



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262



Town Council/Board of Trustees Agenda - Final

Monday, October 21, 2024

4:00 PM

Council Chamber

The Town Council of the Town of Westlake serves as the governing Board for Westlake Academy. This agenda may contain both municipal and Westlake Academy items, which will be clearly identified. In an effort of transparency, this meeting will be viewable to the public via Live Stream and also available for viewing after the meeting. In an effort of meeting efficiency, any residents wishing to speak on action items must submit a speaker request form to the Town Secretary prior to the start of the meeting.

A. CALL REGULAR MEETING TO ORDER AND ANNOUNCE A QUORUM PRESENT

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CITIZEN/PARENT COMMENTS

This is an opportunity for citizens to address the Town Council or Board of Trustees on any matter, whether or not it is posted on the agenda. Any resident wishing to speak on action items must submit a speaker request form to the Town Secretary prior to the start of the meeting. Individual citizen comments are normally limited to three (3) minutes. The presiding officer may ask the citizen to hold their comment on an agenda item if the item is posted as a Public Hearing. The Town Council and Board of Trustees cannot by law take action nor have any discussion or deliberations on any presentation made at this time concerning an item not listed on the agenda. The Town Council and Board of Trustees will receive the information, ask staff to review the matter, or an item may be noticed on a future agenda for deliberation or action.

D. ITEMS OF COMMUNITY INTEREST

D.1. [24-333](#) Items of Community Interest (Communications Director Jon Sasser)

E. PRESENTATIONS WITH ACTION ITEMS

E.1. [24-349](#) Exploring the International Baccalaureate (IB): Inquiry at Westlake Academy (Michelle Briggs, Westlake Academy Director of Innovation and Development)

E.2. [WA RES 24-39](#) Receive presentation, discuss, consider and act to approve WA Resolution 24-39 adopting the Westlake Academy Library Materials Collection Development Policy (Katie Estrada, Secondary Librarian)

- E.3. [RES 24-71](#) Receive presentation, discuss, consider and act to approve Resolution 24-71 approving a Professional Services Agreement with Freese and Nichols for a Water, Wastewater, and Roadway Impact Fee Study in an amount not to exceed \$118,000 (Cheryl Taylor, P.E., Director of Public Works)

F. CONSENT AGENDA

All items listed below are considered routine by the Town Council and/or Board of Trustees and will be enacted with one motion. There will be no separate discussion of items unless a Council/Board Member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

- F.1. [24-334](#) Discuss, consider and act to approve the Town Council/Board of Trustees Minutes for the October 7, 2024 Regular Meeting (Dianna Buchanan, Town Secretary)
- F.2. [RES 24-70](#) Discuss, consider and act to approve Resolution 24-70 authorizing participation in the North Central Texas Council Governments' (NCTCOG) North Texas Share Program (Kyle Flanagan, Deputy Director of Public Works)
- F.3. [RES 24-72](#) Discuss, consider and act to approve Resolution 24-72 authorizing the purchase of a hydro excavation trailer from the Witch Equipment Company, Inc. in the amount of \$118,440.49 (Cheryl Taylor, P.E., Director of Public Works)
- F.4. [WA RES 24-38](#) Discuss, consider and act to approve WA Resolution 24-38 amending the Westlake Academy Annual Operating Budget for fiscal year ending June 30, 2025, and take appropriate action (Cayce Lay Lamas, Director of Finance)
- F.5. [RES 24-75](#) Discuss, consider and act to approve Resolution 24-75 authorizing the Town Manager to utilize approved FY25 budgeted funds to lease network security equipment, licensing, software, services, maintenance, and support in an amount not to exceed \$65,000 per year for 5 years; purchase one-time installation and professional services in an amount not to exceed \$39,000; and take appropriate action. (Jason Power, Director of Information Technology)
- F.6. [ORD-1013](#) Discuss, consider and act to adopt Ordinance 1013 amending the Town of Westlake Municipal Budget for fiscal year 2024; and take appropriate action (Cayce Lay Lamas, Director of Finance).
- F.7. [RES 24-76](#) Discuss, consider and act to approve Resolution 24-76 authorizing the expenditure of funds for providing pavement markings and other necessary traffic control devices from Stripe A Zone in an amount not to exceed \$85,000. (Cheryl Taylor, P.E., Director of Public Works).

G. REGULAR AGENDA BUSINESS ITEMS

- G.1. [WA RES 24-35](#)** Discuss, consider and act to approve WA Resolution 24-35 to rescind WA Resolution 24-33 regarding the contract with NWN Carousel and Single Wire for a Mass Notification System at Westlake Academy (Jason Power, IT Director)
- G.2. [WA RES 24-36](#)** Discuss, consider and act to approve WA Resolution 24-36 approving the purchase and installation of a security and mass notification system for Westlake Academy utilizing Security System Grant funds from the State of Texas and Westlake Academy general funds in an amount not to exceed \$100,000 (IT Director Jason Power)
- G.3. [RES 24-73](#)** Discuss, consider and act to approve Resolution 24-73 authorizing the expenditure of funds for the purchase of water meters and utility parts from Atlas Utility Supply Company in an amount not to exceed \$100,000. (Cheryl Taylor, P.E., Director of Public Works).
- G.4. [24-351](#)** Discuss, consider, and act to regarding a request from Bernal Homes, Inc. to deviate from certain building aesthetic, design, and material standards contained within the Entrada Design Guidelines (Deputy Town Manager Jason Alexander, AICP, CEcD)
- G.5. [24-352](#)** Consider and act to excuse Mayor and Council absence(s), if any.

H. PUBLIC HEARINGS WITH ACTION ITEMS

- H.1. [ORD-1010](#)** Hold public hearing, discuss, consider and act to adopt Ordinance 1010 Amending Chapter 102, "Zoning", Article VII "Planned Development Regulations", Division 2, "Planned Development District Procedures" Section 102-269, "Amendment of Plans", Modifying Provision for Minor Modifications to PD Site Plans (Deputy Town Manager Jason Alexander, AICP, CeCD)
- H.2. [ORD-1011](#)** Hold public hearing, discuss, consider and act to adopt Ordinance 1011 Amending Chapter 102, "Zoning", Article V, "Parking and Loading", Section 102-153, "General Provisions", Modifying Regulations relating to Paving Materials and Providing New Regulations for Temporary Parking (Deputy Town Manager Jason Alexander, AICP CEcD)

I. EXECUTIVE SESSION

The Town Council/Board of Trustees reserves the right to adjourn into Executive Session during the course of the meeting to seek legal advice from its attorney regarding any agenda item listed herein as authorized by Section 551.071 of the Local Government Code.

J. TAKE ANY ACTION, IF NEEDED, FROM EXECUTIVE SESSION ITEMS**K. FUTURE AGENDA ITEMS**

L. STAFF RECAP OF COUNCIL DIRECTION**M. ADJOURNMENT****CERTIFICATION**

I certify that the above notice was posted on the bulletin board at Town of Westlake, Town Hall, located at 1500 Solana Blvd., Building 7, Suite 7100, Westlake, TX 76262, in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.



Town Secretary

Disabilities Notice: If you plan to attend the meeting and have a disability that requires special needs, please contact the Town Secretary's Office 48 hours in advance at Ph. 817-490-5711 and reasonable accommodations will be made to assist you.



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: 24-333

Agenda Date: 10/21/2024

Agenda #: D.1.

TOWN STAFF REPORT RECOMMENDATIONS

Items of Community Interest (Communications Director Jon Sasser)

STAFF: Communications Director Jon Sasser

BACKGROUND:

Pursuant to Texas Government Code Section 551.0415 the Town Council (and or designee) may report on the following items: (1) expression of thanks, congratulations, or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming Town Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

NOTABLE ITEMS AND UPCOMING EVENTS:

Town Council Meeting

Monday, October 21, 2024; 4 pm
1500 Solana Blvd, Westlake

Concert Series #2

Wednesday, October 23, 2024; 5:30-7:30 pm
1500 Solana Blvd, Westlake
Lover: Taylor Swift cover band

Special Called Council Work Session Meeting

Strategic Planning Work Session with Baker Tilly
Thursday, November 7, 2024; 3 pm-7 pm
Terraces of Solana Conference Room #3
1500 Solana Blvd, Bldg 7, Westlake

Planning & Zoning Meeting

Tuesday, November 12, 2024; 5 pm
1500 Solana Blvd, Westlake

ADDITIONAL ITEMS:

- Survey info

- Student Police Advisory Committee
- Trunk or Treat Recap



Town of Westlake

Staff Report

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

File #: 24-349

Agenda Date: 10/21/2024

Agenda #: E.1.

WESTLAKE ACADEMY STAFF REPORT RECOMMENDATIONS

Exploring the International Baccalaureate (IB): Inquiry at Westlake Academy (Michelle Briggs, Westlake Academy Director of Innovation and Development)

STAFF:

(Michelle Briggs, Westlake Academy Director of Innovation and Development)

No action is required from the Board of Trustees for this item.



Town of Westlake

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Staff Report

File #: WA RES 24-39

Agenda Date: 10/21/2024

Agenda #: E.2.

ACADEMY STAFF REPORT RECOMMENDATIONS

Receive presentation, discuss, consider and act to approve WA Resolution 24-39 adopting the Westlake Academy Library Materials Collection Development Policy (Katie Estrada, Secondary Librarian)

STAFF: Katie Estrada, Secondary Librarian

SUMMARY:

The purpose of this presentation is to inform the Board of Trustees of the Westlake Academy Library Materials Collection Development policy that has been written for the library materials that are curated and made available to Westlake Academy students. Texas Administrative Code 13 TAC §4.2 requires that “each Texas public school district board or governing body must approve and institute a collection development policy that describes the processes and standards by which a school library acquires, maintains, and withdraws materials.” The mandatory collection development standards were developed by the Texas State Library and Archives Commission in accordance with section 33.021 of the Texas Education Code and Texas House Bill 900.

The Westlake Academy Library Materials Collection Development policy was written to meet the requirements of the law, align with the mission of Westlake Academy as an IB World School, and provide clear and reasonable procedures to guide families, librarians, teachers, administrators, and school board members.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends approval and adoption of the Westlake Academy Library Materials Collection Development Policy.

ATTACHMENT(S):

WA Resolution 24-39
Westlake Academy Library Materials Collection Development Policy

BOARD OF TRUSTEES ACTION/OPTIONS:

- 1) Motion to approve as presented.
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny



Westlake Academy Library Collection Development Policy

Katie Estrada
Librarian

Amber Bernard
Teacher Librarian

Westlake Academy Library Mission



The Westlake Academy library strives to be the heart of the school and supports the Westlake Academy its mission by:

- Providing students and educators access to physical and digital resources that support the IB curriculum across all three Programmes: Primary Years, Middle Years, and Diploma.
- Fostering a culture of academic and personal reading that values texts representing diverse perspectives and respects students' freedom to read.
- Supporting student development of communication, research, and thinking skills for engaging with physical and digital resources.
- Collaborating locally and globally to create meaningful learning experiences.
- Maintaining a learning environment where students and educators can collaborate, inquire, and create while exemplifying the IB learner profile traits: inquirers, knowledgeable, thinkers, communicators, principled, open-minded, caring, risk-takers, balanced, and reflective.

Snapshot of the Westlake Academy Bradley Library

PYP Library

- Fixed schedule for K-5 students (45 minute lessons every week for all 18 classes)
- Daily open checkout for all PYP students every morning from 7:30-8:30 and 9:30-10:15 on late start Wednesdays
- Co-facilitating Exhibition, pushing into G5 weekly
- Lessons and learning experiences
 - Culture of reading
 - Approaches to learning, especially research skills
 - Supporting the PYP Exhibition
 - Collaboration with teachers to support units of inquiry
 - Coordinating author visits and guest speakers for PYP students

Secondary Library

- Middle school: Biweekly visits through English class (30 minutes) + on-demand lessons across content areas
- High school: Monthly visits through English class + on-demand lessons across content areas
- Lessons and learning experiences
 - Culture of reading
 - Approaches to learning, especially research skills
 - Supporting the MYP Personal Project and DP Extended Essay
 - Collaboration with teachers

Over 8,000 titles in the collection K-12. Over 15,000 circulations each school year.

HB 900 Highlights

- Prohibits possession, acquisition, and purchase of harmful material, sexually-explicit material, or pervasively vulgar material.
- Prohibits removal of material based solely on the ideas contained in the material or the personal background of the author of the material or characters in the material.
- Recognizes parents as the primary decision makers regarding their student's access to library material.

“School Library Programs: Collection Development Standards.” *Texas Administrative Code*, Title 13, Part 1, Chapter 4, Subchapter A, Rule §4.2.

HB 900: READER Act

(Restricting Explicit and Adult Designated Educational Resources)

- June 13, 2023 Signed by Governor Abbott
- September 1, 2023 Effective date
- January 1, 2024 TSLAC mandatory collection development standards approved by the SBOE
- January 17, 2024/
April 16, 2024 US Fifth Circuit Court of Appeals decision prohibits the TEA from enforcing HB 900 requirements that book vendors rate library materials as sexually explicit or sexually relevant.
- Current status Everything except parts of the law related to the vendor rating system are enforceable.

“HB 900 Implementation.” *Texas Library Association*, www.txla.org.
Accessed 29 September 2024.

Implementing HB 900

- Although there is not a deadline, all districts are required to “approve and institute a collection development policy that describes the processes and standards by which a school library acquires, maintains, and withdraws materials.”
- HB 900 applies to all school libraries, including classroom libraries and online catalogs/ resources.
- The collection development policy is separate from the instructional materials policy.

“School Library Programs: Collection Development Standards.” *Texas Administrative Code*, Title 13, Part 1, Chapter 4, Subchapter A, Rule §4.2.

HB 900 Highlights

- Requires transparency of collection (publically available).
- Requires process for evaluation, selection, deselection and reconsideration of materials.
- Requires school districts should ensure a professional librarian certified by the State Board for Educator Certification or other dedicated professional library staff trained on proper collection development standards is responsible for the selection and acquisition of library materials.

“School Library Programs: Collection Development Standards.” *Texas Administrative Code*, Title 13, Part 1, Chapter 4, Subchapter A, Rule §4.2.

Westlake Academy Collection Development Policy Goals

Create and implement a collection development policy that

- Meets the requirements of the law
- Aligns with the mission of Westlake Academy as an IB World School
- Provides clear and reasonable procedures to guide families, librarians, teachers, administrators, and school board members

Westlake Academy Collection Development Resources

- Texas State Library and Archives Commission
- Texas Education Agency
- Mandatory standards for school library collection development ([**13 TAC §4.2**](#)).

Westlake Academy Collection Development Policy



Selection Objectives

- Enrich and support the Texas Essential Knowledge and Skills (TEKS) and curriculum established by Education Code, §28.002 (relating to Required Curriculum), while taking into consideration students' varied interests, maturity levels, abilities, and learning styles.
- Support the implementation of the International Baccalaureate curriculum for the Primary Years, Middle Years, and Diploma Years Programmes, including the culminating experiences for each program (PYP Exhibition, MYP Personal Project, and DP Extended Essay).
- Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.

Westlake Academy Collection Development Policy



Selection Objectives (continued)

- Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis.
- Foster personal inquiry and reading by selecting materials that appeal to a wide range of interests and perspectives appropriate for all grade levels (K-12).
- Represent the ethnic, religious, and cultural groups of the state and their contribution to Texas, the nation, and the world.
- Facilitate student development of international mindedness by selecting materials representing diverse experiences and perspectives.
- Provide materials in a variety of formats (print and electronic), allowing students experience with locating, accessing, and engaging with a range of sources.

Westlake Academy Collection Development Policy

Evaluation and Selection

- Selection Objectives
- Programme priorities
- Age appropriateness

Methods of Evaluation

- Authoritative reviews from professional library science journals
- Context of the work and fit with the existing collection & curriculum
- Direct review of the item
- Community recommendations
- Teacher recommendations

Proposed Collection Development Policy

Deselection/ Weeding

- Full inventory every two years

- Evaluate for replacement or removal
 - Copyright date
 - Physical condition
 - Space consideration
 - Circulation
 - Relevance to curriculum
 - Collection development objectives and standards

Proposed Collection Development Policy

Reconsideration Process

Step One: Informal Reconsideration Request

- a. The principal or other appropriate staff shall explain to the questioner the school's selection procedure, criteria, and qualifications of those persons selecting the resource.
- b. The principal or other appropriate staff shall explain the particular place the questioned resource occupies in the education program, its intended educational usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource.
- c. If the questioner wishes to file a formal challenge, a copy of the "Request for Reconsideration of Library Materials" form shall be handed or emailed to the party concerned by the principal.

Proposed Collection Development Policy

Reconsideration Process (continued)

Step Two: Formal Reconsideration Request

- a. Formal reconsideration committee
 - i. Librarians, assistant principal, coordinator, teacher
 - ii. All members read the material in its entirety
 - iii. Decision within 60 school days
- b. Written report
- c. Option to appeal

Westlake Academy Collection Development Policy Goals

Create and implement a collection development policy that

- ✓ Meets the requirements of the law
- ✓ Aligns with the mission of Westlake Academy as an IB World School
- ✓ Provides clear and reasonable procedures to guide families, librarians, teachers, administrators, and school board members



WESTLAKE ACADEMY

RESOLUTION NO. 24-39

**A RESOLUTION OF THE WESTLAKE ACADEMY BOARD OF TRUSTEES
APPROVING THE WESTLAKE ACADEMY LIBRARY MATERIALS COLLECTION
DEVELOPMENT POLICY.**

WHEREAS, Westlake Academy operates a library with library materials that are curated and made available to Westlake Academy students; and,

WHEREAS, the Texas Administrative Code 13 TAC §4.2 requires each Texas public school district board or governing body approve and institute a collection development policy that describes processes and standards by which a school library acquires, maintains and withdraws materials; and,

WHEREAS, the Board of Trustees finds that the passage of this Resolution is in the best interest of the citizens of Westlake as well as the students, their parents, and faculty of Westlake Academy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
WESTLAKE ACADEMY:**

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Board of Trustees of Westlake Academy does hereby approve the Westlake Academy Library Materials Collection Development Policy, attached hereto as Exhibit "A".

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21ST DAY OF OCTOBER 2024.

Kim Greaves, President

ATTEST:

Dianna Buchanan, Board Secretary

Dr. Kelly Ritchie, Superintendent

APPROVED AS TO FORM:

Janet S. Bubert or L. Stanton Lowry,
School Attorney



WESTLAKE ACADEMY

IB Continuum World School



2600 JT Ottinger Road, Westlake TX - WestlakeAcademy.org - Tel: 817-490-5757

Library Materials Collection Development Policy

This collection development policy applies to all library materials available for use or display, including the school libraries, classroom libraries, and online catalogs serving students in grades K-12 at Westlake Academy in Westlake, Texas.

Introduction

Westlake Academy is an IB Continuum School where students become compassionate, life-long learners through an internationally-minded, balanced education that empowers students to contribute to our interconnected world.

The Westlake Academy library strives to be the heart of the school and supports the Westlake Academy its mission by:

- Providing students and educators access to physical and digital resources that support the IB curriculum across all three Programmes: Primary Years, Middle Years, and Diploma.
- Fostering a culture of academic and personal reading that values texts representing diverse perspectives and respects students' freedom to read.
- Supporting student development of communication, research, and thinking skills for engaging with physical and digital resources.
- Collaborating locally and globally to create meaningful learning experiences.
- Maintaining a learning environment where students and educators can collaborate, inquire, and create while exemplifying the IB learner profile traits: inquirers, knowledgeable, thinkers, communicators, principled, open-minded, caring, risk-takers, balanced, and reflective.

Statement of Collection Purpose and Goals

The Westlake Academy Library is committed to supporting an International Baccalaureate education by providing a range of age-appropriate materials and resources that provide a global perspective and promote international mindedness, which is developed through the IB Learner Profile traits.



WESTLAKE ACADEMY

IB Continuum World School



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Selection Objectives

- Enrich and support the Texas Essential Knowledge and Skills (TEKS) and curriculum established by Education Code, §28.002 (relating to Required Curriculum), while taking into consideration students' varied interests, maturity levels, abilities, and learning styles.
- Support the implementation of the International Baccalaureate curriculum for the Primary Years, Middle Years, and Diploma Years Programmes, including the culminating experiences for each program (PYP Exhibition, MYP Personal Project, and DP Extended Essay).
- Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.
- Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis.
- Foster personal inquiry and reading by selecting materials that appeal to a wide range of interests and perspectives appropriate for all grade levels (K-12).
- Represent the ethnic, religious, and cultural groups of the state and their contribution to Texas, the nation, and the world.
- Facilitate student development of international mindedness by selecting materials representing diverse experiences and perspectives.
- Provide materials in a variety of formats (print and electronic), allowing students experience with locating, accessing, and engaging with a range of sources.

Responsibility for Collection Development

Westlake Academy employs two librarians, one for PYP (K-5) and one for MYP & DP (6-12). Both librarians are certified teachers. At least one librarian holds a Masters in Library Science and School Librarian certification. The librarians collaborate to select materials for the Westlake Academy Bradley Library. Library materials are selected cooperatively by the librarian in consultation with the Westlake Academy community (students, teachers, administration, counselors, staff) and with consideration of parent/guardian recommendations.

Communications and Input

The Westlake Academy Bradley Library values transparency, and library services are designed to enable individuals to find information they seek.

The Westlake Academy online catalogs are publicly available on the school's library websites. Catalog records include information about titles and where they can be accessed.



WESTLAKE ACADEMY

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Westlake Academy's library program seeks to partner with parents by

- Providing the school's current collections development policy on the school website.
- Offering effective communications opportunities and makes information about access to the school library policies available on the Westlake Academy website.

The Westlake Academy library program will offer the following ways for students, parents, educators, and community members to offer feedback on library materials and services by directly contacting the librarians.

Compliance Requirements

Westlake Academy's collection development procedures comply with all applicable local, state, and federal laws and regulations, including:

- Recognizing that parents are the primary decision makers regarding their student's access to library material;
- Prohibiting the possession, acquisition, and purchase of harmful material, as defined by Penal Code, §43.24, library material rated sexually explicit material by the selling library material vendor under Education Code, §35.002, or library material that is pervasively vulgar or educationally unsuitable as referenced in Pico v. Board of Education, 457 U.S. 853 (1982);
- Recognizing that obscene content is not protected by the First Amendment to the United States Constitution;
- Prohibiting the removal of material based solely on the ideas contained in the material or the personal background of the author of the material or characters in the material.
- Demonstrating a commitment to compliance with the Children's Internet Protection Act (CIPA) as specified in 47 U.S.C. Section 254(h)(5), including technology protection measures.
- Implementing library policing with consideration of the voluntary standards (separate from the collection development standards) adopted by the Texas State Library and Archives Commission, in consultation with the State Board of Education.]

Procedures for Evaluation and Selection

Westlake Academy librarians are delegated the responsibility to evaluate and select library materials.



WESTLAKE ACADEMY

IB Continuum World School



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Westlake Academy librarians evaluate materials to meet the collection purpose and goals, as stated in the *Selection Objectives* section. When evaluating potential items for the library collection, library staff must consider local priorities and school district standards as a framework. Library staff must evaluate materials to ensure that library materials are age appropriate and suitable to the intended campus and student. Library staff should consider the distinct age groups, grade levels, and possible access to materials by all students within campus.

As recommended by the [*Texas State Library and Archives Commission \(TSLAC\) Checklist for Collection Development Standards*](#), evaluation of materials will include at least two of the following:

1. Consideration of recommendations from parents, guardians, and local community members;
2. Consultation with the school district's educators and library staff and/or consultation with library staff of similarly situated school districts and their collections and collection development policies;
3. An extensive review of the text of item;
4. The context of a work, including consideration of the contextual characteristics, overall fit within existing school library collection, and potential support of the school curriculum; or
5. Consideration of authoritative reviews of the items from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

Additionally, the Westlake Academy teacher librarian applies the selection criteria from the [American Library Association Workbook for Selection Policy Writing](#):

The teacher librarian and any staff members involved in selection of resource materials and acceptance of donated materials shall use the following criteria as a guide:

- | | |
|---|---|
| ● <i>educational significance</i> | <i>examination of materials by professional personnel</i> |
| ● <i>contribution the subject matter makes to the curriculum and to the interests of the students</i> | ● <i>reputation and significance of the author, producer, and publisher</i> |
| ● <i>favorable reviews found in standard selection sources</i> | ● <i>validity, currency, and appropriates of material</i> |
| ● <i>favorable recommendations based on preview and</i> | ● <i>contribution the material makes to breadth of representative</i> |

- viewpoints on controversial issues*
- high degree of potential user appeal*
- high artistic quality and/or literary style*
- quality and variety of format*
- value commensurate with cost and/or need*
- timeliness or permanence*
- integrity*

Procedures for Acquisition

Library staff will seek to acquire materials for the library collection that meet all of the collection development objectives and are selected through the selection and evaluation criteria described in this document. The purchasing of these selected materials will comply with all applicable local and state requirements in the purchase of library materials.

Donated materials may only be added to the collection if the items meet the policy's evaluation and selection criteria and support the district's collection development goals.

Procedures for Deselection (Weeding) and Reconsideration

Deselection

Westlake Academy biennially appraises the quality of library materials in the school library to ensure the library's goals, objectives, and information needs are serving its school community.

Through the biennial inventory process, the librarians ensure that all library materials are accounted for and that any lost or damaged items are either replaced or removed from the system. This process ensures that the publicly available catalog accurately represents all materials in the library.

During the inventory process and as an ongoing practice, librarians identify materials for deselection. Materials are evaluated based upon copyright dates, physical condition, space consideration, and teacher collaboration (curriculum relevance). Any materials that no longer meet the collection development standards or compliance requirements are removed from the collection and weeded from the catalog. Materials are not removed from the collection solely based upon ideas contained in the material or the personal background of the author or characters in the materials.

Reconsideration

The Westlake Academy library has established reconsideration procedures to address concerns about any of the selected materials.



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Members of the school community (student, parent/guardian, or employee of Westlake Academy) may question or express a concern about a material in the library collection first through an informal, then through a formal request for reconsideration.

Informal Reconsideration Request

If a member of the school community questions or expresses a concern about a material in the library collection, the school shall first try to resolve the issue informally.

1. The principal or other appropriate staff shall explain to the questioner the school's selection procedure, criteria, and qualifications of those persons selecting the resource.
2. The principal or other appropriate staff shall explain the particular place the questioned resource occupies in the education program, its intended educational usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource.
3. If the questioner wishes to file a formal challenge, a copy of the "Request for Reconsideration of Library Materials" form shall be handed or emailed to the concerned party concerned by the principal or librarian.

Formal Reconsideration Request

If a response to an informal request for reconsideration has been provided and a member of the school community (student, parent/guardian, or employee of Westlake Academy) still has a question or concern about a material in the library collection, the individual may file a formal challenge by submitting a completed "Request for Reconsideration of Library Materials" form to the Head of School.

Once a completed "Request for Reconsideration of Library Materials" form has been received, the Head of School shall initiate the procedures for reviewing and responding to a formal reconsideration request and notify the requester that a response will be given within 60 days of the committee receiving the materials.

The formal reconsideration committee shall consist of the PYP and secondary librarians, the section-level assistant principal (elementary, middle, or high school), the IB coordinator (PYP, MYP, or DP), and a grade-level teacher.

For purposes of this policy, "days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day the committee is provided the materials is "day zero." The following business day is "day one."



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The principal shall appoint a reconsideration committee and notify committee members within 10 days of receiving the request for reconsideration form.

Within 10 days of appointment of the committee, Westlake Academy shall provide members of the committee the relevant materials to review. If additional time is required to obtain and distribute the materials for review, all members of the committee shall be informed that a reasonable extension of time is needed.

All members of the committee shall review the reconsidered library material in its entirety and determine whether the material conforms to this policy and whether the material will continue to be available in the library. The librarian or professional staff member who selected the material may submit reasons in writing for the selection of the material for consideration by the committee. The committee shall prepare a written report of its findings.

Absent extenuating circumstances, the written report shall be provided to the administration within 60 days of Westlake Academy providing the material to the committee members.

Extensions of time due to extenuating circumstances shall take into consideration the time necessary to convene the committee members, the amount of material being reviewed, and any other pending reconsideration requests being handled by the committee.

An extension of any deadline shall be promptly communicated to the individual who submitted the request for reconsideration.

The Head of School, the school librarian, the individual submitting the request for reconsideration, and any other appropriate administrators shall receive a copy of the committee's report.

If the requester would like to appeal the decision of the reconsideration committee, they must notify the committee within five business days.

Levels of appeal

If the requester chooses to appeal the decision made by the reconsideration committee, the reconsideration process may be repeated for each of the following levels:

- Reconsideration committee with section principal
- Head of School
- Board of Trustees



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If an item has gone through the recommendation process and remains in the collection, Westlake Academy will not reconsider the item within two calendar years.

Access to Collection

PYP Library (Grades K-5)

Through reader advisory with the PYP librarian, students learn how to select books. Students learn about the spine labels that indicate the target audience (see below), but they have access to the books that align with interests and accessibility.

Kindergarten students have access to books labeled as *Easy* and age-appropriate and accessible books in the nonfiction section, such as animals and sports.

- E: Easy: K and up
- ER: Early Reader: K and up
- LP: Lower Primary: K and up
- UP: Upper Primary: Grades 2 and up
- TR: Teacher Resources, which can include picture books

Parents/guardians may notify the PYP librarian to request or remove any library access restrictions for their own child.

Secondary Library (MYP and DP, Grades 6-12)

- The books in the secondary library have a color-coded spine label that labels the book as "lower secondary" (light blue) or "upper secondary" (dark blue). The target audience for books labeled as lower secondary is grades 6 and up. The target audience for books labeled as upper secondary is grades 9 and up.
- The target audience for a book is identified by consulting publisher information and reliable book reviews sources for school librarians. Most books in the collection are written for middle and high school students. The few books in the collection that are published and marketed for adults are labeled as "upper secondary."



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- Students in grades 6 and 7 may check out books labeled as "lower secondary." 6th and 7th grade parents may grant permission for their student to have full access to the collection, including books labeled as "upper secondary" by completing a form sent annually by the secondary librarian to families of 6th and 7th grade students.
- Beginning in 8th grade, most students become interested and ready for books written for high school students; however, each student develops at their own pace and their interest for high school books may depend on genre. Therefore, in 8th grade, we do not require students to have a parent permission slip on file to check out high school books. We advise students to take into consideration their personal interests and comfort level, as well as the guidance their family has provided on other forms of content like music, movies, and television.
- Parents/ guardians may notify the MYP/ DP librarian to request or remove any library access restrictions for their own child.

Policy Implementation and Updates

The Westlake Academy Board of Trustees is ultimately responsible for operations of the district's school library programs and must approve the collections development policy. The authority for implementing the approved policy is delegated by the superintendent to the professional personnel of Westlake Academy for the selection of library materials in compliance with the approved policy. Westlake Academy's collection development policy will be reviewed every three years and updated as necessary.

Westlake Academy is responsible for ensuring its libraries implement and adhere to these collection development standards.

[Date of Draft]

[Date of School Board Adoption]



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: RES 24-71

Agenda Date: 10/21/2024

Agenda #: E.3.

TOWN STAFF REPORT RECOMMENDATIONS

Receive presentation, discuss, consider and act to approve Resolution 24-71 approving a Professional Services Agreement with Freese and Nichols for a Water, Wastewater, and Roadway Impact Fee Study in an amount not to exceed \$118,000 (Cheryl Taylor, P.E., Director of Public Works)

STAFF: Cheryl Taylor, P.E., Director of Public Works

BACKGROUND:

A Water, Wastewater and Roadway Impact Fee Study will provide the Town of Westlake an opportunity to consider sharing the cost of future public improvements with development, thereby reducing the burden on existing taxpayers.

DISCUSSION:

As a rapidly growing community, the Town of Westlake has an opportunity to consider the implementation of water, wastewater and roadway impact fees that will allow for development to participate in the cost of necessary future improvements to serve the community. An impact fee is a charge or assessment on new development that generates revenue for funding or recouping the costs of capital improvements or facility expansions attributable to new development. It is a tool that can be used to recoup, from property developers, some of the costs that new development places on City infrastructure. Impact fees ensure that those who place additional demand on the roadway, water, and wastewater systems help pay the costs required to meet that demand.

New residential, commercial or industrial development can significantly increase traffic on roadways, water consumption and wastewater volumes. Impact fees are a one-time charge assessed to new development and redevelopment, calculated in accordance with the methodology outlined in Chapter 395 of the Texas Local Government Code. The fees are based on land use assumptions, expected population growth and corresponding capital improvements and expenditures necessary to support that growth. The water, wastewater, and roadway impact fee study will determine the maximum allowable impact fees that may be charged for water, wastewater and roadway based on the town's Capital Improvement Program need to serve the Town's at full build out.

The tasks proposed for the water, wastewater, and roadway impact fee study are as follows:

Task A: Project Management, Kick-off and Data Collection

Task B: Water and Wastewater Impact Fee Analysis

Task C: Roadway Impact Fee Development and Analysis

Task D: Impact Fee Report Development and Meeting Attendance

At the completion of the study, a minimum of two (2) public hearings will be held with a 30-day public notice, leading to the consideration for adoption of an Impact Fee Ordinance that outlines the fees to be assessed and

collected a determination of a specific start date. The timeframe for completion of the Water, Wastewater, and Roadway Impact Fee Study is approximately nine (9) months. Project kickoff will be January 2025.

FISCAL IMPACT:

Funding in the amount of \$118,000 for the Water, Wastewater and Roadway Impact Fee Study will be provided from available retained earnings and will be included in a future budget amendment.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 24-71 approving the agreement with Freese and Nichols, Inc. for a Water, Wastewater, and Roadway Impact Fee Study in an amount not to exceed \$118,000.

ATTACHMENT(S):

1. Resolution 24-71
2. Professional Services Agreement with Freese and Nichols, Inc. (FNI) for Impact Fee Study

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

3.

AGREEMENT TO PROVIDE PROFESSIONAL SERVICES

THIS AGREEMENT ("Agreement") is entered into this _____, 202X effective immediately by and between the _____ ("CONTRACTOR") and the Town of Westlake, Texas, a municipal corporation of the State of Texas ("TOWN"). For convenience, the CONTRACTOR and the TOWN may sometimes be referred herein collectively as "parties" and individually as a "party."

WITNESSETH

WHEREAS, TOWN desires to engage the CONTRACTOR to provide professional services as more fully described in the Quotation for Professional Services contained in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, CONTRACTOR agrees to provide such work and services for the TOWN in accordance with the terms of this Agreement;

NOW, THEREFORE, for the mutual promises set forth herein, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto mutually agree as follows:

1. Employment of CONTRACTOR.

(a) TOWN agrees to engage the CONTRACTOR and the CONTRACTOR hereby agrees to perform the services described in Exhibit "A" attached hereto and incorporated herein by reference.

(b) Notwithstanding anything to the contrary contained in this Agreement, TOWN and CONTRACTOR agree and acknowledge that TOWN is entering into this Agreement in reliance on CONTRACTOR's special and unique abilities. CONTRACTOR accepts the relationship of trust and confidence established between it and the TOWN by this Agreement. CONTRACTOR acknowledges that CONTRACTOR shall be solely responsible for determining the methods for performing the services described in Exhibit "A" attached hereto. CONTRACTOR covenants with TOWN to use its best efforts, skill, judgment, and abilities to perform the work required by this Agreement and to further the interests of TOWN in accordance with TOWN's requirements, in accordance with the highest standards of CONTRACTOR's profession or business and in compliance with all applicable national, federal, state, municipal, laws, regulations, codes, ordinances, orders and with those of any other body having jurisdiction. The CONTRACTOR warrants, represents, covenants, and agrees that all of the work to be performed by the CONTRACTOR under or pursuant to this Agreement shall be of the standard and quality which prevail among same similar professionals of superior knowledge and skill engaged in providing similar services in major United States urban areas under the same or similar circumstances and involving the work to be performed in accordance with Exhibit "A" attached hereto and incorporated herein.

CONTRACTOR warrants, represents, covenants, and agrees that the work he performs will be accurate and free from any material errors.

(c) CONTRACTOR will be responsible for supplying all tools and equipment necessary for CONTRACTOR to provide the services set forth in Exhibit "A" attached hereto.

2. **Compensation.** The TOWN agrees to pay the CONTRACTOR the fees set forth in Exhibit "A" attached hereto. Within fifteen (15) days of the end of the month within which services were rendered, CONTRACTOR shall provide TOWN an invoice specifying the services provided during the previous month and the total amount owed by the TOWN. Payment will be made by the TOWN within thirty (30) days of receipt of an invoice from CONTRACTOR.
3. **Changes.** TOWN may, from time to time require changes in the scope of services of the CONTRACTOR to be performed hereunder. Such changes, which are mutually agreed upon by and between TOWN and the CONTRACTOR, shall be incorporated in written amendment to this Agreement.
4. **Services and Materials to be Furnished by TOWN.** TOWN shall furnish the CONTRACTOR with all available information and data CONTRACTOR requests pertinent to the execution of this Agreement. TOWN shall cooperate with the CONTRACTOR in carrying out the work herein and shall provide adequate staff for liaison with the CONTRACTOR.
5. **Ownership of Documents.** All reports, plans, specifications, computer files and other documents prepared by CONTRACTOR pursuant to this Agreement shall be the property of the TOWN. CONTRACTOR will deliver to the TOWN copies of the prepared documents and materials. CONTRACTOR shall make all documents and related data and material utilized in developing the documents available to TOWN for inspection whenever requested. CONTRACTOR may make copies of any and all such documents and items and retain same for its files. CONTRACTOR shall have no liability for changes made to or use of the drawings, specifications, and other documents by anyone other than CONTRACTOR subsequent to delivery of the prepared documents and materials. However, any such change or other use shall be sealed by the individual making the change or use and shall be appropriately marked to reflect what was changed or modified.
6. **Termination of Agreement.** Either party may terminate this agreement at any time by providing thirty (30) days written notice to the other party.
7. **Completeness of Contract.** This Agreement and the documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this contract or any part thereof shall have any validity or bind any of the parties hereto. If there is any conflict between the terms of this Agreement and the documents

attached hereto, the terms of this Agreement shall control. This Agreement may not be subsequently modified except by a writing signed by both parties.

8. **TOWN Not Obligated to Third Parties.** TOWN shall not be obligated or liable hereunder to any party other than the CONTRACTOR.
9. **Final Decisions.** Serving as a CONTRACTOR to the TOWN, CONTRACTOR shall advise all parties that final decisions shall be made by the Town Council and/or Town Manager.
10. **Indemnification.** THE CONTRACTOR AGREES TO INDEMNIFY AND HOLD HARMLESS THE TOWN AND ALL OF ITS OFFICERS, EMPLOYEES, COUNCIL MEMBERS AND AGENTS FROM ANY AND ALL CLAIMS BY THIRD PARTIES, INCLUDING, BUT NOT LIMITED TO, CLAIMS FOR DAMAGES, JUDGMENTS, ATTORNEY'S FEES, EXPENSES, INJUNCTIVE OR EQUITABLE RELIEF, INTEREST, PERSONAL INJURY, AND DEATH, THAT MAY ARISE FROM THE CONTRACTOR'S PERFORMANCE UNDER THIS AGREEMENT. **IT IS UNDERSTOOD AND AGREED THAT THE INDEMNITY PROVIDED FOR IN THIS AGREEMENT IS AN INDEMNITY EXTENDED BY CONTRACTOR TO INDEMNIFY, PROTECT, AND HOLD HARMLESS TOWN AND/OR ITS OFFICERS, EMPLOYEES, COUNCIL MEMBERS, AND AGENTS FROM ALL LIABILITY, INCLUDING LIABILITY FOR THE CONSEQUENCES OF THE NEGLIGENCE OF TOWN AND/OR ITS OFFICERS, EMPLOYEES, COUNCIL MEMBERS OR AGENTS WHETHER THAT NEGLIGENCE IS THE SOLE OR CONTRIBUTING CAUSE OF THE RESULTANT INJURY, DEATH, AND/OR DAMAGE.**
11. **Insurance.** CONTRACTOR agrees to maintain insurance for comprehensive general liability, automobile liability insurance, workers' compensation and professional liability during the term of this Agreement in the amounts not less than those required of other professional consultants and contractors retained by TOWN. CONTRACTOR shall provide TOWN with evidence of such coverages in a form which is acceptable to the TOWN. Such policies shall name the TOWN, its officers, and employees as an additional insured and shall provide for a waiver of subrogation against the TOWN.
12. **Personnel.** All of the services required hereunder will be performed by the CONTRACTOR or under CONTRACTOR's supervision, and all personnel engaged in the work shall be qualified to perform such services.
13. **Independent Contractor.** In performing the services under this Agreement, CONTRACTOR is acting as an independent contractor. No term or provision hereof be construed as making CONTRACTOR the agent, servant, or employee of the TOWN or as creating a partnership or joint venture relationship between CONTRACTOR and the TOWN.

14. **Assignability.** The parties hereby agree that CONTRACTOR may not assign, convey or transfer its interest, rights and duties in this Agreement without the prior written consent of TOWN.
15. **Governing Law/Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action brought to interpret or enforce the terms of this Agreement shall lie in Tarrant County, Texas.
16. **Authority to Sign.** The parties hereby warrant and represent that the undersigned persons have full authority and are duly authorized to sign on behalf of their respective principals and that such principals have duly authorized the transaction contemplated by this Agreement.
17. **Notice.** Any notices or communications under this agreement shall be sent in writing to the following:

To the Town:

Name: Wade Carroll, Town Manager
Address: 1500 Solana Blvd.
Building 7, Suite 7200
Westlake, Texas 76262

To the Consultant:

Name: _____
Address: _____

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, TOWN and the CONTRACTOR have executed this Agreement as of the date first written above.

TOWN OF WESTLAKE, TEXAS

By: _____

Print Name: _____

Title: _____

CONSULTANT NAME

By: _____

Print Name: _____

Title: _____

Exhibit A

[Scope of Services]

Exhibit A
Town of Westlake
Scope of Work
Water, Wastewater, and Roadway Impact Fee Study

Project Understanding

Freese and Nichols, Inc. (FNI) understands that the Town of Westlake (Town) is seeking to develop water, wastewater, and roadway impact fees, consistent with the requirements of Chapter 395 of the Texas Local Government Codes. The Town seeks to do this by developing service areas, performing an existing conditions analysis, determining the growth for the 10-year planning period, developing an impact fee capital improvements program, defining a service unit equivalency table, and calculating the maximum fee per service unit for the water, wastewater, and roadway systems. The study will be coordinated through a Capital Improvements Advisory Committee (appointed by the Town) and culminate with adoption through a public hearing process.

Task A: Project Management, Kick-Off and Data Collection

- A1. Kick-Off Meeting: FNI will provide the Town with a Data Request Memorandum listing the data needed for this study. FNI will hold an initial meeting with the Town that will include a discussion of the following:
- Present and discuss methodology and approach
 - Schedule and project coordination
 - Information and data needs from the Town
 - Advisory Committee meetings
- A2. Project Management: FNI will perform general administration duties with the project, including progress meeting scheduling, general correspondence, and office administration. A Monthly Status Report will be submitted summarizing progress against specific tasks and scheduled tasks to be accomplished in the upcoming month; outlining upcoming key decisions which will require input from, or discussion with, Town staff; and listing any problems or unresolved issues.
- A3. Data Collection: FNI will prepare a data request memorandum summarizing the data needs for the project. This may include:
- GIS information
 - Previous impact fee studies
 - Existing impact fee ordinance
 - Water facility information
 - Existing water and wastewater CIP projects
 - Existing and future land use mapping
 - Utility billing meter data
 - Existing debt information
 - Water, wastewater, and roadway models
 - Construction cost data
 - Traffic count and other roadway studies

Task B: Water and Wastewater Impact Fee Analysis

- B1. Identify Existing Projects Eligible for Impact Fee Cost Recovery: FNI will review recently completed water and wastewater improvements and determine which projects are eligible for future cost recovery from growth.
- B2. Conduct Water and Wastewater Impact Fee Capacity Analysis for Existing Projects: FNI will utilize the water model to analyze recently completed projects for remaining capacity for impact fee cost recovery for 10-year projected growth. FNI will work with Town staff to conduct a desktop analysis of the wastewater system needs to identify projects to be added to the Impact Fee CIP.
- B3. Develop Water and Wastewater Impact Fee CIP: FNI will develop an impact fee CIP based on the improvements recommended as part of the capacity analysis. Impact fee eligible improvements are intended to serve growth within the next 10 years. Maps will be prepared showing the proposed water and wastewater capital improvement plan projects included in the impact fee calculation.
- B4. Conduct Water and Wastewater Impact Fee Capacity Analysis for Proposed Projects: FNI will utilize the water model to analyze proposed water improvements for eligible capacity for impact fee cost recovery for 10-year projected growth. FNI will conduct a desktop analysis of the wastewater projects to determine the eligible capacity.
- B5. Calculate Project Costs Eligible for Impact Fee Cost Recovery: FNI will utilize the capacity analysis and capital project costs to calculate the percentage of project cost eligible for impact fee cost recovery.
- B6. Progress Meeting #1: Impact Fee Eligible CIP Review: FNI will meet with the Town to review the impact fee eligible CIP.
- B7. Develop Service Unit Equivalents for Water and Wastewater Systems: FNI will utilize equivalent capacity of water meters to establish the service unit equivalents required in Chapter 395 of the Local Government Code for both existing and 10-year growth conditions.
- B8. Calculate Maximum Allowable Impact Fees: FNI will develop maximum allowable water and wastewater impact fees using the 50% credit method based on the existing and proposed capital improvement costs to support 10-year growth based on projected increase in service unit equivalents.
- B9. Progress Meeting #2: Impact Fee Calculations: FNI will meet with the Town to present the impact fee calculations.

Task C: Roadway Impact Fee Analysis

- C1. Thoroughfare Plan Review: This task will review the current thoroughfare plan for functional street classification and road sizing relative to long-term travel demand. FNI will obtain the latest readily available 2045 travel forecast for assessment of the Westlake Thoroughfare Plan and identify any recommended adjustments to the plan. A brief technical memo supporting any

amendments will be submitted to the Town. FNI will support amendments through any required public hearing processes with a brief presentation. One (1) meeting is budgeted for this task.

- C2. Conduct Traffic Count Data Study: FNI will collect traffic count data at up to 15 locations throughout the Town. Data to be collected includes the PM peak hour directional volumes. If available, other recently collected traffic data or study information will be used to supplement this effort. Estimates of other critical roadways throughout the Town will be developed from volume data collected. FNI will assist the Town in identifying locations for traffic data collection.
- C3. Inventory of Existing Roadways: FNI will prepare an inventory of existing roadways for each of the service areas. The existing inventory will contain the following information of collector and arterial status roadways by service area:
- Roadway segment name
 - Roadway segment limits
 - Length (in miles)
 - Number of lanes
 - Type (divided, undivided, minor arterial, major arterial, etc.)
 - Existing traffic volume (by direction during the peak hour)
 - Capacity supplied
 - Existing deficiencies (in any)
- C4. Projected Roadway Demand: The service unit equivalency table developed in supplemented with data from the land use assumptions will serve as the basis for determination of the number of new trips that will be generated within each service area over the 10-year planning period. FNI will work closely with Town Staff and NCTCOG to obtain available trip length data for specific land uses. Other sources to be investigated include the National Household Survey of trip lengths. Data to be identified includes determination of appropriate trip lengths for specific land uses and the percentage of state and local vehicle-miles of travel within Westlake.
- C5. Roadway Capital Improvement Plan: FNI will identify specific roadway projects (and proposed project limits), cost estimates, and design characteristics. Cost estimates to be developed include, engineering, right-of-way, construction, and debt service. Unit cost data by roadway facility type will be developed and confirmed by Town Staff at the outset of CIP preparation process and serve as a basis for the development of project costs. It is assumed that Town Staff will provide information related to any previous assessments collected from development for previously built roadway facilities and/or cost data for projects identified for system recoupment. The following information will be developed:
- Roadway segment name
 - Proposed project limits
 - Number of lanes
 - Length
 - Project cost
- One (1) capital improvement plan scenario is included as part of this scope. Revisions or additional scenarios will be at additional cost.
- C6. Preparation of Roadway Project Database: FNI will utilize the information contained in the Capital Improvement Program to develop a roadway projects database for the impact fee and

proportionality systems. This database will include for each service area the following information:

- Roadway segment name
- Roadway segment limits
- Number of lanes
- Length
- Type
- Cost
- Number of vehicle-miles of capacity supplied

- C7. Development of Land Use Equivalency Table: FNI will prepare a listing of specific land use types (based on ITE land use categories) and develop a recommended service unit generation rate for each land use. The service unit generation rate will be based on the number of primary trips generated by the land use during the peak hour, and the average trip length of each trip. Trip generation data will be based on published statistics contained in the ITE *Trip Generation Manual*, 11th Edition. Trip length data from the National Household Travel Survey (NHTS), NCTCOG workplace survey, and NCTCOG's travel demand model will be used to serve as a basis for derived lengths for individual land uses.

Task D: Impact Fee Report Development and Meeting Attendance

- D1. Develop LUA/CIP Report: FNI will prepare and provide one (1) electronic PDF copy of the draft Impact Fee Land Use Assumptions (LUA) and Capital Improvements Plan (CIP) Report discussing methodology and analysis. The report will include mapping showing growth projections and proposed system improvements required to meet projected 10-year growth for the water, wastewater, and roadway service areas. This report will support the initial Public Hearing.
- D2. Develop Impact Fee Report: FNI will prepare and provide one (1) electronic PDF copy of the draft Water, Wastewater, and Roadway Impact Fee Report discussing methodology and impact fee calculations. The report will include a summary of growth projections, proposed system improvements, and maximum allowable cost per service unit calculations for water, wastewater, and roadway impact fees. Based on comments by Town Staff, FNI will finalize and provide one (1) electronic PDF copy and one (1) hard copy of the final Water, Wastewater, and Roadway Impact Fee Study to the Town.
- D3. Attend Project Meetings: Meetings with Town Staff, advisory committee and the Town Council will be held at critical project milestones to present data and obtain project feedback. Attendance at meetings during the public hearing process will also be provided to support methodologies, findings and recommendations for the system update. In addition to meetings with Town Staff, it is anticipated that six (6) meetings will be held throughout the impact fee process and include the following: three (3) advisory committee meetings, one (1) workshop with Town Council, and two (2) public hearings.
- D4. Impact Fee Benchmarking: FNI will develop comparison tables of impact fees of the Town with area peer cities for use by the Town in considering collection rates. Town Staff and/or the CIAC will identify up to ten (10) area cities for the comparison. Fee comparisons will be based on the

single-family residential land use type. FNI will prepare charts depicting the combined result of water, wastewater, and roadway impact fees for a single-family residential home.

Summary of Meetings and Deliverables

Meetings:

- Kick-off Meeting
- Progress Meeting #1: Impact Fee Eligible CIP Review
- Progress Meeting #2: Impact Fee Calculations
- CIAC Meeting #1: Impact Fees 101, Growth Rates
- CIAC Meeting #2: LUA and CIP
- CIAC Meeting #3: Impact Fee Calculations
- Town Council Workshop on Impact Fees
- Public Hearing #1: LUA and CIP
- Public Hearing #2: Impact Fee Calculations

Deliverables:

- Draft/Final Impact Fee Report
- Impact Fee Calculator

Schedule:

It is anticipated that the proposed scope of services will be completed in 10 months from the notice to proceed.

Project Fee:

The project fee is shown in the table below. The Town agrees to pay FNI for all professional services rendered under this Agreement. FNI shall perform professional services under this Agreement for a lump sum fee of \$118,000.00.

Task	Fee (Lump Sum)
A. Project Management, Kick-Off and Data Collection	\$4,949
B. Water and Wastewater Impact Fee Analysis	\$20,213
C. Roadway Impact Fee Development and Analysis	\$40,880
D. Impact Fee Report Development and Meeting Attendance	\$51,958
Total	\$118,000

ADDITIONAL SERVICES NOT INCLUDED IN THIS SCOPE

- Field survey data collection
- Review or preparation of impact fee ordinance
- Impact fee credit calculation
- Attendance of additional meetings outside of the project scope

TOWN OF WESTLAKE

RESOLUTION NO. 24-71

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR A WATER, WASTEWATER, AND ROADWAY IMPACT FEE STUDY IN AN AMOUNT NOT TO EXCEED \$118,000

WHEREAS, the Town Council of the Town of Westlake recognizes the need to plan for future infrastructure needs in a rapidly growing community; and,

WHEREAS, the leaders of the Town of Westlake has an opportunity to consider the implementation of water, wastewater and roadway impact fees that will allow for development to participate in the cost of necessary future improvements to serve the community; and,

WHEREAS, the Town Council recognizes that impact fees are charges or assessments on new development that generates revenue for funding or recouping the costs of capital improvements or facility expansions attributable to new development and is a tool that can be used to recoup, from property developers, some of the costs that new development places on City infrastructure; and,

WHEREAS, the water, wastewater, and roadway impact fee study will determine the maximum allowable impact fees that may be charged for water, wastewater and roadway based on the town's Capital Improvement Program needs to serve the Town at full build out and reduce the burden on existing taxpayers; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Town Council for the Town of Westlake does hereby approve the agreement with Freese and Nichols, Inc. for a Water, Wastewater, and Roadway Impact Fee Study.

SECTION 2: Funding in the amount of \$118,000 for the Water, Wastewater and Roadway Impact Fee Study will be provided from available retained earnings and will be included in a future budget amendment.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21ST DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



Town of Westlake

Staff Report

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

File #: 24-334

Agenda Date: 10/21/2024

Agenda #: F.1.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve the Town Council/Board of Trustees Minutes for the October 7, 2024 Regular Meeting (Dianna Buchanan, Town Secretary)

STAFF: Town Secretary Dianna Buchanan

BACKGROUND:

The Town Council Board of Trustees Minutes from the October 7, 2024 Regular Meeting are attached for review and consideration of approval.

Once approved, all meeting minutes will be executed and uploaded to the Town of Westlake website for transparency and Laserfiche software for state retention compliance.

ATTACHMENTS:

10.07/2024 TC/BOT Regular Meeting Minutes

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve minutes, as presented.
- 2) Motion to approve the minutes with the following corrections/changes (please state corrections/changes in motion)
- 3) Motion to table
- 4) Motion to deny



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262



Town Council/Board of Trustees Meeting Minutes - Draft

Monday, October 7, 2024

4:00 PM

Council Chamber

A. CALL REGULAR MEETING TO ORDER AND ANNOUNCE A QUORUM PRESENT

Mayor Greaves called the meeting to order at 4:00 pm and announced a quorum present.

PRESENT:

Mayor Kim Greaves
Mayor Pro Tem Tammy Reeves
Council Member Todd Gautier
Council Member Michael Yackira

ABSENT:

Council Member Anna White
Council Member Mike Asselta

STAFF PRESENT:

Town Manager Wade Carroll
Deputy Town Manager Jason Alexander
Town Attorney Stan Lowry
Fire Chief John Ard
Human Resources Director Sandy Garza
Academic Finance Manager Marlene Rutledge
WA Innovation & Dev. Director Michelle Briggs

Head of School Dr. Kelly Ritchie
Communications Director Jon Sasser
Town Secretary Dianna Buchanan
WA Director of Accountability Darcy McFarlane
IT Director Jason Power
Finance Director Cayce Lay Lamas
Comm. Specialist Alexa Guadian

B. INVOCATION AND PLEDGES OF ALLEGIANCE

Reverend Alan Bentrup, St. Martin's Episcopal Church, Southlake, provided the invocation. Mayor Greaves and Westlake Academy Head of School Dr. Kelly Ritchie introduced Westlake Academy students Kambrie Barnard-Mata (4th grade) and Makaela Briseno (11th grade), to assist with leading the pledges to the U.S. Flag and the Texas Flag.

C. CEREMONIAL ITEM

C.1. Administer the Oath of Office to the newly appointed Council Member Place 2 Michael Yackira (Mayor Kim Greaves)

Mayor Greaves administered the ceremonial Oath of Office to Council Member Place 2 Michael Yackira, appointed to serve through May 2025.

D. CITIZEN/PARENT COMMENTS

There was no one to speak at this time.

E. ITEMS OF COMMUNITY INTEREST**E.1. Items of Community Interest (Communications Director Jon Sasser)**

Communications Director Jon Sasser provided an overview of upcoming events and items of community interest.

F. CONSENT AGENDA

F.1. Consider and act to approve the Town Council/Board of Trustees Minutes for the September 16, 2024 Regular Meeting (Dianna Buchanan, Town Secretary)

F.2. Consider and act regarding WA Resolution 24-34 to approve a contract with Dickson Educational Services for a Public Education Information Management System (PEIMS) and PowerSchool support for the 2024-2025 and 2025-2026 school years (Darcy McFarlane, Accountability Director)

Motion by Council Member Gautier and Motion Second by Mayor Pro Tem Reeves to approve the Consent Agenda. Mayor Greaves called for the vote.

MOTION TO APPROVE THE CONSENT AGENDA APPROVED UNANIMOUSLY BY ALL PRESENT. COUNCIL MEMBERS WHITE AND ASSELTA WERE ABSENT.

G. ORDINANCE

G.1. Discuss, consider and act regarding adoption of Ordinance 1009 Delegating Temporary Plat Approval Authority and Extension Approval Authority Pursuant to the Provisions in Chapter 212 of The Texas Local Government Code, as Amended, and Chapter 82 of the Town of Westlake Code of Ordinances, as Amended, to the Town Planner (Jason Alexander, AICP, CEcD, Deputy Town Manager)

Item presented by Deputy Town Manager Jason Alexander. This ordinance provides temporary authority for employees to approve plats, approve plats with conditions, or deny plats in accordance with House Bill 3699 and will allow time to prepare the complete permanent amendment to the Town's ordinances. Adoption of the ordinance will ensure an expedited development review and approval process and platting regulations that are in alignment with State law. Mayor Greaves asked if there was anyone to speak regarding this item. There was no one. Motion by Council Member Gautier and Motion Second by Mayor Pro Tem Reeves to adopt Ordinance 1009 as presented. Mayor Greaves called for the vote.

MOTION TO ADOPT ORDINANCE 1009 DELEGATING TEMPORARY PLAT APPROVAL AUTHORITY AND EXTENSION APPROVAL AUTHORITY TO THE TOWN PLANNER APPROVED UNANIMOUSLY BY ALL PRESENT. COUNCIL MEMBERS WHITE AND ASSELTA WERE ABSENT.

H. EXECUTIVE SESSION

H.1. Section 551.087: Deliberation regarding Economic Development Negotiations to deliberate the offer of a financial or other incentive to a business prospect.

Mayor Greaves called the items to be considered in Executive Session as shown on the agenda and then recessed the Regular Meeting to Executive Session at 4:15 p.m.

I. TAKE ANY ACTION, IF NEEDED, FROM EXECUTIVE SESSION ITEMS

Mayor Greaves reconvened the Regular Meeting from Executive Session at 5:23 p.m. No action was taken as a result of Executive Session.

J. FUTURE AGENDA ITEMS

There were none.

K. STAFF RECAP OF COUNCIL DIRECTION

Town Manager Wade Carroll reported no new council direction other than that received by staff in Executive Session.

L. ADJOURNMENT

Mayor Greaves adjourned the meeting at 5:23:30 p.m.

TOWN COUNCIL SOCIAL SESSION

Town Council Social Session was held immediately after the Regular Meeting.

Kim Greaves, Mayor

ATTEST:

Town Secretary Dianna Buchanan



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: RES 24-70

Agenda Date: 10/21/2024

Agenda #: F.2.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve Resolution 24-70 authorizing participation in the North Central Texas Council Governments' (NCTCOG) North Texas Share Program (Kyle Flanagan, Deputy Director of Public Works)

STAFF: Kyle Flanagan, Deputy Director of Public Works

BACKGROUND:

The Town of Westlake seeks approval to utilize a cooperative purchasing program procurement for goods and services.

DISCUSSION:

North Central Texas Council of Governments referred to as NCTCOG is a voluntary association of, by and for local governments organized under Chapter 391 of the Texas Local Government Code and was established to assist local governments in the planning for common needs, cooperating for the mutual benefit, and coordinating for sound regional development.

The Town of Westlake, pursuant to the authority granted under Sections 271.101 to 271.102 of the Local Government Code and Chapter 791 of the Government Code, desires to participate in the North Texas SHARE cooperative purchasing program.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Approval of Resolution 24-70 authorizing participation in the North Central Texas Council Governments' (NCTCOG) North Texas Share Program.

ATTACHMENT(S):

Resolution 24-70 - Resolution Authorizing Participation in North Central Texas Council of Governments' North Texas Share Program

Master ILA TXSHARE Agreement

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table

- 4) Motion to deny

TOWN OF WESTLAKE

RESOLUTION NO. 24-70

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS,
AUTHORIZING PARTICIPATION IN THE NORTH CENTRAL TEXAS COUNCIL OF
GOVERNMENTS' NORTH TEXAS SHARE PROGRAM.**

WHEREAS, the North Central Texas Council of Governments, hereinafter referred to as NCTCOG, is a voluntary association of, by and for local governments organized under Chapter 391 of the Texas Local Government Code and was established to assist local governments in the planning for common needs, cooperating for the mutual benefit, and coordinating for sound regional development; and,

WHEREAS, the NCTCOG established North Texas SHARE as a public sector solution center which includes a cooperative purchasing program for goods and services; and,

WHEREAS, North Texas SHARE procures goods and services in accordance with applicable State laws and regulations regarding contract and procurement proceedings; and,

WHEREAS, the Town of Westlake, pursuant to the authority granted under Sections 271.101 to 271.102 of the Local Government Code and Chapter 791 of the Government Code, desires to participate in the North Texas SHARE cooperative purchasing program; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Town Council for the Town of Westlake does hereby approve participation in the North Texas SHARE Program to utilize any contracts for goods and services available thereunder, and authorizes the Town Manager or designee to execute the Interlocal Agreement with NCTCOG attached hereto as "Exhibit A".

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21st DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

EXHIBIT A

MASTER INTERLOCAL PURCHASING AGREEMENT

THIS MASTER INTERLOCAL AGREEMENT (“ILA”). made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the “Act”), by and between the North Central Texas Council of Governments, hereinafter referred to as “NCTCOG,” having its principal place of business at 616 Six Flags Drive, Arlington, TX 76011, and _____, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as “Participant,” having its principal place of business at _____.

WHEREAS, NCTCOG is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, NCTCOG is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, NCTCOG has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, Participant has represented that it is an eligible entity under the Act, that is authorized to enter into this Agreement on _____ (Date), and that it desires to contract with NCTCOG on the terms set forth below;

NOW, THEREFORE, NCTCOG and the Participant do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The Participant represents and warrants to NCTCOG that (1) it is eligible to contract with NCTCOG under the Act for the purposes recited herein because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency that the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Agreement.

ARTICLE 2: SCOPE OF SERVICES

The Participant appoints NCTCOG its true and lawful purchasing agent for the purpose of certain products and services (“Products” or “Services”) through the **TXShare** Program. Participants will access the Program through **www.TXShare.org**. All purchases under this Agreement shall comply with applicable Texas competitive bidding statutes as well as the specifications, contract terms and pricing applicable to such purchases. NCTCOG may also serve as a coordinating agent to administer the use of eligible Participant contracts to other participants of TXShare. The eligibility of such contracts will be determined by incorporation of coordinating agent authorization in Participant’s solicitation documents. Title to all products purchased under the TXShare Program shall be held by Participant unless otherwise agreed. Nothing in this Agreement shall preclude the Participant for purchasing Products and/or Services offered in the TXShare Program directly from the vendor/supplier.

ARTICLE 3: PAYMENTS

Upon delivery of goods or services purchased and presentation of property documented invoice, the Participant shall promptly, and in any case within thirty (30) days, pay the contracted provider the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall NCTCOG have any financial liability in the Participant for any goods or services Participant purchase through the TXShare Program.

ARTICLE 4: PERFORMANCE PERIOD

This Agreement shall be effective when signed by the last party whose signing makes the Agreement fully executed and will remain in full force and effect for one (1) year. This Agreement shall automatically renew for successive one-year terms unless sooner terminated in accordance with Article 6 below. Any modifications of this Agreement must comply with the requirements of Article 5 below.

ARTICLE 5: CHANGES AND AMENDMENTS

This Agreement may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Agreement which are required by changes in Federal and State law or regulations are automatically incorporated into this Agreement without written amendment hereto and shall become effective on the date designated by such law or regulation. NCTCOG reserves the right from time to time to make changes in the scope of products and services offered through the TXShare Program.

ARTICLE 6: TERMINATION PROCEDURES

NCTCOG or the Participant may cancel this Agreement for any reason and at any time upon thirty (30) days written notice by certified mail to the other party to this Agreement. The obligation of the Participant to pay for any Service and/or Products purchased under this Agreement, shall survive cancellation, as well as any other Participant costs incurred prior to the effective date of cancellation.

ARTICLE 7: APPLICABLE LAWS

NCTCOG and the Participant agree to conduct all activities under this Agreement in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Agreement.

ARTICLE 8: DISPUTE RESOLUTION

The parties to this Agreement agree to the extent possible and not in contravention of any applicable state or federal law or procedure established for dispute resolution, to attempt to resolve any dispute between them regarding this Agreement informally through voluntary mediation, arbitration, or any other local dispute mediation process before resorting to litigation.

ARTICLE 9: MISCELLANEOUS

- a. This Agreement has been made under and shall be governed by the laws of the State of Texas. Venue and jurisdiction of any suit or cause of action arising under, or in connection with, this Agreement shall lie exclusively in Tarrant County, Texas.
- b. The persons executing this Agreement hereby represent that they have authorization to sign on behalf of their respective entities.
- c. This Agreement and the rights and obligations contained herein may not be assigned by either party without the prior written approval of the other party to this Agreement.

- d. All parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not affect any other term of this Agreement, which shall continue in full force and effect.
- e. To the extent that either party to this Agreement shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party’s control and not attributable to its neglect or nonfeasance. In such event, the time for performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation to solely pay funds.
- f. This Agreement and any attachments/addendums, as provided herein, constitute the complete agreement between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

North Central Texas Council of Governments
TXShare
616 Six Flags Drive, Arlington, TX 76011

Name of Participating Agency

NCTCOG Executive Director or Designee

Mailing Address

Signature of Executive Director or Designee

City State Zip

Date

Name and Title of Authorized Official or Designee

Signature

Date



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: RES 24-72

Agenda Date: 10/21/2024

Agenda #: F.3.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve Resolution 24-72 authorizing the purchase of a hydro excavation trailer from the Witch Equipment Company, Inc. in the amount of \$118,440.49 (Cheryl Taylor, P.E., Director of Public Works)

STAFF: Cheryl Taylor, P.E., Director of Public Works

BACKGROUND:

This agreement is for the purchase of a hydro excavation trailer that was approved as part of the FY 2025 budget and will be used for emergency repairs and daily maintenance of public infrastructure.

DISCUSSION:

Public Works is responsible for the maintenance of the Town's public water, sanitary sewer, storm drain and roadway systems. A hydro excavation trailer is a multi-faceted piece of equipment that can be used for water leak repairs, water meter replacement, emergency preparedness valve maintenance, cleaning of storm drain inlet boxes, digging holes for installing street signs, and pressure washing of sidewalks and roadways.

A hydro excavation trailer will be used to repair emergency water leaks on water service lines while minimizing service interruptions to other water customers on the same street. It can mitigate damage to property owners' yards by decreasing the footprint necessary to repair leaks versus using a large tractor on private residential lots. It can also be used to clean valve stacks that are full of sediment, allowing staff to close valves to minimize disruptions during emergency situations.

A cooperative agreement with Sourcewell (Member No. 183219) allows the Town of Westlake to contract with the Witch Equipment Company, Inc. for purchasing equipment at prices that have been bid and meet State procurement requirements. Approval will allow for staff to purchase the hydro excavation trailer from the Witch Equipment Company in the amount of \$118,440.49 which exceeds the Town Manager's signatory approval and requires Town Council approval.

FISCAL IMPACT:

Funding for this agreement in the amount of \$118,440.49 was requested and approved as part of the FY 2024-2025 budget and will be paid from the Public Works approved Utility Fund operating budget.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 24-72 authorizing the expenditure of funds for the purchase of a hydro excavation trailer from the Witch Equipment Company, Inc. in the amount of \$118,440.49.

ATTACHMENT(S):

1. Resolution 24-72
2. Witch Equipment Company, Inc. Quotation through Sourcewell (Member No. 183219) for equipment purchase

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

TOWN OF WESTLAKE

RESOLUTION NO. 24-72

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING THE AUTHORIZATION OF FUNDS FOR THE PURCHASE OF A HYDROEXCAVATION TRAILER FROM THE WITCH EQUIPMENT COMPANY, INC. IN THE AMOUNT OF \$118,440.49

WHEREAS, the Town Council of the Town of Westlake recognizes the need to maintain and protect public infrastructure to serve its residents; and,

WHEREAS, the leaders of the Town of Westlake desires to improve quality of life in the town; and,

WHEREAS, the Town Council recognizes that a hydro excavation trailer is a necessary piece of equipment required to perform daily operational maintenance of public infrastructure; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Town Council for the Town of Westlake does hereby approve the expenditure of funds with the Witch Equipment Company, Inc. for the purchase of a hydro excavation trailer to perform maintenance on the water, wastewater, and storm sewer systems.

SECTION 2: That the funding for the hydro excavation trailer in the amount of \$118,440.49 will be paid from the fiscal year 2024-2025 Vehicle Replacement Fund, as approved by the Town Council on September 16, 2024.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21st DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Exhibit “A”
Ditch Witch Quotation for Purchase
of Vacuum Excavator and Trailer



The Charles Machine Works, Inc.
Ditch Witch Division
1959 West Fir Avenue
P.O.Box 66
Perry, OK 73077
Phone No : 1-800-654-6481
Fax No : 580 336 0617
Email : global@ditchwitch.com

Sold-to Party Address

TOWN OF WESTLAKE
SOURCEWELL MEMBER 183219
1500 SOLANA BLVD - BLDG 7, STE 7200
WESTLAKE TX 76262-1690

Quotation

Information

Quotation No. 20209419
Document Date 10/04/2024
Customer No. 515165
Dealership WITCH EQUIPMENT COMPANY, INC.
FORT WORTH
PO _____
Created by Todd Miller

Global Account Price Quote

Quote Valid until : 11/4/2024

TAXES ARE AN ESTIMATE AT TIME OF QUOTATION-ACTUAL TAX WILL BE CALCULATED AT TIME OF INVOICING. IF TAXES ARE QUOTED AND THIS IS A TAX EXEMPT TRANSACTION, PLEASE PROVIDE TAX EXEMPT CERTIFICATE OR LEASING DETAILS WITH YOUR PURCHASE ORDER.

FOR MODEL SPECIFICATIONS OR OTHER INFORMATION, VISIT OUR WEBSITE AT WWW.DITCHWITCH.COM

Page 1 of 2

Quotation Details

Qty	Material Description	Unit Price	Discount	Amount
1EA	***** SOURCEWELL CONTRACT 110421-CMW ***** HX50A - HX50A With the following configuration: Debris Tank 500 Gallon Water Tank 200 Gallons Controls Right Hand Traffic Reverse Flow Yes Hose and Tooling 4 Inch Filter Cyclonic Separator HX Boom Powered 4in Hoses Water Heater No Options 6-4 Reducer Options Prospector Digging Lance Options Traffic Cone Storage Options Trailer Tongue Tool Box Options Vac Suction Tool 4IN Options Water Air Gap Quiet Option Yes Prospector Digging Lance Yes Water Air Gap Yes			

Confidentiality Notice:

This quote may contain confidential information. The information is intended only for the individual or entity named. If you are not the intended recipient, please immediately notify us at 1-800-654-6481 to arrange for return of the document.



The Charles Machine Works, Inc.
Ditch Witch Division
1959 West Fir Avenue
P.O.Box 66
Perry, OK 73077
Phone No : 1-800-654-6481
Fax No : 580 336 0617

Sold-to Party Address

TOWN OF WESTLAKE
SOURCEWELL MEMBER 183219
1500 SOLANA BLVD - BLDG 7, STE 7200
WESTLAKE TX 76262-1690

Quotation

Information

Quotation No. 20209419
Document Date 10/04/2024
Customer No. 515165
Dealership WITCH EQUIPMENT COMPANY, INC.
FORT WORTH
PO _____
Created by Todd Miller

Global Account Price Quote Quote Valid until : 11/04/2024

TAXES ARE AN ESTIMATE AT TIME OF QUOTATION-ACTUAL TAX WILL BE CALCULATED AT TIME OF INVOICING. IF TAXES ARE QUOTED AND THIS IS A TAX EXEMPT TRANSACTION, PLEASE PROVIDE TAX EXEMPT CERTIFICATE OR LEASING DETAILS WITH YOUR PURCHASE ORDER.

FOR MODEL SPECIFICATIONS OR OTHER INFORMATION, VISIT OUR WEBSITE AT WWW.DITCHWITCH.COM

Page 2 of 2

Quotation Details

Qty	Material Description	Unit Price	Discount	Amount
	Traffic Cone Storage Yes Trailer Tongue Tool Box Yes Hydraulic Oil Standard Color Standard Trailer Jack Hydraulic			
1EA	301-5571 - REDUCED FHC BODY (64F-96F)			
1EA	HX50A-PREP - HX50A Vacuum Excavator Prep Ass embly			
1EA	025-1038 - VT17 500 GAL HEAVY TRAILER			
		Corporate Account Price		117,158.49
		Total Freight		1,042.00
		Installation Charge		240.00
		Total Amount		\$ 118,440.49

Confidentiality Notice:

This quote may contain confidential information. The information is intended only for the individual or entity named. If you are not the intended recipient, please immediately notify us at 1-800-654-6481 to arrange for return of the document.





Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: WA RES 24-38

Agenda Date: 10/21/2024

Agenda #: F.4.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve WA Resolution 24-38 amending the Westlake Academy Annual Operating Budget for fiscal year ending June 30, 2025, and take appropriate action (Cayce Lay Lamas, Director of Finance)

STAFF: Cayce Lay Lamas, Director of Finance

BACKGROUND:

Westlake Academy is required by the State to adopt an operating budget each year as its financial operating plan. As the school year progresses, it is typical for Academy staff to make modifications to the budget, as allowed by policy or Board approval, to ensure the curriculum is appropriately administered, students and staff have the financial resources required to support the operating activities of the school, and to execute all Board-approved directives. Budget amendments are the administrative action to codify these changes and ensure the final amended budget prior to June 30, 2025, complies with the State's requirements for spending to be within 10% of the budget by function.

As a means of providing financial transparency throughout the fiscal year, budget amendments will be brought to the board on a quarterly basis, at a minimum, instead of one time per year, which has been the practice in prior years. The presented budget amendment reflects necessary changes that occurred from July 1, 2024, through October 11, 2024.

At the end of the fiscal year, both the Original and Final Amended Budgets are submitted electronically to the Texas Education Agency (TEA) as part of the Academy's annual financial and compliance report (AFR). TEA considers the budget filed when the Academy submits an AFR showing a comparison of budget and actual (audited) amounts. Amended budget data is also included in the Mid-Year Submission to the Public Education Information Management System (PEIMS).

DISCUSSION:

The requested amendment to the original FY 2024-25 operating budget, adopted on June 17, 2024, is attached for the Board's review. The budgetary changes presented will decrease the operating fund balance by \$107,160. The majority of the increase is for the Service Level Adjustments (SLAs) approved on July 15, 2024, and presented with the Compensation Plan. Below are the highlights of these changes:

Description of Revenue changes: The original general fund revenue budget of \$11,510,063 will increase by \$52,574. This is due to increases to:

- General Fund: Westlake Academy Foundation (WAF) funded salary increases (\$32,364 or 62%). WAF salary increase is in excess of the approved 2% increase included with the original adopted budget. The WAF board approved to fund the increases.
- General Fund: Town of Westlake will fund a salary increase for Facilities (\$15,210 or 29%). The Building Technician position was approved on July 15, 2024 with the Compensation Plan. The position will service Westlake Academy at 75% and the Town of Westlake 25%.

Description of Expenditure changes: The original general fund expenditure budget of \$11,510,063 will increase by \$159,734. This is due to increases to:

- Function 11-Instruction: increase of 29% for an Algebra teacher (SLA) and LSSP, OT, and PT estimated costs for direct student service (reallocated from function 31).
- Function 12: Resources & Media Services (Library): increase of 1% for employee travel & training (SLA).
- Function 21: Instructional Leadership: increase of 2% for PYP and DP coordinator travel & training (SLA).
- Function 31-Guidance & Counseling: overall decrease of 3% from reallocating funding for LSSP, OT, and PT to function 11, increases for high school (HS) counselors travel & training (SLA).
- Function 41-General Administration: increase of 9% for general liability insurance, public notices, and to increase Finance staff travel & training (SLA).
- Function 51-Maintenance & Operations: overall 30% increase in the Facility salary budget to include the estimated cost for the Building Technician. In addition, funds were reallocated to function 41 for general liability insurance and public notices, and to function 23 for campus leadership supplies.
- Function 53-Data Processing: increase of 4% for Technology staff travel & training (SLA).
- Function 61-Community Services: increase of 23% for WAF employee salaries, offset by the increase in

revenue approved by the WAF board to fund the increases.

Details of the changes to the budget, by function, are included as attachments within the Board packet.

FISCAL IMPACT:

The Westlake Academy amended budget will decrease fund balance by \$107,160.

ATTACHMENTS:

1. FY 25 WA Budget Amendment Summary
2. Requests to Change WA Budget

STAFF RECOMMENDATION:

Staff recommends approval of WA Resolution 24-38, amending the Fiscal Year 2024-2025 Westlake Academy Budget, as presented.

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve WA Resolution 24-38, as presented.
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

WESTLAKE ACADEMY

RESOLUTION NO. 24-38

**A RESOLUTION OF THE BOARD OF TRUSTEES OF WESTLAKE ACADEMY
AMENDING THE WESTLAKE ACADEMY OPERATING BUDGET FOR THE FISCAL
YEAR ENDING JUNE 30, 2025**

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WESTLAKE ACADEMY:

WHEREAS, the Board of Trustees adopted the Fiscal Year 2024-2025 Operating Budget on June 17, 2024, for Westlake Academy; and

WHEREAS, the Board of Trustees approved items during the year that require increases to line items in the budget; and

WHEREAS, the actual enrollment, subsequent staffing and curriculum needs require budget amendments; and

WHEREAS, the Board of Trustees finds that the passage of this Resolution is in the best interest of the citizens of Westlake as well as the students, their parents, and faculty of Westlake Academy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
WESTLAKE ACADEMY:**

SECTION 1: That, all matters stated in the recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Board of Trustees of Westlake Academy hereby amends the Operating Budget for the Westlake Academy for the fiscal year ending June 30, 2025 as detailed in the attached Exhibit A.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21ST DAY OF OCTOBER, 2024.

Kim Greaves, President

ATTEST:

Dianna Buchanan, Board Secretary

APPROVED AS TO FORM:

L. Stanton Lowry or Janet S. Bubert,
School Attorney



WESTLAKE ACADEMY
FISCAL YEAR 2024- 2025
REQUEST TO AMEND ORIGINAL BUDGET

Fund 199 Consolidated General Fund	2024-2025 Adopted Budget	2024-2025 Proposed Amendment	2024-2025 Amended Budget
Revenues:			
197-5700 Local Sources (Transportation)	35,000	-	35,000.00
198-5700 Local Sources (Athletics)	133,000	-	133,000.00
199-5700 Local Sources (WAF Donation)	1,250,000	-	1,250,000.00
199-5700 Local Sources (General Fund)	1,577,070	52,574	1,629,644.00
5800 State Foundation School Programs	8,514,994	-	8,514,994.00
Total Revenues	\$ 11,510,063	\$ 52,574	\$ 11,562,637
Expenditures (by function)			
11 Instructional	5,947,401	46,750	5,994,151.00
12 Resources & Media	198,488	1,100	199,588.00
13 Staff Development	56,600	-	56,600.00
21 Instructional Leadership	304,791	2,890	307,681.00
23 School Leadership	1,305,082	8,000	1,313,082.00
31 Guidance & Counseling	698,595	(5,210)	693,385.00
33 Health Services	102,710	-	102,710.00
36 Fund 198 Athletics	310,059	-	310,059.00
36 Other Extra-/Co-Curricular	144,925	-	144,925.00
41 Administrative	469,071	13,992	483,063.00
51 Maintenance & Operations	1,044,442	48,348	1,092,790.00
52 Security & Monitoring	60,400	-	60,400.00
53 Data Processing	463,913	6,500	470,413.00
61 Community Services	165,286	37,364	202,650.00
71 Debt Service	238,300	-	238,300.00
Total Expenditures	11,510,063	159,734	11,669,797
Excess (Deficiency) of Revenues Over (Under) Expenditures	-	(107,160)	(107,160)
FUND BALANCE, BEGINNING	\$ 1,137,035	\$ -	1,137,035
<i>Result of annual audit 8/31/2023</i>			
FUND BALANCE, ENDING	1,137,035	(107,160)	1,029,875
Assigned - Bus Maintenance	(15,343)	-	(15,343)
Assigned - Tech/FF&E Replacement	(72,003)	-	(72,003)
Assigned - Uniforms/Equip Rep	(15,000)	-	(15,000)
FUND BALANCE, UNASSIGNED	\$ 1,034,689	\$ (107,160)	\$ 927,529
Daily Operating Cost	31,534		31,972
Operating Days	33		29

Board Approval: _____

Date: _____

Westlake Academy FY 2023-2024 Request to Change Budget



Westlake Academy FY 2023-2024
Request to Change Budget

Submitted by: Marlene Rutledge

Date: 08/30/24

Budget Transfer: ☐
(within Function only)

Budget Amendment: ☒
(between Functions)
** BOT Approval Required**

Approved by: _____
Head of School (for Budget Amendments)

Fund	Funct	S/O	Org	PIC	EdSp	Proj		Obj	Account Number Description	Purpose of Amendment	Adopted Budget Amount	From Amt	To Amt	Amended Budget Amount
EXAMPLE:														
1994	11	00	001	11	0	00		6398	Instructional Technology	set up new account	10,000.00	1,000.00		9,000.00
1994	11	00	001	22	0	00		6399	CTE Supplies		-		1,000.00	1,000.00
1995	11	MS	001	11	0	01		6495	Gen Op Instr MS Prof Fees & Dues	Duplicate budget-already a budget in 1995-11-MS-001-11-000-6495	500.00	(500.00)		-
1995	31	MS	001	99	0	00		6399	Gen Op Cnsl MS Supplies	Supply account was not set up for MS	-		500.00	500.00
														-
														-
														-
														-
														-
BUDGET UNIT Account Title Budget YTD Expense Encumbrances Balance														-
199511MS00111000 6399 GEN OP INSTR MS SUPPLIES 3,000.00 409.90 359.41 2,230.69														-
199511MS00111000 6495 GEN OP INSTR MS PROF FEES & DUES 500.00 0.00 0.00 500.00														-
199511MS00111001 6495 GEN OP INSTR MS PROF FEES & DUES 500.00 0.00 0.00 500.00														-
199531MS00199000 6399 GEN OP CNSL MS SUPPLIES 0.00 0.00 0.00 0.00														-
199531MS00199000 6411 GEN OP MS CNSL EE TRVL & TRNG 2,000.00 0.00 0.00 2,000.00														-
199531MS00199000 6495 GEN OP MS GDNC/CNSL PROF FEES & DUES 300.00 0.00 0.00 300.00														-
GRAND TOTAL												500.00	(500.00)	500.00
														500.00



Westlake Academy FY 2024-2025 Request to Change Budget

Submitted by: Marlene Rutledge

Date: 07/15/24

Budget Transfer: ☐
(within Function only)

Budget Amendment: ☒
(between Functions)
** BOT Approval Required**

Approved by: SLA's approved by Dr. Ritchie & BOT after
budget adoption
Head of School (for Budget Amendments)

Fund	Funct	S/O	Org	PIC	EdSp	Proj	Obj	Account Number Description	Purpose of Amendment	Adopted Budget Amount	From Amt	To Amt	Amended Budget Amount
EXAMPLE:													
1994	11	00	001	11	0	00	6398	Instructional Technology	set up new account for CTE supplies	10,000.00	1,000.00		9,000.00
1994	11	00	001	22	0	00	6399	CTE Supplies		-		1,000.00	1,000.00
1995	12	00	001	11	0	00	6411	Gen Op Sec Library Trvl & Trng	Incr	1,000.00		1,100.00	2,100.00
1995	23	00	001	99	0	00	6411	Gen Op Cmps Ldr 504 Trvl & Trng	New Acct 504 Coordinator	-		2,000.00	2,000.00
1995	41	00	750	99	0	FN	6411	Gen Op FN Trvl & Trng	Incr	1,200.00		5,500.00	6,700.00
1995	21	DP	001	11	0	00	6411	Gen Op DP Instr Crd Trvl & Trng	Incr	1,110.00		1,890.00	3,000.00
1995	31	HS	001	99	0	00	6411	Gen Op HS Cnsl Trvl & Trng	Incr	2,000.00		1,000.00	3,000.00
1995	21	PP	001	11	0	00	6411	Gen Op PYP Instr Crd Trvl & Trng	Incr	-		1,000.00	1,000.00
1995	23	ES	001	99	0	00	6411	Gen Op Sch Ldr ES Trvl & Trng	Incr	-		2,000.00	2,000.00
1995	53	00	001	99	0	00	6411	Gen Op Tech Trvl & Trng	Incr	1,500.00		6,500.00	8,000.00
1995	31	HS	001	38	0	00	6411	Gen Op HS CCMR Cnsl Trvl & Trng	Incr	3,000.00		1,540.00	4,540.00
1995	11	MS	001	11	0	00	6119	Gen Op MS Instr Salary Prof	Incr 0.5 FTE for Alg 1 Tchr	1,423,241.00		39,000.00	1,462,241.00
1995	51	00	001	99	0	00	6129	Gen Op Fac Salary	Incr 1.0 Bldg Technician	42,932.00		60,840.00	103,772.00
1995	61	00	001	99	0	00	6119	Gen Op Prof Salary	Salary increase (SM) funded by WAF	112,746.00		30,000.00	142,746.00
1995	61	00	001	99	0	00	6129	Gen Op Para-Prof Salary	Salary increase (JK) funded by WAF	26,577.00		7,364.00	33,941.00
1995	00	04	000	00	0	00	R5744	Gen Op WAF EE Salary Reimb	WAF salary increase	-		37,364.00	37,364.00
1995	00	05	000	00	0	00	R5744	Gen Op TOW EE Salary Reimb	TOW 25% of Facility position	-		15,210.00	15,210.00
1995							3700	Gen Op Budgetary FB		(445,789.45)	(212,308.00)		(658,097.45)
									GRAND TOTAL	1,169,516.55	(212,308.00)	212,308.00	1,169,516.55

Westlake Academy			Updated to document the status of approval.					
Budget 2024-2025								
Service Level Adjustment Requests								
Status	Type	Category	Title	Amount	Status	Approved Amount	Account to Update	
Referred	Expanded Service	Programmatic	IB Curriculum Evaluation - PYP	\$ 3,816	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Expanded Service	Programmatic	IB Curriculum Evaluation - MYP	\$ 3,859	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Expanded Service	Programmatic	IB Curriculum Evaluation - DP	\$ 3,965	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Expanded Service	Programmatic	IB Exam Expenses	\$ 850	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Expanded Service	Programmatic	IB Exam Venue	\$ 1,500	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Expanded Service	Programmatic	SAT/PSAT Exams	\$ 800	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Maintain Service Level	Programmatic	Increased League Membership Fees (Athletics)	\$ 2,000	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Maintain Service Level	Technology	Replace SMART TVs	\$ 42,000	Apprvd by BOT 6/17/24		Incl on 5-yr forecast	
Referred	Maintain Service Level	Training/Travel	Library Travel (Secondary)	\$ 1,100	Apprvd by BOT 7/15/24	\$ 1,100	1995-12-00-001-11-000-6411	
Referred	New/Pilot	Training/Travel	MYP Employee Travel (504/Testing)	\$ 2,000	Apprvd by BOT 7/15/24	\$ 2,000	1995-23-00-001-99-000-6411	
Referred	Expanded Service	Training/Travel	Training for Finance Staff	\$ 5,500	Apprvd by BOT 7/15/24	\$ 5,500	1995-41-00-750-99-0FN-6411	
Referred	Expanded Service	Training/Travel	DP Coordinator Travel Budget	\$ 1,890	Apprvd by BOT 7/15/24	\$ 1,890	1995-21-DP-001-11-000-6411	
Referred	Expanded Service	Training/Travel	HS Counselor Travel & Training	\$ 1,000	Apprvd by BOT 7/15/24	\$ 1,000	1995-31-HS-001-99-000-6411	
Referred	Expanded Service	Training/Travel	PYP Coordinator Travel	\$ 1,000	Apprvd by BOT 7/15/24	\$ 1,000	1995-21-PP-001-11-000-6411	
Referred	Expanded Service	Training/Travel	ES PYP Asst Principal Travel	\$ 1,000	Apprvd by BOT 7/15/24	\$ 1,000	1995-23-ES-001-99-000-6411	
Referred	Expanded Service	Training/Travel	ES PYP Principal Travel	\$ 1,000	Apprvd by BOT 7/15/24	\$ 1,000	1995-23-ES-001-99-000-6411	
Referred	Expanded Service	Training/Travel	IT Staff Training	\$ 6,500	Apprvd by BOT 7/15/24	\$ 6,500	1995-53-00-001-99-000-6411	
Referred	Expanded Service	Training/Travel	HS CCM Travel	\$ 1,540	Apprvd by BOT 7/15/24	\$ 1,540	1995-31-HS-001-38-000-6411	
Referred	Maintain Service Level	Personnel	Salary Adjustments for Paraprofessionals	\$ 17,000	absorb	\$ -	1995-11-00-001-23-000-6129	Falcon, Lloyd, Fretwell, Sansone
						\$ -	1995-11-ES-001-11-000-6129	Rine, Ludwig, Reiswig, Rehman, Hales
						\$ -	1995-11-ES-001-23-000-6129	Ruiz, Kennedy
						\$ -	1995-23-00-001-99-000-6129	Guillet, Quintana, Eberling, Carrabine
						\$ -	1995-61-00-001-99-000-6129	Kelly
Referred	Expanded Service	Personnel	Increase 0.5 FTE for 1 FT Algebra I Teacher	\$ 39,000	Apprvd by BOT 7/15/24	\$ 39,000	\$35,634 MS Tchr	
Referred	Maintain Service Level	Personnel	Reallocate FTEs for Gmtry, VA, Bus Mgmt., & Eng	\$ (3,366)	absorb	\$ -	1995-11-MS-001-11-000-6119	
Referred	Expanded Service	Personnel	1.0 FTE SPED Teacher	\$ 78,000	not approved	\$ -	1995-11-00-001-23-000-6119	
Referred	Expanded Service	Personnel	1.0 Building Technician (75% Funded)	\$ 60,840	Apprvd by BOT 7/15/24	\$ 60,840	1995-51-00-001-99-000-6129	ttl \$76,050 (75% \$60,840; 25% \$15,210)
Referred	Expanded Service	Personnel	Upgrade Asst. Registrar to Registrar	\$ 7,500	not approved	\$ -	1995-23-00-001-99-000-6129	
Referred	Expanded Service	Technology	Gen Op Supplies Technology (504/ESL)	\$ 4,500	absorb	\$ -		
Referred	Maintain Service Level	Technology	Trakstar Evaluations	\$ 800	absorb	\$ -		
Referred	Expanded Service	Technology	Athletic Co-curricular Technology	\$ 2,400	absorb	\$ -		
Referred	New/Pilot	Technology	TASB Policy Library	\$ 500	absorb	\$ -		
Referred	Expanded Service	Technology	HS Technology	\$ 4,000	absorb	\$ -		
Referred	Expanded Service	Technology	Security Cameras	\$ 100,000	funded by grant	\$ -		
Referred	New/Pilot	Personnel	Wellness Incentives	\$ 500	absorb	\$ -		
Referred	Expanded Service	Personnel	0.0 Net FTE Secondary Librarian	\$ -				
			Salary Increase WAF Exec Director			\$ 30,000	1995-61-00-001-99-000-6119	fnds rec'd from WAF
			Salary Increase WAF Admin Asst			\$ 7,364	1995-61-00-001-99-000-6129	fnds rec'd from WAF
			TOTAL REQUESTED	\$ 392,994		\$ 159,734		
							\$ (37,364)	Added revenue from WAF
							\$ (15,210)	Added revenue from Town for Bldg Tech
							\$ 107,160.00	Increased exp from SLAs



Westlake Academy FY 2024-2025 Request to Change Budget

Submitted by: Marlene RutledgeDate: 09/23/24Budget Transfer: ☐
(within Function only)Budget Amendment: ☒
(between Functions)
** BOT Approval Required**Approved by: Kelly Ritchie 10/3/24
Head of School (for Budget Amendments)

Fund	Funct	S/O	Org	PIC	EdSp	Proj	Obj	Account Number Description	Purpose of Amendment	Adopted Budget Amount	From Amt	To Amt	Amended Budget Amount
EXAMPLE:													
1994	11	00	001	11	0	00	6398	Instructional Technology	set up new account for CTE supplies	10,000.00	1,000.00		9,000.00
1994	11	00	001	22	0	00	6399	CTE Supplies		-		1,000.00	1,000.00
1995	23	00	001	23	0	00	6399	Gen Op Cmps Ldr SPED Supplies	Account not budgeted	-		1,000.00	1,000.00
1995	23	ES	001	99	0	00	6399	Gen Op Cmps Ldr ES Supplies	Account not budgeted	-		1,000.00	1,000.00
1995	23	MS	001	99	0	00	6399	Gen Op Cmps Ldr MS Supplies	Account not budgeted	-		1,000.00	1,000.00
1995	23	HS	001	99	0	00	6399	Gen Op Cmps Ldr HS Supplies	Account not budgeted	-		1,000.00	1,000.00
													-
1995	51	00	001	99	0	HR	6429	Gen Op Commercial Ins	Budget overage	159,108.00	(4,000.00)		155,108.00
													-
	BUDGET UNIT		Account		Title			Budget	YTD Expense	Encumbrances	Balance		-
	1995230000123000		6399		GEN OP SCH LDR SPED SUPPLIES			0.00	0.00	0.00	0.00		-
	1995230000199000		6399		GEN OP SCH LDR ADM SUPPLIES			150.00	127.99	0.00	22.01		-
	199523E500199000		6399		GEN OP CMPS LDR ES SUPPLIES			0.00	0.00	0.00	0.00		-
	199523HS00199000		6399		GEN OP CMPS LDR HS SUPPLIES			0.00	0.00	0.00	0.00		-
	199523MS00199000		6399		GEN OP CMPS LDR MS SUPPLIES			0.00	0.00	0.00	0.00		-
								GRAND TOTAL		159,108.00	(4,000.00)	4,000.00	159,108.00



Date: 10/08/24

Approved by: Kelly Ritchie
Head of School (for Budget Amendments)

[illegible]



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: RES 24-75

Agenda Date: 10/21/2024

Agenda #: F.5.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve Resolution 24-75 authorizing the Town Manager to utilize approved FY25 budgeted funds to lease network security equipment, licensing, software, services, maintenance, and support in an amount not to exceed \$65,000 per year for 5 years; purchase one-time installation and professional services in an amount not to exceed \$39,000; and take appropriate action. (Jason Power, Director of Information Technology)

STAFF: Jason Power, IT Director

BACKGROUND:

Licensing and support of our current network hardware switches, routers, and wireless access points have expired or will expire by the end of 2024. Acquiring this new hardware will allow the replacement of up to 9-year-old current hardware with current, state-of-the-art network equipment that meets or exceeds our current needs and is projected to cover our estimated needs for at least the next 5 years. The attached quotes use negotiated Texas DIR pricing of \$261,287.97 for the hardware and TIPS Co-Op pricing of \$39,000 for the installation services. The hardware will be leased at an estimated cost of no more than \$60,000 per year for 5 years, depending on leasing interest rates when the lease is signed. The installation services cost will be paid after the hardware has been installed and confirmed functional. Both the estimated leasing cost for the next fiscal year and the one-time installation costs were approved in the FY25 Budget.

FISCAL IMPACT:

The estimated yearly amount for the hardware and 5 years of licensing, maintenance, and support is \$60,576.36. The one-time installation and professional services cost amount is estimated to not exceed \$39,000. Both amounts were approved within the FY25 budget.

STAFF RECOMMENDATION:

Staff recommend approval of Resolution 24-75.

ATTACHMENT(S):

Resolution 24-75

Quote - Town of Westlake - Fortinet FortiSwitch (DIR) - AAAQ21726 - 092624-redacted

Quote - Town of Westlake - Waypoint Services - Fortinet Installation - AAAQ21727 - 092624

CSI Leasing - Estimate

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

TOWN OF WESTLAKE

RESOLUTION NO. 24-75

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, AUTHORIZING THE TOWN MANAGER TO LEASE NETWORK EQUIPMENT, SOFTWARE, MAINTENANCE AND SUPPORT, AND PURCHASE PROFESSIONAL SERVICES AND INSTALLATION SERVICES, ALLOWING CONTINUITY OF SERVICES PROVIDED TO WESTLAKE ACADEMY STUDENTS AND STAFF, AS WELL AS MUNICIPAL STAFF AND WESTLAKE CITIZENS AND STAKEHOLDERS

WHEREAS, the Town of Westlake must utilize technology, including network security hardware, software and services, to provide effective and efficient municipal and academic services to staff, students, citizens and stakeholders; and,

WHEREAS, based on the scope of services provided, the Town of Westlake must maintain the network security hardware, software and services to provide said services; and,

WHEREAS, the Town Council finds and concludes that maintaining reliable, secure, and current technology is necessary to protect and preserve the security and integrity of technology that supports the staff, students, citizens and stakeholders of the Town; and,

WHEREAS, the Town Council find and concludes that purchasing technology through DIR or an established cooperative buying entity satisfies the requirements of the formal bid process and both have legislative authority to establish contracts for government and education agencies in Texas; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

SECTION 1: That, all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That, the Town Council of the Town of Westlake, Texas, hereby approves and authorizes the Town Manager to lease network equipment, software, maintenance and support, and purchase professional services and installation services, allowing continuity of services provided to Westlake Academy students and staff, as well as municipal staff and Westlake citizens and stakeholders.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21st DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



118 Vintage Park Blvd, W414, Houston, TX 77070
Phone: 832-479-8540

QUOTE

Number AAAQ21727

Date Sep 26, 2024

Bill To

Town of Westlake
Jason Power
1500 Solana Blvd Building 7 Ste 7200
Westlake, TX 76262
USA

Phone 817-490-5750

Email jpower@westlake-tx.org

Ship To

Town of Westlake
Jason Power
1500 Solana Blvd Building 7 Ste 7200
Westlake, TX 76262
USA

Phone 817-490-5750

Email jpower@westlake-tx.org

Account Manager



Paul Sides
281-841-2126
psides@waypointsolutions.com

Contract

TIPS
230105

Notes:

Line	Qty	Description	Unit Price	Ext. Price
1	1	Waypoint Services - Fortinet Installation	\$39,000.00	\$39,000.00

SubTotal	\$39,000.00
Tax	\$0.00
Shipping	\$0.00
Total	\$39,000.00

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118 Vintage Park Blvd, W414, Houston, TX 77070
Phone: 832-479-8540

QUOTE

Number AAAQ21726

Date Sep 26, 2024

Bill To

Town of Westlake
Jason Power
1500 Solana Blvd Building 7 Ste 7200
Westlake, TX 76262
USA

Phone 817-490-5750

Email jpower@westlake-tx.org

Ship To

Town of Westlake
Jason Power
1500 Solana Blvd Building 7 Ste 7200
Westlake, TX 76262
USA

Phone 817-490-5750

Email jpower@westlake-tx.org

Account Manager



Paul Sides
281-841-2126
psides@waypointsolutions.com

Contract

DIR-Carahsoft
DIR-TSO-4288

Notes:

Line	Qty	Description	Unit Price	Ext. Price
1	2	[REDACTED] switch controller compatible	\$8,674.41	\$17,348.82
2	2	[REDACTED] 5 Year FortiCare Premium Support	\$4,337.21	\$8,674.42
3	32	[REDACTED] switch controller	\$3,247.28	\$103,912.96
4	32	[REDACTED] 5 Year FortiCare Premium Support	\$1,623.63	\$51,956.16
5	65	[REDACTED] Indoor Wireless [REDACTED]	\$367.30	\$23,874.50
6	65	[REDACTED] 5 Year FortiCare Premium Support	\$183.66	\$11,937.90
7	4	[REDACTED] Outdoor Wireless [REDACTED]	\$896.00	\$3,584.00
8	4	[REDACTED] 5 Year FortiCare Premium Support	\$559.30	\$2,237.20
9	1	[REDACTED] Indoor Wireless AP [REDACTED]	\$573.21	\$573.21
10	1	[REDACTED] 5 Year FortiCare Premium Support	\$286.61	\$286.61

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Line	Qty	Description	Unit Price	Ext. Price
11	2	FortiAuthenticator [REDACTED]	\$1,190.39	\$2,380.78
12	4	FortiAuthenticator license upgrade [REDACTED]	\$2,145.38	\$8,581.52
13	39	10 GE SFP+ passive direct attach cable, 1m 10 GE SFP+ passive direct attach cable, 1m for systems with SFP+ and SFP/SFP+ slots.	\$51.01	\$1,989.39
14	15	10 GE SFP+ passive direct attach cable, 3m 10 GE SFP+ passive direct attach cable, 3m for systems with SFP+ and SFP/SFP+ slots.	\$64.94	\$974.10
15	35	10GE SFP+ transceiver module, long range 10GE SFP+ transceiver module, 10km long range for systems with SFP+ and SFP/SFP+ slots	\$119.56	\$4,184.60
16	35	10GE SFP+ transceiver module, short range 10GE SFP+ transceiver module, short range for systems with SFP+ and SFP/SFP+ slots	\$64.56	\$2,259.60
17	2	FortiAuthenticator - VM License 5 Year FortiCare Premium Support (1 - 5100 USERS)	\$6,411.06	\$12,822.12
18	8	FortiPhish 3 Year Standard subscription for 25 mailboxes, 12 months, includes support	\$463.76	\$3,710.08
SubTotal				\$261,287.97
Tax				\$0.00
Shipping				\$0.00
Total				\$261,287.97

Shipping charges will be determined at time of purchase.

RETURNS ARE NOT PERMITTED FROM COMMERCIAL CUSTOMERS. YOU CAN VIEW OUR FULL RETURN POLICY AT <https://www.waypointsolutions.com/return-policy>. PRICES ARE SUBJECT TO CHANGE AND ARE BASED UPON TOTAL PURCHASE. WE SPECIFICALLY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, OR INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, OR DAMAGES RELATED TO THIS AGREEMENT.

Lease Proposal for The Town of Westlake

Prepared by:	Christopher Black		
Date:	October 11, 2024		
Lease program:	SmartTrack SM lease		
Equipment description:	FortiSwitch		
Estimated cost:	\$261,287.97		
Lease term:	48 Months and 60 Months		
Installation period:	October Thru December 2024		
Value-added services:	- Equipment ordering and personal attention from your account team - Ability to consolidate multiple brands on one schedule - Unlimited customer users for our online asset tool, MyCSISM - Custom invoices to help you track assets and costs internally - Data sanitization according to the National Institute of Standards and Technology, with proof of sanitization - All end-of-life IT assets are disposed according to local environmental laws		
Term:	<u>36 mos</u>	<u>48 mos</u>	<u>60 mos.</u>
FMV Lease rate:	.02919	.02315	.01932
Estimated Lease Payment:	\$7,626.92	\$6,048.82	\$5,048.03
No fees:	CSI will not charge administrative fees, end of lease fees or deposits.		
Payments:	Monthly in advance.		
Daily rent:	Rent will be charged for use before the lease period begins. This is calculated as one-thirtieth of the monthly rental and is payable for each day from, and including, the acceptance date to, but not including, the first day of the lease term.		
End of lease options:	Extend, restructure, buy out or return on an asset level. All buy out and extension pricing is based on fair market value.		
Valid through:	This proposal is valid for 14 days from date of proposal.		
Contingencies:	This proposal is contingent upon final credit approval by CSI.		
Rate protection:	The lease rates specified in this proposal are based on the like-term SOFR Interest Rate Swap (the "SWAP Yield") as of the date of this proposal. The lease rates are subject to a one-time increase based on the SWAP Yield in effect at the start of the lease term.		

The information contained within this proposal is confidential and proprietary and is for information and evaluation purposes only. This proposal is not to be disclosed to any parties other than the company named above (the "Customer"), its employees, officers or directors with a need to know the information contained herein, unless CSI otherwise agrees in writing. Unless and until a written contract has been duly executed, neither Customer nor CSI Leasing, Inc. will have any obligation to the other with respect to any proposed transaction, with respect to the procedures employed in connection therewith, or with respect to any representations made by either party. The terms and conditions contained within a final signed contract between Customer and CSI Leasing will supersede those within this document.



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: ORD-1013

Agenda Date: 10/21/2024

Agenda #: F.6.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to adopt Ordinance 1013 amending the Town of Westlake Municipal Budget for fiscal year 2024; and take appropriate action (Cayce Lay Lamas, Director of Finance).

STAFF: Cayce Lay Lamas, Director of Finance

BACKGROUND:

Council is required to adopt an annual budget, which occurred via Ordinance 979 on September 25, 2023, for the fiscal year 2024. The year end budget amendment is presented to reflect the unaudited ending balance of revenues and overages to expenditures for the Town for fiscal year 2024. The changes to fiscal year 2024 include Council-approved purchases that were not included in the original adopted budget, unbudgeted spending previously communicated to Council, and the actual revenues received. Consideration and adoption of this ordinance is a routine and administrative action intended to provide an update on the financial position of the Town prior to receiving the final audit report.

The budgetary changes proposed will result in a net increase to fund balance of \$11,895,850 to all funds. This is not the final audited change to fund balance. Revenues are amended when received revenues exceed the adopted budget. Expenditures are not amended down, with the exception of the rollover appropriations when necessary, to provide greater clarity to the difference between budget and final actual spending. Below are the highlights of these changes:

Description of Revenue Changes

Total revenues are being increased by \$7,805,000.

Sales tax revenues received were significantly higher than the adopted budget due to overall activity. Sales tax in total is being amended \$4,325,000.

Property tax revenues were slightly lower than the adopted budget due to higher successful protests of value than normal. Property tax in total is being amended down \$75,000.

Permit and fee revenue was lower than the adopted budget to slower than expected development activity, but still above the annual average due to the one-time revenues received. Permit and fees in total are being amended down \$750,000. Related development fees being amended include \$100,000 for reforestation fees and \$180,000 for Westlake Academy economic development fees.

Interest income received was significantly higher than the adopted budget due to higher interest rates. Interest income in total is being amended \$1,705,000.

Utility revenues received were higher than the adopted budget due to an increase in water usage, an unexpected refund from the N-II line construction project, proceeds from a legal settlement, and the implementation of late fees in the last quarter. Utility revenue in total is being amended \$2,285,000.

Description of Expenditure Changes

Total expenditures are being increased by \$560,000.

General Fund expenditures are being increased by \$620,000 for costs relating to the settlement of a lawsuit (\$190,000), economic development agreements (\$130,000), increased costs for third-party supplementary services, recruiting, and correcting allocations due to staff turnover in various departments (\$260,000), the costs for contractual school resource officer services billed outside the contract (\$130,000), and technology and street infrastructure services approved by Council during the year (\$75,000).

The Public Improvement District Fund expenditures are being increased by \$100,000 for administrative costs that will be reimbursed during fiscal year 2024.

The Cemetery Fund expenditures are being increased due to the management contract approved by Council during fiscal year 2024 (\$20,000).

The Municipal Capital Projects Fund is being decreased because a budgeted project was not approved (\$165,000). The transfer from the General Fund to the MCP Fund is being adjusted accordingly.

The Westlake Academy Expansion Fund is being increased by \$585,000 for the additional costs for the modular buildings (\$200,000), which will decrease available fund balance, and the gym renovation (\$315,000) and improvements to the football field (\$60,000), which will decrease the restricted fund balance.

The Utility Maintenance & Repair Fund is being decreased by \$600,000 because a generator purchase was delayed. This will be amended for during fiscal year 2025.

Final contribution to or use of fund balance/retained earnings will be provided as part of the fiscal year 2024 audit.

DISCUSSION:

The final budget amendment is presented at a summary level for approval, based on the budgetary control level approved by Council.

Fund	Category	Adopted Budget	Amendment	Final Budget
General Fund	Revenues	\$16,964,595	\$3,680,000	\$20,644,595
	Expenditures	\$12,969,411	\$620,000	\$13,621,411
4B Sales Tax	Revenues	\$2,275,000	\$1,000,000	\$3,275,000
	Expenditures	\$1,623,136	-	\$1,623,136
ED Fund	Revenues	\$10,000	\$180,000	\$190,000
	Expenditures	\$10,000	-	\$10,000
PID Fund	Revenues	-	-	-
	Expenditures	\$7,000	\$100,000	\$107,000
VA Fund	Revenues	\$456,100	\$325,000	\$781,100
	Expenditures	\$432,910	-	\$432,910
Cemetery Fund	Revenues	\$14,925	\$60,000	\$74,925
	Expenditures	\$21,600	\$20,000	\$41,600
Sales Tax Debt	Revenues	\$1,623,136	-	\$1,623,136
	Expenditures	\$1,623,136	-	\$1,623,136

Property Tax Debt	Revenues	\$1,893,283	-	\$1,893,283
	Expenditures	\$1,820,178	-	\$1,820,178
Town Capital	Revenues	\$355,000	-\$90,000	\$265,000
	Expenditures	\$280,000	-\$165,000	\$150,000
Arts & Sciences	Revenues	\$50,000	\$85,000	\$135,000
	Expenditures	-	-	-
WA Capital	Revenues	\$55,000	\$100,000	\$155,000
	Expenditures	-	\$585,000	\$585,000
Lone Star Fund	Revenues	\$25	-	\$25
	Expenditures	-	-	-
Utility Fund	Revenues	\$6,355,277	\$2,635,000	\$8,990,277
	Expenditures	\$5,786,490	-	\$5,789,490
Utility Vehicles	Revenues	\$1,500	-	\$1,500
	Expenditures	-	-	-
Utility Maint.	Revenues	\$393,500	-\$250,000	\$143,500
	Expenditures	\$696,000	-\$600,000	\$241,000
General Maint.	Revenues	\$402,500	\$25,000	\$427,500
	Expenditures	\$382,500	-	\$527,500
General Vehicles	Revenues	\$30,000	\$55,000	\$85,000
	Expenditures	-	-	\$180,000

The attached schedule provides additional information, including a budget amendment previously approved, unaudited actuals, and projected changes to fund balance for each fund. It must be noted that the numbers included in the attachment are subject to correction and adjustment, as necessitated by the annual audit, and will be presented as part of the final audit report for fiscal year 2024.

FISCAL IMPACT:

The Town of Westlake fiscal year 2024 amended budget will increase revenues by \$7,805,000 and increase expenditures by \$560,000, for a projected ending fund balance/retained earnings contribution of \$11,895,850.

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 1013, as presented.

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve Ordinance 1013, as presented
- 2) Motion to amend Ordinance 1013, with the following stipulations (please state stipulations in motion)
- 3) Motion to table

- 4) Motion to deny

TOWN OF WESTLAKE

ORDINANCE NO. 1013

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, AMENDING THE BUDGET FOR THE 2024 FISCAL YEAR APPROVED BY ORDINANCE 979; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as required by Texas Local Government Code 102, the Town Council is required to adopt a municipal budget to cover the proposed expenditures of the municipal government for the succeeding year; and

WHEREAS, the Town Council adopted an operating and capital budget for the 2024 fiscal years; and

WHEREAS, the Town Council acknowledges that changes to the adopted municipal budgets are necessary to achieve specific directives from the Town Council, maintain the desired level of service to constituents, and reflect unexpected inflows and outflows of Town resources; and

WHEREAS, the Town Council finds that the passage of this Ordinance is in the best interest of the citizens of Westlake.

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

SECTION 1: That, all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Town Council hereby amends the budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, as shown within ***Exhibit A***.

SECTION 3: If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Ordinance without the invalid provision.

SECTION 4: This Ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 21st DAY OF OCTOBER, 2024.

ATTEST:

Kim Greaves, Mayor

Dianna Buchanan, Town Secretary

Wade Carroll, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

**Budget Amendment
Fiscal Year 2024**

Fund	Adopted Budget	Previous Amendment	Proposed Amendment	Amended Budget
GENERAL FUND				
Revenues	\$16,964,595	\$0	\$3,680,000	\$20,644,595
<i>Sales Tax</i>	\$6,825,000	\$0	\$3,250,000	\$10,075,000
<i>Property Tax</i>	\$2,250,171	\$0	-\$75,000	\$2,175,171
<i>Franchise & Other Tax</i>	\$589,135	\$0	\$230,000	\$819,135
<i>Permits & Fees</i>	\$6,536,604	\$0	-\$750,000	\$5,786,604
<i>Fines & Forfeitures</i>	\$502,985	\$0	-\$75,000	\$427,985
<i>Interest Income</i>	\$253,800	\$0	\$1,000,000	\$1,253,800
<i>Miscellaneous Income</i>	\$6,900	\$0	\$100,000	\$106,900
<i>Transfers In</i>	\$0	\$0	\$0	\$0
Expenditures	\$12,969,411	\$32,000	\$620,000	\$13,621,411
<i>Council</i>	\$34,255	\$0	\$0	\$34,255
<i>General Services</i>	\$1,080,707	\$0	\$320,000	\$1,400,707
<i>Town Manager</i>	\$434,803	\$0	\$0	\$434,803
<i>Planning & Developmen</i>	\$713,471	\$0	\$50,000	\$763,471
<i>Town Secretary</i>	\$112,144	\$0	\$20,000	\$132,144
<i>Fire</i>	\$2,963,591	\$32,000	\$0	\$2,995,591
<i>Municipal Court</i>	\$478,689	\$0	\$0	\$478,689
<i>Public Works</i>	\$641,342	\$0	\$125,000	\$766,342
<i>Facilities</i>	\$211,700	\$0	\$0	\$211,700
<i>Finance</i>	\$331,093	\$0	\$40,000	\$371,093
<i>Parks</i>	\$384,400	\$0	\$0	\$384,400
<i>Information Technology</i>	\$365,333	\$0	\$50,000	\$415,333
<i>Human Resources</i>	\$165,923	\$0	\$0	\$165,923
<i>Communications</i>	\$107,823	\$0	\$0	\$107,823
<i>Police</i>	\$1,208,278	\$0	\$130,000	\$1,338,278
<i>Westlake Academy</i>	\$3,245,859	\$0	\$0	\$3,245,859
<i>Transfers Out</i>	\$490,000	\$0	-\$115,000	\$375,000
Increase/(Decrease) to FB	\$3,995,184	-\$32,000	\$3,060,000	\$7,023,184

**Budget Amendment
Fiscal Year 2024**

Fund	Adopted Budget	Previous Amendment	Proposed Amendment	Amended Budget
4B FUND				
Revenues	\$2,275,000	\$0	\$1,000,000	\$3,275,000
Expenditures	\$1,623,136	\$0	\$0	\$1,623,136
Increase/(Decrease) to FB	\$651,864	\$0	\$1,000,000	\$1,651,864
ECONOMIC DEVELOPMENT FUND				
Revenues	\$10,000	\$0	\$180,000	\$190,000
Expenditures	\$10,000	\$0	\$0	\$10,000
Increase/(Decrease) to FB	\$0	\$0	\$180,000	\$180,000
PID FUND				
Revenues	\$0	\$0	\$0	\$0
Expenditures	\$7,000	\$0	\$100,000	\$107,000
Increase/(Decrease) to FB	-\$7,000	\$0	-\$100,000	-\$107,000
VISITORS ASSOCIATION FUND				
Revenues	\$456,100	\$0	\$325,000	\$781,100
Expenditures	\$432,910	\$0	\$0	\$432,910
Increase/(Decrease) to FB	\$23,190	\$0	\$325,000	\$348,190
CEMETERY FUND				
Revenues	\$14,925	\$0	\$60,000	\$74,925
Expenditures	\$21,600	\$0	\$20,000	\$41,600
Increase/(Decrease) to FB	-\$6,675	\$0	\$40,000	\$33,325
MUNICIPAL CAPITAL PROJECTS FUND				
Revenues	\$355,000	\$0	-\$90,000	\$265,000
Expenditures	\$280,000	\$0	-\$165,000	\$115,000
Increase/(Decrease) to FB	\$75,000	\$0	\$75,000	\$150,000
ARTS & SCIENCES CAPITAL FUND				
Revenues	\$50,000	\$0	\$85,000	\$135,000
Expenditures	\$0	\$0	\$0	\$0
Increase/(Decrease) to FB	\$50,000	\$0	\$85,000	\$135,000

**Budget Amendment
Fiscal Year 2024**

Fund	Adopted Budget	Previous Amendment	Proposed Amendment	Amended Budget
ACADEMY CAPITAL PROJECTS FUND				
Revenues	\$55,000	\$0	\$100,000	\$155,000
Expenditures	\$0	\$0	\$585,000	\$585,000
Increase/(Decrease) to FB	\$55,000	\$0	-\$485,000	-\$430,000
UTILITY FUND				
Revenues	\$6,355,277	\$0	\$2,635,000	\$8,990,277
Expenditures	\$5,786,490	\$0	\$0	\$5,786,490
Increase/(Decrease) to FB	\$568,787	\$0	\$2,635,000	\$3,203,787
UTILITY MAINTENANCE & REPAIR FUND				
Revenues	\$393,500	\$0	-\$250,000	\$143,500
Expenditures	\$696,000	\$145,000	-\$600,000	\$241,000
Increase/(Decrease) to FB	-\$302,500	-\$145,000	\$350,000	-\$97,500
GENERAL MAINTENANCE & REPAIR FUND				
Revenues	\$402,500	\$0	\$25,000	\$427,500
Expenditures	\$382,500	\$145,000	\$0	\$527,500
Increase/(Decrease) to FB	\$20,000	-\$145,000	\$25,000	-\$100,000
GENERAL VEHICLE MAINTENANCE & REPAIR FUND				
Revenues	\$30,000	\$0	\$55,000	\$85,000
Expenditures	\$0	\$180,000	\$0	\$180,000
Increase/(Decrease) to FB	\$30,000	-\$180,000	\$55,000	-\$95,000



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: RES 24-76

Agenda Date: 10/21/2024

Agenda #: F.7.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve Resolution 24-76 authorizing the expenditure of funds for providing pavement markings and other necessary traffic control devices from Stripe A Zone in an amount not to exceed \$85,000. (Cheryl Taylor, P.E., Director of Public Works).

STAFF: Cheryl Taylor, P.E., Director of Public Works

BACKGROUND:

This agreement will allow staff to contract for pavement markings and other miscellaneous traffic control devices with Stripe A Zone for maintenance of the Town's public streets, as needed. The contract for services is within the approved budgeted amount for street maintenance in the FY25 budget.

DISCUSSION:

Public Works is responsible for the maintenance of the Town's public streets, including the replacement or addition of pavement markings and traffic control devices, as needed. Staff plans to refresh pavement markings along Dove Road from Ottinger Road to Davis Boulevard, Ottinger Road from SH170 to Dove Road, and North Pearson Lane from Dove Road to the City Limit of Keller. The estimated cost for this project is \$59,240.20. The additional 30% contingency is for other miscellaneous markings that may be needed throughout Fiscal Year 2025.

An interlocal agreement with the City of Grand Prairie allows the Town of Westlake to contract with Stripe a Zone at prices that have been bid and meet State procurement requirements. Approval will allow for providing pavement markings and traffic control devices from Stripe A Zone in an amount not to exceed \$85,000 which exceeds the Town Manager's signatory approval and requires Town Council approval.

FISCAL IMPACT:

Funding for this agreement in an amount not to exceed \$85,000 will be from the Public Works approved Street operating budget for fiscal year 2024-2025.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 24-76 authorizing the expenditure of funds for providing pavement markings and other necessary traffic control devices from Stripe A Zone in an amount not to exceed \$85,000.

ATTACHMENT(S):

1. Resolution 24-76
2. Stripe A Zone pricing for pavement markings and traffic control devices

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

TOWN OF WESTLAKE

RESOLUTION NO. 24-76

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING THE AUTHORIZATION OF FUNDS FOR PROVIDING PAVEMENT MARKINGS AND OTHER NECESSARY TRAFFIC CONTROL DEVICES FROM STRIPE A ZONE IN AN AMOUNT TO EXCEED \$85,000

WHEREAS, the Town Council of the Town of Westlake recognizes the need to maintain and protect public infrastructure to serve its residents; and,

WHEREAS, the leaders of the Town of Westlake desires to improve quality of life in the town; and,

WHEREAS, the Town Council recognizes that the ability to provide pavement markings and other miscellaneous traffic control devices are necessary to perform daily operational maintenance of public streets within the Town; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Town Council for the Town of Westlake does hereby approve the expenditure of funds with Stripe A Zone for providing pavement markings and other necessary traffic control devices to perform maintenance on the Town's public streets and facilities including Dove Road from Ottinger Road to Davis Boulevard, Ottinger Road from SH170 to Dove Road, and North Pearson Lane from Dove Road to the City Limit of Keller.

SECTION 3: That the funding for pavement marking services in an amount not to exceed \$85,000 will be paid from the approved fiscal year 2024-2025 Public Works Street and Drainage Operating Budget, as approved by the Town Council on September 16, 2024.

SECTION 4: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 5: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21st DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

STRIPE-A-ZONE PAVEMENT MARKING **SPECIALISTS** ® Since 1950

Stripe-A-Zone
 2714 Sherman Street
 Grand Prairie, Texas 75051

10/11/2024

Brandon Tellez 817-291-0069 btellez@stripe-a-zone.com
 Chad Jewell 469-441-6413 cjewell@strip-a-zone.com

QUOTE
 TO ESTIMATING DEPARTMENT

JOB	LOCATION	START DATE
2410-040 - CITY OF WESTLAKE DOVE	OTTINGER TO DAVIS	TBD

Bid Item	Description	Quantity	Unit	Unit Price	Ext Price
0666 6002	Reflective Pavement Marking TY I W BRK 4"	1,160.000	LF	\$ 0.650	\$ 754.00
0666 6035	Reflective Pavement Marking TY I W SLD 8"	540.000	LF	\$ 1.190	\$ 642.60
0666 6048	Reflective Pavement Marking TY I W SLD 24"	122.000	LF	\$ 7.130	\$ 869.86
0666 6054	Reflective Pavement Marking TY I W SLD ARROW	7.000	EA	\$ 130.690	\$ 914.83
0666 6057	Reflective Pavement Marking TY I W SLD DBL ARROW	1.000	EA	\$ 130.690	\$ 130.69
0666 6078	Reflective Pavement Marking TY I W SLD WORD	1.000	EA	\$ 130.690	\$ 130.69
0666 6125	Reflective Pavement Marking TY I Y SLD 4"	12,110.000	LF	\$ 0.650	\$7,871.50
0666 6178	Reflective Pavement Marking TY II W SLD 8"	60.000	LF	\$ 1.190	\$ 71.40
0666 6182	Reflective Pavement Marking TY II W SLD 24"	36.000	LF	\$ 1.200	\$ 43.20
0677 6003	Eliminate Pavement Marking 8"	60.000	LF	\$ 0.640	\$ 38.40
0677 6007	Eliminate Existing Pavement Marking 24"	36.000	LF	\$ 2.020	\$ 72.72
0678 6001	Pavement Marking Preparation 4"	13,270.000	LF	\$ 0.360	\$4,777.20
0678 6004	Pavement Marking Preparation 8"	540.000	LF	\$ 0.360	\$ 194.40
0678 6008	Pavement Marking Preparation 24"	122.000	LF	\$ 0.360	\$ 43.92
0678 6009	Pavement Marking Preparation ARROW	7.000	EA	\$ 19.010	\$ 133.07
0678 6010	Pavement Marking Preparation DBL ARROW	1.000	EA	\$ 19.010	\$ 19.01
0678 6016	Pavement Marking Preparation WORD	1.000	EA	\$ 22.570	\$ 22.57
Grand Total:					\$16,730.06

Project bid date: 10/11/2024

TRAFFIC CONTROL: FOR STRIPE-A-ZONE'S EQUIPMENT ONLY.
□QUANTITIES ARE ESTIMATED, ACTUAL QUANTITIES INSTALLED WILL BE BILLED

ITEMS NOT SPECIFICALLY NOTED WILL BE ADDITIONAL.

STRIPE-A-ZONE IS NOT LIABLE FOR DAMAGES OF ANY UNDERGROUND UTILITIES.
Any court action resulting from this agreement will be conducted in Tarrant County, Texas.
This proposal shall be attached to and become a part of any contract signed between STRIPE-A-ZONE and the contractor.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and all will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

Brandon Tellez

Brandon Tellez, Senior Estimator

Notes: (1) This proposal may be withdrawn by Stripe-A-Zone if not accepted within 30 days.
(2) Bid excludes Bonds unless noted.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Printed Name _____

STRIPE-A-ZONE

PAVEMENT MARKING SPECIALISTS ®

Since 1950

Stripe-A-Zone
2714 Sherman Street
Grand Prairie, Texas 75051

10/08/2024

Brandon Tellez 817-291-0069 btellez@stripe-a-zone.com
Chad Jewell 469-441-6413 cjewell@stripe-a-zone.com

QUOTE
TO ESTIMATING DEPARTMENT

JOB	LOCATION	START DATE
2410-031 - CITY OF WESTLAKE OTTINGER	170 TO DOVE	TBD

Bid Item	Description	Quantity	Unit	Unit Price	Ext Price
0666 6011	Reflective Pavement Marking TY I W SLD 4"	10,691.000	LF	\$ 0.650	\$6,949.15
0666 6035	Reflective Pavement Marking TY I W SLD 8"	217.000	LF	\$ 1.190	\$ 258.23
0666 6042	Reflective Pavement Marking TY I W SLD 12"	140.000	LF	\$ 5.940	\$ 831.60
0666 6048	Reflective Pavement Marking TY I W SLD 24"	45.000	LF	\$ 7.130	\$ 320.85
0666 6054	Reflective Pavement Marking TY I W SLD ARROW	8.000	EA	\$ 130.690	\$1,045.52
0666 6057	Reflective Pavement Marking TY I W SLD DBL ARROW	1.000	EA	\$ 130.690	\$ 130.69
0666 6122	Reflective Pavement Marking TY I Y BRK 4"	310.000	LF	\$ 0.650	\$ 201.50
0666 6125	Reflective Pavement Marking TY I Y SLD 4"	16,338.000	LF	\$ 0.650	\$10,619.70
0666 6141	Reflective Pavement Marking TY I Y SLD 12"	236.000	LF	\$ 5.940	\$1,401.84
0678 6001	Pavement Marking Preparation 4"	27,339.000	LF	\$ 0.360	\$9,842.04
0678 6004	Pavement Marking Preparation 8"	217.000	LF	\$ 0.360	\$ 78.12
0678 6006	Pavement Marking Preparation 12"	376.000	LF	\$ 0.360	\$ 135.36
0678 6008	Pavement Marking Preparation 24"	45.000	LF	\$ 0.360	\$ 16.20
0678 6009	Pavement Marking Preparation ARROW	8.000	EA	\$ 19.010	\$ 152.08
0678 6010	Pavement Marking Preparation DBL ARROW	1.000	EA	\$ 19.010	\$ 19.01
Grand Total:					\$32,001.89

Project bid date: 10/07/2024

TRAFFIC CONTROL: FOR STRIPE-A-ZONE'S EQUIPMENT ONLY.

▣QUANTITIES ARE ESTIMATED, ACTUAL QUANTITIES INSTALLED WILL BE BILLED

▣REPAIRS TO SCARRED OR DAMAGED ROADWAY UPON MARKING ELIMINATION IS EXCLUDED.

ITEMS NOT SPECIFICALLY NOTED WILL BE ADDITIONAL.

STRIPE-A-ZONE IS NOT LIABLE FOR DAMAGES OF ANY UNDERGROUND UTILITIES.

Any court action resulting from this agreement will be conducted in Tarrant County, Texas.

This proposal shall be attached to and become a part of any contract signed between STRIPE-A-ZONE and the contractor.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and all will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

Brandon Tellez

Brandon Tellez, Senior Estimator

Notes: (1) This proposal may be withdrawn by Stripe-A-Zone if not accepted within 30 days.
(2) Bid excludes Bonds unless noted.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Printed Name _____

STRIPE-A-ZONE

PAVEMENT MARKING SPECIALISTS ®

Since 1950

Stripe-A-Zone
2714 Sherman Street
Grand Prairie, Texas 75051

10/08/2024

Brandon Tellez 817-291-0069 btellez@stripe-a-zone.com
Chad Jewell 469-441-6413 cjewell@strip-a-zone.com

QUOTE
TO ESTIMATING DEPARTMENT

JOB	LOCATION	START DATE
2410-032 - CITY OF WESTLAKE N PEARSON	DOVE TO ASPEN LN	TBD

Bid Item	Description	Quantity	Unit	Unit Price	Ext Price
0666 6011	Reflective Pavement Marking TY I W SLD 4"	4,080.000	LF	\$ 0.650	\$2,652.00
0666 6035	Reflective Pavement Marking TY I W SLD 8"	115.000	LF	\$ 1.190	\$ 136.85
0666 6048	Reflective Pavement Marking TY I W SLD 24"	24.000	LF	\$ 7.130	\$ 171.12
0666 6054	Reflective Pavement Marking TY I W SLD ARROW	4.000	EA	\$ 130.690	\$ 522.76
0666 6078	Reflective Pavement Marking TY I W SLD WORD	4.000	EA	\$ 130.690	\$ 522.76
0666 6125	Reflective Pavement Marking TY I Y SLD 4"	4,784.000	LF	\$ 0.650	\$3,109.60
0678 6001	Pavement Marking Preparation 4"	8,864.000	LF	\$ 0.360	\$3,191.04
0678 6004	Pavement Marking Preparation 8"	115.000	LF	\$ 0.360	\$ 41.40
0678 6008	Pavement Marking Preparation 24"	24.000	LF	\$ 0.360	\$ 8.64
0678 6009	Pavement Marking Preparation ARROW	4.000	EA	\$ 19.010	\$ 76.04
0678 6016	Pavement Marking Preparation WORD	4.000	EA	\$ 19.010	\$ 76.04
Grand Total:					\$10,508.25

Project bid date: 10/07/2024

TRAFFIC CONTROL: FOR STRIPE-A-ZONE'S EQUIPMENT ONLY.

▣QUANTITIES ARE ESTIMATED, ACTUAL QUANTITIES INSTALLED WILL BE BILLED

▣REPAIRS TO SCARRED OR DAMAGED ROADWAY UPON MARKING ELIMINATION IS EXCLUDED.

ITEMS NOT SPECIFICALLY NOTED WILL BE ADDITIONAL.

STRIPE-A-ZONE IS NOT LIABLE FOR DAMAGES OF ANY UNDERGROUND UTILITIES.

Any court action resulting from this agreement will be conducted in Tarrant County, Texas.

This proposal shall be attached to and become a part of any contract signed between STRIPE-A-ZONE and the contractor.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and all will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

Brandon Tellez

Brandon Tellez, Senior Estimator

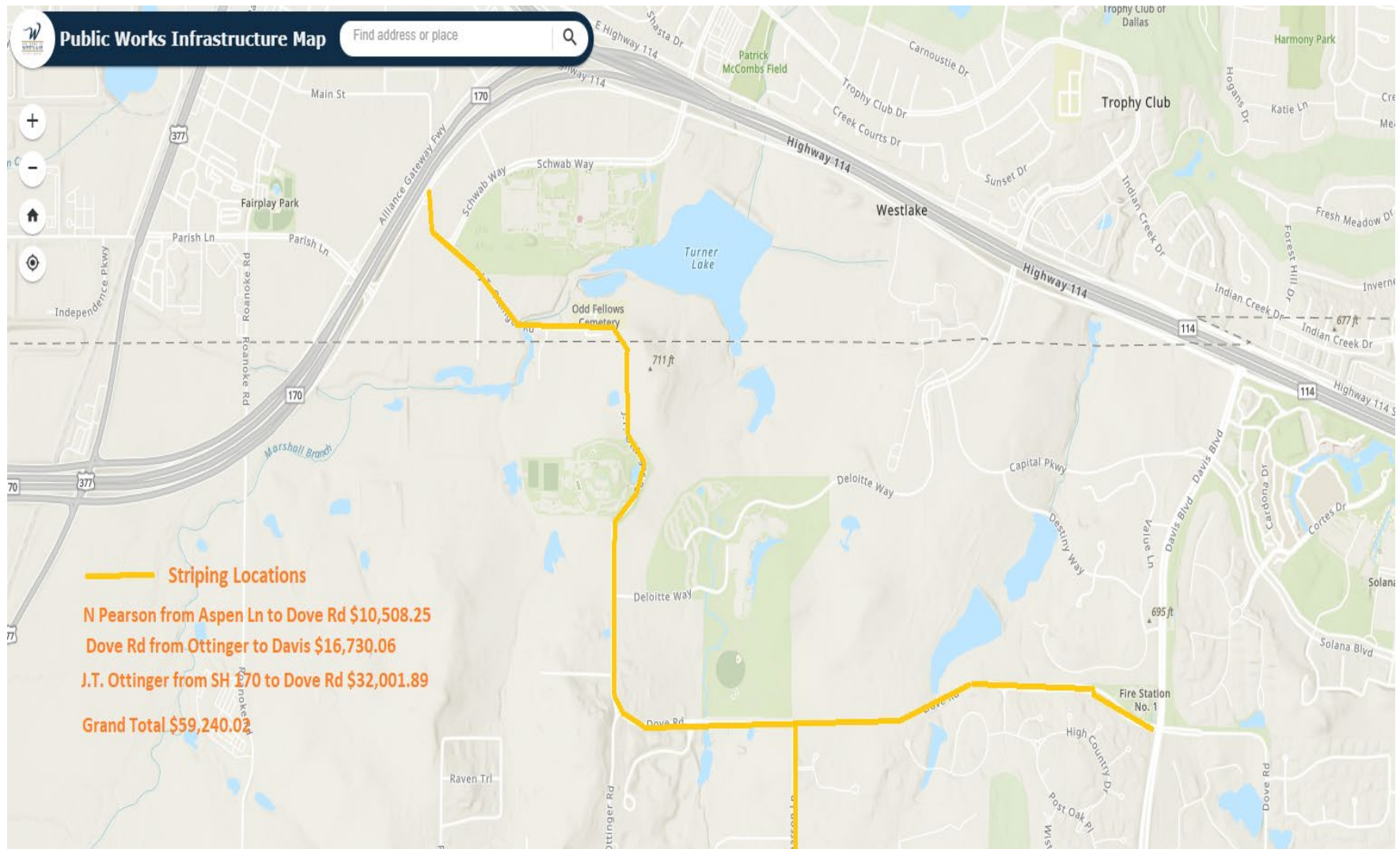
Notes: (1) This proposal may be withdrawn by Stripe-A-Zone if not accepted within 30 days.
(2) Bid excludes Bonds unless noted.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Printed Name _____





Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: WA RES 24-35

Agenda Date: 10/21/2024

Agenda #: G.1.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve WA Resolution 24-35 to rescind WA Resolution 24-33 regarding the contract with NWN Carousel and Single Wire for a Mass Notification System at Westlake Academy (Jason Power, IT Director)

STAFF: Jason Power, IT Director

BACKGROUND:

At the September 16, 2024 Town Council/Board of Trustees meeting, WA Resolution 24-33 was approved to contract with NWN Carousel and Single Wire for a mass notification system at Westlake Academy. Following the meeting, and after further analysis of security needs at Westlake Academy, the contract was not executed with NWN Carousel and Single Wire because a different product that provides a more complete security and notification solution came to the forefront and is provided by a different vendor at decreased pricing.

DISCUSSION:

Staff requests that Town Council/Board of Trustees rescind the previously approved WA Resolution 24-33 as the contract was not ever executed with NWN Carousel and Single Wire for a mass notification system at Westlake Academy.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Approve WA Resolution 24-35 as presented.

ATTACHMENT(S):

WA Resolution 24-35

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

WESTLAKE ACADEMY

RESOLUTION NO. 24-35

A RESOLUTION OF THE WESTLAKE ACADEMY BOARD OF TRUSTEES TO RESCIND WA RESOLUTION 24-33 REGARDING THE CONTRACT WITH NWN CAROUSEL AND SINGLE WIRE FOR A MASS NOTIFICATION SYSTEM AT WESTLAKE ACADEMY

WHEREAS, on September 16, 2024, the Town Council/Board of Trustees approved WA Resolution 24-33 to contract with NWN Carousel and Single Wire for a mass notification system at Westlake Academy; and,

WHEREAS, following further analysis of the security needs at Westlake Academy, it was determined that a different product offering a more comprehensive security and notification solution is available from another vendor at a reduced cost; and

WHEREAS, the contract with NWN Carousel and Single Wire was never executed; and

WHEREAS, it is in the best interest of Westlake Academy and the Town of Westlake to pursue the alternative solution that better meets the security requirements of Westlake Academy;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WESTLAKE ACADEMY:

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That WA Resolution 24-33, approved on September 16, 2024, is hereby rescinded.

SECTION 3: That Town staff is directed to proceed to present the alternative mass notification and security solution that has been identified to the Board of Trustees.

SECTION 4: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 5: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21ST DAY OF OCTOBER 2024.

Kim Greaves, President

ATTEST:

Dianna Buchanan, Board Secretary

Dr. Kelly Ritichie, Superintendent

APPROVED AS TO FORM:

Janet S. Bubert or L. Stanton Lowry,
School Attorney



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: WA RES 24-36

Agenda Date: 10/21/2024

Agenda #: G.2.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve WA Resolution 24-36 approving the purchase and installation of a security and mass notification system for Westlake Academy utilizing Security System Grant funds from the State of Texas and Westlake Academy general funds in an amount not to exceed \$100,000 (IT Director Jason Power)

STAFF: Jason Power, IT Director

BACKGROUND:

As of May 5, 2023, Alyssa's Law has passed in Texas (SB 838/HB 669). This law mandates that all school districts and open-enrollment charter schools in Texas have silent panic alert technology installed in their classrooms by the 2025-2026 school year. The technology must enable the schools to instantaneously communicate with authorized emergency services such as law enforcement agencies, fire departments, and health departments.

The Verkada Panic Button and Alarm System will fully integrate with the Verkada Camera and Access Control System previously approved by the Council for use at Westlake Academy. The complete system will provide integrated video security, door security, alarms, and monitoring to better assist staff and emergency responders in keeping the campus safe and secure.

FISCAL IMPACT:

The estimated total amount for the hardware, installation and 5 years of licensing, maintenance, and support is \$70,536.

STAFF RECOMMENDATION:

Staff recommend approval of WA Resolution 24-36.

ATTACHMENT(S):

WA Resolution 24-36

Westlake Academy Panic Buttons - Estimate

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table

- 4) Motion to deny

WESTLAKE ACADEMY

WA RESOLUTION NO. 24-36

A RESOLUTION OF THE WESTLAKE ACADEMY BOARD OF TRUSTEES APPROVING THE PURCHASE AND INSTALLATION OF A MASS NOTIFICATION SYSTEM FOR EMERGENCY COMMUNICATIONS (INCLUDING SILENT "PANIC BUTTONS") FOR WESTLAKE ACADEMY UTILIZING SECURITY SYSTEMS GRANTS FROM THE STATE OF TEXAS IN AN AMOUNT NOT TO EXCEED \$100,000

WHEREAS, the Town of Westlake owns and operates the Westlake Academy; and

WHEREAS, Westlake Academy does not have a mass notification system for emergency communications; and,

WHEREAS, Texas law (SB 838/HB 669, "Alyssa's Law") mandates that all school districts and open-enrollment charter schools in Texas shall have silent panic alert technology installed in their classrooms by the 2025-2026 school year; and,

WHEREAS, the proposed project includes purchasing and installing a system that will allow Westlake Academy to meet the requirements of Alyssa's Law by providing administrative access to critical information, a silent panic alarm system, real-time communication with First Responders, two-way communication with users, and a panic button in each classroom; and,

WHEREAS, the project also includes installing hardware for silent panic buttons, and incorporating comprehensive software and a 5-year maintenance and protection licensing plan;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WESTLAKE ACADEMY:

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Board of Trustees of Westlake Academy does hereby accept the recommended bid for a mass notification system for emergency communications at Westlake Academy to Driven Security for hardware and services requested, attached hereto as ***Exhibit "A"***; and further authorize the Town Manager or designee to execute this agreement.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21ST DAY OF OCTOBER 2024.

Kim Greaves, Board President

ATTEST:

Dianna Buchanan, Board Secretary

APPROVED AS TO FORM:

Janet Bubert, School Attorney



Estimate

Date	Estimate #
9/18/2024	Panic Buttons

Name / Address
Attn: Wade Carroll Westlake Academy 2600 J T Ottinger Rd. Westlake, TX 76262

Project
Westlake

Description	Qty	Rate	Total		Total This Estimate
<u>Westlake Academy</u>					
Panic Buttons Project					
BH61 Wireless Hubs	25	\$ 509.15	\$ 12,728.75		\$ 12,728.75
BR33-HW Panic Buttons	115	\$ 84.15	\$ 9,677.25		\$ 9,677.25
LIC-BA-5Y Alarm License	2	\$ 6,375.00	\$ 12,750.00		\$ 12,750.00
Installation of Hubs and Buttons	1	\$ 34,000.00	\$ 34,000.00		\$ 34,000.00
Shipping	1	\$ 1,380.00	\$ 1,380.00		\$ 1,380.00
Exclusions-					
Assuming hubs are all new cable					
Assuming all panic buttons are being configured by Driven					
		Totals	\$ 70,536.00	\$ -	\$ 70,536.00

Signature -

Signature -

Westlake X _____ Driven Security X _____



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: RES 24-73

Agenda Date: 10/21/2024

Agenda #: G.3.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve Resolution 24-73 authorizing the expenditure of funds for the purchase of water meters and utility parts from Atlas Utility Supply Company in an amount not to exceed \$100,000. (Cheryl Taylor, P.E., Director of Public Works).

STAFF: Cheryl Taylor, P.E., Director of Public Works

BACKGROUND:

This agreement will allow staff to purchase water meters and associated parts, as well as other miscellaneous water and wastewater utility parts from Atlas Utility Supply Company for maintenance of the water and wastewater systems. The maintenance parts and supplies were budgeted as part of the approved FY25 Public Works Operating Fund.

DISCUSSION:

Thriving development throughout the Town of Westlake requires new water meters for domestic services and irrigation systems for each new structure. The Villagio residential development will require nearly 20 water meters for new homes, as construction of the subdivision is nearly complete. As Entrada continues to develop, numerous meters will be required for each of those structures as well. With Public Works staff inspecting and reading existing meters, many will need to be replaced if they are found to be aging or non-functioning meters and end points. A meter change out program is necessary to maintain the town's billing system and mitigate water loss. Atlas Utility Company is the sole authorized distributor of Badger Meters, endpoints, and associated parts for the Town of Westlake.

Customary maintenance and repairs on the water and wastewater systems require a level of inventory of typical parts for efficient management by Public Works staff. An interlocal agreement with North Richland Hills allows the Town of Westlake to purchase utility parts from Atlas Utility Supply Company at prices that have been bid and meets State procurement requirements.

Approval of this item will allow for the purchase of water meters and utility parts for new development and routine maintenance in an amount not to exceed \$100,000 which exceeds the Town Manager's signatory approval and requires Town Council approval.

FISCAL IMPACT:

Funding for this agreement in an amount not to exceed \$100,000 will be from the Public Works approved operating budget for fiscal year 2024-2025.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 24-73 authorizing the expenditure of funds for the purchase of water and sanitary sewer utility parts from Atlas Utility Supply Company in an amount not to exceed \$100,000.

ATTACHMENT(S):

1. Resolution 24-73
2. Atlas Supply Company pricing for utility parts through Master Interlocal Agreement with North Richland Hills
3. Atlas Sole Source Letter for Badger Meters

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

TOWN OF WESTLAKE

RESOLUTION NO. 24-73

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS,
APPROVING THE AUTHORIZATION OF FUNDS FOR THE PURCHASE OF WATER
METERS AND UTILITY PARTS FROM ATLAS SUPPLY COMPANY IN AN AMOUNT
TO EXCEED \$100,00**

WHEREAS, the Town Council of the Town of Westlake recognizes the need to maintain and protect public infrastructure to serve its residents; and,

WHEREAS, the leaders of the Town of Westlake desires to improve quality of life in the town; and,

WHEREAS, the Town Council recognizes that the purchase of water meters and water and wastewater utility parts are necessary to perform daily operational maintenance of public infrastructure; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

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

SECTION 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Town Council for the Town of Westlake does hereby approve the expenditure of funds with Atlas Supply Company for the purchase of water meters and water and wastewater utility parts to perform maintenance on the water and wastewater systems.

SECTION 2: That the funding for the water meters and various utility parts in an amount not to exceed \$100,000 will be paid from the fiscal year 2024-2025 Public Works Utility Operating Budget, as approved by the Town Council on September 16, 2024.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 21st DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

September 30, 2024

Ms. Cheryl Taylor
Town of Westlake
1500 Solana Boulevard,
Bldg. 7, Ste. 7200
Westlake, TX 76262

RE: Sole Source Letter

Dear Ms. Taylor:

This letter will confirm that Badger Meter is the sole source provider of BEACON® SaaS for Town of Westlake.

In the event you have any questions regarding this correspondence, we can be reached by telephone at 800-876-3837 or by email at proposals@badgermeter.com.

Sincerely,

BADGER METER, INC.

A handwritten signature in blue ink, appearing to read 'Matthew B. Gieseke', written over a horizontal line.

Matthew B. Gieseke
Assistant Secretary and Proposal Lead



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

September 30, 2024

Ms. Cheryl Taylor
Town of Westlake
1500 Solana Boulevard,
Bldg. 7, Ste. 7200
Westlake, TX 76262

RE: Sole Source Letter

Dear Ms. Taylor:

This correspondence confirms that Atlas Utility Supply Company is the sole authorized distributor of E-Series® Ultrasonic Meters, Recordall® Disc Meters, Recordall Compound Series/Combo Meters, Recordall Turbo Series Meters, HR-E® Encoders, HR-E LCD Encoders, BEACON® Mobile Reading Solutions and ORION® Endpoints for the Town of Westlake.

In the event you have any questions regarding this correspondence, we can be reached by telephone at 800-876-3837 or by email at proposals@badgermeter.com.

Sincerely,

BADGER METER, INC.

A handwritten signature in blue ink, appearing to read 'Matthew B. Gieseke', written over a horizontal line.

Matthew B. Gieseke
Assistant Secretary and Proposal Lead

Page 1 of 1

E-Series® Ultrasonic Meters, Recordall® Disc Meters, Recordall Compound Series/Combo Meters, Recordall Turbo Series Meters, HR-E® Encoders, HR-E LCD Encoders, BEACON® Mobile Reading Solutions and ORION® Endpoints



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: 24-351

Agenda Date: 10/21/2024

Agenda #: G.4.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider, and act to regarding a request from Bernal Homes, Inc. to deviate from certain building aesthetic, design, and material standards contained within the Entrada Design Guidelines (Deputy Town Manager Jason Alexander, AICP, CEcD)

STAFF: Deputy Town Manager Jason Alexander, AICP, CEcD

BACKGROUND:

The development standards for Entrada --- as adopted by Ordinance No. 703 (zoning) and Ordinance No. 760 (design guidelines) --- are intended to deliver a visually harmonious and aesthetically pleasing mixed-use development within the center of the Town of Westlake.

In particular, the development standards are derived from architectural and urban design vernacular common to towns and villages in Spain. As such, the development standards reinforce a palette of exterior finish materials that are primarily indigenous to Spain and other European nations bordering the Mediterranean Sea. The palette of exterior finish material primarily includes cast stone, stone, and stucco; and brick, wood, and other materials are either to be limited in use or contemplated for architectural merit.

Bernal Homes, Inc., the Developer, is requesting a deviation from the material requirements for exterior walls as contained in the design guidelines for Entrada because the stone used above the second story is not capable of structurally supporting cast stone, stone, or other material with similar characteristics and properties for the construction of a five-story mixed-use building on Lot 1, Block N, within Entrada.

This is due to the selected coursing and patterning --- as well as the cut of stone (i.e., thin). Further, stucco, because of its weight, would also not be supported structurally by the cut of stone. This deviation would apply to projections at openings for doors and windows, including sills, lintels, and balconies (i.e., Juliette balconies).

In a letter prepared by the structural engineer of record, dated September 24, 2024, “the structure is not suitable to support cast stone block veneer” and “it is not acceptable to affix veneer to existing thin set.”

It is important to note, that, within the context of Chapter 3000 of the Texas Local Government Code, as amended, that “a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation” that “establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code.”

However, the Developer did enter into a development agreement with the Town of Westlake vis-à-vis Resolution No. 20-04 adopted on January 27, 2020 that “in addition to the provisions contained in the

ordinances approving the site plan the Specific Use Permits pertinent to the Property, all building aesthetics, building design, and building construction materials on the Property shall comply with the architectural, design and building material provisions of Ordinance 703, Entrada zoning ordinance, and Ordinance 760, the Entrada design guidelines.”

Summarily, the development agreement entered into between the Town of Westlake and the Developer allows the Planning and Zoning Commission to make a recommendation to the Town Council on the requested deviation as set forth in the respective ordinances --- Ordinance No. 703 and Ordinance No. 760.

Accordingly, in the interest of ensuring that the building is structurally sound and that the health, safety, and welfare of the general public be preserved, it is recommended that the deviation as requested by the Developer be reviewed, considered, and recommended for approval.

DISCUSSION:

The proposed deviation is generally consistent with the visual aesthetic and architectural character of Entrada.

FISCAL IMPACT:

N/A.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission discussed, considered, and provided a recommendation on this item on October 8, 2024. By a vote of 6-1-0 (with one nay vote), the Planning and Zoning Commission recommended approval of the requested deviation with the condition that the architect of record stamp the architectural plans. The stamped architectural plans are included and attached as Exhibits “A.1” and “A.2.”

STAFF RECOMMENDATION:

The Planning and Zoning Commission recommend approval of the requested deviation.

ATTACHMENT(S):

Request for Deviation
Exhibit “A.1”
Exhibit “A.2”

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table (please state specific date in motion)
- 4) Motion to deny

September 30, 2024

City of westlake:

Re: Entrada Block N
49 Arta DR
Westlake, TX

Per City Ordinance NO 760 exterior walls section on page 28 states Material General: All building facade vertical walls are required to be natural, quarried stone, three-coat stucco, cast stone, or brick in limited quantities. Use of stucco in the building elevation is limited to 40 % of the street visible elevations within any commercial project, any residential block where homes have a common wall, or any detached residence. A residential block is a cluster of five lots or block of contiguous residential units. The Ordinance has a conditional Material Variance: the use of plaster, wood siding, hardiboard siding, textured concrete masonry units, granite, and/or tile may be considered on a case-by-case basis. This section is a general section that mainly contains to one- or two-story projects and may be getting confused with the section on Towers. The section on Towers goes into more structural accommodations for structural integrity. The Tower section on pages 31 and 32 reads as followed Architectural Engagement: Towers or other vertical architectural elements are recommended to be engaged with another structure. Material Tower Walls: All tower façade vertical walls can be natural quarried stone, cast stone, or cut stone. Other materials may be allowed above the 2nd story upon review and approval of proposed design. Wood may be used as accents on the tower walls. Prohibitions: The use of wood siding, Hardiboard siding, visible concrete masonry units (CMU), marble, granite, fiberglass and metal panels.

The plans were drawn and engineered to the specification of the tower section of the ordinance because it is over two stories and not structurally sound to follow the general wall ordinance. Types of material used to build this building and the ones beside it may not be and typically not built with the same structural components. Commercial buildings can use CMU, Metal studs and in some cases wood for their structural walls. Our building has those components on the garage and retail area, but transitions to stick framing from the 3rd floor and above. That where it starts following the Tower section of the ordinance and the building was designed that way. The plans were submitted to the city for approval this way and the owner was under the impression that it approved as draw and submitted.

If this is not true than we are requesting a variance to the ordinance of material used. The material we are requesting to be used is as followed:

1. cut quarried stone (which is technically already approved in one section of the ordinance.
2. The use of stucco band above the headers of the doors and or windows. (This is not EFIS application, it is an architectural feature to have the stucco protrude out to the face of the stone to match as closely as possible to the buildings around us. The application of cast stone in

this location is not structurally feasible and could cause major issues with water intrusion as well if cast stone is used). Per the Tower section we are not using any material prohibited.

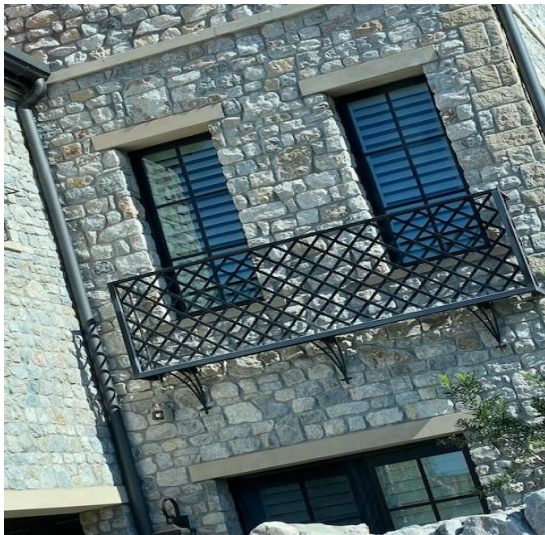
3. The next variance is for all the Juliet balconies. The cast stone previous drawn by the architect as a patio for a person to stand on was not structural sound needed to be changed to a metal Juliet balcony that would hold the weight of a person standing on it and not jeopardize the structural integrity of the building. The transition from the 5 ½ inch stone from second floor would still be on the building but lowered to accommodate the metal balcony. Other location showing the cast stone trim pieces has had to be deleted as well due to the structural integrity issues it may or could cause. We do have a letter for the engineer of record stating his concerns and that he could not sign off on this building if you required us to follow the Two-Story General Ordinance.

Please see attached pictures, material specs, and Engineer of Record letter to go along with the request of deviation.

Please call with any questions.

Sincerely,
Michael White
By Direction of
Israel Bernal

Examples of what is on buildings throughout Entrada Community



Metal Juliet Balcony on other property. This does not appear to be Cast stone

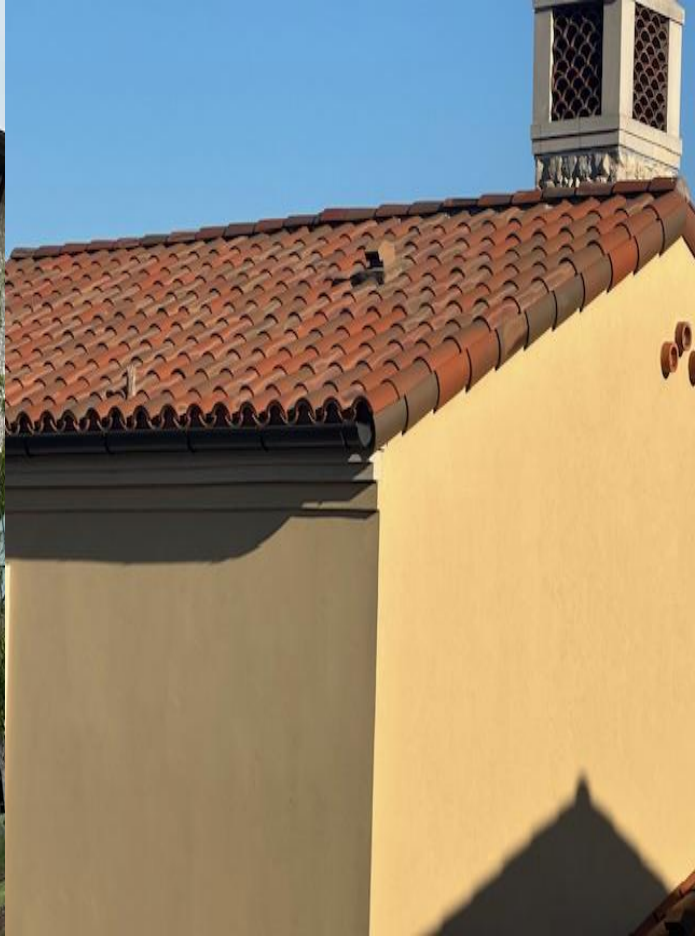


This does not appear to be cast stone.

Stucco band same color as the face of building

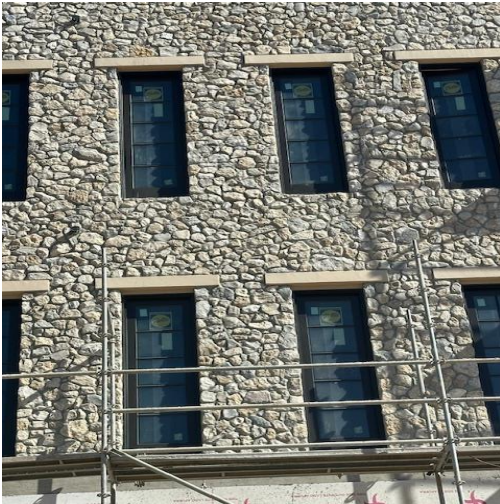


Stucco Band same color.



Stucco Band same color

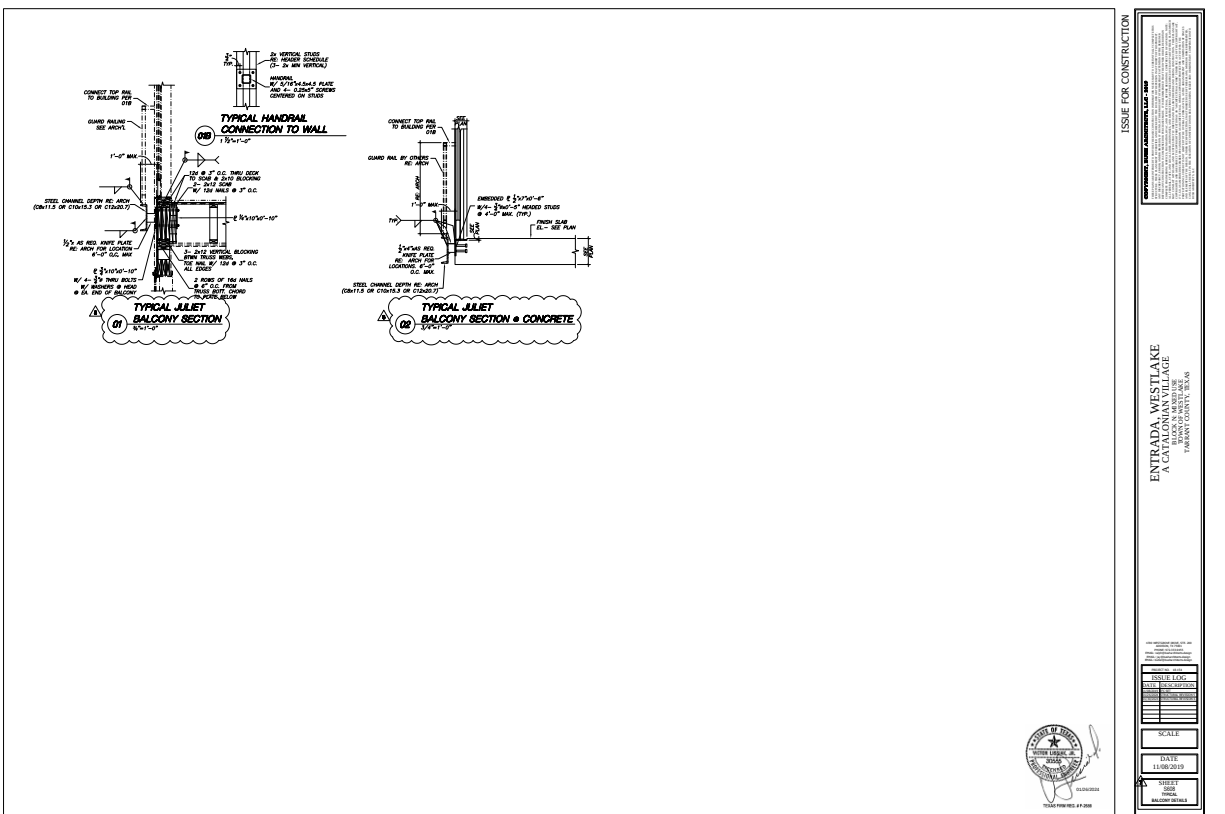
Examples of what we got on Building



Cut Stone 1 ½" per plan Stucco Band at rock wall location and Stucco wall location

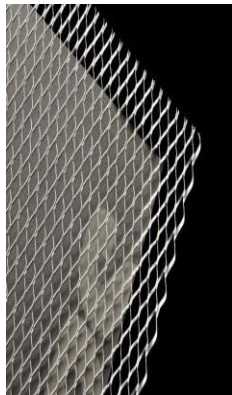


Cut Stone 1 ½" per plan Stucco Band at rock wall location

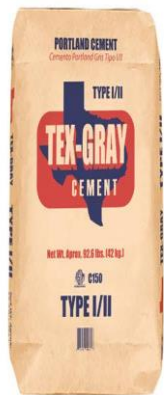


Metal Juliet Balcony detail

Material used



Metal lath



cement



tile and stone mortar.



Stucco material

ARDEX GUIDE SPECIFICATION

ARDEX X5TM Flexible Tile and Stone Mortar and ARDEX 8+9TM Rapid Waterproofing and Crack Isolation Compound and ARDEX FLTM Rapid Set, Flexible, Sanded Grout

Applications to Receive the Installation of Tile and Stone

SECTION 09 30 13

ARDEX TILE & STONE INSTALLATION MATERIALS AND SYSTEMS

PART 1 - GENERAL

1.1 A.

1.2 A.

RELATED DOCUMENTS

Drawings, general provisions of the Contract, and other related construction documents such as Division 01 specifications apply to this Section

SUMMARY

This Section includes the installation of tile and non-moisture-sensitive stone with a mortar.

1. ARDEX 8+9TM Rapid Waterproofing and Crack Isolation Compound
2. ARDEX X5TM Flexible Tile and Stone Mortar
3. ARDEX FLTM Rapid Set, Flexible, Sanded Grout
4. ARDEX SXTM 100% Silicon Sealant for Tile and Stone Applications

Complete ARDEX product and system installation details are provided in their corresponding Technical Data Sheet available at www.ardexamericas.com.

B.

C.

1.3 A.

Related Sections include the following: 1. Division 09 Tile & Stone Sections

REFERENCES

AMERICAN NATIONAL STANDARDS INSTITUTE (A.N.S.I.)

1. A-118.15 Improved Modified Dry-Set Cement Mortar
2. A-118.4 Modified Dry-Set Cement Mortar
3. A-118.11 EGP Latex-Portland Cement Mortar
4. A-118.7 High Performance Cement Grouts for Tile Installation

SECTION 09 30 13 - 1

TILE & STONE INSTALLATION

05/2023 ARDEX AMERICAS

D.

E.

1.4 A.

B.

1.5 A.

B.

5. A-108.01 General Requirements for Subsurfaces and Preparations by Other Trades
6. A-108.10 Installation of Grout in Tilework

7. A-108.5 Installation of Ceramic Tile with Dry-Set Portland Cement Mortar or Latex-Portland Cement Mortar
8. A-118.10 Load Bearing, Bonded, Waterproof Membranes for Thin-Set Ceramic Tile and Dimension Stone Installation
9. A-108.13 Installation of load bearing, bonded, waterproofing membrane for thin-set ceramic tile and dimensional stone

TILE COUNCIL OF AMERICA, INC.

1. Handbook for Ceramic Tile Installation
2. EJ171 Movement Joint Guidelines for Ceramic, Glass and Stone

INTERNATIONAL STANDARDS ORGANISATION (ISO) 1. ISO 13007 – Ceramic Tile-Grouts & Adhesives

SUBMITTALS

Product Data: Submit manufacturer's product data, a Revit file with applicable materials meeting the Revit Content Style Guide, and installation instructions for each material and product used. Include manufacturer's Safety Data Sheets.

Qualification Data: For Installer

QUALITY ASSURANCE

Installation of the ARDEX product must be completed by a factory-trained, certified applicator, such as an ARDEX LevelMaster® Elite or Choice Contractor, using mixing equipment and tools approved by the manufacturer. Please contact ARDEX AMERICAS (724) 203-5000 for a list of recommended installers.

Manufacturer Experience: Provide products of this section by companies which have successfully specialized in production of this type of work for not less than 5 years. Contact Manufacturer Representative prior to installation.

SECTION 09 30 13 - 2 05/2023 TILE & STONE INSTALLATION ARDEX AMERICAS

1.6 A.

1.7

A.

B.

C.

1.8

A.

WARRANTY

When ARDEX X 5TM is installed with our written recommendations, the installation shall be installed in conjunction with the recommended ARDEX Tile & Stone Installation Materials, as appropriate, to provide the ARDEX SystemOne comprehensive warranty.

DELIVERY, STORAGE AND HANDLING

Deliver products in original packaging, labeled with product identification, manufacturer, batch number and shelf life.

Store products in a dry area with temperature maintained between 50° and 85°F (10° and 29°C) and protect from direct sunlight.

Handle products in accordance with manufacturer's printed recommendations.

PROJECT CONDITIONS

Do not install material below 50°F (10°C) surface and air temperatures. These temperatures must also be maintained during and for 48 hours after the installation of products included in this section. Install quickly if substrate is warm and follow warm weather instructions available from the ARDEX Technical Service Department.

PART 2 – PRODUCTS

2.1

A.

B.

2.2

A.

WATERPROOFING & CRACK ISOLATION COMPOUND

Acceptable Products:

1. ARDEX 8+9TM; Manufactured by ARDEX AMERICAS USA, (724) 203-5000, www.ardexamericas.com

Performance and Physical Properties: Meet or exceed the following values for material cured at 70° F+/-3°F (21° C+/-3°C) and 50% +/-5% relative humidity:

1. Pot Life: Up to 45 Minutes
2. Coats: 2
3. Dry Time: 30 – 45 min. – coat 1, 1hr. coat 2
4. Crack Isolation: Meets or Exceeds ANSI A 118.12 and ANSI A 118.10

MORTAR

Acceptable Products:

1. ARDEX X 5TM; Manufactured by ARDEX AMERICAS, USA, (724) 203-5000, www.ardexamericas.com

SECTION 09 30 13 - 3 05/2023 TILE & STONE INSTALLATION ARDEX AMERICAS

B.

2.3

A.

B.

2.4

A.

Performance and Physical Properties: Meet or exceed the following values for material cured at 70° F+/-3°F (21° C+/-3°C) and 50% +/-5% relative humidity:

1. Open Time: Up to 10 - 15 minutes
2. Pot Life: Approx. 3 hours
3. ISO 13007: C2 TE P1
4. Thin Set: Meets or Exceeds ANSI A-118.15, ANSI A-118.11 & ANSI A-118.4

GROUT

Acceptable Products:

1. ARDEX FLTM; Manufactured by ARDEX AMERICAS, USA, (724) 203-5000, www.ardexamericas.com

Performance and Physical Properties: Meet or exceed the following values for material cured at 70° F+/-3°F (21° C+/-3°C) and 50% +/-5% relative humidity:

1. Pot Life: Approx. 30 minutes
2. Working Time: Approx. 30 minutes
3. Open to Traffic: 90 minutes

CAULK

Acceptable Products:

1. ARDEX SX; Manufactured by ARDEX Americas USA, (724)203-5000, www.ardexamericas.com

PART 3 – EXECUTION

3.1

A.

PREPARATION

Subfloors: Prepare substrate in accordance with manufacturer's instructions.

1. Prior to proceeding please refer to ANSI A 108.01 "General Requirements for Subsurface" and the TCNA's "Handbook for Ceramic Tile Installation" for detailed information. Substrate and ambient temperatures must be a minimum of 50°F (10°C).
2. All subfloors must be clean and completely free of all contaminants, including dust, oil, grease, wax, sealers, paint, varnish, etc. Prepare floor as required by mechanical means. Do not use chemicals to clean the floor.

MIXING

When mixing sanded materials, ARDEX recommends using the ARDEX DUSTFREETM or a standard "gutter hook" vacuum attachment in combination with a wet/dry (Shop-Vac® style)

3.2

A.

SECTION 09 30 13 - 4 05/2023 TILE & STONE INSTALLATION ARDEX AMERICAS

3.3

A.

B. C.

3.4

A.

B.

3.4

A.

3.5

A.

vacuum and HEPA dust extraction vacuum system. Additionally, each bag should be handled with care and emptied slowly to avoid creating a plume of dust. Contact the ARDEX Technical Service Department for more details on ARDEX products and air quality management.

APPLICATION OF WATERPROOFING AND CRACK ISOLATION MEMBRANE

Examine substrates and conditions under which materials will be installed. Do not proceed with installation until unsatisfactory conditions are corrected.

Coordinate installation with adjacent work to ensure proper sequence of construction. Protect adjacent areas from contact due to mixing and handling of materials.

Install Waterproofing and Crack Isolation Compound:

1. Reference A-108.17 Installation of Crack Isolation Membrane
2. Comply with manufacturer's printed instructions for mixing of material, installation, and cure. For questions contact the ARDEX Technical Services Department at (724) 203- 5000.

APPLICATION OF TILE Install Tile with Mortar

1. Install tiles following the general office outline procedure set forth in ANSI A108.5.
2. Comply with manufacturer's printed instructions for mixing of material, installation, and cure. For questions contact the ARDEX Technical Services Department at (724) 203- 5000.

Install Grout and Caulk

1. Install grout in accordance with ANSI A108.10.
2. Comply with manufacturer's printed instructions for mixing of material, installation, and cure. For questions contact the ARDEX Technical Services Department at (724) 203- 5000.

FIELD QUALITY CONTROL

Where required, contact manufacturer for field sampling methods and procedures.

PROTECTION

Prior to the installation of the finish flooring from abuse by other trades by the use of plywood, Masonite or other suitable protection course.

END OF SECTION

SECTION 09 30 13 - 5

TILE & STONE INSTALLATION

05/2023 ARDEX AMERICAS

Technical Data Sheet - TEX-GRAY Masonry Cement Type S

1. Product Name

• TEX-GRAY Masonry Cement Type S
2. Manufacturer
SESCO Cement Corp. 7300 Wingate St. Houston, TX 77011
Phone: (832) 846-2066
Web: www.sescocement.com

2. Product Description Basic Use

TEX-GRAY Masonry Cement is a specially blended cement formulated to produce masonry mortar for use in stone, brick, block and thin veneer construction as well as stucco applications, exterior wall plaster and interior wall putty.

Composition & Materials

TEX-GRAY Masonry Cement is a mix of Portland cement, limestone, plasticizers, air entraining agents and other chemical modifiers to produce a high performance mortar component that complies with ASTM C91.

All TEX-CEM manufacturing is quality controlled to ensure product performance and uniformity.

4. Technical Data Applicable Standards

- ASTM International ASTM C91
- ASTM International ASTM C270
- ASTM International ASTM C144
- ASTM International ASTM C780

Physical Properties

TABLE 1 – Physical Req. of Masonry Cements

S 2100 (14.5) 70 19

5. Installation Selection

Use Table 2 as a general guide for selection of the required mortar. Other specific factors such as climate and exposure, local building codes, absorption of masonry units, engineering requirements, etc., should be considered.

Masonry Cement Type S	Compressive Strength ASTM C109 Min., psi (MPa)	Water Retention Minimum %	Maximum % Air
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Exterior, above grade, load-bearing non load-bearing parapet wall	N or S N N or S
--	-----------------

Composition & Materials

- ASTM C91; Type S

Packaging

TEX-GRAY Masonry Cement is supplied in the following package sizes:

- ASTM C91; Type S – 75 lbs. Limitations & Disclaimers

There are many variables that affect mortar performance beyond the control of the cement manufacturer. Following industry recommended practice is required to achieve desired results.

Building Segment

Exterior, at or below grade

Mixing

Mortar Type

S

Interior, load-bearing	non load-bearing	N or S	N
------------------------	------------------	--------	---

Technical Data Sheet TEX-GRAY Masonry Cement Type S

pg. 1 of 2

TABLE 2

Recommended Guide for Selection of Mortar Type

Mix 1 bag of TEX-GRAY Masonry Cement TYPE S with 2 1/4 to 3 parts by volume of mason sand complying with ASTM C144. Using clean, potable water sufficient to produce desired consistency. Mechanical mixing is preferable when possible. Mix material for a minimum of five minutes. Sand selection will impact color so mock-ups of actual mortar components should be constructed for architect/owner approval prior to commencing work.

Admixtures

No admixtures should be used without the written approval of the architect/owner.

Technical Data Sheet - TEX-GRAY Masonry Cement Type S

Water

All water must be clean and free from contaminants, including organic material, dissolved acids, alkalies or salts.

Precautions

Cement may cause minor skin irritations. Avoid direct contact with skin and eyes. If contacted, promptly flush effected areas with clean water. Refer to TEX-CEM Safety Data Sheets (MSDS) for more information prior to use.

6. Availability and Cost Availability

TEX-GRAY Cement Masonry Cement is available in bags through our distribution partners in most parts of Texas.

Cost

TEX-GRAY Cement products are competitively priced. For specific information contact a TEX-CEM distributor or a TEX-CEM representative.

7. Warranty

The information and statements in TEX-CEM technical and product information are believed to be reliable, but are not to be construed as a warranty or representation for which the manufacturer assumes legal responsibility. No other warranty, representation, or condition of any kind, expressed or implied (including no warranty of merchantability or fitness for a particular purpose) shall apply. Having no control over the use of cement, TEX-CEM will not guarantee finished work, nor shall TEX-CEM be liable for consequential damages.

8. Maintenance

No maintenance required.

9. Technical Services

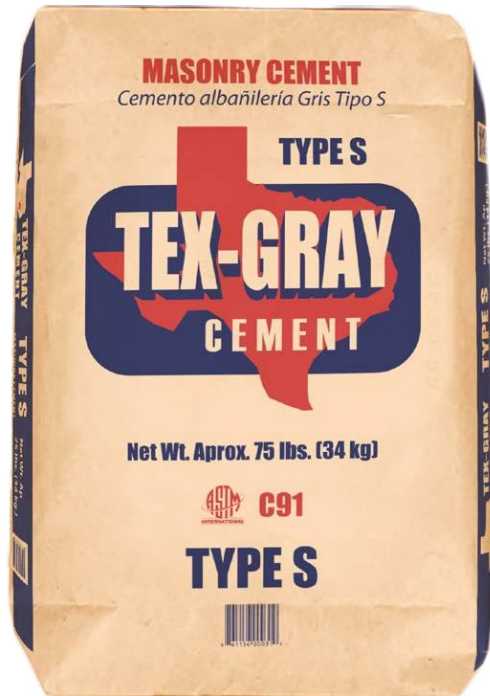
Technical assistance, including more detailed information, product literature, test results, project list, samples, assistance in preparing project specifications and arrangements for job site inspection and supervision, is available by contacting the technical sales staff.

Rafael Villalta

(832) 846-2066 r.villalta@sescocement.com

10. Filing Systems

Additional Information is available from the manufacturer upon request.



Spectrum Scratch & Brown (with or without Fiber)

Description: Spectrum Scratch & Brown is a dry - reinforced product designed to be used as the scratch and/or brown coat in a three-coat stucco application. Tremendous steps were made by AHI to develop our Spectrum Scratch & Brown coat. Our company has received a large number of glowing reviews on this product. Installers across the country that have used our Scratch & Brown have stated that our product has “superior coverage”, “better board life”, “does not dry out as fast” and “stays on walls and ceilings without falling to the ground like the one coats or other competitive products” they have used. Application of Spectrum Scratch & Brown will help resist water penetration, plastic shrinkage, cracks and sagging. It will also produce a non-load bearing, aesthetically pleasing exterior or interior finish on concrete, masonry and stud walls or metal buildings.

Uses: Spectrum Scratch & Brown is designed to be used in general stucco construction over galvanized metal lath or solid base surfaces such as masonry or concrete.

Coverage: Scratch Coat – 90-110 sq. ft at 3/8” thickness. Brown Coat – 75-80 sq. ft at 3/8” thickness.

Dry Time: Spectrum Scratch & Brown requires a minimum of 48 hours moist curing: Refer to ASTM C926 Application of Portland Cement—Based Plaster (ASTM 926 8.2 states) “Sufficient time between coats shall be allowed to permit each coat to *cure or develop enough rigidity* to resist cracking or other physical damage when the next coat is applied.” Environmental conditions such as heat, wind and humidity must all be considered when determining dry time.

Job Conditions: Air and substrate surface temperature must be 40oF or higher and remain so for a minimum of 24 hours. **Precautions:** Use adequate ventilation. Avoid breathing dust. Use of approved dust respirator, safety glasses and protective gloves are recommended. As with any chemical product, exercise care when handling.

Surface Preparation: Concrete and masonry surfaces should be slightly scarified . Clean area and remove all dust, grease, oil, paint, dirt, efflorescence and any unsound concrete. Spectrum tintable primer must be applied over all cementitious products once they have been allowed to cure. Primer must be applied with a spray application and then back rolled with a paint roller. With a pH pencil, check the surface pH levels 4-6 hours after the primer has dried. However, dry time will depend on surface temperatures, humidity, and porosity of material to be coated. Random check entire surface to ensure pH levels are below 10.

Mixing: It is suggested that you mix this product using a motorized mortar mixer. For Scratch Coats: Use 1 bag of Spectrum Scratch & Brown Coat to 2.5 cu. ft. of plaster sand which conforms to ASTM C-897. For Brown Coats: Use 1 bag of Spectrum Scratch & Brown Coat to 3 cu. ft. of plaster sand which conforms to ASTM C-897.

Application: Scratch & Brown can be hand applied or sprayed. Apply the Scratch coat to a thickness of 3/8” with either an approved sprayer or trowel. Scratch the first coat horizontally and allow the Scratch coat to cure sufficiently. Apply the Brown coat using an approved sprayer or trowel to a thickness of 3/8” thick. Spectrum Scratch & Brown requires moisture to cure. Moist cure for no less then 48 hours.

Clean Up: Do not allow product to dry. Clean tools and equipment with water immediately after use.

Storage & Shelf Life: Store off the ground in a dry area. Protect from extreme heat, moisture, direct sunlight and freezing temperatures. Product can be stored for a period of 12 months in original un-opened container and protected from moisture. **Weight & Packaging:** 75 lb bags. 40 bags per pallet.

DO NOT USE THIS PRODUCT AS A COMPONENT OF AN EXTERIOR INSULATION FINISH SYSTEM (EIFS) OR AS PART OF ANY EXTERIOR INSULATION FINISH APPLICATION REPRESENTED TO BE A SIMILAR GROUP COMPONENT BASED SYSTEM.

EIFS refers to an exterior insulation system in which the specific components are designed, formulated, tested and may also be certified by “EIMA”, “ICBO”, or other organization to ensure that the individual components are compatible with one and another and will successfully function together. All AHI products are sold independently and separately and have not been tested, designed, formulated, manufactured, or certified by any entity to work together successfully in Exterior Insulation Finish Systems or as a part of any exterior insulation application represented to be similar group component based system.

Warranty: All Spectrum stucco products come with a limited 5 year warranty. Version 1.2 – June 13, 2012

VIEWTECH INC

4205 BELTWAY DRIVE ADDISON TEXAS 75001-3704
TELEPHONE 972 661-8187
FAX 972 661-8172
E-mail: vl@vtinc.net

September 24, 2024

Mr. Israel Bernal

Re: Entrada Block N Superstructure Veneer
Viewtech Project #2019-202
Westlake, TX

Mr. Bernal:

We are structural engineers of record for the referenced project. This is to inform you that the superstructure was designed to support either an adhered thin set stone veneer or GFRC veneer. The structure, as currently designed, is not suitable to support to cast stone block veneer. Furthermore, it is not acceptable to affix cast stone block veneer to existing thin set or GFRC material.

Please call with any questions.

Sincerely,



Victor Lissiak, Jr., P.E.

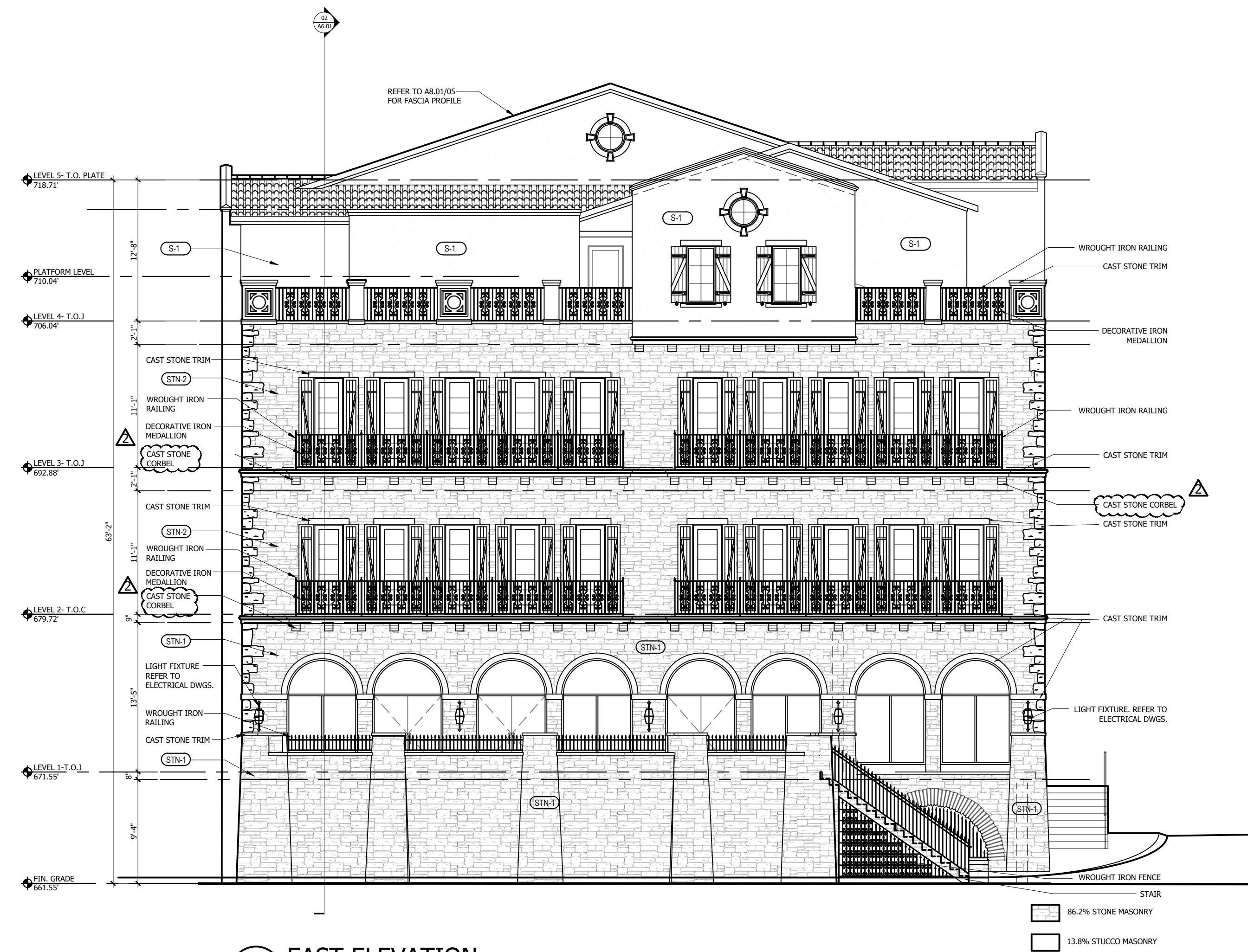


CONTROL JOINTS NOTES:

1. ALL CONTROL JOINTS MUST BE CONCEALED IN THEIR ENTIRETY.
2. IN STUCCO, THE CONTROL JOINTS SHALL BE FILLED WITH SEALANT. THE FINISH SHALL BE FLUSH ACROSS JOINT WITHOUT RAKING. SEALANT SHALL BE PAINTED W/ A LOW-SHEEN PAINT TO MATCH ADJACENT STUCCO.
3. IN STONE, THE CONTROL JOINTS SHALL BE CONCEALED UNDER MORTAR.
4. ALL CONTROL JOINT SPACING SHALL COMPLY MANUFACTURER'S RECOMMENDATIONS.

ELEVATION LEGEND

- | | | |
|---|-------|---|
|  | S-1 | STUCCO. PAINT: RESTRAINED GOLD SW 6129 |
|  | S-2 | STUCCO. PAINT: SVELTE SAGE SW 6164 |
|  | STN-1 | NATURAL STONE. ENTRADA COBBLE BLEND, STONE MOCKUP "A". CONTACT: BRAE RATION, BLACKSON BRICK. 817.814.3194 |
|  | STN-2 | THIN CUT NATURAL STONE. ENTRADA COBBLE BLEND, STONE MOCKUP "A" |
|  | CL-1 | 2 PIECE MISSION BARREL TILE, BORAL ROOFING, PALERMO BLEND |
|  | CT-1 | CERAMIC TILE. REFER TO ARCHITECTURAL DRAWINGS FOR PATTERS AND COLORS. |



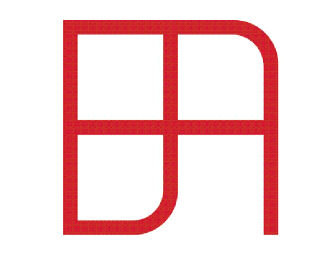
EAST ELEVATION



SOUTH ELEVATION
SCALE: 1/8"=1'-0"

REFER TO **ENTRADA DESIGN GUIDELINES** FOR FURTHER DETAILED INFORMATION REGARDING THESE PLANS

ENTRADA, WESTLAKE
A CATALONIAN VILLAGE
BLOCK N: MIXED USE
TOWN OF WESTLAKE
TARRANT COUNTY, TEXAS



Bush

ARCHITECT

1800 VALLEY VIEW LANE, STE. 400
FARMERS BRANCH, TX 75234
PHONE: 469-857-3151
EMAIL: michael@busharchitects.design
EMAIL: ralph@busharchitects.design

PROJECT NO. 18-154	
ISSUE LOG	
DATE	DESCRIPTION
09/04/2019	COMMENTS
02/18/2020	PERMIT SET
12/06/2019	 CITY COMMENTS
03/10/2021	 OWNER COMMENTS

SCALE:
1/8" = 1'-0"

DATE
02/18/2020

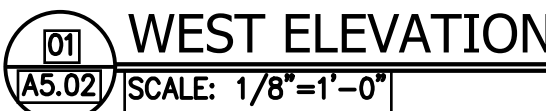
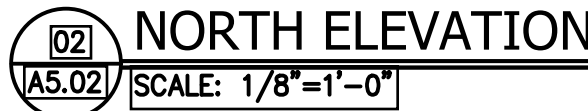
SHEET
A5.01

ISSUE FOR CONSTRUCTION

ELEVATIONS

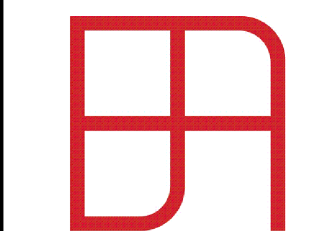
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- | | | |
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ROOFING, PALERAMO BLEND |
|  | CT-1 | CERAMIC TILE. REFER TO ARCHITECTURAL
DRAWINGS FOR PATTERNS AND COLORS. |



ISSUE FOR CONSTRUCTION

ENTRADA, WESTLAKE
A CATALONIAN VILLAGE
BLOCK N: MIXED USE
TOWN OF WESTLAKE
TARRANT COUNTY, TEXAS



Bush
ARCHITECTS

1800 VALLEY VIEW LANE, STE. 400
FARMERS BRANCH, TX 75234
PHONE: 469-857-3151
EMAIL: michael@busharchitects.design
EMAIL: ralph@busharchitects.design

PROJECT NO. 18-154	
ISSUE LOG	
DATE	DESCRIPTION
09/04/2019	COMMENTS
02/18/2020	PERMIT SET
12/06/2019	▲ CITY COMMENTS
03/10/2021	▲ OWNER COMMENTS

SCALE:
1/4" = 1'-0"

DATE
02/18/2020

SHEET
A5.02

ELEVATIONS



Town of Westlake

Staff Report

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

File #: 24-352

Agenda Date: 10/21/2024

Agenda #: G.5.

TOWN STAFF REPORT RECOMMENDATIONS

Consider and act to excuse Mayor and Council absence(s), if any.



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: ORD-1010

Agenda Date: 10/21/2024

Agenda #: H.1.

TOWN STAFF REPORT RECOMMENDATIONS

Hold public hearing, discuss, consider and act to adopt Ordinance 1010 Amending Chapter 102, "Zoning", Article VII "Planned Development Regulations", Division 2, "Planned Development District Procedures" Section 102-269, "Amendment of Plans", Modifying Provision for Minor Modifications to PD Site Plans (Deputy Town Manager Jason Alexander, AICP, CeCD)

STAFF: Deputy Town Manager Jason Alexander, AICP, CeCD

BACKGROUND:

As set forth in Sec. 102-269 of the Town of Westlake, Texas Code of Ordinances, entitled "Amendment of plans," the Town Manager is authorized to review, to consider, and to approve requests for minor modifications to site plans prepared and submitted for an approved planned development. The provisions in "Amendment of plans" specifically define a minor modification as any modification that does not:

- 1) "[a]lter the basic relationship of proposed development to adjacent property;
- 2) [c]hange the uses permitted;
- 3) [i]ncrease the maximum density, floor area, or height;
- 4) [d]ecrease the amount of off-street parking, unless parking remains sufficient in number and conforms to ordinance requirements; or
- 5) [r]educe the minimum yards or setbacks."

The inability of the Town Manager to consider a reduction in minimum yards or setbacks --- particularly when there are fire access and utility location concerns --- can unintentionally lengthen the development review and approval process.

Moreover, the inability of the Town Manager to consider practical reasons for a reduction in minimum yards or setbacks creates rigid performance standards that are contrary to the purpose of planned developments as set forth in Sec. 102-241 of the Town of Westlake, Texas Code of Ordinances entitled, "Purpose," which is "to encourage flexible and creative planning, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community."

It is important to note that the proposed text amendments do not relinquish the authority of the Town Manager (or their designee) to refer any request to the Planning and Zoning Commission, including any request for a minor modification to a site plan for a reduction in minimum yards or setbacks.

The text amendments, as proposed, are intended to achieve the following objectives:

- 1) To allow the Town Manager to delegate authority to review, to consider, and to approve a reduction in minimum yards and setbacks, as such delegation of authority improves efficiency and increases expediency of development review and approval.
- 2) To allow for consideration of a reduction in minimum yards and setbacks for practical reasons (i.e., site design) or access for fire, utilities, and other infrastructure.

DISCUSSION:

As the Town of Westlake continues to grow, it is vital that processes are in place to allow for efficient review and approval of minor modifications to site plans that advance the community's interests for purposeful growth and development. Accordingly, the text amendments, as proposed, are intended to authorize the Town Manager, or their designee, to review, consider, and approve requests for minor modifications to site plans in accordance with the provisions set forth in Sec. 102-269 of the Town of Westlake, Texas Code of Ordinances, entitled "Amendment of plans" and to allow for the Town Manager, or their designee, to review, consider, and approve requests for reduction in yards and setbacks. Authorizing the Town Manager or their designee to review, to consider, and to approve such requests does not relinquish their authority to refer any request to the Planning and Zoning Commission for consideration.

FISCAL IMPACT:

N/A.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission conducted a public hearing on October 8, 2024 and recommended approval of the proposed text amendments as presented by a vote of 7-0-0.

STAFF RECOMMENDATION:

The Department of Planning and Development recommends approval of the proposed text amendments as presented.

ATTACHMENT(S):

Ordinance 1010 Proposed Text Amendments.

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

TOWN OF WESTLAKE, TEXAS
ORDINANCE NO. 1010

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING CHAPTER 102, “ZONING”, ARTICLE VII, “PLANNED DEVELOPMENT REGULATIONS”, DIVISION 2, “PLANNED DEVELOPMENT DISTRICT PROCEDURES”, SECTION 102-269, “AMENDMENT OF PLANS”, TO MODIFY PROVISIONS RELATING TO MINOR MODIFICATIONS TO PD SITE PLANS; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas, is a Type A General Law Municipality located in Denton County and Tarrant County, Texas, incorporated in accordance with the provisions of the Texas Local Government Code, as amended, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town of Westlake, Texas is a Type A General Municipality empowered under the provisions of Section 51.012 of the Texas Local Government Code, as amended, to adopt an ordinance or rule that is in the interest, welfare, and good order of the Town of Westlake, Texas; and

WHEREAS, the Town Council of the Town of Westlake, Texas finds that the passage of this Ordinance is advantageous and beneficial to the Town of Westlake and in the interest of good governance.

NOW, THEREFORE, BE IT ORDAINED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS THAT:

SECTION 1: That the findings and recitations set out in the Preamble of this Ordinance are found to be true and correct and hereby adopted by the Town Council of the Town of Westlake, Texas and made a part hereof for all purposes.

SECTION 2: That the Town of Westlake, Texas hereby amends Chapter 102, “Zoning”, Article VII, “Planned Development Regulations”, Division 2, “Planned Development District Procedures”, Section 102-269, “Amendment of Plans” to read as follows:

(b) *PD site plans.* PD site plans are not considered part of a PD Ordinance. Except as otherwise provided in this subsection, any amendment to an approved PD site plan must be approved by the commission. Notwithstanding the provisions of this subsection, however, minor modifications to any PD site plan may be approved by the town manager **or designee**. If the town manager, **or designee**, believes that a request for minor modification entails a significant change in the site plan, he / she may refer the request to the commission for determination. A minor modification to a PD site plan is defined as any modification that does not:

- (1) Alter the basic relationship of proposed development to adjacent property;
- (2) Change the uses permitted;
- (3) Increase the maximum density, floor area, or height; **or**
- (4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to ordinance requirements; ~~**or**~~
- ~~(5) **Reduce the minimum yards or setbacks.**~~

SECTION 3: That all ordinances of the Town of Westlake, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the Town of Westlake, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4: Should any section, paragraph, sentence, clause, or phrase of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid by a court of competent jurisdiction, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be unconstitutional, illegal, or invalid, and shall not affect the validity of the Unified Development Code as a whole.

SECTION 5: That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, Texas and, upon conviction, shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation occurs shall constitute a separate offense.

SECTION 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and the public notice of the time, the place, and the purpose of said meeting was given as required.

SECTION 7: This Ordinance shall take effect immediately from and after its passage upon reading and the publication of the caption, as provided by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS ON THIS 21ST DAY OF OCTOBER, 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



Town of Westlake

1500 Solana Blvd
Building 7, Suite 7100
Westlake, TX 76262

Staff Report

File #: ORD-1011

Agenda Date: 10/21/2024

Agenda #: H.2.

TOWN STAFF REPORT RECOMMENDATIONS

Hold public hearing, discuss, consider and act to adopt Ordinance 1011 Amending Chapter 102, "Zoning", Article V, "Parking and Loading", Section 102-153, "General Provisions", Modifying Regulations relating to Paving Materials and Providing New Regulations for Temporary Parking (Deputy Town Manager Jason Alexander, AICP CEcD)

STAFF: Deputy Town Manager Jason Alexander, AICP CEcD

BACKGROUND:

As set forth in Sec. 102-153 of the Town of Westlake, Texas Code of Ordinances, entitled "General provisions", there are specifications for adopted for paving "[a]ll required parking and loading areas, public and private drives, and fire lanes." However, "General provisions" does not contain any provisions for temporary parking areas; and, as the Town of Westlake, Texas continues to experience development and growth, it is vital that zoning for the community not only provide rules and regulations for paving materials appropriate for temporary parking areas; but, also to provide new performance standards for temporary parking areas to address the following:

- 1) The review and approval of a required site plan.
- 2) The length of time that temporary parking areas may exist.
- 3) The restoration of areas used for temporary parking to their previously landscaped or naturalistically disposed condition.
- 4) The design, installation, and use of temporary parking areas comply with all applicable fire, engineering, erosion, grading, and other environmental quality and life safety regulations.

DISCUSSION:

The text amendments, as proposed, are intended to introduce specific rules and regulations for temporary parking areas that are contemporary and address emerging needs for performance standards for development as the Town of Westlake, Texas continues to grow and to prosper in a manner that is sustainable and purposeful.

FISCAL IMPACT:

N/A.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission conducted a public hearing on October 8, 2024 and recommended

approval of the proposed text amendments as presented by a vote of 7-0-0.

STAFF RECOMMENDATION:

The Department of Planning and Development recommends approval of the proposed text amendments as presented.

ATTACHMENT(S):

Ord 1011 Proposed Text Amendments.

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to amend with the following stipulations (please state stipulations in motion)
- 3) Motion to table
- 4) Motion to deny

TOWN OF WESTLAKE, TEXAS
ORDINANCE NO. 1011

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING CHAPTER 102, “ZONING”, ARTICLE V, “PARKING AND LOADING”, SECTION 102-153, “GENERAL PROVISIONS”, MODIFYING REGULATIONS RELATING TO PAVING MATERIALS AND PROVIDING NEW REGULATIONS FOR TEMPORARY PARKING; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas, is a Type A General Law Municipality located in Denton County and Tarrant County, Texas, incorporated in accordance with the provisions of the Texas Local Government Code, as amended, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town of Westlake, Texas is a Type A General Municipality empowered under the provisions of Section 51.012 of the Texas Local Government Code, as amended, to adopt an ordinance or rule that is in the interest, welfare, and good order of the Town of Westlake, Texas; and

WHEREAS, the Town Council of the Town of Westlake, Texas finds that the passage of this Ordinance is advantageous and beneficial to the Town of Westlake and in the interest of good governance.

NOW, THEREFORE, BE IT ORDAINED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS THAT:

SECTION 1: That the findings and recitations set out in the Preamble of this Ordinance are found to be true and correct and hereby adopted by the Town Council of the Town of Westlake, Texas and made a part hereof for all purposes.

SECTION 2: That the Town of Westlake, Texas hereby amends Chapter 102, “Zoning”, Article V, “Parking and Loading”, Section 102-153, “General provisions” to read as follows:

- (b) *Paving materials.* All required parking and loading areas, public and private drives, and fire lanes shall be constructed of concrete, but may have a surface treatment of brick, stone or other similar material. However, **(i) asphalt may only be used in temporary parking areas approved in accordance with the provisions as set forth in Sec. 102-153(f) of the Town of Westlake Code of Ordinances; and (ii)** cast interlocking concrete, brick, or stone pavers installed on a prepared base may be used in parking areas and on public and private drives where approved by the town ~~engineer-manager or designee~~.

SECTION 3: That the Town of Westlake, Texas hereby amends Chapter 102, “Zoning”, Article V, “Parking and Loading”, Section 102-153, “General provisions” to providing regulations in a new paragraph (f) for “Temporary parking areas” to read as follows:

- (f) Temporary parking areas.** All temporary parking areas shall require submittal of a site plan in accordance with the provisions found in Sec. 102-314 of the Town of Westlake Code Ordinances. Temporary parking area site plans shall be subject to review and approval by the town planner.
- (1) No permit for temporary parking areas shall be issued prior to the review and approval of a required site plan.**
 - (2) No permit for temporary parking areas shall be issued for more than one (1) year and may only be extended for two (2) consecutive years without approval from the Town Council.**
 - (3) Any landscaped or vegetated area disturbed by temporary parking areas shall be restored to a landscape or vegetated state at the expiration of the permit to the satisfaction of the town planner.**
 - (4) Temporary parking lots may be paved in asphalt or other materials permitted in Sec. 102-153(b) of the Town of Westlake Code of Ordinances.**

- (5) The design, installation, and use of temporary parking areas shall comply with applicable fire, engineering, erosion, grading, and other related environmental quality and life safety regulations.**

SECTION 4: That all ordinances of the Town of Westlake, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the Town of Westlake, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5: Should any section, paragraph, sentence, clause, or phrase of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid by a court of competent jurisdiction, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be unconstitutional, illegal, or invalid, and shall not affect the validity of the Unified Development Code as a whole.

SECTION 6: That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, Texas and, upon conviction, shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation occurs shall constitute a separate offense.

SECTION 7: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and the public notice of the time, the place, and the purpose of said meeting was given as required.

SECTION 8: This Ordinance shall take effect immediately from and after its passage upon reading and the publication of the caption, as provided by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS ON THIS 21st DAY OF OCTOBER 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney