiding over the Municipal Court is one way I can contribute and serve the Town. My responsibility is to enforce the laws of the State of Texas as well as the Town Ordinances while ensuring fair and impartial treatment of each defendant. While I would like to think I provide "pearls of wisdom", I strive to make the Court one with respect and honor.

Each year I have completed the continuing education and training required by the Texas Municipal Court Association. I have the education, experience, time and energy to serve you well.

Very Truly Yours,

The Honorable Thomas W. Hobbs
Municipal Court Judge, Town of Northlake, Texas

TOWN OF NORTHLAKE, TEXAS

ORDINANCE NO. 19-0523A

AN ORDINANCE AMENDING SECTION 1.02.001 OF THE CODE OF ORDINANCES BY AMENDING THE START TIME OF TOWN COUNCIL MEETINGS; 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 Council desires to amend Section 1.02.001 of the Town's Code of Ordinances to change the start time of Town Council meetings.

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

SECTION 1. That Section 1.02.001, Meetings, of Article 1.02, Town Council, of the Town of Northlake Code of Ordinances is hereby amended by amending subsection 1.02.001(b) to read as follows:

“(b) The regular meetings of the town council shall be held on the 2nd Thursday of each month at ____ p.m. The mayor, on his/her own motion, or on the application of three members of the town council, may call special meetings by notice to each member of the town council, the town secretary, and the town attorney, served personally or left at their usual place of abode.”

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, ON THIS
THE 23rd DAY OF MAY 2019**

Town of Northlake, Texas

David A. Rettig, Mayor

ATTEST:

Shirley Rogers, Town Secretary

Memo

To: Honorable Mayor and Town Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: May 23, 2019
Re: 50.33-acre zoning change from RR to C-PD (PD-19-002)

Purpose: To hold a public hearing and consider a zoning change from RR – Rural Residential (min. 5 acres lots) to C-PD – Commercial Planned Development for an approximately 50.33-acre tract of land situated in the A.M. Feltus Survey, Abstract No. 1591 and the M.E.P. and P.R.R. Co. Survey, Abstract Number 913 generally located between IH 35W and Cleveland-Gibbs Road and approximately 3,400 feet north of FM 1171.

Public Hearing Information: Northlake's Unified Development Code (UDC) in accordance with state law requires that a zoning change must be approved by ordinance following public notice and a public hearing. The public hearing is scheduled to be held at this meeting. Notice of the public hearing was published in the Denton Record Chronicle and mailed to all Northlake property owners within 200 feet of the site as required. Staff has received no responses from the notifications as of the writing of this memo. Any responses received prior to the public hearing will be presented at the Town Council meeting.

Owner/Applicant: AIL Investment, LP

Background: The owner/applicant, AIL Investment LP, is a Hillwood entity that purchased the subject property in December 2017. Hillwood Vice President of Retail, Mark Miller, briefed the Council on their proposal to rezone the property from Rural Residential (RR) to Commercial Planned Development (CPD) to allow for commercial uses as well as Mini-Warehouse/Public Storage and Outdoor Storage in a limited capacity on the site at the March 28th Town Council meeting.

Adjacent Zoning/Existing Land Uses:

North: Mixed-Use Planned Development (MPD) / Vacant, undeveloped area of Canyon Falls designated for commercial/mixed-use and IH 35W right-of-way (ROW)
South: Mixed-Use Planned Development (MPD) / Vacant, undeveloped site of the once proposed Speedway Town Center development now also owned by Hillwood. The Speedway Town Center MPD provides entitlements for more than 1 million square feet of retail and office use as well as up to 300 hotel rooms and 500 multi-family residential units.
East: Mixed-Use Planned Development (MPD) / Canyon Falls single-family residential and a vacant, undeveloped site for up to 300 apartment units
West: Rural Residential (RR) / Vacant, undeveloped property opposite IH 35W

Comprehensive Plan Designation: The Future Land Use Map of the Comprehensive Plan shows the site within the Mixed Use (MU) Character Area and the Highway Corridors (HC) Special Area which both allow for commercial uses.

50.33-acre zoning change from RR to C-PD (PD-19-002)

May 23, 2019

Page 2 of 3

Staff Analysis: This request is to rezone 50.33 acres to C-PD – Commercial Planned Development. The proposed C-PD is based on the standard C – Commercial zoning district. The only difference from the base “C” zoning is that it will also permit Mini-Warehouse/Public Storage and Outdoor Storage within a limited area not to exceed 11.5 acres as generally shown on the concept plan. In addition, it sets a maximum size of 180,000 square feet of enclosed building space for Mini-Warehouse/Public Storage use. All other standard zoning requirements for the C – Commercial zoning district will apply except for the following related to design standards and setbacks.

1. A minimum 10% of gross acreage shall be preserved open space to promote internal common and pedestrian spaces. *This is an additional standard that does not apply without the PD. There is no open space requirement in the standard C – Commercial zoning district.*
2. A minimum of 30-foot front yard setbacks along Cleveland Gibbs & I35W, with 10-foot side and 10-foot rear yard setbacks. Except for sidewalks and driveway crossings, no paving shall be permitted within all yard setback areas. *The setbacks are more restrictive than those for the standard C – Commercial zoning district because they apply to paving such as the parking lot, not just the building.*
3. All Outdoor Storage shall require a seven (7) foot tall screening fence to be constructed of steel tubular fencing with masonry columns and landscaping. *This is an additional requirement just for Outdoor Storage.*
4. Reduction of setbacks required for new development in proximity to existing gas wells. *The Town has multiple setbacks depending on whether from a bore hole (150 feet from property line and 300 feet from building), gas well associated equipment (150 feet from building), or gas well collection pipeline (150 feet from building). The proposal simplifies the setbacks to only a 200-foot measurement from a building to a bore hole and no setback from a pipeline as they are contained within easements providing setbacks relative to the size of the pipeline.*

Staff has reviewed this application in relation to the Comprehensive Plan and development ordinances. The proposed zoning appears to be compatible with the Comprehensive Plan and meets the submittal requirements for a planned development zoning change. Staff finds that the proposed zoning change, attached in the form of Ordinance No. 19-0523B, is acceptable for consideration by the Town Council. The Town Council, in considering final action on this PD, should consider the following criteria outlined in the UDC:

1. Whether the proposed PD implements the policies of the adopted Comprehensive Plan and other adopted master plans of the Town;
2. Whether the proposed PD promotes the health, safety, or general welfare of the Town and the safe, orderly, efficient and healthful development of the Town;
3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;
4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

50.33-acre zoning change from RR to C-PD (PD-19-002)

May 23, 2019

Page 3 of 3

5. The extent to which the proposed PD will result in a superior development than could be achieved through conventional zoning; or,
6. Other criteria which, at the discretion of the Town Council are deemed relevant and important in the consideration of the PD.

Attachments:

- Public Hearing Information – Notice, Buffer Map, & Contact List
- Ordinance No. 15-1022B – Proposed C-PD

ORDINANCE NO. 19-0523B

AN ORDINANCE AMENDING ORDINANCE NO. 13-0124A BEING THE NORTHLAKE UNIFIED DEVELOPMENT CODE AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF A 50.33 ACRE TRACT OF LAND SITUATED IN THE A.M. FELTUS SURVEY, ABSTRACT NO. 1591, AND M.E.P. AND P.R.R. CO. SURVEY, ABSTRACT NO. 913, IN THE TOWN OF NORTHLAKE FROM “RR” RURAL RESIDENTIAL TO “C-PD” COMMERCIAL PLANNED DEVELOPMENT AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING FOR THE ADOPTION OF DEVELOPMENT STANDARDS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 13-1024A establishing the Unified Development Code which contains the zoning regulations of the Town of Northlake; and

WHEREAS, the Unified Development Code and Official Zoning Map established the zoning of “RR” Rural Residential for a 50.33-acre tract of land located in the A.M. Feltus Survey, Abstract No. 1591, and the M.E.P. and P.R.R. Co. Survey, Abstract Number 913, in the Town of Northlake, Denton County, Texas (the “Property”); and

WHEREAS, the Unified Development Code provides for adoption of Planned Development Districts; and

WHEREAS, the Town of Northlake has received a request from the owners of the Property to rezone the Property by establishing a “C-PD” Commercial Planned Development District; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 16-1208E on December 12, 2016, The Pathway to 2040 Northlake Comprehensive Plan Update, and the requested rezoning complies with recommendations of the plans; and

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

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on May 23, 2019 with respect to the zoning change described herein; and

Ordinance No. 19-0523B – 50.33-acre rezoning from RR to C-PD

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the zoning change request and establish a “C-PD” Commercial Planned Development District on the Property.

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

SECTION 1

The 50.33-acre Property more fully described in Exhibit “A” shall be zoned “C-PD” Commercial Planned Development.

The development standards and concept plan of the Commercial Planned Development attached hereto as Exhibits “B” and “C,” each incorporated herein for all purposes allowed by law, are hereby approved as the development standards and concept plan for this Commercial Planned Development District.

SECTION 2

The use of the Property described in Exhibit “A” shall be subject to all restrictions, terms, and conditions contained herein, as well as the applicable regulations contained in the Development Standards provided in Exhibit “C” to this Ordinance, the Unified Development Code, and all other applicable and pertinent ordinances of the Town of Northlake.

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 this ordinance 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

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.

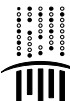
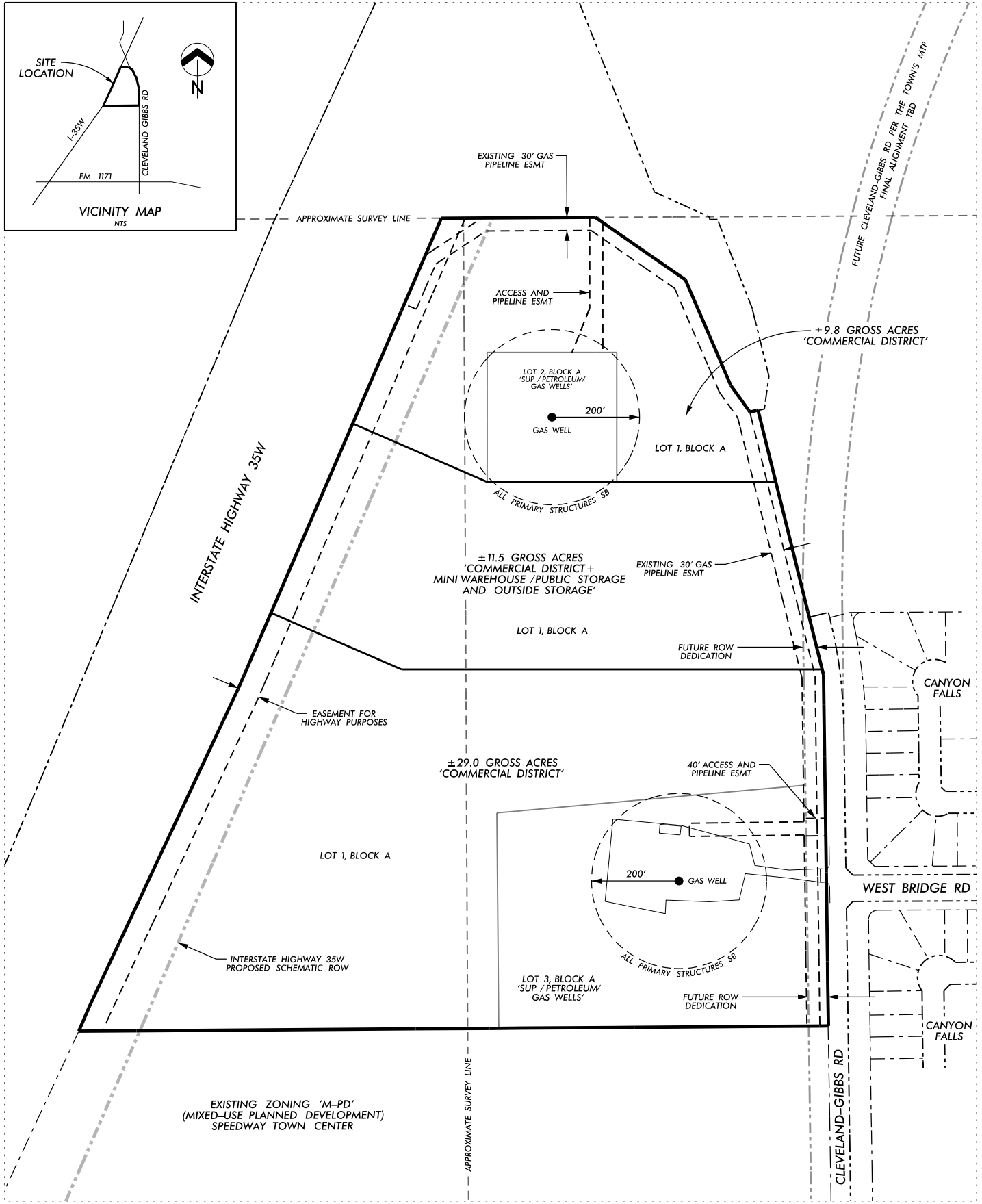
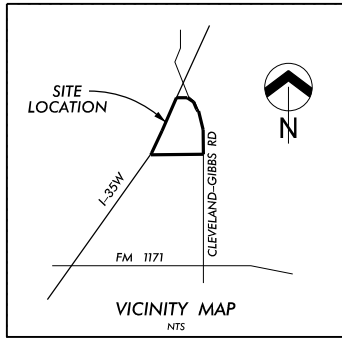
PASSED AND APPROVED on this the 23rd day of May 2019.

David Rettig, Mayor

ATTEST:

Shirley Rogers, Town Secretary

[illegible]



PELOTON
LAND SOLUTIONS

Exhibit B - Concept Plan

From 'RR / SUP / Petroleum / Gas Wells' to
'Commercial District + Mini Warehouse / Public Storage and Outside Storage'

JOB: HWA19009

DRAWN BY: JAK

CHECKED BY: JWR



Exhibit C – Development Standards

The Commercial Planned Development (CPD) District shall be developed in accordance with the Commercial (C) District in the Town of Northlake's Unified Development Code as it exists or may be amended, except as indicated below.

Permitted Uses:

The permitted uses allowed in the District shall be all Commercial, Office and Service Uses and Utility, Accessory and Incidental Uses allowed by right in the Commercial (C) District, in accordance with Table 5.2 of the Northlake Unified Development Code, as amended. Mini-Warehouse/Public Storage and Outdoor Storage uses shall be permitted by right within the District in an area not to exceed 11.5 gross acres in the area generally shown on Exhibit B – Concept Plan. A maximum of 180,000 square feet of enclosed building space may be constructed for Mini-Warehouse/Public Storage use. The definitions of Mini-Warehouse/Public Storage and Outdoor Storage will be in accordance with Article 14 – Definitions of the Northlake Unified Development Code, as amended.

Specific Use Permits:

A Specific Use Permit shall be required for all other uses listed as Permitted or otherwise requiring a Specific Use Permit in the Commercial (C) District, in accordance with the Table 5.2 of the Northlake Unified Development Code, as amended.

Design Standards and Setbacks:

1. A minimum of 10% of gross acreage shall be preserved open space to promote internal common and pedestrian spaces.
2. A minimum of 30-foot front yard setbacks along Cleveland Gibbs & I35W, with 10-foot side and 10-foot rear yard setbacks. Except for sidewalks and driveway crossings, no paving shall be permitted within all yard setback areas.
3. All Outdoor Storage shall require a seven (7) foot tall screening fence to be constructed of steel tubular fencing with masonry columns and landscaping.
4. All future development adjacent to an existing oil or gas well site shall observe the following setbacks, which shall be the exclusive setback requirements for new development thereto, near a gas well, gas pipeline, or any related improvements regardless of any conflicting provisions in the Unified Development Code:
 - a. A minimum 200 feet of separation shall be required from the well bore hole to the closest buildable portion of a lot.
 - b. No minimum feet of separation from any oil or gas well associated equipment nor from any oil or gas well collection pipe line.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Northlake Town Council will hold a public hearing on Thursday, May 23, 2019, at a meeting to begin at 7:00 pm at Northlake Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas. The purpose of this hearing is to hear comments for or against a zoning change from RR – Rural Residential to C-PD – Commercial Planned Development for an approximately 50.33-acre tract of land situated in the A.M. Feltus Survey, Abstract No. 1591 and the M.E.P. and P.R.R. Co. Survey, Abstract Number 913 generally located between IH 35W and Cleveland-Gibbs Road and approximately 3,400 feet north of FM 1171. AIL Investment LP is the owner/applicant. Case # PD-19-002.

ABOUT THIS REQUEST

The proposed C-PD is based on the standard C – Commercial zoning district. In addition to the uses permitted in the C zoning district, the C-PD will also permit Mini-Warehouse/Public Storage and Outdoor Storage uses as they are defined in the Unified Development Code (UDC). All other requirements of the standard C – Commercial district shall apply except for the additional standards presented in the attached exhibits. If you would like more information or have any questions about this request, please contact Nathan Reddin, Development Director, at 940-242-5703 or nreddin@town.northlake.tx.us. You may also visit Northlake Town Hall between the hours of 8:00 am to 5:00 am, Monday – Friday.

PUBLIC HEARING PROCESS

The public hearing process is designed to provide opportunities for citizen involvement and comment. The public hearing is held before the Town Council. During the public hearing, interested persons are asked to sign in and speak before the Town Council to provide comments for or against the request before the Town Council. Prior to the public hearing, Northlake landowners within two hundred (200) feet of the subject property are notified of the request by mailing of this notice thirty (30) days prior to the date of the public hearing. Notifications are also published in the Denton Record-Chronicle a minimum of sixteen (16) days prior to the date of the public hearing.

WRITTEN RESPONSE PROCESS

You may also make your opinion known on this request by returning the enclosed Notification Response Form. Please return this form with your comments prior to the date of the public hearing. *This in no way prohibits you from attending and participating in the public hearing.* The Council is informed of the percent of responses in support and in opposition of the request. If the owners of more than twenty (20) percent of the Northlake land area within two hundred (200) feet of the site submit written opposition, then four (4) out of five (5) votes of the Town Council are required to approve the request. ***These forms are used to calculate the percentage of landowner opposition.***

200 Foot Notification List for Public Hearing

Case Name: Zoning change request from RR to C-PD
Case Type: Planned Development (PD)
Case Number: PD-19-002
Public Hearing Date: May 23, 2019

PROPERTY ID	OWNER NAME	OWNER ADDRESS
OWNER/APPLICANT	AIL INVESTMENT LP ATTN: JOE SCHNEIDER	9800 HILLWOOD PKWY #300 FORT WORTH TX 76177
70799	HW INDIAN SPRINGS LP	C/O HILLWODD ATTN: LAURIE D ZIRPEL 9800 HILLWOOD PKWY STE 300 FORT WORTH TX
68806	HW INDIAN SPRINGS LP	C/O HILLWODD ATTN: LAURIE D ZIRPEL 9800 HILLWOOD PKWY STE 300 FORT WORTH TX 76177
705885	SUMMERS, SCOTT DAVID	3812 DRIFTWOOD LN ARGYLE TX
705886	MOORE, SEAN MICHAEL & AYAKO	822 STEVE COURTER WAY DALY CITY CA 94014
705887	TUCKER, NICOLE	3804 DRIFTWOOD LN ARGYLE TX 76226
705888	MENDYKA, STEVEN J W/ LIFE ESTATE & DONNA L W/ LIFE ESTATE TRS	3800 DRIFTWOOD LN NORTHLAKE TX
705852	MCCARTY, MICHELLE DEANN & BOOTS LINGAD	PO BOX 300 EVANDALE TX
655345	DAVIS, KEVIN L & AMY L	1545 WESTVIEW LN NORTHLAKE TX
655346	RAVELLO, JOEL J & AMANDA C	3512 WESTERLY LN ARGYLE TX
655347	SCRUGGS, ROBERT & BROWN, DONNA	3508 WESTERLY LN Argyle TX
655348	MOCK, AMANDA & NATHAN	3504 WESTERLY LN ARGYLE TX
676852	MORGAN, GINA KAY & NELSON, MICHAEL LYNN	3500 WESTERLY LN ARGYLE TX
676853	NGUYEN, BRYANT C & FRANKLIN, BRITTANI D SMITH & NGUYEN, HOA	3408 WESTERLY LN NORTHLAKE TX
676854	SCHNEIDER, MARK B & SANDRA	3404 WESTERLY LN ARGYLE TX
676855	GETZ, KERMIT E & HELEN M	3400 WESTERLY LN ARGYLE TX
676794	PARK, STEPHEN C & HEATHER M	1556 WESTBOROUGH ARGYLE TX
72841	NASH CANYON FALLS, LLC	4835 LYNDON B JOHNSON FWY STE 475 DALLAS TX
69069	NASH CANYON FALLS, LLC	4835 LYNDON B JOHNSON FWY STE 475 DALLAS TX
655620	CANYON FALLS MASTER COMMUNITY INC	7800 DALLAS PKWY STE 450 PLANO TX
705863	NASH CANYON FALLS, LLC	4835 LYNDON B JOHNSON FWY STE 475 DALLAS TX
676817	CANYON FALLS MASTER COMMUNITY INC	7800 DALLAS PKWY STE 450 PLANO TX
705882	SMITH, DERRICK & TIANA	3824 DRIFTWOOD LN ARGYLE TX
705883	HOMEOWNER	3820 DRIFTWOOD LANE ARGYLE TX
705884	GREENWOOD, BROOKE STEPHENS	3816DRIFTWOOD LANE ARGYLE TX
729941	TOWN OF NORTHLAKE	1500 COMMONS CIRCLE SUITE 300

**TOWN OF NORTHLAKE, TEXAS
RESOLUTION NO. 19-11**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS
APPOINTING DIRECTORS OF NORTHLAKE MUNICIPAL MANAGEMENT DISTRICT NO. 1
OF DENTON COUNTY, A CONSERVATION AND RECLAMATION DISTRICT LOCATED
WITHIN THE CORPORATE LIMITS OF THE TOWN OF NORTHLAKE, TEXAS**

WHEREAS, Northlake Municipal Management District No. 1 of Denton County (the “District”) was heretofore duly created by Order of the Texas Commission on Environmental Quality (the “Commission”), as a conservation and reclamation district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, of the Texas Constitution and operating pursuant to Chapter 375 of the Texas Local Government Code, and Chapter 49, Texas Water Code, as amended; and

WHEREAS, pursuant to Section 375.064 of the Texas Local Government Code, the Town of Northlake, Texas (the “Town”) shall appoint voting directors from persons recommended by the Board of Directors of the District; and

WHEREAS, two (2) director terms are to expire on August 9, 2019; and

WHEREAS, the Board of Directors of the District, acting in accordance with the applicable provisions of Section 375.064 of the Texas Local Government Code, submitted to the Town a Petition for Appointment of Voting Directors for Northlake Municipal Management District No. 1, dated May 1, 2019, recommending Edward Bogel and Tim Scott Coltart to serve as voting directors for the two (2) positions which expire on August 9, 2019; and

WHEREAS, the District desires that the Town appoint Edward Bogel and Tim Scott Coltart to serve as voting directors of the District, each to serve a four (4) year term which shall expire on August 9, 2023.

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

SECTION 1. That Edward Bogel and Tim Scott Coltart be appointed to serve as directors for Northlake Municipal Management District No. 1, each to serve a four (4) year term which shall expire on August 9, 2023.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas on this 23rd day of May 2019

Town of Northlake, Texas

David Rettig, Mayor

ATTEST:

Shirley Rogers, Town Secretary

**PETITION FOR APPOINTMENT OF VOTING DIRECTORS FOR
NORTHLAKE MUNICIPAL MANAGEMENT DISTRICT NO. 1**

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE TOWN OF NORTHLAKE:

The Board of Directors of Northlake Municipal Management District No. 1 (the "District"), acting in accordance with the applicable provisions of Section 375.064 of the Texas Local Government Code, respectfully petition the Town of Northlake (the "Town") to exercise its power and authority for the appointment of two (2) qualified persons hereinafter named to serve as voting directors of the Board of Directors of the District and would respectfully show the following:

I.

The District was heretofore duly created by Order of the Texas Commission on Environmental Quality (the "Commission"), as a conservation and reclamation district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, of the Texas Constitution and operating pursuant to Chapter 375 of the Texas Local Government Code, and Chapter 49, Texas Water Code, as amended; and

II.

Pursuant to Section 375.064 of the Texas Local Government Code, the Town shall appoint voting directors from persons recommended by the Board of Directors. The Board of Directors hereby recommends the following named persons to serve as voting directors for the District for the two (2) positions which shall expire on August 9, 2019:

Edward Bogel
Tim Scott Coltart

III.

Wherefore, the undersigned respectfully pray that this Petition be properly received and filed as provided by law and that the Town appoint the following two (2) named persons as voting directors of Northlake Municipal Management District No. 1, each to serve a four (4) year term which shall expire on August 9, 2023:

Edward Bogel
Tim Scott Coltart

Respectfully submitted this 1st day of May, 2019.

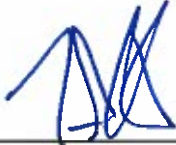
PETITIONER:

NORTHLAKE MUNICIPAL
MANAGEMENT DISTRICT NO. 1



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)



Memo

To: Honorable Mayor and Members of Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: May 16, 2019
Re: Appointments to the EDC and CDC Board of Directors

Multiple directors on the Northlake Economic and Community Development Corporations' Boards have terms expiring at the end of this month. EDC and CDC board members are appointed by the Town Council and may be removed by the Town Council with or without cause. A minimum of four members of each board must be a resident of Northlake, and members of the Town Council may serve on each board except that there is a limit of four Council members that may serve on the CDC board. There is no limitation on the number of terms that a board member can serve.

EDC Board of Directors (Term Expires)	CDC Board of Directors (Term Expires)
Laura Montini (May 2020) – President	Andy Gibson (May 2020) – President
Austin Jackson (May 2020) – Vice President	Ronald “Travis” Berryman (May 2020) – VP
Linda King (May 2019) – Sec./Treasurer	Michele Newby (May 2019) – Sec./Treasurer
Marie Amarante (May 2019)	Todd DiPietro (May 2019)
Bill Moore (May 2019)	Tom Dudark (May 2019)
David Rettig (May 2020)	Laura McGregor (May 2019)
Hillary Simpson (May 2020)	Andrea Richardson (May 2020)

No recent new applications have been submitted for consideration, but two board members, whose terms are expiring, have submitted applications to be considered for reappointment (see attached). Staff will inform all board members of expiring terms at the May 16th board meetings and will ask that they inform us on whether they would like to be considered for reappointment.

Shirley Rogers

From: noreply@civicplus.com
Sent: Sunday, April 7, 2019 11:33 AM
To: Shirley Rogers
Subject: Online Form Submittal: Board, Commission and Advisory Group Application

Board, Commission and Advisory Group Application

RECEIVED
APR 08 2019
BY: *DR*

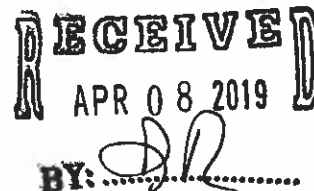
Board Commission Advisory Group [Board Commission Advisory Group \(PDF\)](#)

Name	Linda King
Address	1141 Berrydale Drive
City	Northlake
State	Texas
Zip Code	76226
Home Phone	[REDACTED]
Work Phone	Field not completed.
Email Address	[REDACTED]
Occupation, Experience, Degrees Held	BA and MA degrees; career writer, editor, project manager
Explain why you would like to serve on this board, commission or advisory group.	I would like to continue as a member of the CDC to help Northlake maintain its rural heritage while developing to meet the needs of its growing population.
Do you have any potential conflicts of interest?	no
Explain any related experience you may have.	I am a current member of the Northlake CDC.
What do you feel you have to offer this group?	leadership experience in business, professional organizations, and teams; practical approach to decisions; residence and active involvement in Canyon Falls Community
Indicate your interest by checking one of the following:	Northlake Economic Development Corporation (EDC)

Shirley Rogers

From: noreply@civicplus.com
Sent: Sunday, April 7, 2019 3:42 PM
To: Shirley Rogers
Subject: Online Form Submittal: Board, Commission and Advisory Group Application

Board, Commission and Advisory Group Application



Board Commission Advisory Group [Board Commission Advisory Group \(PDF\)](#)

Name	William A. Moore
Address	1516 Flanagan Farm Drive
City	Northlake
State	TX
Zip Code	76226
Home Phone	[REDACTED]
Work Phone	Field not completed.
Email Address	[REDACTED]
Occupation, Experience, Degrees Held	Retired
Explain why you would like to serve on this board, commission or advisory group.	I have done so for the past year and am hoping to be reappointed at this time
Do you have any potential conflicts of interest?	No Please see attached
Explain any related experience you may have.	Please see attached
What do you feel you have to offer this group?	Please see attached.
Indicate your interest by checking one of the following:	Northlake Economic Development Corporation (EDC), Other Advisory Groups (as needed)

Shirley Rogers

From: [REDACTED]
Sent: Wednesday, May 15, 2019 11:05 AM
To: Shirley Rogers

Sent from my mobile.

Shirley - would like to stay on the EDC committee.

Thanks, Resi Amarante



Executive Session

Agenda Item 9