



Town of Westlake

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



Town Council/Board of Trustees Agenda - Final

Monday, March 24, 2025

4:00 PM

Council Chamber

The Town Council of the Town of Westlake also serves as the governing Board of Trustees for Westlake Academy. This agenda may contain both municipal and Westlake Academy items, which will be clearly identified. Town Council/Board of Trustees meetings are available for viewing online via live-stream or on-demand at <https://www.westlake-tx.org/787/Watch-Meetings-Live>. In an effort of meeting efficiency, any residents wishing to speak must submit a speaker request form to the Town Secretary prior to the start of the meeting.

Pursuant to Texas Government Code Section 551.127, one or more members of the Town Council may participate in this meeting by videoconference call. A quorum of the Town Council and the presiding officer will be present at the physical location of the meeting.

NOTE: As authorized by Section 551.071 of the Texas Government Code, Town Council may enter into closed Executive Session for the purpose of seeking confidential legal advice from the Town/School Attorney on any agenda item listed herein.

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

B. INVOCATION AND PLEDGES OF ALLEGIANCE

C. CITIZEN/PARENT COMMENTS

This is an opportunity for citizens to address the Town Council/Board of Trustees on any matter, whether or not it is posted on the agenda. 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. 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/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/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

Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the Town Council 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

- D.1. [25-59](#) Items of Community Interest (Communications Director Jon Sasser)

E. PROCLAMATION AND PRESENTATIONS

- E.1. [25-58](#) Proclamation and Commendations Recognizing Actions Taken Saving the Life of Another (Mayor Greaves and Fire Chief John Ard)
- E.2. [WA 25-104](#) Westlake Academy International Baccalaureate (IB): Exploring Westlake Academy Through Our Podcast (Michelle Briggs, Westlake Academy Director of Innovation and Development)
- E.3. [25-79](#) Development Review Presentation (Deputy Town Manager Jason Alexander)
- E.4. [25-45](#) Presentation of Annual Report from the Keller Police Department relative to Police Services and the Racial Profiling Report for the Town of Westlake (Keller Police Chief Brad Fortune)

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. [25-57](#) Discuss, consider and act to approve the February 18, 2025 Town Council/Board of Trustees Regular Meeting Minutes (Town Secretary Dianna Buchanan)
- F.2. [ORD-1021](#) Discuss, consider and act to adopt Ordinance 1021 to reappoint Presiding Judge Brad Bradley and Alternate Judge Alan Wayland for the Town of Westlake Municipal Court of Record No. 1 (Martha Solis, Court Administrator)
- F.3. [WA RES 25-06](#) Discuss, consider and act to approve WA Resolution 25-06 approving the Interlocal Agreement with Educational Services Center Region 11 for the Employee Benefits Cooperative Program for Academic Staff and authorizing the Superintendent to Execute the Interlocal Agreement (Sandy Garza, Director of Human Resources)

G. PUBLIC HEARING AND CORRESPONDING ACTION ITEM

- G.1. [WA RES 25-05](#) Conduct a Public Hearing and consider approving WA Resolution 25-05 accepting the Texas Academic Performance Report (TAPR) for 2023-2024; and take appropriate action (Dr. Kelly Ritchie, Head of School)

H. REGULAR AGENDA ITEMS

- H.1. [ORD-1019](#) Discuss, consider and act to accept the Certification of Unopposed Candidates for the May 3, 2025 General and Special Election; to act regarding Ordinance 1019 Declaring Unopposed Candidates in the May 3, 2025 General and Special Municipal Election for the Offices of Council Member Places 1, 2, 3 and 5, Declaring Each Unopposed Candidate Elected to Office; and to approve the Order of Cancellation canceling the May 3, 2025 General and Special Election (Town Secretary Dianna Buchanan)
- H.2. [ORD-1020](#) Discuss, consider and act to adopt Ordinance 1020 approving text amendments to PD, Planned Development District No. 3-5A generally located at the intersection of and along State Highway 114 and State Highway 170 (Jason Alexander, AICP, CECD, Deputy Town Manager)
- H.3. [RES 25-11](#) Discuss, consider and act regarding Resolution 25-11 appointing a Capital Improvement Advisory Committee for the purposes of advising the Town Council on the adoption of Impact Fees for Water, Wastewater and Roadway Facilities under Chapter 395 of the Texas Local Government Code and declaring an effective date (Cheryl Taylor, P.E., Director of Public Works)
- H.4. [WA RES 25-04](#) Discuss, consider and act regarding WA Resolution 25-04 approving and adopting a policy that allows for staff to be paid during emergency school closures. (Dr. Kelly Ritchie, Head of School)
- H.5. [RES 25-07](#) Discuss, consider and act regarding Resolution 25-07 approving the Investment Policy (Cayce Lay Lamas, Finance Director)
- H.6. [RES 25-12](#) Discuss, consider and act regarding Resolution 25-12 to approve and adopt a written decision regarding the application by Vertical Bridge for a Specific Use Permit to construct a cellular tower at 2000 Dove Road (Town Attorney Stan Lowry)

I. EXECUTIVE SESSION

The Town Council/Board of Trustees will conduct a closed session pursuant to Section 551.071 (2) of the Texas Government Code, for the purpose of seeking confidential legal advice from the City Attorney/Westlake Academy Attorney for the following:

- I.1. [25-52](#) Section 551.071: Consultation with and legal advice from the Town Attorney regarding pending litigation - Vertical Bridge v. Town of Westlake
- I.2. [25-54](#) Section 551.087: Deliberation regarding Economic Development Negotiations to deliberate the offer of a financial or other incentive to a business prospect: Project ED 25-02.
- I.3. [25-35](#) Section 551.074(1): Deliberation regarding Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment,

duties, of a public officer or employee:
Town Manager Annual Evaluation

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

K. FUTURE AGENDA ITEMS

L. STAFF RECAP OF COUNCIL DIRECTION

M. ADJOURNMENT

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 #: 25-59

Agenda Date: 3/24/2025

Agenda #:

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:

Employee Appreciation

March 29, 2025; 6-10 pm

Billy Bob's at the 81 Club

Planning & Zoning Commission Meeting

Tuesday, April 1, 2025; 5 pm

1500 Solana Blvd., Westlake, TX

Town Council Meeting

Monday, April 15, 2025; 4 pm

1500 Solana Blvd, Westlake, TX

Town Hall/Municipal Court Closed

In observance of Good Friday

April 18, 2025

ADDITIONAL ITEMS

- Signs for motorized vehicles
- Pinstack open



Town of Westlake

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

Staff Report

File #: 25-58

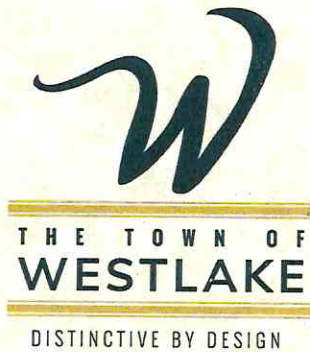
Agenda Date: 3/24/2025

Agenda #: E.1.

TOWN STAFF REPORT RECOMMENDATIONS

Proclamation and Commendations Recognizing Actions Taken Saving the Life of Another (Mayor Greaves and Fire Chief John Ard)

STAFF: Fire Chief John Ard



Town of Westlake Proclamation

Recognizing Dr. Matthew Evans and Officer Phillip Davis for Actions Taken Saving the Life of Another

WHEREAS, On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake; and,

WHEREAS, *Dr. Matthew Evans*, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee; and

WHEREAS, *Dr. Matthew Evans* selflessly and without regard to his own personal safety made a quick decision to render aid, calling 911, and began performing CPR; and

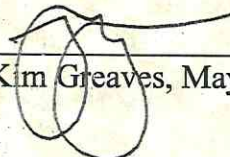
WHEREAS, *Officer Phillip Davis* arrived with an AED, and, working together, they applied defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoo, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital; and

WHEREAS, *Dr. Matthew Evans and Officer Phillip Davis*, while placing themselves in imminent danger, performed a purposeful, distinctive and successful lifesaving act of another human being.

BE IT RESOLVED THAT, I, Kim Greaves, Mayor of the Town of Westlake, Texas, with the Town Council and on behalf of our citizens, recognize, thank, and honor *Dr. Matthew Evans and Officer Phillip Davis* for their unselfish and heroic acts to save the life of another.

ISSUED: March 24, 2025





Kim Greaves, Mayor

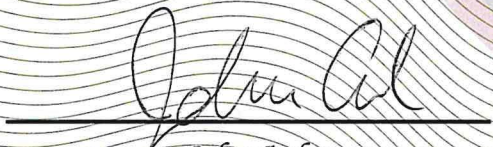
Life Saving Award

The Westlake Fire-EMS Department presents this certificate to:

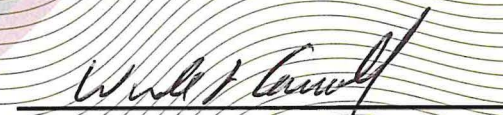
Dr. Matthew Evans

In recognition of outstanding accomplishments and contributions during the following event.

On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake. Dr. Matthew Evans, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee. After calling 911, Dr. Evans began performing CPR. Keller Police Officer Phillip Davis arrived with an AED, and together they applied the defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoo, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital. At Baylor Scott & White Grapevine Hospital, doctors successfully treated the blocked artery. He was released from the hospital just days later. Thanks to the quick response and coordinated efforts of all emergency personnel, Mr. Parmelee has made a full recovery.


John Ard
Fire Chief

Hometown
Hero


Wade Carroll
Town Manager

Life Saving Award

The Westlake Fire-EMS Department presents this certificate to:

Officer Phillip Davis

In recognition of outstanding accomplishments and contributions during the following event.

On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake. Dr. Matthew Evans, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee. After calling 911, Dr. Evans began performing CPR. Keller Police Officer Phillip Davis arrived with an AED, and together they applied the defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoo, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital. At Baylor Scott & White Grapevine Hospital, doctors successfully treated the blocked artery. He was released from the hospital just days later. Thanks to the quick response and coordinated efforts of all emergency personnel, Mr. Parmelee has made a full recovery.



John Ard
Fire Chief

Hometown
Hero



Wade Carroll
Town Manager

Certificate of Commendation

The Westlake Fire-EMS Department presents this certificate to:

Captain Tommy Villines

In recognition of outstanding accomplishments and contributions during the following event.

On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake. Dr. Matthew Evans, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee. After calling 911, Dr. Evans began performing CPR, Keller Police Officer Phillip Davis arrived with an AED, and together they applied the defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoo, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital. At Baylor Scott & White Grapevine Hospital, doctors successfully treated the blocked artery. He was released from the hospital just days later. Thanks to the quick response and coordinated efforts of all emergency personnel, Mr. Parmelee has made a full recovery.



John Ard
Fire Chief



Wade Carroll
Town Manager

Certificate of Commendation

The Westlake Fire-EMS Department presents this certificate to:

FF/P Matthew McAdoe

In recognition of outstanding accomplishments and contributions during the following event.

On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake. Dr. Matthew Evans, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee. After calling 911, Dr. Evans began performing CPR, Keller Police Officer Phillip Davis arrived with an AED, and together they applied the defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoe, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital. At Baylor Scott & White Grapevine Hospital, doctors successfully treated the blocked artery. He was released from the hospital just days later. Thanks to the quick response and coordinated efforts of all emergency personnel, Mr. Parmelee has made a full recovery.



John Ard
Fire Chief



Wade Carroll
Town Manager

Certificate of Commendation

The Westlake Fire-EMS Department presents this certificate to:

FF/P Breck Thurston

In recognition of outstanding accomplishments and contributions during the following event.

On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake. Dr. Matthew Evans, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee. After calling 911, Dr. Evans began performing CPR. Keller Police Officer Phillip Davis arrived with an AED, and together they applied the defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoo, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital. At Baylor Scott & White Grapevine Hospital, doctors successfully treated the blocked artery. He was released from the hospital just days later. Thanks to the quick response and coordinated efforts of all emergency personnel, Mr. Parmelee has made a full recovery.

John Ard

John Ard
Fire Chief



Wade Carroll

Wade Carroll
Town Manager

Certificate of Commendation

The Westlake Fire-EMS Department presents this certificate to:

FF/P Colin Carter

In recognition of outstanding accomplishments and contributions during the following event.

On February 1, 2025, during a 50-mile bike ride, Mr. Bill Parmelee suffered a sudden heart attack on Ottinger Road in the Town of Westlake. Dr. Matthew Evans, who was driving nearby, witnessed the collapse and immediately stopped his car to assess Mr. Parmelee. After calling 911, Dr. Evans began performing CPR. Keller Police Officer Phillip Davis arrived with an AED, and together they applied the defibrillator pads. After a successful defibrillation, CPR continued until Westlake Fire-EMS (Capt. T. Villines, FF/P M. McAdoo, FF/P C. Carter, and FF/P B. Thurston) arrived and took over care, preparing Mr. Parmelee for transport to the hospital. At Baylor Scott & White Grapevine Hospital, doctors successfully treated the blocked artery. He was released from the hospital just days later. Thanks to the quick response and coordinated efforts of all emergency personnel, Mr. Parmelee has made a full recovery.



John Ard
Fire Chief





Wade Carroll
Town Manager



Town of Westlake

Staff Report

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

File #: WA 25-104

Agenda Date: 3/24/2025

Agenda #: E.2.

WESTLAKE ACADEMY STAFF REPORT RECOMMENDATIONS

Westlake Academy International Baccalaureate (IB): Exploring Westlake Academy Through Our Podcast
(Michelle Briggs, Westlake Academy Director of Innovation and Development)

STAFF:

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

Presentation of one in a series of videos:

Westlake Academy International Baccalaureate (IB): Exploring Westlake Academy Through Our Podcast



Town of Westlake

Staff Report

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

File #: 25-79

Agenda Date: 3/24/2025

Agenda #: E.3.

TOWN STAFF REPORT RECOMMENDATIONS

Development Review Presentation (Deputy Town Manager Jason Alexander)



Town of Westlake

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

Staff Report

File #: 25-45

Agenda Date: 3/24/2025

Agenda #: E.4.

TOWN STAFF REPORT RECOMMENDATIONS

Presentation of Annual Report from the Keller Police Department relative to Police Services and the Racial Profiling Report for the Town of Westlake (Keller Police Chief Brad Fortune)

STAFF: Keller Police Chief Brad Fortune

BACKGROUND:

Each year the Keller Police Department provides the Town Council with an annual report regarding various police services provided to the Westlake community as well as the required racial profiling report.

DISCUSSION:

As we move forward into 2025, the Keller Police Department continues to provide policing services to the Town of Westlake with a focus on building trust, enhancing transparency, and fostering community partnerships. In this report, Chief Fortune will provide the 2024 annual update for the police department as well as provide data surrounding our four (4) performance measures: Crime Rate, Traffic Safety, Timely Service and Quality of Service. We will also provide the annual Racial Profiling Report completed by Del Carmen Consulting.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Receive the information contained within the reports.

ATTACHMENT(S):

Westlake Annual Police Update Report 2024

Keller 2024 Racial Profile Report

TOWN COUNCIL ACTION/OPTIONS:

Receive the reports.

2024

Annual Report

Town of Westlake



Chief Bradley G. Fortune
March 12, 2025

SERVICE ~ JUSTICE ~ FAIRNESS

March 1, 2025

PERFORMANCE SUMMARY

The men and women of the Keller Police Department adapted to the various challenges they were faced with throughout 2024 and continued to provide excellent service to the citizens of Westlake as evident by their four (4) performance measures: Crime Rate (2.13 per 1,000 in daytime population), Traffic Safety (100% increase in DWI arrests, 28% increase in traffic stops, 45.7% increase in citations issued), Timely Service (4:25 minute average response time to an emergency call after being dispatched) and Quality of Service (98% rated the overall competency as well as department employees' attitudes and behavior as having met or exceeded expectations).

Westlake finished the year with 49 reported Part 1 Crimes. Department objectives coupled with a continued focus on establishing and enhancing relationships, community engagement, support from town management and town council continue to play critical roles in maintaining a low crime rate and high quality of life in the Town of Westlake. Our continuous improvement model drives us to work each day to improve our partnership with the community by maintaining a focus on Service, Justice, and Fairness. We continue to strive to be open and transparent in all we do by collaborating with community members as we establish policies and strategies for reducing crime and addressing quality of life issues. As you will see when you read this annual report, the Keller model is a model for success. I believe the quality of our team coupled with the police service model we engage, was directly responsible for maintaining a low crime rate in Westlake and continuing to be responsive to the needs of our community.

As of December 31, 2024, we had eight (8) professional staff vacancies (one (1) Detention Officer, one (1) Facility Maintenance and six (6) NETCOM Dispatchers) in the organization. This is 92% of our authorized positions filled.

Please note that attached to the end of this report is the statistical summary of activity for the Town of Westlake for the calendar year 2024 and the preceding ten years. This report does not account for the service level in Keller, which is reported in a separate report to their City Council.

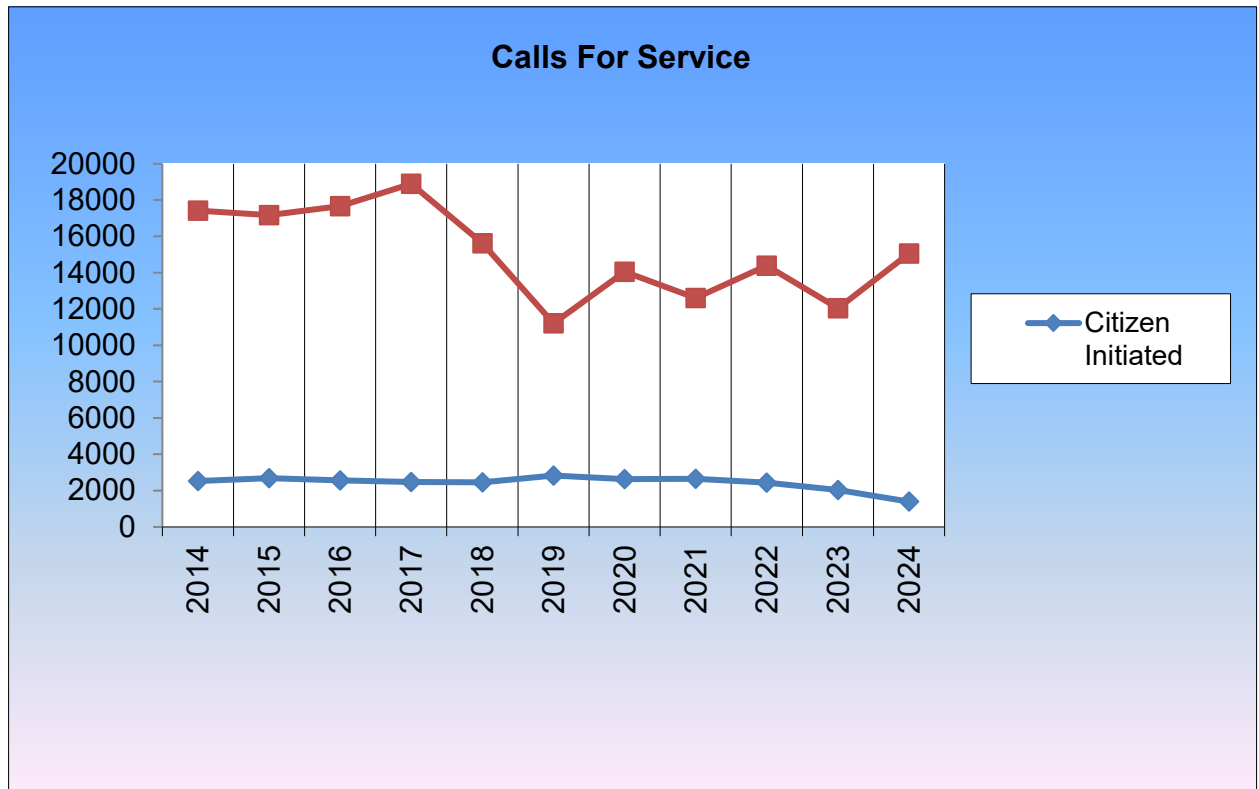
RECOGNITION

We continue to commend our employees for outstanding performance and demonstrating servant traits in providing service not only to our external customers, but team members as well. We continue to see an increase in public commendations communicated by mail, email, and our social media and our new My90 User Survey.

March 1, 2025

ACTIVITY AND EMERGENCY RESPONSE

Because we are a service industry, we carefully monitor our calls for service. Our total calls for service measures both calls from the public and employee-initiated activities.



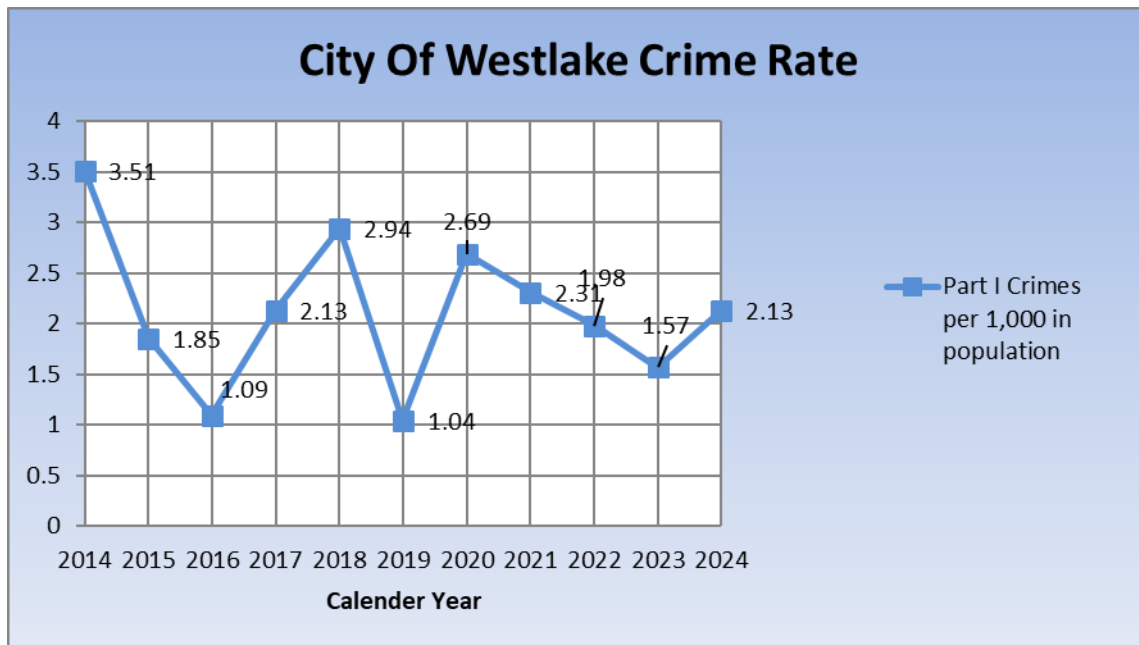
During calendar year 2024, we responded to 1,394 calls from our citizens and our officers initiated 15,053 calls for service. The citizen initiated calls for service has increased by 23% from the previous year and the officer-initiated calls increased by 16%. Self-initiated police activity has a direct effect on crime. Properly enforcing the motor vehicle laws by stopping cars helps in the apprehension of dangerous criminals, the prevention of crime, and the change in driver behavior.

Our average response time to an emergency call was a 4:58 minute average. This achieves our goal of under 5 minutes. Our average response time to priority calls (priority 2-3) was 9:18. This meets our goal of under ten (10) minutes.

March 1, 2025

CRIME RATE AND QUALITY OF LIFE

The benchmark to measure crime in communities across the United States is the Uniform Crime Report Part 1 Index Crime. This includes Murder, Rape, Robbery, Aggravated Assault, Burglary, Theft, and Auto Theft. We experienced 49 Part 1 Crimes in 2024, an increase of 75% from 28 in 2023. 93.87% of Westlake crimes are property crimes.

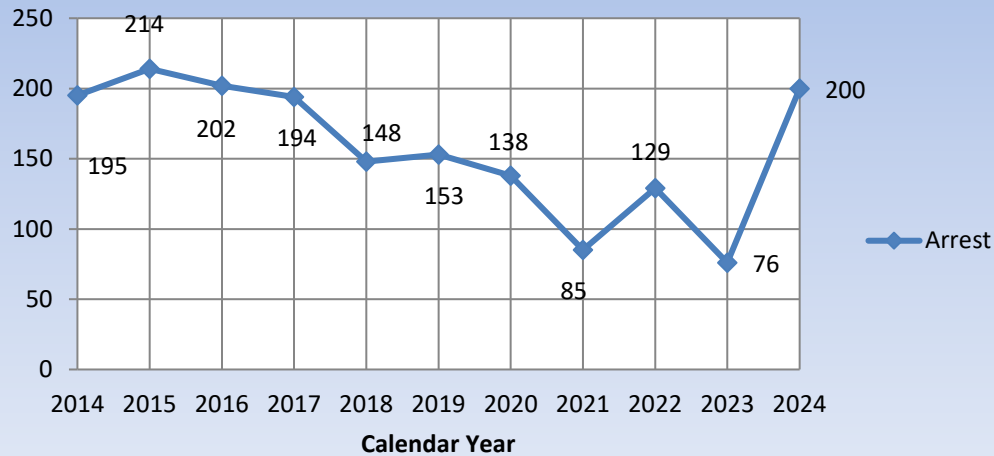


The Town of Westlake continues to maintain a low Part 1 Crime rate, by having a high level of community engagement and the organization deploying a policing strategy that is congruent with the community's expectations and accepted by our stakeholders. This, along with the continued support of our town council, town manager, and community to provide the resources needed to effectively perform our duties continues to have a direct impact on the lowering of crime in the Town of Westlake and being able to sustain a low crime rate over time.

The total number of in-custody arrests for 2024 was 200, an increase of 163% from the previous year. This does not include the housing of prisoners under the jail agreements with Southlake, Colleyville, & Roanoke. The prisoners housed in our jail facility last year totaled 2,095. Factors which continue to impact these numbers each year include our agreement with our municipal Judge reference assigning time served to prisoner pickups, and the impact of the Sandra Bland Act, which diverts prisoners in need of psychological and/or medical services to those facilities rather than being housed in holding facilities and jails.

March 1, 2025

Town of Westlake Arrest Does not include Keller, Colleyville, Southlake, and Roanoke



TRAFFIC SAFETY

We experienced a 20% increase in reportable automobile collisions last year. A total of 132 collision reports were completed by our officers in 2024 compared to 110 in 2023. The top three locations are Hwy 114/Davis, Hwy 114/Trophy Lake, and 170/Roanoke Road. The top three contributing factors of crashes in Westlake were Failed to Control Speed, Failed to Yield Right of Way - Stop Sign or Disregard Stop and Go Sign, and Driver Inattention. There was two (2) fatality.

The traffic unit completed 2 speed surveys and coordinated directed traffic enforcements based upon those findings and crash data within the city. To note, DWI arrests for the year totaled 60 which was a 100% increase over last year.

INTERNAL INVESTIGATIONS AND COMPLAINTS

There were twenty (20) documented complaints against our employees which included thirty-three (33) total allegations: nine (9) external and eleven (11) internal. Of the thirty-three (33) allegations, nineteen (19) were sustained, four (4) were unfounded, five (5) were not-sustained, two (2) were exonerated, and three (3) were exonerated-policy/training failure.

Ten (10) complaints, totaling twenty-three (23) allegations, were assigned to Internal Affairs to be investigated in 2024. Of the twenty-three (23) allegations, twelve (12) were sustained, four (4) were unfounded, four (4) were not-sustained, one (1) was exonerated, and two (2) were exonerated-policy/training failure.

March 1, 2025

RESPONSE TO RESISTANCE

In 2024, Officers used force 28 times against persons who resisted arrest, search, or transport and each time the incident was documented and investigated by a supervisor, reviewed by a Defensive Tactics Instructor, reviewed by the Division Commander, and finally reviewed by the Chief of Police. The number of responses to resistance reports increased by 4 in 2024. The use of force rate per 1,000 prisoners decreased from 14 to 13 for 2023 and 2024. The combined total of prisoners processed in the Keller Regional Detention facility was 2,095 which is an increase of 323 (18%) from 1,772 last year.

There were no patterns of incidents involving individual officers as the response to resistance incidents were spread among 36 officers and jailers. Ten of the officers/jailers were involved in three or more response to resistance incidents; however, a review of the incidents did not reveal any trends that their response to resistance was not justified or excessive.

Personnel were more likely to become involved in a response to resistance incident on a Saturday (32%) involving a white (68%) male (79%) between the ages of 30 - 39 (36%) between the hours of 00:00 - 05:59 (32%) or 18:00-23:59 (32%) in a house or residence (29%). The primary response to resistance force type was Miscellaneous Physical Force at 18 (36%) uses. Miscellaneous Physical Force involves holding, grabbing, or pushing.

The analysis did not reveal any equipment needs or recommended equipment modifications, nor did it reveal any policy / procedure issues or corrections needed at this time. The 2024 Response to Resistance Analysis will be used to guide the defensive tactics training classes which are held quarterly throughout the 2025 year. These training sessions are developed around previous Response to Resistance Incidents by refreshing the officer's knowledge on techniques used for certain situations. These incidents also guide our training on new methods and alternatives for handling resistance and noncompliance from suspects. It is recommended that these training sessions should continue to be influenced by the incidents officers are encountering in the field.

ATTEMPT TO STOP

A total of twenty (20) reported Attempts to Stop. Of these incidents all nineteen (19) attempt to stop, and one (1) was a pursuit. The current pursuit policy permits officers to pursue suspects when probable cause exists that the suspect has committed a felony involving the use or threatened use of deadly physical force. Twelve (12) Officers were involved in Attempts to Stop. Nineteen (19) of the incidents were terminated by the involved officer and one (1) was terminated by supervisor discretion. There were no trends or patterns of conduct with the officers involved. Nor did it reveal any changes that needed to be made with our pursuit policy and procedure.

March 1, 2025

VOLUNTEER SERVICES

Volunteers in Policing Service (VIPS) vehicle patrol program has completed its 15th year. This is a community policing initiative where graduates of our Citizens Police Academy patrol our city in specially marked vehicles to assist in service and crime prevention activities. Participating members receive special training before they begin patrols and can ride tandem or alone. They assist officers at accident scenes, perform routine tasks, ride through the parks and commercial establishments, and perform other non-dangerous crime prevention activities. In addition, VIPS help with the annual recycling event, the Lion's Club and Homecoming Parades, the Keller Libraries Harvest Stew, Holly Days, Keller Lights, Drug Take Back, house checks and wherever else they can be utilized to assist the officers. The Keller VIPS Unit receives yearly training on special police topics of interest or need, such as CPR, AED and Stop the Bleed techniques. This is a great service to our police department and our community.

The VIPS Service Vehicle Team (SVT) takes police vehicles to and from dealerships and outfitters for vehicle service, warranty work, build out, maintenance concerns and state inspections. This service keeps officers on the street and in their sectors instead of tying them up with this task. The Service Vehicle Team (SVT) conducted 32 transports this year.

The CID Assist Team which involves selected VIPS members to assist CID by being assigned non-violent cases, which require basic complainant contact by phone. They gather basic follow-up information and/or new related information needed for the case. They pick up videos or other electronic devices, which aid CID in solving the case. In 2024, the CID Assist Team had 433 cases assigned to them and completed 444 cases (including several from the year before).

We did not conduct the Gift Guardian program in 2024 due to the major PD renovation(s). Citizens would have had their holiday packages delivered to the Keller Police Department so that they are safe and to kept away from potential "porch pirates." This program would have been started after Thanksgiving and would end just prior to Christmas. There were 32 packages that were successfully delivered and picked up during the previous year of 2023. Are goal is to renew the program for 2025 and include the Town of Westlake.

The VIPS unit logged 2935.25 hours of active service and drove 6,850 miles patrolling the City of Keller/Town of Westlake last year. During those miles and hours, the VIPS conducted 1,648 house checks and 450 extra school patrols among other activities.

The VIPS have also been responsible for the monthly maintenance and care of the CID van and all our PD bicycles. They also assisted with the PD renovations regarding moving preparations and other related tasks to that event.

March 1, 2025

NATIONAL AND STATE ACCREDITATION

We continue to meet and exceed the standards required as being a Nationally Accredited agency. The voluntary process of accreditation demonstrates a level of excellence by a police department where they comply with over 450 national standards and subjects the organization to an outside review by a team of independent assessors. Accreditation strengthens an agency's accountability, both within the agency and the community, through a set of standards that clearly define authority, performance, and responsibilities. Because the award is only for four years, accreditation is a continuous improvement tool requiring agencies to show compliance to the standards if they wish to remain an accredited police department. In March 2022, the Keller Police Department virtually hosted CALEA Assessors as we again attempted to achieve Accreditation with Excellence for Law Enforcement and Public Safety Communication National Accreditation. The on-site assessments were successful and the Keller Police Department was awarded Advanced Accreditation and Public Safety Communication Accreditation in July of 2022 in Chicago, Illinois. In March 2023 and July 2024, the Keller Police Department and NETCOM Dispatch participated in CALEA remote based assessments and were found to be in compliance with all reviewed files. In addition to our National Law Enforcement Accreditation programs we are also a Texas Police Chief's Association (TPCA) Best Practices Accredited Agency, which also requires an onsite evaluation every four years. In May 2021, the Keller Police Department successfully passed another TPCA onsite and were awarded re-recognition. The Keller Police Department first earned Advanced Law Enforcement Accreditation in 2006, Public Safety Communication Accreditation in 2018, and Texas Police Chief's Association Recognition (now accreditation) in 2013. The accreditation processes are funded by the Keller Crime Control and Prevention District Sales Tax.

REGIONAL SERVICES

The multi-year agreements with the Cities of Southlake and Colleyville, to provide jail and public safety dispatching services, and full police services to the Town of Westlake, continues to show value in cost effectiveness and service delivery. The city of Roanoke joined the jail aspect of this interlocal agreement in 2020. The sharing of communication across the borders continues to pay dividends. We continue to have success stories where the quick sharing of information between the cities because of the consolidated communications center led to the apprehension of suspects of crime. Fire dispatching continues to improve with faster turnout times and better sharing of information among the four fire departments. The estimated cost savings to the four cities well exceeds \$1,200,000 in personnel and equipment costs. The regional communications center answered 36,415 9-1-1 calls & 64,705 non-emergency phone calls.

In 2012, the cities of Keller, Southlake, and Colleyville merged their respective animal services operations into a single regional animal services operation at the Keller Police facility. Roanoke joined this operation in 2020. Costs related to the Regional Animal Services and Adoption Center are shared by each city and paid in direct proportion to the percentage of calls for animal services, and number of animals impounded and housed

March 1, 2025

in the facility annually. During 2024, the Regional Animal Services responded to 4,836 calls for service. This is an increase of 19.49% from the CFS in 2023. The unit impounded 1057 animals, a increase of 11% and placed 943 of those animals for a live release rate of 89%. The Animal Control Unit euthanized sixty-five (53) dogs and cats due to illness, temperament and/or at the animal owner's request during the year. During 2023 the unit impounded 30 wildlife and relocated 23 of them back to their habitat or to a rescue.

In May of 2014, the Humane Society of North Texas (HSNT) came on-board at the Keller Police facility, adjoining their professionalism in animal care and adoption with our partnering cities. The HSNT now operates the Regional Animal Adoption Center with both its full-time staff as well as dedicated volunteers. This public/not for profit partnership allows the experts in the industry of animal care to manage and staff the adoption center. This has increased the adoption rate of animals from the regional animal control facility, while allowing the cities to avoid \$150,000 in annual staffing costs. From January 1st through December 31st 2024, HSNT successfully adopted 980 dogs and cats from the Regional Adoption Center. This is an increase of 70% over 2023. In addition to the adoption successes, HSNT staff members assisted Keller Regional Services with processing pet registrations and greeting the public when they have an Animal Service issue or concern.

FISCAL RESPONSIBILITY

We operated within our budget expending \$12,049,199 The City received \$2,972,803 of revenue from the Cities of Colleyville, Southlake, Westlake, and Roanoke for our regional efforts. We also operated within our Crime Control and Prevention budget expending \$1,938,949.

Price of the Town of Westlake police services agreement for FY25 is \$1,261,291. The total number of Westlake calls for service is 16,449. The price per call for service for the Town of Westlake is **\$76.68**. The price per call for service for the City of Keller is **\$171.13**.

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Motor Vehicle Stops	9,579	10,432	11,109	10,718	8,339	7,729	7,457	7,049	7,351	5,016	6,423
Investigative Motor Vehicle Stops	1,348	1,248	1,265	1,374	930	853	960	945	764	758	267
Miscellaneous Service Calls	1,088	992	1,016	1,136	1,496	1,592	1,923	1,445	1,752	2,095	2,975
Traffic Accident Investigations	341	398	461	386	333	327	219	254	310	265	348
Building Checks	6,927	6,506	6,061	7,453	6,621	3,244	5,872	5,161	6,256	6,499	6,249
Alarm Responses	266	230	241	224	277	212	191	215	284	200	187
Animal Control Calls for Service	99	60	74	78	81	84	65	153	113	101	60
Citizen Initiated Calls for Service	2,528	2,693	2,567	2,474	2,458	2,831	2,641	2,657	2,435	2,028	1,394
Total Calls for Service	19,944	19,866	20,227	21,369	18,077	14,041	16,687	15,258	16,830	14,075	16,449
Part 1 Crimes	15	20	13	22	31	14	48	48	34	28	49
Traffic Violations on Citations	7,164	7,524	7,583	6,777	5,134	5,724	5,204	4,427	4,234	2,696	3,929
Westlake Prisoners Booked-In	254	211	202	194	148	153	138	85	129	76	200
DWI Arrests	55	62	66	70	50	25	33	36	47	30	60
Case Reports	113	118	122	133	134	91	175	157	188	164	326
Fire/EMS Calls Dispatched	495	463	493	503	523	454	416	620	650	551	638

RACIAL PROFILING REPORT

2024

KELLER

Police Department



DEL CARMEN
Consulting, LLC.

LAW ENFORCEMENT EXPERTS

"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)



January 31, 2025

Keller City Council
1100 Bear Creak Pkwy.
Keller, TX 76248

Dear Distinguished Members of the City Council,

The Texas Racial Profiling Law was enacted by the Texas Legislature in 2001, with the intent of addressing the issue of racial profiling in policing. During the last calendar year, the Keller Police Department, in accordance with the law, has collected and reported traffic and motor vehicle related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified, and additional requirements were implemented. Further, in 2017 the Sandra Bland Act was passed and signed into law (along with HB 3051, which introduced new racial and ethnic designations). The Sandra Bland Law currently requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. I am pleased to report that all of these requirements have been met by the Keller Police Department and are included in this report.

In this annual report, you will find three sections with information on motor vehicle-related contacts. In addition, when applicable, documentation is included which demonstrates the way the Keller Police Department has complied with the Texas Racial Profiling Law. In section one, you will find the table of contents. Section two documents compliance by the Keller Police Department relevant to the requirements established in the Texas Racial Profiling Law. That is, you will find documents relevant to the training of all police personnel on racial profiling prevention and the institutionalization of the compliment and complaint processes, as required by law.

Section three contains statistical data relevant to contacts (as defined by the law) which were made during motor vehicle stops that took place between 1/1/24 and 12/31/24. Further, this section includes the Tier 2 form, which is required to be submitted to TCOLE (Texas Commission on Law Enforcement) and the law enforcement agency's local governing authority by March 1 of each year. The data in this report has been fully analyzed and compared to information derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report.

In the last section of the report, you will find the original draft of the Texas Racial Profiling Law, SB1074, as well as the Sandra Bland Act (current law). Also in this section, a list of requirements relevant to the Racial Profiling Law, as established by TCOLE is included. The findings in this report support the Keller Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.

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Public Education on Responding to Compliments and Complaints

Informing the Public on the Process of Filing a Compliment or Complaint with the Keller Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Keller Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Keller Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Keller Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Keller Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Keller has been included in this report.

It is important to recognize that the Chief of the Keller Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Keller Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.

Racial Profiling Course 3256

Texas Commission on Law Enforcement

September 2001

Racial Profiling 3256

Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

G. Compilation and analysis of data

H. Exemption from reporting – audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074



1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)



2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

- A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.
- B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.
- C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.
- D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.
- E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements

B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)

C. A typical traffic stop resulting from racial profiling

1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
2. The driver and passengers are questioned about things that do not relate to the traffic violation
3. The driver and passengers are ordered out of the vehicle
4. The officers visually check all observable parts of the vehicle
5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.

A. Drug courier profile (adapted from a profile developed by the DEA)

1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
3. Vehicle is rented
4. Driver is a young male, 20-35
5. No visible luggage, even though driver is traveling
6. Driver was over-reckless or over-cautious in driving and responding to signals
7. Use of air fresheners

B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.

A. Thinking about the totality of circumstances in a vehicle stop

B. Vehicle exterior

1. Non-standard repainting (esp. on a new vehicle)
2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

C. Pre-stop indicators

1. Not consistent with traffic flow
2. Driver is overly cautious, or driver/passengers repeatedly look at police car
3. Driver begins using a car- or cell-phone when signaled to stop
4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

D. Vehicle interior

1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074:



Report on Compliments and Racial Profiling Complaints



Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/24-12/31/24 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

☐

A check above indicates that the Keller Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/24-12/31/24.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint Number	Alleged Violation	Disposition of the Case
1	Racial Profiling	Unsubstantiated

Additional Comments:

Tables Illustrating Motor Vehicle-Related Contacts

TIER 2 DATA

TOTAL STOPS: 21,437

STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

City Street	10,490
US Highway	6,378
State Highway	3,648
County Road	854
Private Property	67

WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

Yes	181
No	21,256

RACE OR ETHNICITY

Alaska Native/American Indian	249
Asian/Pacific Islander	1,500
Black	3,416
White	12,478
Hispanic/Latino	3,794

GENDER

Female Total: 8,230

Alaska Native/American Indian	45
Asian/Pacific Islander	535
Black	1,341
White	5,131
Hispanic/Latino	1,178

Male Total: 13,207

Alaska Native/American Indian	204
Asian/Pacific Islander	965
Black	2,075
White	7,347
Hispanic/Latino	2,616

REASON FOR STOP?

Violation of Law Total: 175

Alaska Native/American Indian	0
Asian/Pacific Islander	7
Black	30
White	106
Hispanic/Latino	32

Pre-existing Knowledge Total: 132

Alaska Native/American Indian	3
Asian/Pacific Islander	8
Black	22
White	74
Hispanic/Latino	25

Moving Traffic Violation Total: 17,103

Alaska Native/American Indian	212
Asian/Pacific Islander	1,271
Black	2,541
White	10,155
Hispanic/Latino	2,924

TIER 2 DATA

Vehicle Traffic Violation Total: 4,027

Alaska Native/American Indian	34
Asian/Pacific Islander	214
Black	823
White	2,143
Hispanic/Latino	813

Contraband (in plain view) Total: 34

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	9
White	15
Hispanic/Latino	9

WAS SEARCH CONDUCTED?

	YES	NO
Alaska Native/American Indian	1	248
Asian/Pacific Islander	18	1,482
Black	150	3,266
White	173	12,305
Hispanic/Latino	98	3,696
TOTAL	440	20,997

Probable Cause Total: 268

Alaska Native/American Indian	1
Asian/Pacific Islander	8
Black	113
White	89
Hispanic/Latino	57

Inventory Total: 15

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	6
White	3
Hispanic/Latino	6

REASON FOR SEARCH?

Consent Total: 65

Alaska Native/American Indian	0
Asian/Pacific Islander	7
Black	15
White	29
Hispanic/Latino	14

Incident to Arrest Total: 58

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	7
White	37
Hispanic/Latino	12

TIER 2 DATA

WAS CONTRABAND DISCOVERED?

	YES	NO
Alaska Native/American Indian	1	0
Asian/Pacific Islander	8	10
Black	108	42
White	118	55
Hispanic/Latino	75	23
TOTAL	310	130

Did the finding result in arrest?

	YES	NO
Alaska Native/American Indian	0	1
Asian/Pacific Islander	4	4
Black	26	82
White	49	69
Hispanic/Latino	21	54
TOTAL	100	210

DESCRIPTION OF CONTRABAND

Drugs Total: 213

Alaska Native/American Indian	1
Asian/Pacific Islander	4
Black	83
White	79
Hispanic/Latino	46

Currency Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Weapons Total: 19

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	8
White	3
Hispanic/Latino	7

Alcohol Total: 48

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	8
White	22
Hispanic/Latino	18

TIER 2 DATA

Stolen Property Total: 4

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	2
White	2
Hispanic/Latino	0

Other Total: 104

Alaska Native/American Indian	0
Asian/Pacific Islander	5
Black	33
White	38
Hispanic/Latino	28

RESULT OF THE STOP

Verbal Warning Total: 3

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	3
Hispanic/Latino	0

Written Warning Total: 12,088

Alaska Native/American Indian	175
Asian/Pacific Islander	813
Black	1,955
White	7,241
Hispanic/Latino	1,904

Citation Total: 9,246

Alaska Native/American Indian	74
Asian/Pacific Islander	683
Black	1,435
White	5,185
Hispanic/Latino	1,869

Written Warning and Arrest Total: 43

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	7
White	23
Hispanic/Latino	11

Citation and Arrest Total: 57

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	19
White	26
Hispanic/Latino	10

Arrest Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

TIER 2 DATA

ARREST BASED ON

Violation of Penal Code Total: 83

Alaska Native/American Indian	0
Asian/Pacific Islander	3
Black	18
White	41
Hispanic/Latino	21

Violation of Traffic Law Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	1
Hispanic/Latino	0

Violation of City Ordinance Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

Outstanding Warrant Total: 14

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	7
White	6
Hispanic/Latino	0

Was physical force used resulting in bodily injury during the stop?

	YES	NO
Alaska Native/American Indian	0	249
Asian/Pacific Islander	0	1,500
Black	0	3,416
White	0	12,478
Hispanic/Latino	0	3,794
TOTAL	0	21,437

Tables Illustrating Motor Vehicle Related Contact Data

Table 1. Citations and Warnings

Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
Alaska Native/ American Indian	249	74	0	175	1%	1%	0%	1%
Asian/ Pacific Islander	1,500	685	0	813	7%	7%	0%	7%
Black	3,416	1,454	0	1,955	16%	16%	0%	16%
White	12,478	5,211	3	7,241	58%	56%	100%	60%
Hispanic/ Latino	3,794	1,879	0	1,904	18%	20%	0%	16%
TOTAL	21,437	9,303	3	12,088	100%	100%	100%	100%



Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
Alaska Native/American Indian	1%	0%
Asian/Pacific Islander	7%	5%
Black	16%	14%
White	58%	60%
Hispanic/Latino	18%	19%
TOTAL	100%	98%

Table 3. Motor Vehicle Searches and Arrests.

Race/Ethnicity	Searches	Consent Searches	Arrests
Alaska Native/American Indian	1	0	0
Asian/Pacific Islander	18	7	4
Black	150	15	26
White	173	29	49
Hispanic/Latino	98	14	21
TOTAL	440	65	100

Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Arrest	Location of Stop	Reason for Stop

Table 5. Search Data

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Found No	Arrests	Percent Searches	Percent Contraband Found	Percent No Contraband	Percent Arrest
Alaska Native/ American Indian	1	1	0	0	0%	0%	0%	0%
Asian/ Pacific Islander	18	8	10	4	4%	3%	8%	4%
Black	150	108	42	26	34%	35%	32%	26%
White	173	118	55	49	39%	38%	42%	49%
Hispanic/ Latino	98	75	23	21	22%	24%	18%	21%
TOTAL	440	310	130	100	100%	100%	100%	100%

Table 6. Report on Audits.

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/24-12/31/24.

Audit Data	Number of Data Audits Completed	Date of Completion	Outcome of Audit
1	1	03/01/24	Data was valid and reliable
2	1	06/01/24	Data was valid and reliable
3	1	09/01/24	Data was valid and reliable
4	1	12/01/24	Data was valid and reliable

ADDITIONAL COMMENTS:

Table 7. Instance Where Force Resulted in Bodily Injury.

Race/Ethnicity	Number	Percent
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	0	0%
White	0	0%
Hispanic/Latino	0	0%
TOTAL	0	0%

Table 8. Reason for Arrests from Vehicle Contact

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	0	0	0	0	0%	0%	0%	0%
%	3	0	0	1	4%	0%	0%	7%
Black	18	1	0	7	22%	50%	0%	50%
White	41	1	1	6	49%	50%	100%	43%
Hispanic/ Latino	21	0	0	0	25%	0%	0%	0%
TOTAL	83	2	1	14	100%	100%	100%	100%

Table 9. Contraband Hit Rate

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	1	1	100%	0%	0%
Asian/ Pacific Islander	18	8	44%	4%	3%
Black	150	108	72%	34%	35%
White	173	118	68%	39%	38%
Hispanic/Latino	98	75	77%	22%	24%

Analysis and Interpretation of Data

As previously noted, in 2001, the Texas Legislature passed Senate Bill 1074, which eventually became the Texas Racial Profiling Law. This particular law came into effect on January 1, 2002, and required all police departments in Texas to collect traffic-related data and report this information to their local governing authority by March 1 of each year. This version of the law remained in place until 2009, when it was modified to include the collection and reporting of all motor vehicle-related contacts in which a citation was issued, or an arrest was made. Further, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of the individuals before detaining them. In addition, it became a requirement that agencies report motor vehicle-related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year. The purpose in collecting and disclosing this information is to determine if police officers in any particular municipality are engaging in the practice of racially profiling minority motorists.

One of the main requirements of the law is that police departments interpret motor vehicle-related data. Even though most researchers would likely agree that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is in fact very difficult to determine if individual police officers are engaging in racial profiling from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

As referenced earlier, in 2009 the Texas Legislature passed House Bill 3389, which modified the Racial Profiling Law by adding new requirements; this took effect on January 1, 2010. The changes included, but are not limited to, the re-definition of a contact to include motor vehicle-related contacts in which a citation was issued, or an arrest was made. In addition, it required police officers to indicate if they knew the race or ethnicity of the individual before detaining them. The 2009 law also required adding "Middle Eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1 of each year.

In 2017, the Texas Legislators passed HB 3051 which removed the Middle Eastern data requirement while standardizing the racial and ethnic categories relevant to the individuals that came in contact with police. In addition, the Sandra Bland Act (SB 1849) was passed and became law. Thus, the most significant legislative mandate (Sandra Bland Act) in Texas history regarding data requirements on law enforcement contacts became law and took effect on January 1, 2018. The Sandra Bland Act not only currently requires the extensive collection of data relevant to police motor vehicle contacts, but it also mandates for the data to be analyzed while addressing the following:

1. A comparative analysis of the information compiled (under Article 2.133):

- a. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;*
- b. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;*
- c. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.*

2. Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

In an effort to comply with The Texas Racial Profiling/Sandra Bland Law, the Keller Police Department commissioned the analysis of its 2024 contact data. Hence, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2024 motor vehicle-related data. This particular analysis measured, as required by law, the number and percentage of Whites, Blacks, Hispanics or Latinos, Asians and Pacific Islanders, Alaska Natives and American Indians, who came in contact with police in the course of a motor vehicle-related contact and were either issued a ticket, citation, or warning or an arrest was made. Also included in this data were instances when a motor vehicle contact took place for an alleged violation of the law or ordinance. The Tier 2 data analysis included, but was not limited to, information relevant to the number and percentage of contacts by race/ethnicity, gender, reason for the stop, location of stop, searches while indicating the type of search performed, result of stop, basis of an arrest, and use of physical force resulting in bodily injury.

The analysis on the data performed in this report, was based on a comparison of the 2024 motor vehicle contact data with a specific baseline. When reading this particular analysis, one should consider that there is disagreement in the literature regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the Keller Police Department agreed with our recommendation to rely in part, as a baseline measure, on the Fair Roads Standard. This particular baseline is established on data obtained through the U.S. Census Bureau (2020) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

It should be noted that the census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless whether they are among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only, thus excluding individuals who may have come in contact with the Keller Police Department in 2024 but live outside city limits. In some jurisdictions the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

In 2002, major civil rights groups in Texas expressed their concern and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of “households” that have access to vehicles. Thus, proposing to compare “households” (which may have multiple residents and only a few vehicles) with “contacts” (an individual-based count). In essence this constitutes a comparison that may result in ecological fallacy. Despite this risk, as noted earlier, the Keller Police Department accepted the recommendation to utilize this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its “good will” and “transparency” before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to the Dallas Fort-Worth (DFW) Metroplex.

Tier 2 (2024) Motor Vehicle-Related Contact Analysis

When examining the enhanced and more detailed Tier 2 data collected in 2024, it was evident that most motor vehicle-related contacts were made with Whites, followed by Hispanics. Of those who came in contact with police, most tickets or citations were issued to Whites and Hispanics; this was followed by Blacks. However, in terms of written warnings, most of these were issued to Whites, followed by Blacks.

While reviewing searches and arrests, the data showed that most searches took place among Whites. When considering all searches, most were consented by Whites and Blacks, while most custody arrests were also of Whites. Overall, most searches resulted in contraband; of those that produced contraband, most were of Whites; this was followed by Blacks. Of the searches that did not produce contraband, most were of Whites. Most arrests were made of Whites. Most of the arrests that originated from a violation of the penal code involved Whites. Overall, the police department does not report any instances where force was used that resulted in bodily injury.

Comparative Analysis

A comprehensive analysis of the motor vehicle contacts made in 2024 to the census data relevant to the number of “households” in DFW who indicated in the 2020 census that they had access to vehicles, produced interesting findings. Specifically, the percentage of Whites and Hispanics who came in contact with police was the same or lower than the percentage of White and Hispanic households in DFW that claimed in the last census to have access to vehicles. The opposite was true of Blacks, Asians, and American Indians. That is, a higher percentage of Blacks, Asians, and American Indians came in contact with police than the percentage of Black, Asian, and American Indian households in DFW that claimed in the last census to have access to vehicles. It should be noted that the percentage difference among Black, Asian, and American Indian contacts with households is of less than 3%; thus, deemed by some as statistically insignificant.

The comprehensive analysis of the searches resulting in contraband shows that the most significant contraband hit rate is of American Indians. This was followed by Hispanics and Blacks. This means that among all searches performed in 2024, the most significant percentage of these that resulted in contraband was among American Indians. The lowest contraband hit rate was among Asians.

Summary of Findings

As previously noted, the most recent Texas Racial Profiling Law requires that police departments perform data audits in order to validate the data being reported. Consistent with this requirement, the Keller Police Department has engaged del Carmen Consulting, LLC in order to perform these audits in a manner consistent with normative statistical practices. As shown in Table 6, the audit performed reveals that the data is valid and reliable. Further, as required by law, this report also includes an analysis on the searches performed. This analysis includes information on whether contraband was found as a result of the search while controlling for race/ethnicity. The search analysis demonstrates that the police department is engaging in search practices consistent with national trends in law enforcement.

While considering the findings produced as a result of this analysis, it is recommended that the Keller Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected), which may prove to be useful when determining the nature of the contacts police officers are making with all individuals.

As part of this effort, the Keller Police Department should continue to:

- 1) Perform an independent analysis on contact and search data in the upcoming year.
- 2) Commission data audits in 2025 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The comprehensive data analysis performed serves as evidence that the Keller Police Department has complied with the Texas Racial Profiling Law and all of its requirements. Further, the report demonstrates that the police department has incorporated a comprehensive racial profiling policy, currently offers information to the public on how to file a compliment or complaint, commissions quarterly data audits in order to ensure validity and reliability, collects and commissions the analysis of Tier 2 data, and ensures that the practice of racial profiling will not be accepted or tolerated.

Checklist

The following requirements were met by the Keller Police Department in accordance with The Texas Racial Profiling Law:

- ✓ Implement a Racial Profiling Policy citing act or actions that constitute racial profiling.
- ✓ Include in the racial profiling policy, a statement indicating prohibition of any peace officer employed by the Keller Police Department from engaging in racial profiling.
- ✓ Implement a process by which an individual may file a complaint regarding racial profiling violations.
- ✓ Provide public education related to the compliment and complaint process.
- ✓ Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law.
- ✓ Collect, report and analyze motor vehicle data (Tier 2).
- ✓ Commission Data Audits and a Search Analysis.
- ✓ Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.
- ✓ Produce an annual report on police contacts (Tier 2) and present this to the local governing body and TCOLE by March 1, 2025.
- ✓ Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.

Legislative & Administrative



TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of **what** must be accomplished by an agency but allows wide latitude in determining **how** the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling;
and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) ~~[(7)]~~ the date of conviction; and

(9) ~~[(8)]~~ the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

Modifications to the Original Law

(H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION _____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle~~[traffic]~~ stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~[or]~~ Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual ~~[person]~~ detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle ~~[traffic]~~ stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle ~~[traffic]~~ stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race":

~~[(1) "Race]~~ or ethnicity" has the meaning assigned by Article 2.132(a).

~~[(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]~~

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance ~~[regulating traffic or who stops a pedestrian for any suspected offense]~~ shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense]~~;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered]~~;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle ~~[existed and the facts supporting the existence of that probable cause];~~

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop~~[, including a description of the warning or a statement of the violation charged].~~

SECTION _____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) ~~[means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].~~

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each ~~[local]~~ law enforcement agency shall submit a report containing the incident-based data ~~[information]~~ compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency ~~[in a manner approved by the agency].~~

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities ~~[determine the prevalence of racial profiling by peace officers employed by the agency]; and~~

(B) examine the disposition of motor vehicle ~~[traffic and pedestrian]~~ stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from ~~[the]~~ stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic or pedestrian]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle ~~[traffic and pedestrian]~~ stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle ~~[traffic and pedestrian]~~ stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle ~~[traffic and pedestrian]~~ stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle ~~[traffic and pedestrian]~~ stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle ~~[traffic or pedestrian]~~ stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION _____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION _____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:

- (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;
or

(3) a commission rule.

SECTION _____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino [~~Native American, or Middle Eastern descent~~].

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino [~~or Native American descent~~].

SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

The Sandra Bland Act

(S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,], at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
 - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
 - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
 - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
 - (5) revise, amend, or change rules and procedures if necessary;
 - (6) provide to local government officials consultation on and technical assistance for county jails;
 - (7) review and comment on plans for the construction and major modification or renovation of county jails;
 - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
 - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
 - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
 - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
 - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
 - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
 - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
 - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
 - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
 - (A) common issues concerning jail administration;
 - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and
(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;
(2) an attempted suicide;
(3) a death;
(4) a serious bodily injury, as that term is defined by
Section 1.07, Penal Code;
(5) an assault;
(6) an escape;
(7) a sexual assault; and
(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

- (1) topics selected by the agency; and
- (2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:
 - (A) civil rights, racial sensitivity, and cultural diversity;
 - (B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]
 - (C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and
 - (D) unless determined by the agency head to be inconsistent with the officer's assigned duties:
 - (i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and
 - (ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

- (A) the person's gender; and
- (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:
Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

Date

Governor

Chief Clerk of the House

**KELLER
POLICE DEPARTMENT
RACIAL PROFILING POLICY**



BIASED POLICING OR ENFORCEMENT 100.03



Effective Date: 09/26/03
Revised: 09/09/08;
12/4/12; 9/1/17; 10/4/17;
08/24/18
Standard: 1.2.9

I. **PURPOSE AND RESPONSIBILITY:**

- A. **Purpose:** To set the policy and establish the procedures to prevent biased policing or enforcement at the Keller Police Department.
- B. **Responsibility:**
 - 1. It will be the responsibility of the Chief of Police to provide the Keller City Council an annual report containing statistical data relevant to the public contacts made in accordance with the Texas Racial Profiling Law (S.B. No. 1074).

II. **DEFINITIONS:**

- A. **BIASED POLICING OR ENFORCEMENT:** The selection of an individual(s) for enforcement action based in whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait. This includes, but is not limited to, race, ethnic background, national origin, gender, sexual orientation/identity, religion, economic status, age, cultural group, immigration status, disability, housing status, occupation, language fluency or any other identifiable characteristics.
- B. **RACE or ETHNICITY:** Means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

III. **POLICY:**

- A. It is the policy of the Keller Police Department that biased policing or enforcement by any employee is strictly prohibited. This includes law enforcement-initiated action based on an individual's race, ethnicity, gender, sexual orientation/identity, religion, economic status, age, cultural group, national origin or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Profiling in regards to traffic contacts, field contacts,

searches, interviews and interrogations, asset seizures and forfeiture efforts will not be allowed. Any officer found in violation of this policy will be disciplined accordingly.

Standard 1.2.9 (a)

IV. **PROCEDURES:**

A. **MOTOR VEHICLE and PEDESTRIAN STOPS:**

1. Officers will be diligent during their patrol and are expected to enforce the traffic laws, and stop and detain motorist or pedestrians whenever there is reasonable suspicion that they have committed, are committing, or are about to commit an infraction of the law. An arrest can only be made with probable cause.
 - a. An officer should not stop a driver or pedestrian when looking for a suspect if the only commonality between the suspect and the civilian is his or her race/ethnicity or national origin.
 - b. Officers should not pick out people to stop from among similarly situated individuals based in whole or in part of their race/ethnicity or national origin. For example, a driver speeding in a stream of traffic should not be picked out from among the traffic because of race/ethnicity or national origin.
 - c. An officer should not stop a driver when there is no traffic violation in order to get a look inside the vehicle based on the driver's race/ethnicity or national origin.
2. Officers must conduct themselves in a dignified and respectful manner at all times. The officers must remain courteous and professional keeping in mind the anxiety the person will feel when stopped by a police officer. Officers will remain professional and courteous even if challenged verbally from the detained individual.
3. During the stop of the motorist or pedestrian, officers shall utilize the mobile video and audio recording equipped in the car/motorcycle pursuant to General Order 401.04.
4. The detaining of motorists and pedestrians will be brief in duration and officers shall explain to the individual the reason for the detention with the objective to gain compliance and understanding.
5. If the officer decides to issue a warning, a citation or take the person into custody for a more serious offense the officer must record on the warning/ citation the race of the individual using the following codes:

- a. White/Caucasian (W)
 - b. Hispanic (H)
 - c. Asian (A)
 - d. Native American (I)
 - e. African (B)
 - f. Middle Eastern (M)
6. When issuing a warning/ citation resulting from a traffic stop the officer shall record the following information on the warning/ citation:
- a. Search Y/N
 - b. Consent Y/N, if Y above.
 - c. Contraband/Evidence Found Y/N, if searched
 - d. Reason and Probable Cause for the Search Y/N, if searched
 - e. Arrest Made Y/N
 - f. Physical Force Resulted in Bodily Injury Y/N
 - g. Race/ethnicity known before stop Y/N
 - h. Gender, street address of stop and reason for the stop.

B. COMPLAINTS of BIASED POLICING:

- 1. Any person may file a complaint with the department if they believe law enforcement-initiated action was based on the individual's race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, national origin or any other identifiable group than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- 2. Any employee, including the employee who initiated the enforcement action, who is told by the citizen that they wish to file a complaint, shall inform the person that they can meet a supervisor at police headquarters or contact the supervisor on the telephone providing the telephone

number to the complainant. At no time should the complainant be told to call back the next day unless they desire to do so.

3. Supervisors receiving the complaint of biased policing or enforcement shall record the name, address, telephone number and the allegation from the complainant. The individual should be advised that the complaint will be taken seriously and they will be contacted with the findings of the investigation. The supervisor will obtain any and all mobile video recordings from the mobile video recording system. The recording(s) along with the information from the complainant should be forwarded to the Chief's office for assignment.
4. The Chief of Police shall assign the complaint to the Division Commander, Lieutenant, or the Internal Affairs investigator based on the complaint.
5. In conformance with the act on Biased Based Profiling, on the commencement of an investigation by a law enforcement agency of a complaint regarding racial profiling the agency shall promptly provide a copy of the video/audio recording to the peace officer that is the subject of the complaint on written request by the officer.
6. Should the results of the investigation show that the employee had engaged in biased based profiling in violation of this policy the Chief of Police shall take corrective action against the officer. The corrective action can range from training up to and including termination depending on the totality of the circumstances.
 - a. If the complaint is "not sustained" the complainant may appeal the determination to the City Manager's Office.
 - b. The complainant also has the right to appeal the determination to the Tarrant County District Attorney's Office.
7. This agency will comply with the public education requirement of the act by posting the complaint process on our internet web site, by having printed brochures on the complaint procedure available in our public lobby, and also available from the employees on the street. The complaint and compliment contact telephone number, mailing address, and email address will be provide on every warning/ citation.

C. RETENTION of VIDEO and AUDIO TAPES:

1. The act on Biased Based Profiling requires the audio and video recording of traffic and pedestrian stops to be retained for 90 days after

the date of the stop. In case of a complaint the video will be retained until the disposition of the complaint.

2. The standards and safeguards for reviewing the video and audio are outlined in General Order 401.04.

D. TRAINING:

1. All enforcement personnel will receive initial and annual training in biased policing issues including legal aspects, field contacts, traffic stops, searches, asset seizure and forfeiture, interview and interrogation techniques, cultural diversity, discrimination, and community support.

Standard 1.2.9 (b)

E. REPORTING REQUIREMENTS OF THE ACT:

1. The Chief of Police shall make a documented annual report to the City Council on the information collected relating to traffic stops in which a warning or citation is issued and to arrests resulting from those traffic stops containing the following:
 - a. The gender and race or ethnicity of the individuals detained.
 - b. Whether a search was conducted and, if so, whether the person consented, if contraband/evidence was found, PC for the search, and if an arrest was made.
 - c. Whether physical force resulted in Bodily Injury to a party.
 - d. An administrative review of agency practices, including community concerns on the issue, the number of racial profiling complaints, and any corrective measures taken.
2. The required report will not contain identifying information about the officers or the individuals detained.
3. The documented annual report will be submitted by March 1st of each year for information compiled by the agency during the period beginning January 1st and ending December 31st.

Standard 1.2.9 (c)

F. IMMIGRATION STATUS DETENTIONS:

1. Officers are not prohibited from inquiring about immigration status during temporary detentions, but are prohibited from detaining people longer than is necessary to finish the purpose of the detention and that purpose cannot be solely to make an immigration inquiry.

2. An officer should have some articulable facts, besides race, color, religion, language, or national origin, to explain why the officer asked a person about citizenship or immigration status.
3. Warrants for a person's arrest or removal as an alien is an administrative warrant and must not be the sole reason for an arrest. If a person is arrested for another offense and has an immigration warrant, see General Order 700.01 Detention Facility for further.
4. Officers shall not enforce immigration laws while working off-duty for religious organizations. Officers shall not enforce immigration laws against a person detained solely because he or she is a victim, a witness to a crime, or reported a crime.

For additional questions regarding the information presented in this report, please contact:

Del Carmen Consulting©
817.681.7840
www.texasracialprofiling.com
www.delcarmenconsulting.com

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Town of Westlake

Staff Report

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

File #: 25-57

Agenda Date: 3/24/2025

Agenda #: F.1.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to approve the February 18, 2025 Town Council/Board of Trustees Regular Meeting Minutes (Town Secretary Dianna Buchanan)

STAFF: Dianna Buchanan, Town Secretary

BACKGROUND:

The February 18, 2025 Town Council Regular Meeting Minutes 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.

RECOMMENDATION:

Staff recommends approval of the minutes.

ATTACHMENT(S):

02.18.2025 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

Tuesday, February 18, 2025

3:30 PM

Council Chamber

The Town Council of the Town of Westlake also serves as the governing Board of Trustees for Westlake Academy. This agenda may contain both municipal and Westlake Academy items, which will be clearly identified. Town Council/Board of Trustees meetings are available for viewing online via live-stream or on-demand at <https://www.westlake-tx.org/787/Watch-Meetings-Live>. In an effort of meeting efficiency, any residents wishing to speak must submit a speaker request form to the Town Secretary prior to the start of the meeting.

Pursuant to Texas Government Code Section 551.127, one or more members of the Town Council may participate in this meeting by videoconference call. A quorum of the Town Council and the presiding officer will be present at the physical location of the meeting.

NOTE: As authorized by Section 551.071 of the Texas Government Code, Town Council may enter into closed Executive Session for the purpose of seeking confidential legal advice from the Town/School Attorney on any agenda item listed herein.

WORK SESSION 3:30 PM

I. CALL WORK SESSION TO ORDER

Mayor Greaves called the Work Session to order at 3:30 pm. All of Town Council/Board of Trustees were present, with Council Member Asselta being present virtually.

II. HOLD WORK SESSION AND DISCUSSION REGARDING WESTLAKE ACADEMY'S PROPOSAL TO ADD ONE ADDITIONAL SECTION OF 4TH GRADE CLASS FOR SCHOOL YEAR 2025-2026 (Dr. Kelly Ritchie, Head of School)

Dr. Kelly Ritchie, Head of School, provided a presentation and facilitated the discussion regarding the proposed addition of one additional section of 4th grade class for the School Year of 2025-2026. The item is on the Regular Meeting Agenda for consideration of action by the Board of Trustees this evening. Academy Finance Director Marlene Rutledge also answered budgetary questions.

III. ADJOURN THE WORK SESSION

Mayor Greaves adjourned the Work Session at 4:01 pm.

REGULAR MEETING 4 PM

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

Mayor Greaves called the Regular Meeting to order at 4:01:30 and announced a quorum present.

PRESENT:

Mayor Kim Greaves
Mayor Pro Tem Tammy Reeves
Council Member Todd Gautier
Council Member Michael Yackira
Council Member Anna White
Council Member Mike Asselta (virtually present)

STAFF PRESENT:

Town Manager Wade Carroll	Head of School Dr. Kelly Ritchie
Deputy Town Manager Jason Alexander	Innovation & Dev. Director Michelle Briggs
Town Secretary Dianna Buchanan	IT Director Jason Power
Finance Director Cayce Lay Lamas	Human Resources Director Sandy Garza
Communications Director Jon Sasser	Assistant Public Works Director Kyle Flanagan
Town Attorney Stan Lowry	School Attorney Janet Bubert
Academy Finance Manager Marlene Rutledge	Fire Chief John Ard
Accountability Director Darcy McFarlane	

B. INVOCATION AND PLEDGES OF ALLEGIANCE

Pastor Clayton Reed from Southlake Baptist Church provided the invocation. Mayor Greaves and Westlake Academy Head of School Dr. Kelly Ritchie introduced Westlake Academy students Eegan Sanker-1st grade, Sawyer Tidden- 5th grade, Cassidy Tidden -7th grade, Joycelyn Tidden- 9th grade and Beckett Gobler-5th grade, to assist with leading the pledges to the U.S. Flag and the Texas Flag. Pledges recited.

C. CITIZEN/PARENT COMMENTS

There was no one to speak at this time.

D. ITEMS OF COMMUNITY INTEREST**D.1. 25-53** Items of Community Interest (Communications Director Jon Sasser)

Communications Director Jon Sasser provided an overview of items of community interest. He then introduced Ms. Emily Mitchell, Development Specialist-Tarrant & Ellis County, Salvation Army. Then Ms. Mitchell along with Captain Armando Acosta of Salvation Army--Fort Worth Northside, presented Mayor Greaves the golden bell for being the top fundraiser during the 2024 Red Kettle Mayoral Challenge held during the holiday season. Mayor Greaves raised \$1,277.67 to benefit the Northside Community Corps.

E. CONSENT AGENDA**E.1. 25-23** Discuss, consider and act to approve the February 3, 2025 Town Council/Board of Trustees Regular Meeting Minutes (Town Secretary Dianna Buchanan)

Motion by Council Member White 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.

F. REGULAR AGENDA ITEMS

- F.1. RES 25-08** Receive presentation and discuss, consider and act regarding Resolution 25-08 approving and adopting the Town of Westlake Strategic Plan 2025-2032 (Town Manager Wade Carroll)

Town Manager Wade Carroll introduced Managing Partner Carol Jacobs with Baker Tilly, who presented an overview of the final Strategic Plan 2025-2032 which was prepared after working with Town Council during strategic planning sessions and holding community meetings to receive input from Westlake residents, stakeholders, parents and staff. The process has resulted in several documents that provide a comprehensive outline for Westlake's future and sustainable community-driven growth, focusing on enhancing the quality of life, preserving the Town's unique identity and building strong partnerships with the business community and stakeholders. The Strategic Plan, Economic Development Plan and Fiscal Model and Sustainability Report will serve as the standard to develop a work and implementation plan to guide Town Council and staff over the next seven years. Motion by Council Member White and Motion Second by Council Member Yackira to approve Resolution 25-08 approving and adopting the Town of Westlake Strategic Plan 2025-2032. Mayor Greaves called for the vote. MOTION TO APPROVE RESOLUTION 25-08 APPROVED UNANIMOUSLY.

- F.2. WA RES 25-02 v2** Discuss, consider and act regarding WA Resolution 25-02 to add one additional section of 4th grade to Westlake Academy for School Year 2025-2026 (Dr. Kelly Ritchie, Head of School)

Motion by Council Member White and Motion Second by Council Member Yackira to approve WA Resolution 25-02 to add one additional section of 4th grade to Westlake Academy for School Year 2025-2026. Mayor Greaves called for the vote. MOTION TO APPROVE WA RESOLUTION 25-02 APPROVED UNANIMOUSLY.

- F.3. RES 25-05** Discuss, consider and act regarding Resolution 25-05 approving and authorizing the Town Manager to enter into a contract with Holt Power Systems - Caterpillar for procurement of a 700kw on-site backup diesel generator set for the Town's water pump station in the amount of \$342,481.28 utilizing Sourcewell Cooperative Purchasing Contract #092222-CAT (Cheryl Taylor, P.E., Director of Public Works).

Assistant Public Works Director Kyle Flanagan provided an overview of this request to approve the purchase of a replacement emergency backup generator for the pump station that supplies the entire Town with water. The existing equipment was damaged beyond repair during a storm and to remain in compliance with the Emergency Preparedness Plan approved by the Texas Commission on Environmental Quality, it must be replaced. In addition, the generator must be upsized to meet the demands of the system as it has grown since the original backup generator was installed in 2001. Staff received bids for the equipment and installation services and as recommended by consultant Freese & Nichols, presents a request to contract with Holt Power Systems-Caterpillar for the generator, installation of replacement, one set of filters, and one year service maintenance. The cost will be \$342,481.28 and will be funded through American Rescue Plan Act (ARPA) funds. Motion by Council Member White and Motion Second by Mayor Pro Tem Reeves to approve

Resolution 25-05 authorizing the Town Manager to contract with Holt Power Systems-Caterpillar for procurement of a 700 kw diesel generator set for the Town's water pump station in the amount of \$342,481.28 as presented. Mayor Greaves called for the vote. MOTION TO APPROVE RESOLUTION 25-05 APPROVED UNANIMOUSLY.

- F.4. RES 25-09** Discuss, consider and act regarding Resolution 25-09 approving and authorizing the Town Manager to enter into a contract with Global Pump Solutions for emergency repairs and installation services for water and wastewater infrastructure throughout the town in an amount not to exceed \$450,765.20 utilizing BuyBoard Cooperative Purchasing Contract #672-22 (Cheryl Taylor, P.E., Director of Public Works)

Assistant Public Works Director Kyle Flanagan gave an overview of the request to approve emergency repairs and installation services for water and wastewater infrastructure throughout the Town in an amount not to exceed \$450,765.20. The emergency repairs will be to the pump station fill control valves and pump control valves for pumps 3 and 4 for water infrastructure and to the lift stations for wastewater infrastructure including the pumps used at Deloitte and Fidelity. This amount includes a 10% contingency as well as previously approved lift station electrical repairs. A budget amendment will be required and presented for approval in the future for the FY 24-25 Public Works Utility Fund operating budget. Motion by Council Member Yackira and Motion Second by Mayor Pro Tem Reeves to approve Resolution 25-09 authorizing a contract with Global Pump Solutions for emergency repair and installation services for water and wastewater infrastructure throughout the Town in an amount not to exceed \$450,765.20. Mayor Greaves called for the vote. MOTION TO APPROVE RESOLUTION 25-09 APPROVED UNANIMOUSLY.

- F.5. RES 25-01** Discuss, consider and act to approve Resolution 25-01 amending the established dates for Regular Meetings of the Town Council | Board of Trustees through September 30, 2025 (Town Manager Wade Carroll)

Town Manager Wade Carroll reviewed the proposed change to the Town Council/Board of Trustees meetings to shift from two meetings each month to one meeting each month. The proposed calendar for April thru September 2025 provides for meetings to be moved to the 3rd Tuesday each month. In the event a meeting is needed in addition to the once each month meeting a Special Meeting can be scheduled. Motion by Council Member White and Motion Second by Council Member Yackira to approve Resolution 25-01 as presented. Mayor Greaves called for the vote. MOTION TO APPROVE RESOLUTION 25-01 APPROVED UNANIMOUSLY.

G. DISCUSSION ITEM

Westlake Academy Director of Innovation and Development Michelle Briggs gave a presentation regarding a recent trip to Austin made by representatives from Westlake Academy and the Town of Westlake to speak with State Legislators regarding funding for Westlake Academy and other issues pending during this Legislative Session. Mayor Greaves also provided commentary about the trip and the meetings with various legislators, and he hopes to meet with the Lieutenant Governor in the near future. Academy and Town representatives will also be making the trip back to Austin in April for "Denton County Days" to again meet regarding funding for the academy and other pending matters.

H. FUTURE AGENDA ITEMS

Town Manager Wade Carroll advised that all candidates for the May 3, 2025 General and Special Election are unopposed and the Town will be able to cancel the election at the next meeting.

I. STAFF RECAP OF COUNCIL DIRECTION

There was nothing to report at this time.

J. ADJOURNMENT

Mayor Greaves adjourned the meeting at 5:27 pm.

Kim Greaves, Mayor

ATTEST:

Town Secretary Dianna Buchanan



Town of Westlake

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

Staff Report

File #: ORD-1021

Agenda Date: 3/24/2025

Agenda #: F.2.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to adopt Ordinance 1021 to reappoint Presiding Judge Brad Bradley and Alternate Judge Alan Wayland for the Town of Westlake Municipal Court of Record No. 1 (Martha Solis, Court Administrator)

STAFF: Martha Solis, Court Administrator

BACKGROUND:

As provided by Ordinance 401 that established the Westlake Municipal Court of Record No. 1, the presiding and alternate judges will be appointed for two year terms. Staff requests that the following reappointments be approved through January 31, 2027:

Presiding Judge Brad Bradley, and

Alternate Judge Alan Wayland.

STAFF RECOMMENDATION:

Staff recommends adopting Ordinance 1021 as presented.

ATTACHMENT(S):

- Ordinance 1021

TOWN COUNCIL ACTION/OPTIONS:

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

TOWN OF WESTLAKE

ORDINANCE NO. 1021

AN ORDINANCE OF THE TOWN OF WESTLAKE REAPPOINTING THE PRESIDING JUDGE AND THE ALTERNATE PRESIDING JUDGE FOR THE MUNICIPAL COURT OF RECORD NO. 1 FOR A TWO (2) YEAR TERM IN THE TOWN OF WESTLAKE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Westlake established the Municipal Court of Record No. 1 and must provide for the appointment of a Presiding Judge and an Alternate Judge; and

WHEREAS, Ordinance 401 also sets forth certain duties and qualifications for each of the Appointees; and

WHEREAS, the Town Council of the Town of Westlake, Texas, is of the opinion that it is in the best interests of the Town and its citizens that the appointments should be approved and adopted.

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

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

SECTION 2: That the Town Council hereby reappoints the following individuals to the Municipal Court of Record No. 1 in the capacity set forth below:

Presiding Judge	Brad Bradley	Two-year term ending January 31, 2027; and
Alternate Judge	Alan Wayland	Two-year term ending January 31, 2027.

These appointments are made subject to and are governed by the provisions of Ordinance No. 401, and in accordance with State law.

SECTION 3: That this Ordinance shall be cumulative of all other Town Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provision of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 4: If any section, article, paragraph, sentence, clause, phrase or word in the Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining

portions of the Ordinance, and the Town Council hereby declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5: All other Ordinance sin effect and not in conflict with this Ordinance shall remain in full force and effect.

SECTION 6: This ordinance shall take effect immediately from and after its passage as the law in such cases provides.

PASSED AND APPROVED ON THIS 24TH DAY OF MARCH 2025.

ATTEST:

Kim Greaves, Mayor

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 #: WA RES 25-06

Agenda Date: 3/24/2025

Agenda #: F.3.

ACADEMY/TOWN STAFF REPORT RECOMMENDATION

Discuss, consider and act to approve WA Resolution 25-06 approving the Interlocal Agreement with Educational Services Center Region 11 for the Employee Benefits Cooperative Program for Academic Staff and authorizing the Superintendent to Execute the Interlocal Agreement (Sandy Garza, Director of Human Resources)

STAFF: Sandy Garza, Director of Human Resources

BACKGROUND:

Westlake expanded and enhanced its academic employee benefit package by joining the ESC Region 11 Benefits Cooperative in August 2008. The Cooperative, currently serving 53 school districts and charter schools consisting of thousands of members, offers Westlake a more comprehensive and competitive academic benefits package at a lower cost. By leveraging the numbers of its members, this program is capable of leveraging products and services in a more cost-efficient manner than the Academy can obtain on its own. It is necessary to renew the Interlocal Agreement on an annual basis. This renewal is for the 2025-2026 school year.

DISCUSSION:

Council/Board of Trustees may move to approve or reject the proposed ILA.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed ILA.

ATTACHMENT(S):

Resolution

2025-2026 Proposed Region 11 ILA

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 25-06

A RESOLUTION AUTHORIZING THE SUPERINTENDENT TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE EDUCATION SERVICE CENTER REGION 11 FOR THE EMPLOYEE BENEFITS COOPERATIVE PROGRAM FOR ACADEMIC STAFF.

WHEREAS, Westlake has utilized the business and student services of the Education Service Center Region 11, which is responsible for providing training for faculty and staff, providing compliance training for public education rules and regulations, performing the payroll functions in full compliance with the Texas Education Agency (TEA) Financial Accountability System Resource Guide, as well as offering software and information technology training and hosting services to Westlake; and,

WHEREAS, the Town Council/Board of Trustees, pursuant to the authority granted under Chapter 791 Government Code, as amended, desires to join other school districts, charter schools, or governmental entities to participate in employee benefits offered by the Education Service Center Region 11 Employee Benefits Cooperative (the “ESC Region 11 BC”), holding the opinion that participation in these programs will be beneficial to the school district, charter school, or governmental entities and its employees; and,

WHEREAS, the Town Council/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.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL/BOARD OF TRUSTEES OF THE WESTLAKE ACADEMY, 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: The Town Council/Board of Trustees of the Town of Westlake hereby approves the Interlocal Agreement with Educational Services Center Region 11 for the Employee Benefits Cooperative Program for academic staff, attached as **Exhibit “A”**, and further authorizes the Superintendent to execute the agreement on behalf of Westlake Academy.

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/Board of Trustees 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 24th DAY OF MARCH 2025.

ATTEST:

Kim Greaves, Board President

Dianna Buchanan, Board Secretary

Kelly Ritchie, Head of School

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney
or Janet S. Bubert, Westlake Academy Attorney

EXHIBIT A

EDUCATION SERVICE CENTER REGION 11 BENEFITS COOPERATIVE INTERLOCAL AGREEMENT RESOLUTION AND AGREEMENT

WHEREAS, Town of Westlake, charter holder of Westlake Academy, of Westlake, Texas, (“Participant”) pursuant to the authority granted under Chapter 791 Government Code, as amended, desires to join together with other school districts, charter schools, or governmental entities to participate in employee benefits offered by the Education Service Center Region 11 Employee Benefits Cooperative (the “ESC Region 11 BC”), holding the opinion that participation in these programs will be beneficial to the school district, charter school, or governmental entities and its employees;

WHEREAS, the ESC Region 11 BC is managed by a committee called the Board of Record that consists of the superintendents or chief executive officers or their designees from each of the Participants in the Coop;

NOW, THEREFORE BE IT RESOLVED that Board of Trustees of Participant requests the ESC Region 11 BC to include Town of Westlake, charter holder of Westlake Academy as a participant. Participant acknowledges and agrees to the following:

1. The purposes of the ESC Region 11 BC are governmental functions or services that each party to this agreement is authorized to perform individually;
2. Any obligation to pay any fees will come from current revenues available to the Participant;
3. Such fees fairly compensate the parties performing the functions and services under the agreement;
4. This agreement incorporates the Operational Procedures developed by the Board of Record as it currently exists or may be hereafter amended by action of the Board of Record;
5. Participant delegates to the Board of Record authority to modify the Operational Procedures as the Board of Record deems in the best interests of the ESC Region 11 BC;
6. Participant delegates to the Board of Record all purchasing functions related to the purposes of this interlocal agreement to the maximum extent permitted by law;
7. Participant shall comply with the Operational Procedures as established, modified, and/or approved by the Board of Record;
8. The ESC Region 11 BC shall comply with the purchasing requirements for the purchase of personal property and services as required by Chapter 44 of the Education Code and Chapter 791 of the Local Government Code;
9. The term of this agreement shall be one year, from September 1, 2025, to August 31, 2026; and
10. Participant or the ESC Region 11 BC may terminate Participant’s participation in the ESC Region 11 BC for any reason by giving written notice to the ESC Region 11 BC Board of Record sixty (60) calendar days before the anniversary date of this agreement.

BE IT FURTHER RESOLVED that the Board of Trustees of Participant authorizes its superintendent to execute any and all documents and take whatever action necessary to carry out the desires of the Board of Trustees as stated herein.

I certify that the foregoing is a true and correct copy of the resolution and agreement adopted by the Board of Trustees of Town of Westlake, charter holder of Westlake Academy and that the same is reflected in the minutes of the Board meeting held March 24, 2025.

In witness thereof, we hereunto affix our signatures this 24th day of March, 20 25.

BY: _____	<u>Kim Greaves</u>
Signature of School Board or Charter School Board President	Typed Name of School Board or Charter School Board President
_____	<u>Dianna Buchanan</u>
Signature of School Board or Charter School Board Secretary	Typed Name of School Board or Charter School Board Secretary
_____	<u>Dr. Kelly Ritchie</u>
Signature of District or Charter School Superintendent/Chief Financial Officer	Typed Name of District or Charter School Board Superintendent/Chief Financial Officer

Name of Agency:	<u>Town of Westlake, charter holder of Westlake Academy</u>
Address:	<u>1500 Solana Vlvd., Bldg. 7, Ste. 7200</u>
	<u>Westlake, Texas 76262</u>
Name of Contact Person:	<u>Sandy M. Garza</u>
Phone Number:	<u>817-490-5734</u>

_____	<u>Kevin Noack</u>
Signature of ESC Region 11 BC Board President	Typed Name of ESC Region 11 BC Board President
_____	<u>Ravonne Allmon-Smith</u>
Signature of ESC Region 11 BC Board Secretary	Typed Name of ESC Region 11 BC Board Secretary
_____	<u>Clyde W. Steelman, Jr. Ed.D</u>
Signature of ESC Region 11 Executive Director	Typed Name of ESC Region 11 Executive Director

Date Approved by ESC Region 11 BC	



Town of Westlake

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

Staff Report

File #: WA RES 25-05

Agenda Date: 3/24/2025

Agenda #: G.1.

WESTLAKE ACADEMY STAFF REPORT RECOMMENDATION

Conduct a Public Hearing and consider approving WA Resolution 25-05 accepting the Texas Academic Performance Report (TAPR) for 2023-2024; and take appropriate action (Dr. Kelly Ritchie, Head of School)

STAFF: Dr. Kelly Ritchie, Head of School

BACKGROUND:

Annually, the Texas Education Association (TEA) requires all Districts and Charter Schools to conduct a public hearing on the Texas Academic Performance Results (TAPR). The TEA rates schools based on several factors, including economic disadvantage, emerging bilingual/English language learners, student achievement, school progress, academic growth, relative performance, and closing the gap, all determining distinction in tested subject areas.

DISCUSSION:

Due to pending litigation, the TEA has not released the overall A-F rating scale for public schools. Therefore, the TAPR is presented in its raw form this year.

The Academic Leadership team will use this information to impact student performance, creating a plan to continue areas of positive impact and addressing areas of concern.

FISCAL IMPACT: N/A

STAFF RECOMMENDATION:

Council Opens the Public Hearing, receives the report, and opens the floor for public commentary with Westlake Academy Staff available for questions and answers. Council Closes the Public Hearing and approves the resolution.

ATTACHMENT(S):

Resolution WA 25-05
TAPR 2023-2024

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. 25-05

A RESOLUTION OF THE WESTLAKE ACADEMY BOARD OF TRUSTEES APPROVING THE TEXAS ACADEMIC PERFORMANCE REPORT (TAPR) FOR 2023-2024.

WHEREAS, Annually, the Texas Education Agency (TEA) requires all Districts and Charter Schools to provide a public hearing on the Texas Academic Performance Report (TAPR) results; and

WHEREAS, Westlake Academy has received its raw data from TEA; and

WHEREAS, the resolution shall be approved by the Board of Trustees.

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, having conducted a public hearing regarding the same, does hereby approve the Texas Academic Performance Report (TAPR) for 2023-2024 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 Board of Trustees 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 24TH DAY OF MARCH 2025.

Kim Greaves, Board President

ATTEST:

Dianna Buchanan, Board Secretary

Dr. Kelly Ritchie, Superintendent

APPROVED AS TO FORM:

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

"EXHIBIT A"

2023-24 Texas Academic Performance Report (TAPR)

District Name: WESTLAKE ACADEMY CHARTER SCHOOL

District Number: 220810

This district is a Charter District.

2024 Special Education Determination Status:

Meets Requirements

2024 Armed Services Vocational Aptitude Battery (ASVAB) Test (Career Exploration):

ASVAB Test not Offered

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Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continu- ously Enrolled	Non- Continu- ously Enrolled	Econ Disadv	EB / EL (Current & Monitored)
STAAR Performance Rates by Tested Grade, Subject, and Performance Level																	
Grade 3 Reading																	
At Approaches Grade Level or Above	2024	74%	74%	93%	100%	75%	100%	-	86%	-	100%	77%	-	95%	86%	-	-
	2023	76%	76%	96%	*	100%	93%	-	100%	-	100%	78%	*	95%	100%	*	*
At Meets Grade Level or Above	2024	48%	48%	75%	43%	50%	91%	-	86%	-	67%	54%	-	77%	71%	-	-
	2023	50%	51%	83%	*	100%	72%	-	100%	-	100%	33%	*	79%	93%	*	*
At Masters Grade Level	2024	21%	20%	32%	14%	25%	41%	-	36%	-	17%	15%	-	26%	50%	-	-
	2023	20%	20%	50%	*	86%	45%	-	67%	-	33%	22%	*	44%	67%	*	*
Grade 3 Mathematics																	
At Approaches Grade Level or Above	2024	70%	71%	93%	86%	75%	95%	-	100%	-	100%	77%	-	91%	100%	-	-
	2023	73%	73%	96%	*	100%	97%	-	100%	-	100%	78%	*	95%	100%	*	*
At Meets Grade Level or Above	2024	42%	44%	74%	43%	38%	91%	-	86%	-	67%	46%	-	74%	71%	-	-
	2023	45%	45%	76%	*	100%	69%	-	78%	-	100%	44%	*	74%	80%	*	*
At Masters Grade Level	2024	15%	16%	33%	14%	25%	32%	-	50%	-	33%	8%	-	30%	43%	-	-
	2023	19%	19%	44%	*	71%	34%	-	67%	-	33%	33%	*	44%	47%	*	*
Grade 4 Reading																	
At Approaches Grade Level or Above	2024	81%	81%	97%	*	100%	94%	-	100%	-	*	82%	*	97%	96%	*	*
	2023	77%	78%	97%	*	100%	97%	*	100%	-	83%	80%	*	96%	100%	*	*
At Meets Grade Level or Above	2024	51%	51%	88%	*	100%	85%	-	100%	-	*	64%	*	85%	92%	*	*
	2023	48%	49%	86%	*	86%	87%	*	100%	-	67%	50%	*	90%	69%	*	*
At Masters Grade Level	2024	23%	23%	77%	*	88%	74%	-	82%	-	*	55%	*	74%	81%	*	*
	2023	22%	22%	65%	*	86%	62%	*	100%	-	33%	30%	*	66%	62%	*	*
Grade 4 Mathematics																	
At Approaches Grade Level or Above	2024	69%	68%	89%	*	100%	80%	-	100%	-	*	58%	*	86%	92%	*	*
	2023	71%	70%	97%	*	100%	100%	*	100%	-	83%	80%	*	98%	92%	*	*
At Meets Grade Level or Above	2024	46%	45%	75%	*	100%	66%	-	91%	-	*	42%	*	66%	88%	*	*
	2023	48%	48%	83%	*	86%	87%	*	83%	-	67%	40%	*	84%	77%	*	*
At Masters Grade Level	2024	21%	21%	54%	*	75%	46%	-	73%	-	*	33%	*	57%	50%	*	*
	2023	22%	22%	59%	*	71%	59%	*	83%	-	50%	30%	*	62%	46%	*	*
Grade 5 Reading																	

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB / EL (Current & Monitored)
At Approaches Grade Level or Above	2024	79%	79%	95%	*	100%	98%	*	100%	-	86%	70%	*	96%	92%	*	*
	2023	81%	81%	95%	40%	100%	100%	*	100%	-	100%	*	*	100%	85%	*	*
At Meets Grade Level or Above	2024	55%	55%	92%	*	100%	93%	*	100%	-	86%	60%	*	92%	92%	*	*
	2023	57%	57%	89%	40%	90%	96%	*	93%	-	83%	*	*	93%	80%	*	*
At Masters Grade Level	2024	29%	28%	82%	*	100%	85%	*	57%	-	71%	60%	*	83%	75%	*	*
	2023	28%	29%	78%	40%	70%	85%	*	79%	-	83%	*	*	79%	75%	*	*
Grade 5 Mathematics																	
At Approaches Grade Level or Above	2024	77%	76%	95%	*	100%	98%	*	100%	-	86%	80%	*	96%	92%	*	*
	2023	80%	79%	97%	60%	100%	100%	*	100%	-	100%	*	*	100%	90%	*	*
At Meets Grade Level or Above	2024	50%	50%	83%	*	100%	83%	*	86%	-	71%	60%	*	85%	75%	*	*
	2023	51%	50%	84%	40%	100%	81%	*	93%	-	83%	*	*	88%	75%	*	*
At Masters Grade Level	2024	19%	20%	43%	*	67%	40%	*	71%	-	29%	30%	*	45%	33%	*	*
	2023	21%	22%	62%	0%	50%	59%	*	86%	-	83%	*	*	60%	65%	*	*
Grade 5 Science																	
At Approaches Grade Level or Above	2024	58%	58%	80%	*	83%	85%	*	71%	-	71%	60%	*	79%	83%	*	*
	2023	65%	66%	85%	40%	100%	88%	*	86%	-	83%	*	*	88%	80%	*	*
At Meets Grade Level or Above	2024	28%	28%	38%	*	33%	45%	*	29%	-	43%	20%	*	40%	33%	*	*
	2023	36%	37%	60%	20%	60%	62%	*	71%	-	50%	*	*	57%	65%	*	*
At Masters Grade Level	2024	11%	11%	17%	*	17%	23%	*	0%	-	14%	20%	*	15%	25%	*	*
	2023	16%	16%	24%	0%	40%	23%	*	29%	-	17%	*	*	24%	25%	*	*
Grade 6 Reading																	
At Approaches Grade Level or Above	2024	77%	78%	93%	50%	100%	97%	*	94%	-	100%	67%	*	100%	82%	*	67%
	2023	77%	78%	99%	*	100%	98%	-	100%	-	100%	*	*	98%	100%	*	-
At Meets Grade Level or Above	2024	57%	57%	89%	50%	100%	93%	*	88%	-	86%	50%	*	95%	79%	*	67%
	2023	52%	54%	89%	*	89%	85%	-	100%	-	100%	*	*	90%	89%	*	-
At Masters Grade Level	2024	26%	26%	65%	50%	67%	69%	*	59%	-	71%	33%	*	70%	57%	*	17%
	2023	22%	23%	62%	*	44%	57%	-	85%	-	80%	*	*	71%	46%	*	-
Grade 6 Mathematics																	
At Approaches Grade Level or Above	2024	72%	72%	95%	67%	100%	97%	*	94%	-	100%	83%	*	100%	86%	*	67%
	2023	75%	77%	99%	*	100%	98%	-	100%	-	100%	*	*	98%	100%	*	-

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
At Meets Grade Level or Above	2024	39%	40%	88%	50%	100%	87%	*	94%	-	86%	33%	*	96%	75%	*	67%
	2023	40%	42%	82%	*	78%	76%	-	100%	-	100%	*	*	80%	86%	*	-
At Masters Grade Level	2024	14%	14%	52%	17%	42%	57%	*	59%	-	57%	17%	*	58%	43%	*	33%
	2023	16%	17%	58%	*	22%	56%	-	92%	-	80%	*	*	61%	54%	*	-
Grade 7 Reading																	
At Approaches Grade Level or Above	2024	74%	75%	99%	*	100%	98%	-	100%	-	100%	80%	*	98%	100%	-	-
	2023	78%	79%	98%	*	100%	97%	*	100%	-	100%	*	-	100%	96%	-	*
At Meets Grade Level or Above	2024	54%	55%	88%	*	89%	84%	-	100%	-	83%	40%	*	87%	91%	-	-
	2023	55%	56%	95%	*	100%	94%	*	93%	-	100%	*	-	98%	91%	-	*
At Masters Grade Level	2024	29%	30%	62%	*	56%	55%	-	86%	-	67%	0%	*	64%	59%	-	-
	2023	27%	28%	73%	*	63%	78%	*	67%	-	83%	*	-	74%	70%	-	*
Grade 7 Mathematics																	
At Approaches Grade Level or Above	2024	56%	56%	*	-	-	*	-	-	-	-	*	-	*	-	-	-
	2023	63%	64%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
At Meets Grade Level or Above	2024	34%	33%	*	-	-	*	-	-	-	-	*	-	*	-	-	-
	2023	37%	38%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
At Masters Grade Level	2024	11%	10%	*	-	-	*	-	-	-	-	*	-	*	-	-	-
	2023	11%	11%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grade 8 Reading																	
At Approaches Grade Level or Above	2024	81%	80%	99%	100%	100%	97%	*	100%	-	100%	*	*	100%	96%	*	100%
	2023	83%	83%	97%	*	92%	100%	-	100%	-	100%	60%	*	98%	96%	*	*
At Meets Grade Level or Above	2024	56%	57%	93%	60%	88%	94%	*	100%	-	100%	*	*	98%	85%	*	83%
	2023	58%	57%	86%	*	75%	92%	-	92%	-	83%	40%	*	91%	77%	*	*
At Masters Grade Level	2024	29%	31%	73%	40%	63%	82%	*	74%	-	63%	*	*	83%	56%	*	50%
	2023	28%	28%	65%	*	67%	68%	-	62%	-	67%	40%	*	74%	50%	*	*
Grade 8 Mathematics																	
At Approaches Grade Level or Above	2024	72%	71%	93%	*	78%	95%	-	100%	-	80%	60%	*	98%	88%	-	-
	2023	76%	76%	95%	100%	77%	100%	*	94%	-	100%	60%	-	98%	90%	*	*
At Meets Grade Level or Above	2024	43%	42%	73%	*	56%	70%	-	100%	-	80%	40%	*	78%	68%	-	-
	2023	46%	46%	74%	60%	54%	79%	*	81%	-	78%	0%	-	85%	55%	*	*

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
At Masters Grade Level	2024	16%	15%	32%	*	22%	25%	-	58%	-	60%	0%	*	33%	32%	-	-
	2023	17%	17%	42%	0%	23%	43%	*	69%	-	33%	0%	-	47%	32%	*	*
Grade 8 Science																	
At Approaches Grade Level or Above	2024	70%	70%	97%	100%	88%	97%	*	100%	-	100%	*	*	100%	93%	*	100%
	2023	74%	74%	95%	*	92%	95%	-	100%	-	83%	80%	*	94%	96%	*	*
At Meets Grade Level or Above	2024	44%	43%	80%	60%	75%	82%	*	79%	-	88%	*	*	90%	63%	*	67%
	2023	47%	46%	75%	*	67%	82%	-	77%	-	50%	40%	*	81%	65%	*	*
At Masters Grade Level	2024	17%	16%	45%	0%	38%	44%	*	63%	-	38%	*	*	50%	37%	*	33%
	2023	17%	16%	45%	*	50%	45%	-	46%	-	50%	40%	*	55%	27%	*	*
Grade 8 Social Studies																	
At Approaches Grade Level or Above	2024	60%	61%	95%	100%	88%	97%	*	89%	-	100%	*	*	100%	85%	*	100%
	2023	62%	63%	96%	*	92%	97%	-	100%	-	100%	60%	*	98%	92%	*	*
At Meets Grade Level or Above	2024	33%	34%	76%	40%	63%	79%	*	89%	-	63%	*	*	90%	52%	*	67%
	2023	33%	34%	79%	*	67%	84%	-	85%	-	67%	40%	*	83%	73%	*	*
At Masters Grade Level	2024	17%	18%	51%	0%	50%	53%	*	58%	-	50%	*	*	56%	41%	*	50%
	2023	16%	17%	63%	*	58%	63%	-	69%	-	50%	40%	*	70%	50%	*	*
End of Course English I																	
At Approaches Grade Level or Above	2024	70%	71%	99%	*	92%	100%	-	100%	-	100%	86%	*	98%	100%	-	*
	2023	72%	74%	99%	100%	92%	100%	-	100%	-	*	80%	-	100%	96%	*	-
At Meets Grade Level or Above	2024	52%	53%	95%	*	83%	100%	-	95%	-	100%	43%	*	93%	97%	-	*
	2023	52%	55%	97%	60%	92%	100%	-	100%	-	*	60%	-	100%	89%	*	-
At Masters Grade Level	2024	16%	16%	63%	*	58%	66%	-	53%	-	83%	29%	*	66%	59%	-	*
	2023	13%	15%	63%	40%	58%	65%	-	62%	-	*	20%	-	62%	63%	*	-
End of Course English II																	
At Approaches Grade Level or Above	2024	75%	77%	100%	*	100%	100%	-	100%	-	*	*	-	100%	100%	-	*
	2023	74%	76%	100%	100%	100%	100%	*	100%	-	100%	100%	-	100%	100%	*	*
At Meets Grade Level or Above	2024	58%	60%	99%	*	90%	100%	-	100%	-	*	*	-	98%	100%	-	*
	2023	54%	57%	93%	40%	85%	100%	*	96%	-	100%	40%	-	95%	86%	*	*

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
At Masters Grade Level	2024	9%	9%	52%	*	70%	49%	-	52%	-	*	*	-	54%	46%	-	*
	2023	9%	9%	41%	20%	31%	35%	*	60%	-	40%	0%	-	41%	41%	*	*
End of Course Algebra I																	
At Approaches Grade Level or Above	2024	81%	79%	100%	100%	100%	100%	*	100%	-	100%	100%	*	100%	100%	*	100%
	2023	79%	78%	100%	*	100%	100%	-	100%	-	*	*	*	100%	100%	*	*
At Meets Grade Level or Above	2024	43%	41%	84%	83%	77%	83%	*	88%	-	80%	17%	*	93%	70%	*	86%
	2023	43%	43%	95%	*	100%	97%	-	93%	-	*	*	*	100%	86%	*	*
At Masters Grade Level	2024	24%	23%	55%	0%	46%	60%	*	65%	-	50%	17%	*	66%	40%	*	43%
	2023	23%	23%	74%	*	83%	83%	-	60%	-	*	*	*	89%	50%	*	*
End of Course Biology																	
At Approaches Grade Level or Above	2024	91%	92%	97%	*	91%	100%	-	95%	-	100%	83%	*	98%	97%	-	*
	2023	88%	89%	100%	*	100%	100%	-	100%	-	*	*	-	100%	100%	*	-
At Meets Grade Level or Above	2024	56%	57%	92%	*	82%	100%	-	85%	-	100%	50%	*	95%	87%	-	*
	2023	56%	58%	94%	*	91%	96%	-	95%	-	*	*	-	93%	96%	*	-
At Masters Grade Level	2024	19%	19%	55%	*	73%	59%	-	40%	-	67%	33%	*	60%	47%	-	*
	2023	21%	23%	36%	*	36%	30%	-	43%	-	*	*	-	41%	22%	*	-
End of Course U.S. History																	
At Approaches Grade Level or Above	2024	96%	96%	100%	100%	100%	100%	*	100%	-	100%	*	-	100%	100%	*	*
	2023	94%	94%	100%	100%	100%	100%	-	100%	-	*	*	-	100%	100%	*	*
At Meets Grade Level or Above	2024	69%	70%	97%	80%	100%	96%	*	100%	-	100%	*	-	96%	100%	*	*
	2023	70%	72%	99%	100%	100%	97%	-	100%	-	*	*	-	98%	100%	*	*
At Masters Grade Level	2024	37%	39%	82%	60%	62%	89%	*	87%	-	88%	*	-	75%	96%	*	*
	2023	38%	40%	91%	63%	100%	90%	-	100%	-	*	*	-	89%	95%	*	*
SAT/ACT All Subjects																	
At Approaches Grade Level or Above	2024	88%	90%	100%	100%	100%	100%	-	100%	-	*	*	-	100%	*	*	-
	2023	90%	93%	100%	*	100%	100%	*	100%	-	*	*	*	100%	100%	-	-
At Meets Grade Level or Above	2024	59%	63%	91%	80%	100%	89%	-	93%	-	*	*	-	93%	*	*	-
	2023	61%	65%	89%	*	80%	89%	*	100%	-	*	*	*	90%	83%	-	-

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB / EL (Current & Monitored)
At Masters Grade Level	2024	12%	13%	36%	0%	13%	37%	-	64%	-	*	*	-	39%	*	*	-
	2023	12%	13%	27%	*	60%	19%	*	38%	-	*	*	*	28%	17%	-	-
All Grades All Subjects																	
At Approaches Grade Level or Above	2024	75%	75%	96%	91%	94%	96%	90%	97%	-	96%	73%	90%	97%	94%	93%	92%
	2023	76%	77%	97%	85%	96%	98%	100%	99%	-	96%	78%	93%	98%	96%	100%	98%
At Meets Grade Level or Above	2024	48%	49%	84%	60%	83%	85%	90%	91%	-	83%	45%	73%	86%	79%	69%	75%
	2023	49%	50%	86%	66%	83%	87%	100%	92%	-	81%	43%	80%	88%	80%	68%	78%
At Masters Grade Level	2024	20%	20%	54%	28%	53%	54%	80%	61%	-	55%	26%	50%	55%	51%	43%	42%
	2023	20%	21%	56%	34%	56%	55%	56%	66%	-	55%	27%	51%	59%	50%	42%	40%
All Grades ELA/Reading																	
At Approaches Grade Level or Above	2024	76%	76%	97%	89%	96%	98%	*	98%	-	98%	77%	92%	98%	95%	92%	89%
	2023	77%	78%	98%	88%	97%	98%	*	100%	-	98%	79%	94%	98%	97%	100%	100%
At Meets Grade Level or Above	2024	54%	55%	91%	65%	88%	92%	*	96%	-	89%	54%	85%	91%	89%	75%	79%
	2023	53%	55%	90%	64%	88%	91%	*	97%	-	90%	47%	88%	93%	85%	80%	81%
At Masters Grade Level	2024	22%	22%	63%	49%	64%	65%	*	61%	-	64%	33%	62%	65%	60%	58%	37%
	2023	20%	21%	62%	39%	60%	62%	*	69%	-	61%	23%	56%	63%	58%	47%	44%
All Grades Mathematics																	
At Approaches Grade Level or Above	2024	72%	72%	95%	89%	94%	94%	*	99%	-	95%	74%	92%	96%	93%	93%	88%
	2023	75%	75%	98%	83%	95%	99%	*	99%	-	97%	79%	100%	98%	96%	100%	93%
At Meets Grade Level or Above	2024	43%	43%	81%	61%	81%	79%	*	91%	-	79%	41%	67%	84%	74%	64%	76%
	2023	45%	45%	83%	63%	82%	82%	*	90%	-	82%	39%	76%	86%	76%	67%	80%
At Masters Grade Level	2024	17%	17%	45%	14%	41%	42%	*	62%	-	46%	19%	50%	47%	39%	36%	47%
	2023	19%	19%	53%	17%	49%	51%	*	71%	-	54%	30%	47%	55%	47%	42%	40%
All Grades Science																	
At Approaches Grade Level or Above	2024	75%	75%	92%	92%	88%	93%	*	93%	-	90%	61%	*	92%	93%	88%	100%
	2023	77%	77%	94%	77%	97%	95%	*	96%	-	85%	75%	67%	95%	93%	100%	100%
At Meets Grade Level or Above	2024	43%	44%	71%	46%	68%	74%	*	74%	-	76%	28%	*	73%	68%	63%	63%
	2023	47%	48%	78%	54%	73%	83%	*	83%	-	54%	42%	67%	79%	75%	33%	50%

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
At Masters Grade Level	2024	16%	16%	40%	8%	48%	41%	*	43%	-	38%	22%	*	40%	39%	25%	25%
	2023	18%	19%	36%	23%	42%	33%	*	40%	-	38%	25%	50%	41%	25%	17%	17%
All Grades Social Studies																	
At Approaches Grade Level or Above	2024	78%	79%	97%	100%	95%	98%	*	95%	-	100%	67%	*	100%	92%	100%	100%
	2023	78%	79%	98%	92%	96%	99%	-	100%	-	100%	71%	*	99%	96%	100%	*
At Meets Grade Level or Above	2024	51%	53%	87%	60%	86%	87%	*	95%	-	81%	50%	*	93%	75%	75%	75%
	2023	52%	54%	89%	92%	83%	90%	-	93%	-	75%	43%	*	90%	85%	80%	*
At Masters Grade Level	2024	27%	29%	66%	30%	57%	69%	*	74%	-	69%	33%	*	66%	67%	50%	63%
	2023	27%	29%	76%	67%	78%	75%	-	87%	-	63%	43%	*	80%	70%	60%	*
STAAR Performance Rates by Enrolled Grade at Meets Grade Level or Above																	
3rd Graders																	
Reading and Mathematics	2024	35%	36%	65%	14%	38%	86%	-	79%	-	50%	46%	-	65%	64%	-	-
	2023	37%	38%	72%	*	100%	62%	-	78%	-	100%	33%	*	69%	80%	*	*
Reading and Mathematics Including EOC	2024	35%	36%	65%	14%	38%	86%	-	79%	-	50%	46%	-	65%	64%	-	-
	2023	37%	38%	72%	*	100%	62%	-	78%	-	100%	33%	*	69%	80%	*	*
Reading Including EOC	2024	48%	48%	75%	43%	50%	91%	-	86%	-	67%	54%	-	77%	71%	-	-
	2023	50%	51%	83%	*	100%	72%	-	100%	-	100%	33%	*	79%	93%	*	*
Math Including EOC	2024	42%	44%	74%	43%	38%	91%	-	86%	-	67%	46%	-	74%	71%	-	-
	2023	45%	45%	76%	*	100%	69%	-	78%	-	100%	44%	*	74%	80%	*	*
4th Graders																	
Reading and Mathematics	2024	38%	38%	75%	*	100%	65%	-	91%	-	*	45%	*	68%	85%	*	*
	2023	38%	39%	79%	*	86%	82%	*	83%	-	67%	30%	*	82%	69%	*	*
Reading and Mathematics Including EOC	2024	38%	38%	75%	*	100%	65%	-	91%	-	*	45%	*	68%	85%	*	*
	2023	38%	39%	79%	*	86%	82%	*	83%	-	67%	30%	*	82%	69%	*	*
Reading Including EOC	2024	51%	51%	88%	*	100%	85%	-	100%	-	*	64%	*	85%	92%	*	*
	2023	48%	49%	86%	*	86%	87%	*	100%	-	67%	50%	*	90%	69%	*	*
Math Including EOC	2024	46%	46%	75%	*	100%	66%	-	91%	-	*	42%	*	66%	88%	*	*
	2023	48%	48%	83%	*	86%	87%	*	83%	-	67%	40%	*	84%	77%	*	*
5th Graders																	
Reading and Mathematics	2024	42%	42%	83%	*	100%	83%	*	86%	-	71%	60%	*	85%	75%	*	*
	2023	43%	43%	83%	40%	90%	81%	*	93%	-	83%	*	*	86%	75%	*	*

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB / EL (Current & Monitored)
Reading and Mathematics Including EOC	2024	42%	42%	83%	*	100%	83%	*	86%	-	71%	60%	*	85%	75%	*	*
	2023	43%	43%	83%	40%	90%	81%	*	93%	-	83%	*	*	86%	75%	*	*
Reading Including EOC	2024	55%	55%	92%	*	100%	93%	*	100%	-	86%	60%	*	92%	92%	*	*
	2023	57%	57%	89%	40%	90%	96%	*	93%	-	83%	*	*	93%	80%	*	*
Math Including EOC	2024	51%	50%	83%	*	100%	83%	*	86%	-	71%	60%	*	85%	75%	*	*
	2023	51%	51%	84%	40%	100%	81%	*	93%	-	83%	*	*	88%	75%	*	*
6th Graders																	
Reading and Mathematics	2024	36%	37%	86%	50%	100%	86%	*	88%	-	86%	33%	*	95%	71%	*	67%
	2023	35%	37%	81%	*	78%	73%	-	100%	-	100%	*	*	81%	82%	*	-
Reading and Mathematics Including EOC	2024	36%	37%	86%	50%	100%	86%	*	88%	-	86%	33%	*	95%	71%	*	67%
	2023	35%	37%	81%	*	78%	73%	-	100%	-	100%	*	*	81%	82%	*	-
Reading Including EOC	2024	57%	57%	89%	50%	100%	93%	*	88%	-	86%	50%	*	95%	79%	*	67%
	2023	52%	54%	89%	*	89%	85%	-	100%	-	100%	*	*	90%	89%	*	-
Math Including EOC	2024	40%	41%	88%	50%	100%	87%	*	94%	-	86%	33%	*	96%	75%	*	67%
	2023	40%	43%	83%	*	78%	76%	-	100%	-	100%	*	*	81%	86%	*	-
7th Graders																	
Reading and Mathematics	2024	35%	35%	70%	*	56%	67%	-	100%	-	80%	40%	*	70%	71%	-	-
	2023	37%	39%	81%	*	75%	84%	*	79%	-	83%	*	-	93%	59%	-	*
Reading and Mathematics Including EOC	2024	36%	36%	72%	*	56%	68%	-	100%	-	80%	40%	*	73%	71%	-	-
	2023	38%	40%	82%	*	75%	84%	*	80%	-	83%	*	-	93%	61%	-	*
Reading Including EOC	2024	54%	56%	88%	*	89%	84%	-	100%	-	83%	40%	*	87%	91%	-	-
	2023	55%	56%	95%	*	100%	94%	*	93%	-	100%	*	-	98%	91%	-	*
Math Including EOC	2024	40%	41%	75%	*	56%	73%	-	100%	-	80%	40%	*	78%	71%	-	-
	2023	43%	45%	84%	*	75%	88%	*	80%	-	86%	*	-	95%	63%	-	*
8th Graders																	
Reading and Mathematics	2024	28%	25%	*	-	-	*	-	*	-	-	*	-	*	*	-	-
	2023	31%	30%	45%	*	20%	55%	-	*	-	*	*	-	50%	38%	*	*
Reading and Mathematics Including EOC	2024	41%	41%	81%	60%	75%	79%	*	95%	-	75%	*	*	94%	59%	*	83%
	2023	44%	44%	79%	*	64%	84%	-	92%	-	67%	*	*	87%	65%	*	*
Reading Including EOC	2024	57%	58%	93%	60%	88%	94%	*	100%	-	100%	*	*	98%	85%	*	83%
	2023	58%	59%	86%	*	75%	92%	-	92%	-	83%	40%	*	91%	77%	*	*

Texas Education Agency
2023-24 STAAR Performance (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
Math Including EOC	2024	49%	47%	85%	100%	88%	79%	*	95%	-	75%	*	*	96%	67%	*	100%
	2023	51%	50%	82%	*	64%	84%	-	100%	-	67%	*	*	87%	73%	*	*
3rd - 8th Graders																	
Reading and Mathematics	2024	36%	36%	76%	44%	79%	75%	*	89%	-	75%	46%	50%	78%	73%	50%	70%
	2023	37%	38%	78%	55%	78%	75%	*	88%	-	84%	29%	71%	81%	71%	60%	71%
Reading and Mathematics Including EOC	2024	38%	39%	78%	47%	78%	77%	*	90%	-	75%	45%	64%	81%	71%	58%	75%
	2023	39%	40%	80%	57%	81%	78%	*	89%	-	83%	31%	75%	83%	72%	64%	67%
Reading Including EOC	2024	54%	54%	88%	60%	88%	90%	*	95%	-	86%	55%	82%	90%	86%	75%	81%
	2023	53%	54%	88%	70%	89%	88%	*	96%	-	89%	45%	88%	90%	84%	91%	87%
Math Including EOC	2024	45%	45%	80%	60%	80%	79%	*	93%	-	78%	44%	67%	83%	75%	67%	81%
	2023	47%	47%	82%	61%	83%	81%	*	90%	-	83%	38%	75%	85%	75%	67%	80%

* Indicates results are masked due to small numbers to protect student confidentiality.

- Indicates there are no students in the group.

Texas Education Agency
2023-24 STAAR Progress (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
School Progress - Annual Growth by Grade and Subject																	
Grade 4 ELA/Reading	2024	67%	67%	90%	*	100%	88%	-	100%	-	*	73%	*	90%	91%	*	*
	2023	55%	55%	83%	*	100%	82%	*	100%	-	50%	55%	*	85%	75%	*	*
Grade 4 Mathematics	2024	60%	59%	78%	*	100%	67%	-	95%	-	*	50%	*	71%	87%	*	*
	2023	63%	62%	88%	*	100%	91%	*	80%	-	92%	75%	*	87%	92%	*	*
Grade 5 ELA/Reading	2024	70%	69%	90%	*	100%	94%	*	71%	-	86%	75%	*	92%	82%	*	*
	2023	65%	64%	94%	*	90%	100%	*	96%	-	100%	*	*	98%	85%	*	*
Grade 5 Mathematics	2024	65%	65%	67%	*	83%	66%	*	79%	-	57%	70%	*	70%	55%	*	*
	2023	71%	70%	85%	*	90%	78%	*	96%	-	100%	*	*	85%	85%	*	*
Grade 6 ELA/Reading	2024	61%	62%	83%	75%	100%	81%	*	74%	-	93%	75%	*	85%	80%	*	50%
	2023	51%	51%	84%	*	61%	81%	-	100%	-	100%	*	*	84%	83%	*	-
Grade 6 Mathematics	2024	48%	50%	77%	50%	82%	81%	*	75%	-	79%	75%	*	81%	68%	*	50%
	2023	54%	57%	82%	*	61%	83%	-	100%	-	80%	*	*	79%	86%	*	-
Grade 7 ELA/Reading	2024	66%	67%	82%	*	83%	75%	-	100%	-	100%	30%	*	74%	94%	-	-
	2023	71%	70%	90%	*	100%	82%	*	100%	-	100%	*	-	90%	90%	-	*
Grade 7 Mathematics	2024	49%	46%	*	-	-	*	-	-	-	-	*	-	*	-	-	-
	2023	56%	55%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grade 8 ELA/Reading	2024	69%	69%	92%	80%	88%	94%	*	94%	-	93%	*	*	94%	90%	*	92%
	2023	63%	62%	79%	*	75%	87%	-	67%	-	83%	50%	*	85%	68%	*	*
Grade 8 Mathematics	2024	66%	64%	49%	*	56%	39%	-	64%	-	*	*	*	44%	57%	-	-
	2023	74%	73%	72%	*	63%	78%	*	73%	-	57%	*	-	81%	52%	-	*
End of Course English I	2024	64%	65%	86%	*	82%	87%	-	85%	-	80%	75%	*	86%	87%	-	*
	2023	57%	57%	80%	*	82%	81%	-	74%	-	*	*	-	77%	91%	-	-
End of Course English II	2024	69%	69%	81%	*	90%	76%	-	86%	-	*	*	-	82%	76%	-	*
	2023	74%	74%	76%	*	73%	74%	*	82%	-	*	*	-	78%	71%	*	*
End of Course Algebra I	2024	72%	71%	86%	83%	92%	82%	*	92%	-	83%	70%	*	90%	81%	*	93%
	2023	76%	77%	96%	*	100%	100%	-	93%	-	*	*	*	100%	89%	*	*
All Grades Both Subjects	2024	64%	64%	80%	72%	88%	76%	100%	86%	-	83%	63%	70%	80%	80%	75%	77%
	2023	64%	64%	84%	73%	81%	84%	86%	87%	-	83%	71%	83%	85%	81%	90%	75%
All Grades ELA/Reading	2024	67%	67%	86%	76%	91%	84%	*	88%	-	92%	70%	81%	86%	86%	77%	78%
	2023	63%	62%	83%	77%	82%	83%	*	86%	-	85%	66%	75%	84%	81%	92%	69%
All Grades Mathematics	2024	60%	60%	72%	67%	83%	65%	*	83%	-	73%	55%	58%	73%	72%	73%	76%
	2023	66%	66%	84%	67%	81%	86%	*	88%	-	80%	78%	92%	86%	80%	89%	82%
School Progress - Accelerated Learning by Grade and Subject																	
Grade 4 ELA/Reading	2024	38%	39%	*	-	-	*	-	-	-	-	*	-	*	-	-	-
	2023	33%	33%	*	-	*	*	-	-	-	*	*	-	*	*	-	-
Grade 4 Mathematics	2024	26%	25%	*	*	-	*	-	-	-	-	*	-	*	*	-	-
	2023	27%	24%	60%	*	*	*	-	-	-	*	*	-	*	*	-	-

Texas Education Agency
2023-24 STAAR Progress (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
Grade 5 ELA/Reading	2024	35%	34%	*	-	-	*	-	-	-	*	*	-	*	-	-	-
	2023	37%	36%	*	*	-	*	-	*	-	*	*	*	*	*	-	-
Grade 5 Mathematics	2024	41%	39%	*	*	-	-	-	-	-	*	*	-	*	*	-	-
	2023	48%	45%	*	*	-	*	-	-	-	*	*	*	*	*	-	-
Grade 6 ELA/Reading	2024	24%	24%	*	*	-	-	-	*	-	-	*	*	-	*	*	*
	2023	26%	25%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grade 6 Mathematics	2024	27%	28%	*	*	-	-	-	-	-	-	*	-	-	*	-	-
	2023	35%	37%	*	-	-	*	-	-	-	-	*	*	*	*	*	-
Grade 7 ELA/Reading	2024	23%	23%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2023	39%	38%	*	*	*	*	-	-	-	-	*	-	*	*	-	-
Grade 8 ELA/Reading	2024	34%	33%	*	*	-	*	-	-	-	-	*	-	-	*	*	*
	2023	39%	38%	*	*	*	*	-	-	-	-	*	-	*	*	-	-
Grade 8 Mathematics	2024	44%	39%	*	*	-	-	-	-	-	-	-	-	-	*	-	-
	2023	49%	47%	*	-	*	*	-	*	-	-	*	-	-	*	-	-
End of Course English I	2024	20%	20%	*	*	*	-	-	-	-	-	*	-	*	-	-	-
	2023	26%	28%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
End of Course English II	2024	29%	29%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2023	41%	42%	*	*	-	-	-	-	-	-	*	-	-	*	*	-
End of Course Algebra I	2024	55%	51%	*	*	*	-	-	*	-	-	*	-	*	*	*	*
	2023	58%	56%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
All Grades Both Subjects	2024	32%	31%	41%	60%	*	0%	-	*	-	*	35%	*	33%	46%	*	60%
	2023	38%	37%	66%	43%	60%	91%	-	*	-	*	50%	*	79%	53%	*	-
All Grades ELA/Reading	2024	30%	29%	18%	40%	*	*	-	*	-	*	13%	*	20%	17%	*	*
	2023	35%	35%	64%	*	*	*	-	*	-	*	44%	*	75%	50%	*	-
All Grades Mathematics	2024	35%	33%	64%	80%	*	*	-	*	-	*	56%	-	*	71%	*	*
	2023	40%	39%	67%	*	*	100%	-	*	-	*	56%	*	83%	56%	*	-

* Indicates results are masked due to small numbers to protect student confidentiality.

- Indicates there are no students in the group.

Texas Education Agency
2023-24 Bilingual Education/English as a Second Language (Current EB Students/EL) (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	Total Bilingual Education	BE-Trans Early Exit	BE-Trans Late Exit	BE-Dual Two-Way	BE-Dual One-Way	ALP Bilingual (Exception)	Total ESL	ESL Content-Based	ESL Pull-Out	ALP ESL (Waiver)	EB/EL with Parental Denial	Never EB/EL	Total EB/EL (Current)	Monitored & Former EB/EL
STAAR Performance Rate by Subject and Performance Level																		
All Grades All Subjects																		
At Approaches Grade Level or Above	2024	75%	75%	96%	-	-	-	-	-	-	92%	100%	91%	-	-	96%	92%	*
	2023	76%	77%	97%	-	-	-	-	-	-	97%	100%	92%	-	-	97%	97%	100%
At Meets Grade Level or Above	2024	48%	49%	84%	-	-	-	-	-	-	75%	89%	72%	-	-	84%	75%	*
	2023	49%	50%	86%	-	-	-	-	-	-	73%	85%	54%	-	-	86%	73%	92%
At Masters Grade Level	2024	20%	20%	54%	-	-	-	-	-	-	42%	67%	37%	-	-	54%	42%	*
	2023	20%	21%	56%	-	-	-	-	-	-	39%	60%	8%	-	-	57%	39%	42%
All Grades ELA/Reading																		
At Approaches Grade Level or Above	2024	76%	76%	97%	-	-	-	-	-	-	89%	*	87%	-	-	97%	89%	*
	2023	77%	78%	98%	-	-	-	-	-	-	100%	100%	100%	-	-	98%	100%	100%
At Meets Grade Level or Above	2024	54%	55%	91%	-	-	-	-	-	-	79%	*	73%	-	-	91%	79%	*
	2023	53%	55%	90%	-	-	-	-	-	-	77%	88%	60%	-	-	90%	77%	100%
At Masters Grade Level	2024	22%	22%	63%	-	-	-	-	-	-	37%	*	27%	-	-	64%	37%	*
	2023	20%	21%	62%	-	-	-	-	-	-	38%	63%	0%	-	-	62%	38%	60%
All Grades Mathematics																		
At Approaches Grade Level or Above	2024	72%	72%	95%	-	-	-	-	-	-	88%	*	85%	-	-	95%	88%	*
	2023	75%	75%	98%	-	-	-	-	-	-	92%	100%	*	-	-	98%	92%	100%
At Meets Grade Level or Above	2024	43%	43%	81%	-	-	-	-	-	-	76%	*	77%	-	-	81%	76%	*
	2023	45%	45%	83%	-	-	-	-	-	-	75%	88%	*	-	-	83%	75%	80%
At Masters Grade Level	2024	17%	17%	45%	-	-	-	-	-	-	47%	*	38%	-	-	45%	47%	*
	2023	19%	19%	53%	-	-	-	-	-	-	50%	75%	*	-	-	53%	50%	20%
All Grades Science																		
At Approaches Grade Level or Above	2024	75%	75%	92%	-	-	-	-	-	-	100%	*	100%	-	-	92%	100%	-
	2023	77%	77%	94%	-	-	-	-	-	-	100%	*	*	-	-	94%	100%	*
At Meets Grade Level or Above	2024	43%	44%	71%	-	-	-	-	-	-	63%	*	57%	-	-	72%	63%	-
	2023	47%	48%	78%	-	-	-	-	-	-	50%	*	*	-	-	79%	50%	*
At Masters Grade Level	2024	16%	16%	40%	-	-	-	-	-	-	25%	*	29%	-	-	40%	25%	-
	2023	18%	19%	36%	-	-	-	-	-	-	17%	*	*	-	-	36%	17%	*
All Grades Social Studies																		
At Approaches Grade Level or Above	2024	78%	79%	97%	-	-	-	-	-	-	100%	-	100%	-	-	97%	100%	-
	2023	78%	79%	98%	-	-	-	-	-	-	*	-	*	-	-	98%	*	*
At Meets Grade Level or Above	2024	51%	53%	87%	-	-	-	-	-	-	75%	-	75%	-	-	88%	75%	-
	2023	52%	54%	89%	-	-	-	-	-	-	*	-	*	-	-	88%	*	*
At Masters Grade Level	2024	27%	29%	66%	-	-	-	-	-	-	63%	-	63%	-	-	67%	63%	-
	2023	27%	29%	76%	-	-	-	-	-	-	*	-	*	-	-	77%	*	*
School Progress - Annual Growth																		

Texas Education Agency
2023-24 Bilingual Education/English as a Second Language (Current EB Students/EL) (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	School Year	State	Region 11	District	Total Bilingual Education	BE-Trans Early Exit	BE-Trans Late Exit	BE-Dual Two-Way	BE-Dual One-Way	ALP Bilingual (Exception)	Total ESL	ESL Content-Based	ESL Pull-Out	ALP ESL (Waiver)	EB/EL with Parental Denial	Never EB/EL	Total EB/EL (Current)	Monitored & Former EB/EL
All Grades Both Subjects	2024	64%	64%	80%	-	-	-	-	-	-	77%	94%	72%	-	-	80%	77%	*
	2023	64%	64%	84%	-	-	-	-	-	-	72%	90%	50%	-	-	84%	72%	78%
All Grades ELA/Reading	2024	67%	67%	86%	-	-	-	-	-	-	78%	*	71%	-	-	86%	78%	*
	2023	63%	62%	83%	-	-	-	-	-	-	70%	80%	60%	-	-	84%	70%	60%
All Grades Mathematics	2024	60%	60%	72%	-	-	-	-	-	-	76%	*	73%	-	-	72%	76%	*
	2023	66%	66%	84%	-	-	-	-	-	-	75%	100%	*	-	-	84%	75%	*
School Progress - Accelerated Learning																		
All Grades Both Subjects	2024	32%	31%	41%	-	-	-	-	-	-	60%	-	60%	-	-	35%	60%	-
	2023	38%	37%	66%	-	-	-	-	-	-	-	-	-	-	-	66%	-	-
All Grades ELA/Reading	2024	30%	29%	18%	-	-	-	-	-	-	*	-	*	-	-	13%	*	-
	2023	35%	35%	64%	-	-	-	-	-	-	-	-	-	-	-	64%	-	-
All Grades Mathematics	2024	35%	33%	64%	-	-	-	-	-	-	*	-	*	-	-	56%	*	-
	2023	40%	39%	67%	-	-	-	-	-	-	-	-	-	-	-	67%	-	-

* Indicates results are masked due to small numbers to protect student confidentiality.

- Indicates there are no students in the group.

Blank cell indicates there are no data available in the group.

Texas Education Agency
2023-24 STAAR Participation (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
2024 STAAR Participation (All Grades)																
All Tests																
Assessment Participant	99%	99%	100%	100%	100%	99%	100%	100%	-	99%	99%	97%	99%	100%	100%	100%
Included in Accountability	92%	93%	98%	99%	100%	97%	100%	98%	-	98%	99%	97%	98%	97%	95%	93%
Not Included in Accountability: Mobile	4%	4%	1%	0%	0%	2%	0%	2%	-	0%	0%	0%	1%	2%	0%	0%
Not Included in Accountability: Other Exclusions	2%	2%	0%	1%	0%	0%	0%	0%	-	2%	0%	0%	0%	1%	5%	7%
Not Tested	1%	1%	0%	0%	0%	1%	0%	0%	-	1%	1%	3%	1%	0%	0%	0%
Absent	1%	1%	0%	0%	0%	0%	0%	0%	-	1%	1%	3%	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	0%	0%
Reading																
Assessment Participant	99%	99%	100%	100%	100%	99%	*	100%	-	100%	98%	93%	99%	100%	100%	100%
Included in Accountability	91%	91%	97%	97%	100%	97%	*	98%	-	96%	98%	93%	98%	96%	86%	83%
Not Included in Accountability: Mobile	4%	4%	2%	0%	0%	2%	*	2%	-	0%	0%	0%	1%	3%	0%	0%
Not Included in Accountability: Other Exclusions	4%	4%	1%	3%	0%	0%	*	1%	-	4%	0%	0%	0%	1%	14%	17%
Not Tested	1%	1%	0%	0%	0%	1%	*	0%	-	0%	2%	7%	1%	0%	0%	0%
Absent	1%	1%	0%	0%	0%	1%	*	0%	-	0%	2%	7%	1%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Mathematics																
Assessment Participant	99%	99%	99%	100%	100%	99%	*	99%	-	98%	100%	100%	99%	99%	100%	100%
Included in Accountability	93%	94%	98%	100%	100%	96%	*	98%	-	98%	100%	100%	98%	97%	100%	100%
Not Included in Accountability: Mobile	5%	5%	1%	0%	0%	2%	*	1%	-	0%	0%	0%	1%	2%	0%	0%
Not Included in Accountability: Other Exclusions	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Not Tested	1%	1%	1%	0%	0%	1%	*	1%	-	3%	0%	0%	1%	1%	0%	0%
Absent	1%	1%	0%	0%	0%	0%	*	0%	-	3%	0%	0%	0%	1%	0%	0%
Other	0%	0%	1%	0%	0%	1%	*	1%	-	0%	0%	0%	1%	0%	0%	0%
Science																
Assessment Participant	99%	99%	100%	100%	100%	100%	*	100%	-	100%	100%	*	100%	100%	100%	100%
Included in Accountability	93%	94%	98%	100%	100%	98%	*	96%	-	100%	100%	*	99%	97%	100%	100%
Not Included in Accountability: Mobile	4%	4%	2%	0%	0%	2%	*	4%	-	0%	0%	*	1%	3%	0%	0%
Not Included in Accountability: Other Exclusions	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Not Tested	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%

Texas Education Agency
2023-24 STAAR Participation (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB / EL (Current & Monitored)
Absent	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Social Studies																
Assessment Participant	99%	99%	100%	100%	100%	100%	*	100%	-	100%	100%	*	100%	100%	100%	100%
Included in Accountability	94%	95%	100%	100%	100%	100%	*	100%	-	100%	100%	*	100%	100%	100%	100%
Not Included in Accountability: Mobile	4%	4%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Not Included in Accountability: Other Exclusions	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Not Tested	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Absent	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	*	0%	-	0%	0%	*	0%	0%	0%	0%
Accelerated Testers																
SAT/ACT Participant	93%	91%	92%	100%	100%	86%	-	93%	-	*	*	-	92%	*	*	-
2023 STAAR Participation (All Grades)																
All Tests																
Assessment Participant	99%	99%	100%	99%	99%	99%	100%	100%	-	100%	99%	100%	99%	100%	98%	100%
Included in Accountability	93%	93%	97%	95%	96%	98%	100%	98%	-	93%	99%	95%	98%	96%	84%	75%
Not Included in Accountability: Mobile	4%	4%	2%	1%	4%	1%	0%	1%	-	4%	0%	5%	2%	1%	9%	8%
Not Included in Accountability: Other Exclusions	2%	2%	1%	2%	0%	0%	0%	1%	-	4%	0%	0%	0%	2%	4%	17%
Not Tested	1%	1%	0%	1%	1%	1%	0%	0%	-	0%	1%	0%	1%	0%	2%	0%
Absent	1%	1%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	2%	0%
Other	0%	0%	0%	1%	1%	0%	0%	0%	-	0%	1%	0%	0%	0%	0%	0%
Reading																
Assessment Participant	99%	99%	100%	100%	100%	100%	*	100%	-	100%	100%	100%	100%	100%	95%	100%
Included in Accountability	92%	92%	97%	94%	95%	98%	*	97%	-	91%	100%	94%	97%	96%	79%	70%
Not Included in Accountability: Mobile	4%	5%	2%	3%	5%	1%	*	1%	-	4%	0%	6%	2%	2%	11%	9%
Not Included in Accountability: Other Exclusions	3%	3%	1%	3%	0%	0%	*	2%	-	4%	0%	0%	0%	3%	5%	22%
Not Tested	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	5%	0%
Absent	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	5%	0%
Other	0%	0%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Mathematics																
Assessment Participant	99%	99%	99%	96%	98%	99%	*	99%	-	100%	97%	100%	99%	99%	100%	100%
Included in Accountability	94%	94%	96%	92%	93%	98%	*	96%	-	93%	97%	94%	97%	95%	80%	75%

Texas Education Agency
2023-24 STAAR Participation (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continuously Enrolled	Non-Continuously Enrolled	Econ Disadv	EB/EL (Current & Monitored)
Not Included in Accountability: Mobile	5%	5%	2%	0%	5%	1%	*	1%	-	5%	0%	6%	2%	1%	13%	10%
Not Included in Accountability: Other Exclusions	1%	1%	1%	4%	0%	0%	*	1%	-	2%	0%	0%	0%	2%	7%	15%
Not Tested	1%	1%	1%	4%	2%	1%	*	1%	-	0%	3%	0%	1%	1%	0%	0%
Absent	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Other	0%	0%	1%	4%	2%	1%	*	1%	-	0%	3%	0%	1%	1%	0%	0%
Science																
Assessment Participant	99%	99%	100%	100%	100%	100%	*	100%	-	100%	100%	100%	100%	100%	100%	100%
Included in Accountability	93%	94%	100%	100%	100%	99%	*	100%	-	100%	100%	100%	99%	100%	100%	100%
Not Included in Accountability: Mobile	4%	4%	0%	0%	0%	1%	*	0%	-	0%	0%	0%	1%	0%	0%	0%
Not Included in Accountability: Other Exclusions	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Not Tested	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Absent	1%	1%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	*	0%	-	0%	0%	0%	0%	0%	0%	0%
Social Studies																
Assessment Participant	99%	99%	100%	100%	100%	100%	-	100%	-	100%	100%	*	100%	100%	100%	*
Included in Accountability	94%	94%	99%	100%	100%	99%	-	100%	-	89%	100%	*	99%	98%	100%	*
Not Included in Accountability: Mobile	4%	4%	1%	0%	0%	1%	-	0%	-	0%	0%	*	1%	0%	0%	*
Not Included in Accountability: Other Exclusions	1%	1%	1%	0%	0%	0%	-	0%	-	11%	0%	*	0%	2%	0%	*
Not Tested	1%	1%	0%	0%	0%	0%	-	0%	-	0%	0%	*	0%	0%	0%	*
Absent	1%	1%	0%	0%	0%	0%	-	0%	-	0%	0%	*	0%	0%	0%	*
Other	0%	0%	0%	0%	0%	0%	-	0%	-	0%	0%	*	0%	0%	0%	*
Accelerated Testers																
SAT/ACT Participant	93%	92%	88%	*	83%	90%	*	89%	-	*	*	*	91%	75%	-	-

* Indicates results are masked due to small numbers to protect student confidentiality.

- Indicates there are no students in the group.

Texas Education Agency
2023-24 Attendance, Graduation, and Dropout Rates (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
Attendance Rate													
2022-23	93.3%	93.9%	95.4%	95.7%	95.5%	95.1%	*	96.1%	-	94.7%	95.5%	94.8%	96.0%
2021-22	92.2%	92.7%	96.0%	97.3%	95.5%	95.6%	*	96.8%	-	96.3%	95.5%	94.1%	96.9%
Chronic Absenteeism													
2022-23	20.3%	17.9%	8.0%	7.8%	5.7%	9.5%	0.0%	4.5%	-	12.2%	8.7%	5.3%	5.3%
2021-22	25.7%	23.8%	5.2%	4.3%	5.3%	6.3%	*	3.6%	-	1.5%	3.8%	8.7%	0.0%
Annual Dropout Rate (Gr 7-8)													
2022-23	0.8%	0.8%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	0.0%	0.0%	0.0%	0.0%
2021-22	0.7%	0.8%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	0.0%	0.0%	*	*
Annual Dropout Rate (Gr 9-12)													
2022-23	2.0%	1.8%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	0.0%	0.0%	0.0%	*
2021-22	2.2%	2.1%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	0.0%	0.0%	0.0%	*
4-Year Longitudinal Rate (Gr 9-12)													
Class of 2023													
Graduated	90.3%	89.9%	100.0%	100.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
Received TxCHSE	0.3%	0.3%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
Continued HS	3.1%	3.8%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
Dropped Out	6.3%	6.1%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
Graduates and TxCHSE	90.6%	90.2%	100.0%	100.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
Graduates, TxCHSE, and Continuers	93.7%	93.9%	100.0%	100.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
Class of 2022													
Graduated	89.7%	89.5%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-
Received TxCHSE	0.3%	0.3%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Continued HS	3.5%	4.0%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Dropped Out	6.4%	6.2%	1.5%	*	0.0%	0.0%	-	5.3%	-	*	*	-	-
Graduates and TxCHSE	90.0%	89.8%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-
Graduates, TxCHSE, and Continuers	93.6%	93.8%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-
5-Year Extended Longitudinal Rate (Gr 9-12)													
Class of 2022													
Graduated	91.8%	92.1%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-
Received TxCHSE	0.4%	0.4%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Continued HS	1.0%	1.1%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Dropped Out	6.8%	6.4%	1.5%	*	0.0%	0.0%	-	5.3%	-	*	*	-	-
Graduates and TxCHSE	92.2%	92.5%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-
Graduates, TxCHSE, and Continuers	93.2%	93.6%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-

Texas Education Agency
2023-24 Attendance, Graduation, and Dropout Rates (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
Class of 2021													
Graduated	92.2%	92.9%	100.0%	100.0%	100.0%	100.0%	-	100.0%	-	*	*	*	*
Received TxCHSE	0.4%	0.4%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	*	*	*	*
Continued HS	1.0%	1.1%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	*	*	*	*
Dropped Out	6.3%	5.6%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	*	*	*	*
Graduates and TxCHSE	92.7%	93.3%	100.0%	100.0%	100.0%	100.0%	-	100.0%	-	*	*	*	*
Graduates, TxCHSE, and Continuers	93.7%	94.4%	100.0%	100.0%	100.0%	100.0%	-	100.0%	-	*	*	*	*
6-Year Extended Longitudinal Rate (Gr 9-12)													
Class of 2021													
Graduated	92.7%	93.4%	100.0%	100.0%	100.0%	100.0%	-	100.0%	-	*	*	*	*
Received TxCHSE	0.5%	0.5%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	*	*	*	*
Continued HS	0.5%	0.6%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	*	*	*	*
Dropped Out	6.3%	5.6%	0.0%	0.0%	0.0%	0.0%	-	0.0%	-	*	*	*	*
Graduates and TxCHSE	93.2%	93.9%	100.0%	100.0%	100.0%	100.0%	-	100.0%	-	*	*	*	*
Graduates, TxCHSE, and Continuers	93.7%	94.4%	100.0%	100.0%	100.0%	100.0%	-	100.0%	-	*	*	*	*
Class of 2020													
Graduated	92.7%	93.8%	100.0%	*	100.0%	100.0%	-	100.0%	-	100.0%	*	*	*
Received TxCHSE	0.5%	0.6%	0.0%	*	0.0%	0.0%	-	0.0%	-	0.0%	*	*	*
Continued HS	0.5%	0.6%	0.0%	*	0.0%	0.0%	-	0.0%	-	0.0%	*	*	*
Dropped Out	6.2%	5.0%	0.0%	*	0.0%	0.0%	-	0.0%	-	0.0%	*	*	*
Graduates and TxCHSE	93.2%	94.4%	100.0%	*	100.0%	100.0%	-	100.0%	-	100.0%	*	*	*
Graduates, TxCHSE, and Continuers	93.8%	95.0%	100.0%	*	100.0%	100.0%	-	100.0%	-	100.0%	*	*	*
4-Year Federal Graduation Rate Without Exclusions (Gr 9-12)													
Class of 2023	90.3%	89.9%	100.0%	100.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
Class of 2022	89.7%	89.5%	98.5%	*	100.0%	100.0%	-	94.7%	-	*	*	-	-
RHSP/DAP Graduates (Longitudinal Rate)													
Class of 2023	72.3%	20.0%	-	-	-	-	-	-	-	-	-	-	-
Class of 2022	59.5%	*	-	-	-	-	-	-	-	-	-	-	-
FHSP-E Graduates (Longitudinal Rate)													
Class of 2023	4.3%	2.6%	1.5%	20.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
Class of 2022	3.7%	3.5%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
FHSP-DLA Graduates (Longitudinal Rate)													
Class of 2023	84.3%	83.1%	98.5%	80.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
Class of 2022	84.3%	81.7%	100.0%	*	100.0%	100.0%	-	100.0%	-	*	*	-	-
RHSP/DAP/FHSP-E/FHSP-DLA Graduates (Longitudinal Rate)													

Texas Education Agency
2023-24 Attendance, Graduation, and Dropout Rates (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
Class of 2023	88.6%	85.7%	100.0%	100.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
Class of 2022	88.0%	85.2%	100.0%	*	100.0%	100.0%	-	100.0%	-	*	*	-	-
RHSP/DAP Graduates (Annual Rate)													
2022-23	38.4%	14.3%	-	-	-	-	-	-	-	-	-	-	-
2021-22	23.6%	23.1%	-	-	-	-	-	-	-	-	-	-	-
FHSP-E Graduates (Annual Rate)													
2022-23	4.4%	2.6%	1.5%	20.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
2021-22	3.9%	3.5%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
FHSP-DLA Graduates (Annual Rate)													
2022-23	82.5%	81.2%	98.5%	80.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
2021-22	82.3%	79.6%	100.0%	*	100.0%	100.0%	-	100.0%	-	*	*	-	-
Texas First DLA Graduates (Annual Rate)													
2022-23	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-	-	0.0%	-	-
RHSP/DAP/FHSP-E/FHSP-DLA/Texas First-DLA Graduates (Annual Rate)													
2022-23	86.8%	83.8%	100.0%	100.0%	100.0%	100.0%	*	100.0%	-	*	*	-	-
2021-22	86.0%	83.1%	100.0%	*	100.0%	100.0%	-	100.0%	-	*	*	-	-

Texas Education Agency
2023-24 Graduation Profile (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	District Count	District Percent	State Count	State Percent
Graduates (2022-23 Annual Graduates)				
Total Graduates	65	100.0%	377,367	100.0%
By Ethnicity:				
African American	5	7.7%	46,822	12.4%
Hispanic	9	13.8%	197,333	52.3%
White	36	55.4%	103,009	27.3%
American Indian	1	1.5%	1,181	0.3%
Asian	10	15.4%	19,151	5.1%
Pacific Islander	0	0.0%	574	0.2%
Two or More Races	4	6.2%	9,297	2.5%
By Graduation Type:				
Minimum H.S. Program	0	0.0%	433	0.1%
Recommended H.S. Program/Distinguished Achievement Program	0	0.0%	270	0.1%
Foundation H.S. Program (No Endorsement)	0	0.0%	49,278	13.1%
Foundation H.S. Program (Endorsement)	1	1.5%	16,475	4.4%
Foundation H.S. Program (DLA)	64	98.5%	310,689	82.3%
Texas First Early H.S. Completion Program (Texas First-DLA)	0	0.0%	222	0.1%
Special Education Graduates	2	3.1%	34,589	9.2%
Economically Disadvantaged Graduates	0	0.0%	206,367	54.7%
Emergent Bilingual (EB)/English Learner (EL) Graduates	0	0.0%	50,229	13.3%
At-Risk Graduates	0	0.0%	168,430	44.6%
CTE Completers	10	15.4%	116,959	31.0%

Texas Education Agency
2023-24 College, Career, and Military Readiness (CCMR) (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

Academic Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
College, Career, and Military Ready Graduates (Student Achievement)†													
College, Career, or Military Ready (Annual Graduates)													
2022-23	76.3%	73.7%	96.9%	80.0%	88.9%	100.0%	*	100.0%	-	*	*	-	-
2021-22	70.0%	66.6%	100.0%	*	100.0%	100.0%	-	100.0%	-	*	*	-	-
College Ready Graduates†													
College Ready (Annual Graduates)†													
2022-23	57.8%	56.8%	95.4%	60.0%	88.9%	100.0%	*	100.0%	-	*	*	-	-
TSI Criteria Graduates in English Language Arts (Annual Graduates)													
2022-23	62.8%	64.9%	86.2%	20.0%	77.8%	94.4%	*	90.0%	-	*	*	-	-
2021-22	57.1%	58.6%	90.9%	*	84.6%	90.3%	-	100.0%	-	*	*	-	-
TSI Criteria Graduates in Mathematics (Annual Graduates)													
2022-23	54.3%	54.5%	80.0%	20.0%	55.6%	88.9%	*	100.0%	-	*	*	-	-
2021-22	48.2%	47.7%	90.9%	*	84.6%	90.3%	-	100.0%	-	*	*	-	-
TSI Criteria Graduates in Both Subjects (Annual Graduates)													
2022-23	48.4%	49.2%	78.5%	20.0%	55.6%	88.9%	*	90.0%	-	*	*	-	-
2021-22	42.2%	42.0%	90.9%	*	84.6%	90.3%	-	100.0%	-	*	*	-	-
AP / IB Met Criteria in Any Subject (Annual Graduates)													
2022-23	20.4%	20.2%	93.8%	60.0%	88.9%	100.0%	*	100.0%	-	*	*	-	-
2021-22	20.5%	20.6%	97.0%	*	100.0%	100.0%	-	94.4%	-	*	*	-	-
Associate Degree (Annual Graduates)													
2022-23	2.5%	1.4%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
2021-22	2.4%	1.6%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Dual Course Credits in Any Subject (Annual Graduates)													
2022-23	23.6%	17.9%	1.5%	0.0%	0.0%	0.0%	*	10.0%	-	*	*	-	-
2021-22	24.0%	18.6%	1.5%	*	0.0%	3.2%	-	0.0%	-	*	*	-	-
Onramps Course Credits (Annual Graduates)													
2022-23	4.8%	6.6%	1.5%	0.0%	0.0%	0.0%	*	10.0%	-	*	*	-	-
2021-22	4.4%	5.5%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Graduates Under an Advanced Diploma Plan and Identified as a Current Special Education Student (Annual Graduates)													
2022-23	5.6%	4.4%	3.1%	20.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
2021-22	5.0%	3.8%	1.5%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Career / Military Ready Graduates†													
Career or Military Ready (Annual Graduates)†													

Texas Education Agency
2023-24 College, Career, and Military Readiness (CCMR) (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

Academic Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
2022-23	39.5%	34.4%	3.1%	20.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
Approved Industry-Based Certification (Annual Graduates)													
2022-23	33.4%	28.6%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
2021-22	28.0%	24.9%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Graduates with Level I or Level II Certificate (Annual Graduates)													
2022-23	0.8%	0.3%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
2021-22	0.7%	0.3%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Graduate with Completed IEP and Workforce Readiness (Annual Graduates)													
2022-23	2.7%	3.1%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
2021-22	2.5%	2.8%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
U.S. Armed Forces Enlistment (Annual Graduates)													
2022-23	0.6%	0.5%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-

- Indicates there are no students in the group.

* Indicates results are masked due to small numbers to protect student confidentiality.

? Indicates that the data for this item were statistically improbable or were reported outside a reasonable range.

‡ Beginning with 2022-23 graduates, special education students that graduated with the advanced diploma are classified as college ready. As a result, only one year of data is shown because previous years' data is not comparable.

Texas Education Agency
2023-24 CCMR-Related Indicators (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	Academic Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
TSIA Results (Graduates >= Criterion) (Annual Graduates)														
Reading	2022-23	21.0%	17.5%	6.2%	0.0%	11.1%	8.3%	*	0.0%	-	*	*	-	-
	2021-22	22.8%	21.2%	4.5%	*	0.0%	6.5%	-	5.6%	-	*	*	-	-
Mathematics	2022-23	19.9%	15.5%	4.6%	0.0%	0.0%	5.6%	*	10.0%	-	*	*	-	-
	2021-22	18.7%	15.3%	9.1%	*	0.0%	12.9%	-	11.1%	-	*	*	-	-
Both Subjects	2022-23	12.5%	9.4%	3.1%	0.0%	0.0%	5.6%	*	0.0%	-	*	*	-	-
	2021-22	12.6%	10.3%	4.5%	*	0.0%	6.5%	-	5.6%	-	*	*	-	-
Completed and Received Credit for College Prep Courses (Annual Graduates)														
English Language Arts	2022-23	18.2%	19.3%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
	2021-22	11.7%	12.5%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Mathematics	2022-23	20.2%	22.5%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
	2021-22	14.0%	13.9%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
Both Subjects	2022-23	12.5%	13.5%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	*	*	-	-
	2021-22	7.5%	6.8%	0.0%	*	0.0%	0.0%	-	0.0%	-	*	*	-	-
AP/IB-Results (Participation) (Grades 11-12)														
All Subjects	2023	24.2%	22.9%	85.4%	76.9%	81.8%	81.8%	*	100.0%	-	85.7%	*	*	*
	2022	23.0%	22.1%	89.3%	42.9%	84.0%	95.8%	-	93.3%	-	66.7%	*	-	-
English Language Arts	2023	13.8%	12.5%	62.8%	46.2%	63.6%	69.7%	*	53.6%	-	71.4%	*	*	*
	2022	13.2%	12.1%	70.0%	14.3%	76.0%	72.2%	-	76.7%	-	50.0%	*	-	-
Mathematics	2023	7.0%	6.3%	3.6%	0.0%	0.0%	4.5%	*	7.1%	-	0.0%	*	*	*
	2022	6.9%	6.4%	46.4%	14.3%	52.0%	44.4%	-	56.7%	-	33.3%	*	-	-
Science	2023	10.3%	9.9%	75.9%	69.2%	68.2%	74.2%	*	89.3%	-	85.7%	*	*	*
	2022	9.6%	9.6%	77.9%	42.9%	76.0%	80.6%	-	83.3%	-	66.7%	*	-	-
Social Studies	2023	13.1%	12.9%	83.9%	69.2%	81.8%	81.8%	*	100.0%	-	71.4%	*	*	*
	2022	12.5%	12.6%	80.7%	42.9%	76.0%	87.5%	-	80.0%	-	66.7%	*	-	-
AP/IB Results (Examinees >= Criterion) (Grades 11-12)														
All Subjects	2023	53.3%	57.4%	92.3%	50.0%	94.4%	96.3%	-	96.6%	-	100.0%	-	*	*
	2022	53.3%	57.5%	85.6%	*	95.2%	85.5%	-	82.1%	-	*	*	-	-
English Language Arts	2023	52.3%	61.0%	89.5%	66.7%	92.9%	91.3%	-	93.3%	-	80.0%	-	*	-
	2022	53.2%	62.4%	89.8%	*	89.5%	88.5%	-	91.3%	-	*	-	-	-
Mathematics	2023	50.8%	54.2%	100.0%	-	-	*	-	*	-	-	-	-	-
	2022	50.4%	54.0%	95.4%	*	84.6%	96.9%	-	100.0%	-	*	*	-	-
Science	2023	44.8%	49.2%	63.5%	22.2%	66.7%	71.4%	-	64.0%	-	50.0%	-	*	*
	2022	44.7%	48.4%	70.6%	*	78.9%	65.5%	-	80.0%	-	*	-	-	-

Texas Education Agency
2023-24 CCMR-Related Indicators (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	Academic Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
Social Studies	2023	42.0%	48.7%	86.1%	44.4%	88.9%	94.4%	-	86.2%	-	60.0%	-	*	-
	2022	41.9%	47.5%	75.2%	*	89.5%	71.4%	-	75.0%	-	*	-	-	-
SAT/ACT Results (Annual Graduates)														
Tested	2022-23	79.3%	80.5%	92.3%	40.0%	77.8%	100.0%	*	100.0%	-	*	*	-	-
	2021-22	71.5%	71.6%	97.0%	*	84.6%	100.0%	-	94.4%	-	*	*	-	-
At/Above Criterion for All Examinees	2022-23	28.9%	31.4%	88.3%	*	71.4%	91.7%	*	100.0%	-	*	*	-	-
	2021-22	32.1%	36.2%	89.1%	*	100.0%	87.5%	-	88.2%	-	*	*	-	-
Average SAT Score (Annual Graduates)														
All Subjects	2022-23	978	989	1266	*	1260	1256	*	1347	-	*	*	-	-
	2021-22	1001	1024	1306	1450	1288	1300	-	1325	-	1190	-	-	-
English Language Arts and Writing	2022-23	497	503	638	*	622	636	*	669	-	*	*	-	-
	2021-22	506	518	646	740	635	653	-	640	-	620	-	-	-
Mathematics	2022-23	482	485	628	*	638	620	*	679	-	*	*	-	-
	2021-22	496	506	660	710	653	648	-	685	-	570	-	-	-
Average ACT Score (Annual Graduates)														
All Subjects	2022-23	19.2	18.6	26.8	*	*	26.2	-	28.4	-	*	-	-	-
	2021-22	19.5	19.6	26.1	13.0	25.5	27.6	-	21.8	-	34.0	13.0	-	-
English Language Arts	2022-23	18.8	18.3	27.7	*	*	27.2	-	29.7	-	*	-	-	-
	2021-22	19.2	19.4	26.5	11.0	25.7	28.2	-	22.4	-	33.5	11.0	-	-
Mathematics	2022-23	18.9	18.5	25.1	*	*	24.4	-	26.4	-	*	-	-	-
	2021-22	19.3	19.3	25.2	12.0	25.3	26.4	-	20.5	-	34.0	12.0	-	-
Science	2022-23	19.5	18.9	26.1	*	*	25.1	-	26.8	-	*	-	-	-
	2021-22	19.8	19.8	25.6	16.0	24.8	26.8	-	21.0	-	36.0	16.0	-	-

- Indicates there are no students in the group.
- * Indicates results are masked due to small numbers to protect student confidentiality.
- ? Indicates that the data for this item were statistically improbable or were reported outside a reasonable range.
- n/a Indicates data reporting is not applicable for this group.

Texas Education Agency
2023-24 Other Postsecondary Indicators (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	Academic Year	State	Region 11	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EB/EL
Advanced/Dual-Credit Course Completion (Grades 9-12)														
Any Subject	2022-23	45.4%	42.0%	96.8%	100.0%	93.5%	97.3%	*	98.7%	-	87.5%	90.9%	85.7%	*
	2021-22	44.2%	40.6%	90.9%	75.0%	92.3%	91.7%	*	96.0%	-	73.3%	50.0%	50.0%	*
English Language Arts	2022-23	17.4%	14.9%	41.5%	54.5%	40.9%	42.1%	*	39.2%	-	35.7%	0.0%	50.0%	*
	2021-22	16.6%	13.9%	44.3%	30.0%	43.1%	48.6%	*	41.9%	-	40.0%	0.0%	0.0%	*
Mathematics	2022-23	19.5%	17.3%	47.3%	50.0%	43.2%	44.4%	*	52.7%	-	57.1%	11.1%	50.0%	*
	2021-22	19.9%	18.2%	49.2%	30.0%	45.1%	55.6%	*	47.3%	-	40.0%	12.5%	0.0%	*
Science	2022-23	21.5%	20.6%	49.2%	59.1%	45.5%	50.3%	*	47.3%	-	42.9%	27.3%	33.3%	*
	2021-22	21.1%	19.9%	59.5%	45.0%	64.7%	64.3%	*	52.7%	-	53.3%	12.5%	16.7%	*
Social Studies	2022-23	24.0%	23.6%	97.3%	100.0%	95.5%	96.6%	*	100.0%	-	92.9%	81.8%	100.0%	*
	2021-22	22.8%	22.3%	82.7%	68.4%	80.8%	82.6%	*	93.3%	-	53.3%	14.3%	50.0%	*
Graduates Enrolled in Texas Institution of Higher Education (TX IHE)														
	2021-22	-	-	-	-	-	-	-	-	-	-	-	-	-
	2020-21	-	-	-	-	-	-	-	-	-	-	-	-	-
Graduates in TX IHE Completing One Year Without Enrollment in a Developmental Education Course														
	2021-22	-	-	-	-	-	-	-	-	-	-	-	-	-
	2020-21	-	-	-	-	-	-	-	-	-	-	-	-	-

- Indicates there are no students in the group.

* Indicates results are masked due to small numbers to protect student confidentiality.

? Indicates that the data for this item were statistically improbable or were reported outside a reasonable range.

Texas Education Agency
2023-24 Student Information (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	Membership				Enrollment			
	District		State		District		State	
Student Information	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Total Students	888	100.0%	5,517,464	100.0%	888	100.0%	5,531,236	100.0%
Students by Grade								
Early Childhood Education	0	0.0%	18,968	0.3%	0	0.0%	26,847	0.5%
Pre-Kindergarten	0	0.0%	247,979	4.5%	0	0.0%	248,576	4.5%
Pre-Kindergarten: 3-year Old	0	0.0%	42,448	0.8%	0	0.0%	42,669	0.8%
Pre-Kindergarten: 4-year Old	0	0.0%	205,531	3.7%	0	0.0%	205,907	3.7%
Kindergarten	48	5.4%	361,329	6.5%	48	5.4%	361,799	6.5%
Grade 1	60	6.8%	385,096	7.0%	60	6.8%	385,471	7.0%
Grade 2	58	6.5%	402,233	7.3%	58	6.5%	402,576	7.3%
Grade 3	59	6.6%	399,869	7.2%	59	6.6%	400,181	7.2%
Grade 4	61	6.9%	399,137	7.2%	61	6.9%	399,422	7.2%
Grade 5	65	7.3%	399,200	7.2%	65	7.3%	399,419	7.2%
Grade 6	74	8.3%	400,347	7.3%	74	8.3%	400,511	7.2%
Grade 7	78	8.8%	405,118	7.3%	78	8.8%	405,298	7.3%
Grade 8	75	8.4%	414,033	7.5%	75	8.4%	414,195	7.5%
Grade 9	80	9.0%	472,595	8.6%	80	9.0%	472,783	8.5%
Grade 10	85	9.6%	439,091	8.0%	85	9.6%	439,298	7.9%
Grade 11	80	9.0%	406,681	7.4%	80	9.0%	406,966	7.4%
Grade 12	65	7.3%	365,788	6.6%	65	7.3%	367,894	6.7%
Ethnic Distribution								
African American	58	6.5%	706,235	12.8%	58	6.5%	707,609	12.8%
Hispanic	124	14.0%	2,936,051	53.2%	124	14.0%	2,942,144	53.2%
White	431	48.5%	1,379,090	25.0%	431	48.5%	1,384,437	25.0%
American Indian	6	0.7%	17,886	0.3%	6	0.7%	17,939	0.3%
Asian	205	23.1%	295,946	5.4%	205	23.1%	296,367	5.4%
Pacific Islander	1	0.1%	8,831	0.2%	1	0.1%	8,844	0.2%
Two or More Races	63	7.1%	173,425	3.1%	63	7.1%	173,896	3.1%
Sex								
Female	443	49.9%	2,695,318	48.9%	443	49.9%	2,700,356	48.8%
Male	445	50.1%	2,822,146	51.1%	445	50.1%	2,830,880	51.2%
Other Student Cohorts								
Economically Disadvantaged	22	2.5%	3,434,955	62.3%	22	2.5%	3,439,856	62.2%
Non-Educationally Disadvantaged	866	97.5%	2,082,509	37.7%	866	97.5%	2,091,380	37.8%
Section 504 Students	134	15.1%	399,808	7.2%	134	15.1%	400,078	7.2%
EB Students/EL	33	3.7%	1,344,804	24.4%	33	3.7%	1,345,917	24.3%
Students w/ Disciplinary Placements (2022-23)	0	0.0%	105,976	1.9%				
Students w/ Dyslexia	39	4.4%	329,004	6.0%	39	4.4%	329,228	6.0%

Texas Education Agency
2023-24 Student Information (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	Membership				Enrollment			
	District		State		District		State	
Student Information	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Foster Care	0	0.0%	12,418	0.2%	0	0.0%	12,469	0.2%
Homeless	0	0.0%	77,809	1.4%	0	0.0%	77,942	1.4%
Immigrant	12	1.4%	158,717	2.9%	12	1.4%	158,832	2.9%
Migrant	0	0.0%	13,481	0.2%	0	0.0%	13,528	0.2%
Title I	0	0.0%	3,624,288	65.7%	0	0.0%	3,632,539	65.7%
Military Connected	57	6.4%	212,919	3.9%	57	6.4%	213,035	3.9%
At-Risk	59	6.6%	2,937,834	53.2%	59	6.6%	2,941,204	53.2%
Students by Instructional Program								
Bilingual/ESL Education	32	3.6%	1,350,113	24.5%	32	3.6%	1,350,920	24.4%
Career and Technical Education	172	19.4%	1,485,646	26.9%	-	-	-	-
Career and Technical Education (9-12 grades only)	170	54.8%	1,234,615	73.3%	-	-	-	-
Gifted and Talented Education	0	0.0%	469,054	8.5%	0	0.0%	469,170	8.5%
Special Education	87	9.8%	764,858	13.9%	87	9.8%	774,489	14.0%
Students with Disabilities by Type of Primary Disability								
Total Students with Disabilities	87		764,858					
Students with Intellectual Disabilities	23	26.4%	349,307	45.7%				
Students with Physical Disabilities	37	42.5%	144,191	18.9%				
Students with Autism	12	13.8%	124,254	16.2%				
Students with Behavioral Disabilities	15	17.2%	134,373	17.6%				
Students with Non-Categorical Early Childhood	0	0.0%	12,733	1.7%				
Mobility (2022-23)								
Total Mobile Students	54	6.3%	864,058	16.1%				
African American	2	0.2%	181,855	3.4%				
Hispanic	13	1.5%	455,070	8.5%				
White	24	2.8%	165,204	3.1%				
American Indian	0	0.0%	3,184	0.1%				
Asian	8	0.9%	27,631	0.5%				
Pacific Islander	0	0.0%	1,840	0.0%				
Two or More Races	7	0.8%	29,274	0.5%				
Special Ed Students who are Mobile	1	1.4%	137,466	17.6%				
Count and Percent of EB Students/EL who are Mobile	0	0.0%	196,918	16.3%				
Count and Percent of Econ Dis Students who are Mobile	3	17.6%	622,582	18.6%				
Student Attrition (2022-23)								
Total Student Attrition	90	11.1%	767,390	18.1%				

Texas Education Agency
2023-24 Student Information (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

Student Information	Non-Special Education Rates		Special Education Rates	
	District	State	District	State
Retention Rates by Grade				
Kindergarten	0.0%	1.3%	0.0%	3.9%
Grade 1	2.3%	2.1%	0.0%	3.3%
Grade 2	0.0%	1.3%	8.3%	1.6%
Grade 3	2.3%	0.7%	0.0%	0.7%
Grade 4	0.0%	0.4%	0.0%	0.5%
Grade 5	0.0%	0.2%	0.0%	0.3%
Grade 6	1.5%	0.3%	0.0%	0.3%
Grade 7	0.0%	0.5%	0.0%	0.4%
Grade 8	0.0%	0.4%	0.0%	0.5%
Grade 9	0.0%	7.9%	0.0%	11.9%

	District		State	
	Count	Percent	Count	Percent
Data Quality				
Underreported Students	0	0.0%	5,974	0.2%

Class Size Averages by Grade and Subject
 (Derived from teacher responsibility records):

Class Size Information	District	State
Elementary		
Kindergarten	16.0	18.4
Grade 1	20.0	18.8
Grade 2	19.3	19.1
Grade 3	19.7	19.4
Grade 4	20.3	19.4
Grade 5	21.7	20.9
Grade 6	24.7	19.2
Secondary		
English/Language Arts	17.8	16.3
Foreign Languages	16.1	18.8
Mathematics	18.4	17.5
Science	15.7	18.5
Social Studies	19.8	18.8

Texas Education Agency
2023-24 Staff Information (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	District		State	
Staff Information	Count	Percent	Count	Percent
Total Staff	108.0	100.0%	775,882.5	100.0%
Professional Staff	89.3	82.7%	496,151.0	63.9%
Teachers	64.5	59.7%	374,799.9	48.3%
Professional Support	14.7	13.6%	86,026.7	11.1%
Campus Administration (School Leadership)	9.2	8.5%	25,836.1	3.3%
Central Administration	1.0	0.9%	9,488.3	1.2%
Educational Aides	11.2	10.3%	88,200.6	11.4%
Auxiliary Staff	7.5	6.9%	191,530.9	24.7%
Librarians and Counselors (Headcount)				
Full-time Librarians	1.0	n/a	4,187.0	n/a
Part-time Librarians	1.0	n/a	651.0	n/a
Full-time Counselors	3.0	n/a	13,870.0	n/a
Part-time Counselors	1.0	n/a	1,172.0	n/a
Total Minority Staff	21.5	19.9%	421,896.4	54.4%
Teachers by Ethnicity				
African American	2.5	3.8%	47,341.1	12.6%
Hispanic	3.0	4.7%	112,921.8	30.1%
White	54.5	84.6%	200,118.0	53.4%
American Indian	0.0	0.0%	1,286.9	0.3%
Asian	3.5	5.4%	7,914.7	2.1%
Pacific Islander	0.0	0.0%	490.9	0.1%
Two or More Races	1.0	1.6%	4,726.6	1.3%
Teachers by Sex				
Males	11.9	18.5%	91,815.2	24.5%
Females	52.6	81.5%	282,984.6	75.5%
Teachers by Highest Degree Held				
No Degree	0.0	0.0%	9,453.8	2.5%
Bachelors	35.9	55.7%	268,886.4	71.7%
Masters	22.6	35.0%	93,414.7	24.9%
Doctorate	6.0	9.3%	3,044.9	0.8%
Teachers by Years of Experience				
Beginning Teachers	4.0	6.2%	32,507.6	8.7%
1-5 Years Experience	16.8	26.1%	102,619.4	27.4%
6-10 Years Experience	15.7	24.3%	75,585.4	20.2%
11-20 Years Experience	18.3	28.5%	101,415.3	27.1%
21-30 Years Experience	8.0	12.4%	51,471.9	13.7%
Over 30 Years Experience	1.6	2.5%	11,200.2	3.0%
Number of Students per Teacher	13.8	n/a	14.7	n/a

Texas Education Agency
2023-24 Staff Information (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

Staff Information	District	State
Experience of Campus Leadership		
Average Years Experience of Principals	8.0	6.0
Average Years Experience of Principals with District	8.0	5.1
Average Years Experience of Assistant Principals	2.0	5.1
Average Years Experience of Assistant Principals with District	1.5	4.3
Average Years Experience of Teachers	11.4	11.1
Average Years Experience of Teachers with District	5.2	6.9
Average Teacher Salary by Years of Experience (regular duties only)		
Beginning Teachers	\$55,679	\$54,272
1-5 Years Experience	\$61,889	\$58,185
6-10 Years Experience	\$66,366	\$61,494
11-20 Years Experience	\$67,574	\$65,219
21-30 Years Experience	\$70,820	\$69,723
Over 30 Years Experience	\$80,005	\$74,014
Average Actual Salaries (regular duties only)		
Teachers	\$65,770	\$62,474
Professional Support	\$74,125	\$73,783
Campus Administration (School Leadership)	\$84,842	\$86,738
Central Administration	\$110,850	\$116,028
Instructional Staff Percent	75.5%	65.0%
Turnover Rate for Teachers	18.4%	19.1%
Staff Exclusions		
Shared Services Arrangement Staff:		
Professional Staff	0.0	1,284.6
Educational Aides	0.0	181.6
Auxiliary Staff	0.0	373.8
Contracted Instructional Staff	0.0	1,970.1

	District		State	
Designation	Headcount	Average Payout	Headcount	Average Payout
Teacher Incentive Allotment				
Recognized	-	-	9,429	\$5,848
Exemplary	-	-	10,279	\$11,434
Master	-	-	5,255	\$21,235

Texas Education Agency
2023-24 Staff Information (TAPR)
 WESTLAKE ACADEMY CHARTER SCHOOL (220810) - TARRANT COUNTY

	District		State	
Program Information	Count	Percent	Count	Percent
Teachers by Program (population served)				
Bilingual/ESL Education	0.0	0.0%	22,656.0	6.0%
Career and Technical Education	4.5	6.9%	20,454.1	5.5%
Compensatory Education	0.0	0.0%	11,626.3	3.1%
Gifted and Talented Education	0.0	0.0%	6,181.4	1.6%
Regular Education	58.8	91.3%	261,452.4	69.8%
Special Education	1.2	1.8%	38,736.9	10.3%
Other	0.0	0.0%	13,749.8	3.7%

- Indicates there is no data for the item.

* Indicates results are masked due to small numbers.

** When only one student disability or assessment group is masked, then the second smallest student disability or assessment group is masked regardless of size.

n/a Indicates data reporting is not applicable for this group.

? Indicates that the data for this item were statistically improbable or were reported outside a reasonable range.

Link to: [PEIMS Financial Standard Reports 2022-23 Financial Actual Report](#)
 (To open link in a new window, press the "Ctrl" key and click on the link.)



Town of Westlake

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

Staff Report

File #: ORD-1019

Agenda Date: 3/24/2025

Agenda #: H.1.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to accept the Certification of Unopposed Candidates for the May 3, 2025 General and Special Election; to act regarding Ordinance 1019 Declaring Unopposed Candidates in the May 3, 2025 General and Special Municipal Election for the Offices of Council Member Places 1, 2, 3 and 5, Declaring Each Unopposed Candidate Elected to Office; and to approve the Order of Cancellation canceling the May 3, 2025 General and Special Election (Town Secretary Dianna Buchanan)

STAFF: Town Secretary Dianna Buchanan

BACKGROUND:

The Town Council called a General and Special Election for May 3, 2025, by approving Ordinance 1017, to elect at large members for Council Member Place 1, Council Member Place 2, Council Member Place 3, and Council Member Place 5. The deadline to file an application to be a candidate was February 14, 2025.

The Town Secretary received 4 applications-one for each council member place to appear on the ballot. There is no office being contested therefore the Town Secretary submits to the Council the following for consideration of action:

- a) Certification of Unopposed Candidates for the May 3, 2025 General & Special Election; and
- b) Ordinance 1019 Declaring Unopposed Candidates in the May 3, 2025 General and Special Municipal Election for the Offices of Council Member Places 1 - T.J. Duane, Council Member Place 2 - Michael Yackira, Council Member Place 3 - Kevin Smith and Council Member Place 5 - Todd Gautier and declaring the unopposed candidates elected to office; and
- c) Order of Cancellation for the May 3, 2025 General and Special Municipal Election.

FISCAL IMPACT:

Click or tap here to enter text.

STAFF RECOMMENDATION:

Staff recommends acceptance of the Certification of Unopposed Candidates, approval of Ordinance 1019 as presented and approval of the Order of Cancellation for the May 3, 2025 General and Special Election.

ATTACHMENT(S):

Certification of Unopposed Candidates

Ordinance 1019

Order of Cancellation

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



THE TOWN OF
WESTLAKE

DISTINCTIVE BY DESIGN

**CERTIFICATION OF UNOPPOSED CANDIDATES
PARA OTRAS SUBDIVISIONES POLITICAS
CHỨNG NHẬN ỨNG VIÊN KHÔNG BỊ PHẢN ĐỐI**

TO: Presiding Officer of the Governing Body

Al: Presidente de la entidad gobernante

GỬI ĐẾN: Chủ tọa Hội đồng Lãnh đạo

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 3, 2025.

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para la elección para un cargo en la elección que se llevará a cabo el 3 de mayo de 2025.

Với tư cách là cơ quan chịu trách nhiệm chuẩn bị lá phiếu chính thức, tôi xin xác nhận rằng các ứng cử viên sau đây không bị phản đối cho cuộc bầu cử dự kiến được tổ chức vào ngày 3 tháng 5 năm 2025.

Offices | Cargos | Văn phòng Candidates | Candidatos | Ứng cử viên

Council Member Place One	T. J. Duane
Council Member Place Three	Kevin Smith
Council Member Place Five	Todd Gautier
Council Member Place Two	Michael Yackira



Dianna Buchanan, Town Secretary



Date



TOWN OF WESTLAKE

ORDINANCE NO. 1019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 3, 2025, GENERAL AND SPECIAL MUNICIPAL ELECTION; DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF TOWN COUNCIL MEMBER PLACE 1, TOWN COUNCIL MEMBER PLACE 3, TOWN COUNCIL MEMBER PLACE 5, AND TOWN COUNCIL MEMBER PLACE 2; DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; AND APPROVING THE ORDER OF CANCELTION TO CANCEL THE GENERAL AND SPECIAL MUNICIPAL ELECTION SCHEDULED TO BE HELD ON MAY 3, 2025; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Westlake, Texas, passed Ordinance No. 1017 on January 6, 2025, ordering a General and Special Election to be held on May 3, 2025 for the purpose of electing for the May 2025-2027 two-year term one at large Council Member for Place 1, one at large Council Member for Place 3, and one at large member for Council Member Place 5; and, for electing for the unexpired term through May 2026 one at large Council Member for Place 2; and

WHEREAS, pursuant to Sections 143.007 and 146.025 of the Texas Election Code, the deadline for filing applications for a place on the ballot and declarations of write-in candidacy have expired; and

WHEREAS, the Town Secretary, in accordance with Section 2.052 of the Texas Election Code, has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the Town Council to declare the candidates elected to office and to cancel the election.

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

SECTION 1.

The following candidates, who are unopposed in the May 3, 2025, General and Special Municipal Election, are declared elected to office and shall be issued a certificate of election following the time the election would have been canvassed:

Council Member Place 1	Council Member Place 2	Council Member Place 3	Council Member Place 5
T.J. Duane	Michael Yackira	Kevin Smith	Todd Gautier
Term May 25-27	Term May 25-26	Term May 25-27	Term May 25-27

SECTION 2.

The May 3, 2025, General and Special Municipal Election is canceled, and the Town Secretary is directed to cause a copy of the Order of Cancellation which is a part of this ordinance and attached as "Exhibit A" to be posted on Election Day at the polling place used or that would have been used in the election.

SECTION 3.

It is declared to be the intent of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the Town Council would have enacted them without the invalid portion.

SECTION 4.

This ordinance shall take effect upon its passage and so it is ordained.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, ON THIS 24th DAY OF MARCH 2025.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



EXHIBIT A

ORDER OF CANCELLATION *ORDEN DE CANCELACIÓN* LỆNH HỦY BỎ

The Town Council of the Town of Westlake, Texas, hereby cancels the election scheduled for May 3, 2025 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

Por la presente, Consejo Municipal del Poblado de Westlake, Texas, cancela la elección programada para el 3 de mayo de 2025 en conformidad con la Sección 2.053(a) del Código Electoral de Texas. Los siguientes candidatos han sido certificados como candidatos sin oponentes y por la presente, son declarados electos, de la siguiente forma:

Hội Đồng Thành Phố của Thành Phố Westlake, Texas theo đây hủy bỏ cuộc bầu cử dự kiến diễn ra ngày 3 tháng Năm, 2025 chiếu theo quy định của Mục 2.053(a), Bộ Luật Bầu Cử Texas. Các ứng cử viên sau đây được chứng nhận là không có đối thủ tranh cử nên theo đây trúng cử như sau:

Candidate <i>Candidato</i> <u>Ứng Cử Viên</u>	Term <i>Término</i> <i>Kỳ</i>	Office Sought <i>Cargo al que se postula</i> <u>Chức Vụ Tranh Cử</u>
T. J. Duane	May 25-27	Council Member Place 1 / Miembro del Consejo, Lugar 1 / Thành Viên Hội Đồng Vị Trí 1
Kevin Smith	May 25-27	Council Member Place 3 / Miembro del Consejo, Lugar 3/ Thành Viên Hội Đồng Vị Trí 3
Todd Gautier	May 25-27	Council Member Place 5 / Miembro del Consejo, Lugar 5 / Thành Viên Hội Đồng Vị Trí 5
Michael Yackira	May 26-27	Council Member Place 2 / Miembro del Consejo, Lugar 2/ Thành Viên Hội Đồng Vị Trí 2

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El día de la elección se colocará una copia de esta orden en cada lugar de votación que se hubiera utilizado en la elección.

Một bản sao của Lệnh này sẽ được niêm yết vào Ngày Bầu Cử tại mỗi điểm bỏ phiếu lẽ ra sẽ sử dụng trong cuộc bầu cử.

Issued this the 24th day of March, 2025.

Kim Greaves, Mayor / *Alcalde/ Thị Trưởng*

ATTEST:

Dianna Buchanan, Town Secretary
Secretaria del Poblado / Thư Ký Thị Trấn

TOWN OF WESTLAKE

SẮC LỆNH SỐ 1019

SẮC LỆNH CỦA HỘI ĐỒNG THÀNH PHỐ TOWN OF WESTLAKE, TEXAS, TUYÊN BỐ CÁC ỨNG CỬ VIÊN KHÔNG CÓ ĐỐI THỦ TRANH CỬ TRONG CUỘC TỔNG TUYỂN CỬ VÀ BẦU CỬ THÀNH PHỐ ĐẶC BIỆT NGÀY 3 THÁNG NĂM, 2025; TUYÊN BỐ CÁC ỨNG CỬ VIÊN KHÔNG CÓ ĐỐI THỦ TRANH CỬ CHO CÁC CHỨC VỤ THÀNH VIÊN HỘI ĐỒNG THÀNH PHỐ VỊ TRÍ 1, THÀNH VIÊN HỘI ĐỒNG THÀNH PHỐ VỊ TRÍ 3, THÀNH VIÊN HỘI ĐỒNG THÀNH PHỐ VỊ TRÍ 5, VÀ THÀNH VIÊN HỘI ĐỒNG THÀNH PHỐ VỊ TRÍ 2; TUYÊN BỐ MỖI ỨNG CỬ VIÊN KHÔNG CÓ ĐỐI THỦ TRANH CỬ ĐÃ TRÚNG CỬ; VÀ PHÊ CHUẨN LỆNH HỦY BỎ CUỘC TỔNG TUYỂN CỬ VÀ BẦU CỬ THÀNH PHỐ ĐẶC BIỆT DỰ KIẾN SẼ DIỄN RA VÀO NGÀY 3 THÁNG NĂM, 2025; ĐƯA RA ĐIỀU KHOẢN VỀ KHẢ NĂNG TÁCH RỜI; VÀ QUY ĐỊNH NGÀY CÓ HIỆU LỰC.

XÉT THẤY RẰNG, Hội Đồng Thành Phố Town of Westlake, Texas, đã phê chuẩn Sắc Lệnh số 1017 vào ngày 6 tháng Một, 2025, ra lệnh tổ chức một Cuộc Tổng Tuyển Cử và Bầu Cử Đặc Biệt vào ngày 3 tháng Năm, 2025, để bầu chọn cho nhiệm kỳ hai năm Tháng Năm 2025-2027 một Thành Viên Hội Đồng toàn khu cho Vị Trí 1, một Thành Viên Hội Đồng toàn khu cho Vị Trí 3, và một thành viên toàn khu cho vị trí Thành Viên Hội Đồng Vị Trí 5; và để bầu chọn cho nhiệm kỳ chưa hết hạn cho đến tháng Năm 2026 một Thành Viên Hội Đồng toàn khu cho Vị Trí 2; và

XÉT THẤY RẰNG, theo các Mục 143.007 và 146.025 của Bộ luật Bầu cử Texas, thời hạn nộp đơn xin ghi tên tranh cử trên lá phiếu và tuyên bố tranh cử theo diện ứng cử viên không có tên trong lá phiếu đã hết hạn; và

XÉT THẤY RẰNG, Thư Ký Hội Đồng Thành Phố, chiếu theo Mục 2.052 của Bộ Luật Bầu Cử Texas, đã chứng thực bằng văn bản rằng không có ai tuyên bố tranh cử theo diện ứng cử viên ghi thêm, và mỗi ứng cử viên có tên trên lá phiếu không có đối thủ tranh cử vào vị trí tương ứng; và

XÉT THẤY RẰNG, trong các trường hợp này, Phụ Chương C, Chương 2, Bộ Luật Bầu Cử cho phép Hội Đồng Thành Phố tuyên bố ứng cử viên đó trúng cử vào vị trí tranh cử và hủy bỏ cuộc bầu cử.

VÌ VẬY, BÂY GIỜ, HỘI ĐỒNG THỊ TRẤN WESTLAKE, TEXAS RA SẮC LỆNH NHƯ SAU:

MỤC 1.

Các ứng cử viên sau đây không có đối thủ tranh cử trong Cuộc Tổng Tuyển Cử và Bầu Cử Thành Phố Đặc Biệt ngày 3 tháng Năm, 2025 sau đây trúng cử vào vị trí, và sẽ được cấp giấy chứng nhận trúng cử sau thời gian lễ ra sẽ có kết quả bầu cử:

Thành Viên Hội Đồng	Thành Viên Hội Đồng	Thành Viên Hội Đồng	Thành Viên Hội Đồng
Vị trí số 1	Vị trí số 2	Vị trí số 3	Vị trí số 5
T.J. Duane	Michael Yackira	Kevin Smith	Todd Gautier

MỤC 2.

Cuộc Tổng Tuyển Cử và Bầu Cử Thành Phố Đặc Biệt ngày 3 tháng Năm, 2025 bị hủy bỏ, và Thư Ký Hội Đồng Thành Phố được chỉ thị cho niêm yết, một bản sao của Lệnh Hủy Bỏ nằm trong khuôn khổ sắc lệnh này và kèm theo đây dưới dạng "Phụ Lục A", vào Ngày Bầu Cử tại địa điểm phòng phiếu được sử dụng, hoặc lẽ ra sẽ được sử dụng trong cuộc bầu cử.

MỤC 3

Hội Đồng Thành Phố tuyên bố dự định rằng các cụm từ, mệnh đề, câu, đoạn, và mục của Sắc Lệnh này đều có thể tách rời, và nếu bất kỳ cụm từ, mệnh đề, câu, đoạn, hoặc mục nào của sắc lệnh này được tuyên bố là vô hiệu lực theo phán quyết hoặc quyết định của một tòa án có thẩm quyền pháp lý, sự vô hiệu đó sẽ không ảnh hưởng đến bất kỳ cụm từ, mệnh đề, câu, đoạn, hoặc mục còn lại của sắc lệnh này vì Hội Đồng Thành Phố có thể ban hành các nội dung đó mà không cần phần vô hiệu.

MỤC 4

Sắc lệnh này sẽ có hiệu lực ngay sau khi được thông qua và được quyết định.

**ĐƯỢC THÔNG QUA VÀ PHÊ CHUẨN BỞI HỘI ĐỒNG THỊ TRẦN WESTLAKE,
TEXAS VÀO NGÀY 24 THÁNG BA 2025.**

Kim Greaves, Thị Trưởng

CHỨNG THỰC:

Dianna Buchanan, Thư Ký Thị Trấn

PHÊ CHUẨN ĐỊNH DẠNG:

L. Stanton Lowy, Luật Sư Thành Phố

POBLADO DE WESTLAKE

ORDENANZA NRO. 1019

UNA ORDENANZA DEL CONSEJO MUNICIPAL DEL POBLADO DE WESTLAKE, TEXAS, PARA DECLARAR CANDIDATOS SIN Oponentes EN LA ELECCIÓN MUNICIPAL GENERAL Y ESPECIAL DEL 3 DE MAYO DE 2025; DECLARAR CANDIDATOS SIN Oponentes PARA LOS CARGOS DE MIEMBRO DEL CONSEJO MUNICIPAL LUGAR 1, MIEMBRO DEL CONSEJO MUNICIPAL LUGAR 3, MIEMBRO DEL CONSEJO MUNICIPAL LUGAR 5 Y MIEMBRO DEL CONSEJO MUNICIPAL LUGAR 2; DECLARAR A CADA CANDIDATO SIN Oponentes ELECTO AL CARGO; Y APROBAR LA ORDEN DE CANCELACIÓN PARA CANCELAR LA ELECCIÓN MUNICIPAL GENERAL Y ESPECIAL PROGRAMADA PARA CELEBRARSE EL 3 DE MAYO DE 2025; Y Y DISPONER UNA FECHA DE ENTRADA EN VIGENCIA.

EN VISTA DE QUE el Consejo Municipal del Poblado de Westlake, aceptó la Ordenanza Nro. 1017 el 6 de enero de 2025, que ordena una Elección General y Especial para celebrarse el 3 de mayo de 2025 con el propósito de elegir para el término de dos años de mayo 2025-2027 a un Miembro del Consejo general para el Lugar 1, un Miembro del Consejo general para el Lugar 3, y un Miembro del Consejo general para el Lugar 5; y para elegir para el término no vencido hasta mayo de 2026 a un Miembro del Consejo general para el Lugar 2; y

EN VISTA DE QUE, en virtud de las Secciones 143.007 y 146.025 del Código Electoral de Texas, la fecha límite para presentar solicitudes para un lugar en la boleta y las declaraciones de candidatura por escrito han vencido; y

EN VISTA DE QUE, en conformidad con la Sección 2.052 del Código Electoral de Texas, la Secretaria del Poblado ha certificado por escrito que ninguna persona ha declarado una candidatura por escrito y que ningún candidato en la boleta tiene oponentes para elección al cargo; y

EN VISTA DE QUE, bajo estas circunstancias, el Subcapítulo C del Capítulo 2 del Código Electoral autoriza al Consejo Municipal a declarar electos al cargo a los candidatos y cancelar la elección.

AHORA, POR LO TANTO, EL CONSEJO MUNICIPAL DEL POBLADO DE WESTLAKE, TEXAS, ORDENA QUE:

SECCIÓN 1.

Los siguientes candidatos, que no tienen oponentes para la Elección Municipal General y Especial de 3 de mayo de 2025, son declarados electos al cargo, y se expedirá un certificado de elección después del momento en el que se hubiera escrutado la elección:

Miembro del Consejo Lugar 1	Miembro del Consejo Lugar 2	Miembro del Consejo Lugar 3	Miembro del Consejo Lugar 5
T.J. Duane	Michael Yackira	Kevin Smith	Todd Gautier

SECCIÓN 2.

Se cancela la Elección Municipal General y Especial del 3 de mayo de 2025, y se instruye a la Secretaria del Poblado que haga que se coloque una copia de la Orden de Cancelación, la cual forma parte de esta ordenanza y está adjunta como “Anexo A”, el Día de Elección en el lugar de votación utilizado o que se habría utilizado en la elección.

SECCIÓN 3

Se declara que es intención del Consejo Municipal que las frases, cláusulas, oraciones, párrafos y secciones de esta Ordenanza sean divisibles, y si cualquier frase, cláusula, oración, párrafo o sección de esta ordenanza fuera declarado inválido por el fallo o decreto de un tribunal con competencia jurisdiccional, dicha invalidez no afectará ninguna de las frases, cláusulas, oraciones, párrafos o secciones restantes de esta ordenanza, debido a que la misma hubiera sido promulgada por el Consejo Municipal sin la porción inválida.

SECCIÓN 4

Esta ordenanza entrará en vigencia a partir de su aprobación y así se ordena.

ACEPTADA Y APROBADA POR EL CONSEJO MUNICIPAL DEL POBLADO DE WESTLAKE, TEXAS, EL DÍA 24 DE MARZO DE 2025.

Kim Greaves, Alcalde

ATESTIGUA:

Dianna Buchanan, Secretaria del Poblado

APROBADA EN CUANTO A SU FORMA:

L. Stanton Lowry, Abogado del Poblado



Town of Westlake

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

Staff Report

File #: ORD-1020

Agenda Date: 3/24/2025

Agenda #: H.2.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act to adopt Ordinance 1020 approving text amendments to PD, Planned Development District No. 3-5A generally located at the intersection of and along State Highway 114 and State Highway 170 (Jason Alexander, AICP, CEcD, Deputy Town Manager)

STAFF: Jason Alexander, AICP, CEcD, Deputy Town Manager

BACKGROUND:

On February 22, 2016, the Town Council approved Ordinance No. 769, establishing PD, Planned Development District 3-5A ("PD 3-5A"). The purpose of PD 3-5A is to create an environment in which residential uses and commercial uses may co-exist in proximity while expanding living, shopping, and working options.

The proposed text amendments are intended to build upon the Strategic Plan --- as adopted by the Town Council on February 18, 2025 --- while introducing contemporary urban planning and urban design practices and techniques for development.

DISCUSSION:

The proposed text amendments to PD 3-5A --- EXHIBIT "B" --- are generally summarized below:

- Section 1.1., Short Title and Application of General Provisions. The revised language in this section, as presented, is intended to allow for the initial phase of development (i.e., the First Phase of Development) to occur as generally depicted in the renderings included with this analysis. Exhibit 9 was also introduced to depict the portion of PD 3-5A that is identified as the First Phase of Development. The balance of the land to be developed --- or the Second Phase of Development --- may not be developed until a revised development plan prepared in coordination with the Town Manager and the Town Planner is submitted to the Planning and Zoning Commission for review and recommendation and to the Town Council for approval. The intent of the revised language in this section is to deliver a coherent and cohesive development that is more than capable of timely responding to economic conditions and market preferences while introducing the distinct economic, physical, and social infrastructure of the Town of Westlake to the region and beyond. It is further the intent of this section to allow for the possible coordination of certain municipal uses that will benefit from --- and be a benefit to --- future development.
- Section 1.3, General Definitions. This section introduces new definitions for "lot coverage" and "mural" while amending or deleting others that were adopted under Ordinance No. 769. The revisions are intended to simplify the development review and approval process (i.e., lot coverage) while introducing opportunities for artwork (i.e., murals).
- Section 2.1, Land Uses. This section proposes to allow "grocery (with alcoholic beverage sales)" and

“restaurant, café, or dining facility serving alcohol” by-right and to require “data centers” be approved subject to a Specific Use Permit.

- Article 3, Development Standards. The development standards have been revised --- as presented --- to encourage increased flexibility with respect to the intensity of land uses while providing contemporary provisions for building setbacks, building height, and building footprints.
- Section 4.4, Roofs. Standards for roofs --- also as presented --- have been revised to provide options for single-family attached dwellings and non-residential buildings (i.e., either sloped roofs or flat roofs may be provided). Sloped roofs are required for all single-family detached dwellings. Further, building mechanical equipment placed on the rooftop must be screened on all sides by parapet walls or an opaque screening enclosure that is at least 12 inches taller than the equipment to be screened.
- Section 4.5, Street Level Entries and Openings. The proposed revisions to this section require an architectural feature or detailing to emphasize the principal pedestrian entrance (e.g., a porch, a stoop, a recessed entry, or other similar architectural feature).
- Section 4.6, First Floor Glazing Requirements. The portion of the building façade at the first floor --- which contains the principal pedestrian entrance --- must be no less than 60 percent glazed in glass for non-residential uses.
- Section 4.7, Street Level Façade. This section --- as presented --- prohibits blank building façades along a street or an open space that is not designed as a shopfront.
- Section 4.8, Porches and Stoops. This section introduces minimum design requirements and material specifications for porches and stoops attached to residential products.
- Section 4.14, Murals. This section introduces regulations for applying murals to the sides of building façades.

The proposed amendments to the text of PD 3-5A generally support land uses and development patterns that are consistent with the proposed urban context. Further, these proposed amendments will support the vision and the goals of the recently adopted Strategic Plan. It should be noted that the proposed text amendments were prepared in collaboration with the Office of the Town Manager and the Department of Planning and Development.

FISCAL IMPACT:

N/A.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on March 11, 2025 and reviewed, considered, and provided a recommendation on the requested text amendments to the provisions for PD 3-5A. The Planning and Zoning Commission recommended approval of the proposed text amendments as presented by a vote of 6-0 (with one absence).

DEPARTMENT OF PLANNING AND DEVELOPMENT RECOMMENDATION:

The Department of Planning and Development recommends approval of the text amendments to PD 3-5A as presented.

TOWN COUNCIL ACTIONS / OPTIONS:

- 1) Motion to approve;

- 2) Motion to approve with additional conditions (please state additional conditions in motion);
- 3) Motion to deny; OR
- 4) Motion to table (must table to a specific date).

ATTACHMENT(S):

- 1) Exhibit "A" - Ordinance No. 1020
- 2) Exhibit "B" - Requested Text Amendments (Redlined)
- 3) Exhibit "C" - First Phase of Development
- 4) Exhibit "D" - Renderings

TOWN OF WESTLAKE

ORDINANCE NO. 1020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING TEXT AMENDMENTS TO PD, PLANNED DEVELOPMENT DISTRICT NO. 3-5A GENERALLY LOCATED AT THE INTERSECTION OF AND ALONG STATE HIGHWAY 114 AND STATE HIGHWAY 170; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law municipality; and

WHEREAS, the Town Council of the Town of Westlake finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

WHEREAS, On February 22, 2016 the Town Council of the Town of Westlake, Texas approved Ordinance 769, which approved and adopted PD, Planned Development District 3-5A; and

WHEREAS, the Planning and Zoning Commission recommended to the Town Council approval of the amendments contained herein, on March 11, 2025; and

WHEREAS, following proper published notice and posted notice in accordance with the Texas Open Meetings Act and other applicable law, the Town Council conducted a meeting open to the public on March 24, 2025; and

WHEREAS, the Town Council believes that the interests of the Town of Westlake, and the present and future residents and citizens of the Town of Westlake, and the developers of land within the Town of Westlake, are best served by adopting this Ordinance, which the Town Council has determined to be consistent with the 2015 Comprehensive Plan and its Land Use Map, its Thoroughfare Plan, and Open Space Plan, all as amended to date; and

WHEREAS, upon the recommendation of the Planning and Zoning Commission, the Town Council of the Town of Westlake, Texas, is of the opinion that it is in the best interests of the Town and its citizens that the amendments contained herein, should be approved and adopted.

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

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

SECTION 2: That the Town Council of the Town of Westlake, Texas hereby approves the text amendments to PD3-5A as presented.

SECTION 3: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 4: 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, 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 is permitted to exist shall constitute a separate offense.

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

SECTION 6: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

ADOPTED ON THIS 24TH DAY OF MARCH 2025.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

EXHIBIT “A” TO ORDINANCE 1020

CIRCLE T PLANNING AREA 5A

ARTICLE I.

GENERAL PROVISIONS

SECTION 1.1 SHORT TITLE AND APPLICATION OF GENERAL PROVISIONS.

This ordinance shall be known and may be cited as the “~~“~~Circle T Planning Area No. 5 (PD 3—5A)~~”~~”, or simply as the “~~“~~PD Ordinance.~~”~~” There shall be a phased approach to the development of Circle T Planning Area No. 5 (PD 3—5A). After applications for site plans and building permits have been submitted, reviewed, and approved for the portion of land identified in Exhibit 9, “First Phase of Development”, that is attached hereto, no other site plan or building permit application shall be made and submitted to the Town of Westlake, Texas for review and approval unless and until a revised development plan for the balance of the total acreage regulated by this PD Ordinance has been submitted to the Planning and Zoning Commission for review and recommendation and approved by the Town Council. The balance of the total acreage regulated by this PD Ordinance shall be defined as the “Second Phase of Development”. Applicants may make single **OR** multiple site plan submittals for the “First Phase of Development” shown in Exhibit 9, however, that single or those multiple site plan submittals shall constitute the “First Phase of Development” for the purposes of this PD District. The revised development plan for the “Second Phase of Development” shall be prepared and completed in coordination with the Town Manager and the Town Planner prior to submitting to the Planning and Zoning Commission and to the Town

Council as outlined herein. Such revised development plan shall reflect the vision and goals for mixed-use development as articulated and captured in the Strategic Plan adopted by the Town Council on February 18, 2025. At such time that the revised development plan is approved by the Town Council, then: (i) the regulations and rules of the Circle T Planning Area No. 5 (PD 3—5A) may be amended in order to guide development on the balance of the land; or (ii) the property owner (or a developer with permission from the property owner) may request a change in zoning for the balance of the land. The text amendments and the change of zoning request shall be reviewed, considered, and acted on in accordance with all applicable State Laws and applicable ordinances of the Town of Westlake, Texas and shall provide appropriate transitions in land use and architecture and landscape architecture to ensure a coherent and aesthetically pleasing development.

Further, the uses identified as “Government Building”, “Police Station”, “Fire Station”, and “Library” in the Land Use Schedule in Article II shall be subject to further review and approval. The Site Plans for those uses shall be prepared in coordination with the Town Manager and the Town Planner.

SECTION 1.2 PURPOSES.

This PD Ordinance is adopted to provide for a superior design of lots or buildings; to provide for increased recreation and/or open space opportunities for public use; to provide rural amenities or features that would be of special benefit to the property users or community; to protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and viewsapes; to protect or preserve existing historical buildings, structures, features or places;

and to provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

SECTION 1.3 GENERAL DEFINITIONS.

Section 1.3.1 Usage. For purposes of this PD Ordinance, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this Section. Unless otherwise provided below, all other terms and words shall be defined as set forth in the Unified Development Code and other codes, ordinances, and regulations adopted by the Town.~~Other terms and words are defined elsewhere in other related town ordinances.~~ Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, and words used in the plural include the singular. The word “shall” will be interpreted as mandatory, and the word “may” as permissive.

Section 1.3.2 Words and Terms Defined.

Applicable Town Ordinances means the UDC and all other ordinances, rules, and regulations that are adopted by the Council and that are applicable to development within the PD District.

Council means the Town Council of the Town of Westlake, Texas.

Commission means the Planning and Zoning Commission of the Town of Westlake, Texas.

Floor Area ~~means the total area of all floors of all buildings on a lot or unified development site measured between the outer perimeter walls of the buildings excluding (i) area in a building or in~~

~~a separate structure (whether below or above grade) used for the parking of motor vehicles, (ii) courts or balconies open to the sky, and (iii) roof area used for recreation.~~

Lot Coverage means the percentage of a lot that is covered by buildings and other roofed structures, parking areas, driveways, —and roadways.

Masonry means brick, stone, cast stone, and three-coat stucco-concrete, glass block, split-face concrete masonry unit, cement plaster stucco, or other masonry materials approved by the Council. Other equivalent materials subject to review and approval by the Town Planner may be considered. However, for the purposes of this definition, stucco shall not be construed or interpreted to include Exterior Insulating Finishing Systems (E.I.F.S.).

~~Mixed Use Development Area means the areas within the PD District that are developed in accordance with the Mixed Use regulations of this PD Ordinance.~~

Mural means any piece of artwork that is painted, tiled or otherwise applied directly on the building façade of a principal non-residential building. Murals shall not include any copy related to the business use of the building, and shall be subject to review and approval by the Town Planner.

Non-Residential Use means all ~~Permitted-permitted Uses-uses~~ other than residential.

PD District means a Planned Development Zoning District. (i.e., PD3) A PD Zoning District may be divided into multiple planning areas. (i.e. PD 3-5A; PD Zoning District 3, Planning Area 5A.) The Planned Development Zoning District contains regulations that apply to all planning areas

within the zoning district, unless the PD Ordinance that created or amended the PD Planning Area contains regulations that are different from those in the PD Zoning District.

PD Ordinance means this Planned Development Planning Area ordinance, including any approved PD Concept Plan, PD Development Plan or PD Site Plan.

PD Planning Area means a planning area within a Planned Development Zoning District.

PD Supplement means that certain Circle T Planned Development Zoning District Supplement contained in Ordinance No. 307 and adopted by the Council.

Town means the Town of Westlake, Texas.

UDC means the Town's Unified Development Code, as amended and codified.

SECTION 1.4 PD SUPPLEMENT.

Concurrently with the adoption of PD Ordinance No. 311, the Council adopted the PD Supplement. The PD Supplement includes additional standards that are applicable within this PD District. The PD Supplement establishes additional standards for the following: concept, informational, development and site plans; signs; landscaping; roadway construction, parking and loading; fencing; lighting; other special standards; and illustrations.

SECTION 1.5 APPLICABILITY OF EXISTING REGULATIONS.

Section 1.5.1 Applicable Town Ordinances. Except to the extent provided by an approved PD Concept Plan, this PD Ordinance and the PD Supplement, development within the PD District shall be governed by least restrictive of the ~~“R”~~ Retail or ~~“O”~~ Office Park zoning district standards and the uses listed in Article II of this Ordinance.

Except to the extent provided by an approved PD Concept Plan, this PD Ordinance, and the PD Supplement, the Applicable Town Ordinances shall also govern development within the PD District. In the event of any conflict between (a) an approved PD Concept Plan, this PD Ordinance and the PD Supplement and (b) the Applicable Town Ordinances, the terms, provisions and intent of an approved PD Concept Plan, this PD Ordinance and the PD Supplement shall control. Except as provided below, in the event of any conflict between the UDC and the Applicable Town Ordinances, the terms, and provisions ~~and intent~~ of the UDC shall control.

Section 1.5.2 General Approval Criteria. To the extent, if any, that the Applicable Town Ordinances (and, in particular, the subdivision regulations of the UDC) grant to the Council, the Commission, the Town Manager, or any other Town employee or consultant, the authority to approve any aspect of development within the PD District (including, but not limited to, preliminary or final plats or any aspect thereof or any agreements or permits related thereto) based on conformity with the Town's Comprehensive Plan, Open Space Plan or Thoroughfare Plan (or with the objectives, goals or policies of such plans), then such authority shall be exercised to the extent necessary to determine whether the aspect of development being approved is consistent with an approved PD Concept Plan, this PD Ordinance, the PD Supplement.

SECTION 1.6 CONCEPT PLAN, DEVELOPMENT PLANS, AND SITE PLANS.

Section 1.6.1 PD Concept Plan. A PD Concept Plan for this PD District shall be approved prior to the approval of any development plans and site plans required by this PD Ordinance. The PD Concept Plan shall comply with the Comprehensive Land Use Plan the Open Space and Trail Plan, the Master Thoroughfare Plan, the Master Water and Sewer Plans, and the Master Drainage Plan of the town and the UDC.

Section 1.6.2 PD Development Plans. PD development plans are required for development within the PD District. The UDC governs the process by which PD development plans are submitted and approved.

Section 1.6.3 PD Site Plans. PD site plans are required for development within the PD District. Article I, Section 3.4, of the PD Supplement governs the process by which PD site plans are submitted and approved (including, but not limited to, the submittal requirements, approval criteria, and conditions).

ARTICLE II.

USES.

SECTION 2.1 LAND USES.

Section 2.1.1 Land Use Schedule. Buildings, structures, and land within the PD District shall be used only in strict accordance with the uses permitted in the following “Land Use Schedule”. The symbol “X” shall mean that the use is permitted as a principal use by right. The symbol “S” shall mean that the principal use is permitted only after first obtaining a “Specific Use Permit” subject to review and recommendation by the Commission and approval by the Council as set forth

in Sec. 102-63 the UDC. The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use (this does not exclude other land uses which are generally considered accessory to the primary use). A blank square shall mean that the use is prohibited ~~not allowed as a principal use~~.

PLANNING AREA 5--A - LAND USE SCHEDULE

PERMITTED USES	A = Accessory Use X = Permitted S Special Use
AGRICULTURAL USES	
1. Plant Nursery (Growing)	X
2. Plant Nursery (Retail Sales)	X
3. Farms General (Crops)	X
4. Farms General (Livestock, Ranch)	X
5. Vegetarian (Indoor Kennels)	X
6. Vegetarian (Outdoor Kennels)	
7. Stables (Private Use)	S
8. Stables (As a Business)	S
RESIDENTIAL USES	
9. Single Family Detached	X
10. Single Family Attached - Zero Lot Line	X
11. Single Family Attached	X
12. Duplex	
13. Condominium	
14. Home Occupation	x
15. Servants/Caretakers Quarters	A
16. Temporary Accommodation for Employees/Customers/Visitors	A
17. Swimming Pool (Private)	A
18. Detached Garage (Private)	A
19. Sport/Tennis Courts (Private)	A
INSTITUTIONAL and GOVERNMENTAL USES	
20. Emergency Ambulance Service	X
21. Post Office (Governmental)	X
22. Mailing Service (Private)	X
23. Heliport	
24. HelistopVerti-stop	S
25. Telephone, Electric, Cable, and Fiber Optic Switching Station	X
26. Electrical Substation	S
27. Utility Distribution Lines ¹	X
28. Utility Shop and Storage	S
29. Water and Sewage Pumping Station (below grade)	X
30. Water and Sewage Pumping Station (above grade)	S
31. Water Storage Tank and Pumping System (Elevated or Above Grade)	S
32. Water, Sewer, Electric, and Gas Meters	X
33. Electric Transformers	X

PERMITTED USES INSTITUTIONAL and GOVERNMENTAL USES CONT'D.		A = Accessory Use X = Permitted S Special Use
34. Private Streets/Alleys/Drives		X
35. Retirement Home		X
36. Nursing/Convalescent Home		
37. Hospice		
38. Hospital		
39. Psychiatric Hospital		
40. Clinic		X
41. Child Daycare (Public; 7 or more)		X
42. Child Daycare (Private; 7 or more)		X
43. School, K-12 (Public or Private)		
44. School (Vocational)		A
45. College or University		X
46. Community Center (Public)		X
47. Civic Club		X
48. Church or Place of Worship		X
49. Use Associated with a Religious Inst.		X
50. Government Building		X
51. Police Station		X
52. Fire Station		X
53. Library		X
54. Data Center		X S
COMMERCIAL USES		
55. Offices (General)		X
56. Studio		X
57. Banks and Financial Institutions		X
58. Information Processing		X
59. Hotel/Motel		X
60. Hotel/Motel with Conferencing Facility		X
61. Laundry/Dry Cleaning (<3,000 S.F.)		X
62. Laundry/Dry Cleaning (Drop/Pick)		X
63. Parking Structures		X
64. Shoe Repair		X
65. Beauty Parlor/Barbershop		X
66. Clothing Store		X
67. Quick Copy/Duplicating Services		X
68. Personal Services		X
69. Liquor Store		
70. Micro brewery and Wine Production and Sales (<30,000 S.F.)		s
71. Grocery (With alcoholic beverage sales)		sX

PERMITTED USES COMMERCIAL USES CONT'D.	A = Accessory Use X = Permitted S Special Use
72. Convenience Store (with alcoholic beverage sales)	s
✚73. Grocery	X
74. Convenience Store	X
✚75. Variety Store	X
76. Bakery Sales	X
✚77. Stationery and/or Book Store	X
78. Antique Shop	X
79. Art Gallery/Museums	X
80. Hardware Store	X
81. Sporting Goods	X
82. Paint and Wallpaper	X
83. Clothing Store	X
84. Retail Stores — General (Excluding Second Hand Goods)	X
85. Restaurant, Cafe or Dining Facility	X
86. Restaurant, Cafe or Dining Facility serving alcohol	sX
87. Auto/Truck Parts and Accessories	X
88. Household Furniture/Appliances (including Sales and Service)	X
89. Farmer's Market	S
90. Feed Store	
91. Parking Structure	X
92. Cafeteria (Private)	A
93. Job Printing, Lithography, Printing, or Blueprinting	X
94. Vehicle Display and Sales (inside)	x
95. Medical Laboratory	A
96. R&D Laboratory	S
97. Conference Center	X
98. Live Theater	X
99. Motion Picture Theater	X
100. Custom Business Services	X
101. Electronic Appliances Store and Computer Sales and Service	X
102. Tavern, Bar or Lounge	S
103. Dance Halls/Nightclubs	S
104. Golf Course (Public or Private)	X
105. Park or Playground (Public or Private)	X
106. Satellite Dish	X
107. Non Commercial Radio Tower	
108. Race Track Operation	
109. Recreation Facility, Health Studio (Public)	X
110. Country Club (Private Membership)	X

PERMITTED USES COMMERCIAL USES CONT'D.	A = Accessory Use X = Permitted S Special Use
111. Golf Clubhouse (Public or Private)	X
112. Community Center (Private)	X
113. Recreation Center (Private)	X
114. Hike, Bike, and Equestrian Trails (Public or Private)	X
115. Golf Maintenance Facility	A
116. Golf Pro Shop	X
117. Health/Spa Facilities (Private)	X
118. Athletic Fields (Private)	A
119. Athletic Courts (Private)	A
120. Equestrian Center	X
121. Athletic Courts (Public)	A
122. Commercial Amusement (Inside)	X
123. Lake Cruise/Water Taxi	X
124. Truck/Trailer Rental	S
125. Auto Body Repair	
126. Auto Mechanical Repair	S
127. Quick Lube/Oil Change	
128. Vehicle Maintenance (Private)	X
129. Vehicle Fueling (Private)	S
130. Warehouse/Storage (Inside)	
131. Warehouse/Storage (Outside)	
132. Scrap/Waste Recycling Collection and/or Storage	
133. Gas/Chemical Bulk Storage	
134. Light Manufacturing/Assembly	S
135. Apparel Manufacturing	
136. Packaging and/or Distribution	
137. Printing, Engraving and related Reproductive Services	
138. Distribution of Books/Other Printed Material	
139. Machine Shop	
140. Welding Shop	
141. Temporary Batching Plant	S ²
142. Temporary Construction Office	X ⁻²
143. Temporary Construction Materials Storage	X ⁻²
144. Temporary Sales Office	X ⁻²

NOTES:

1. Including water, sewer, electric, gas, cable, telephone, fiber optic, and other public and private utility distribution lines.
2. Limited to period of construction.

Section 2.1.3 Residential ~~Area~~Uses. The maximum number of residential units allowed in this PD District is 275 units. A construction schedule must be approved by the Town Council prior to or simultaneous with the filing of a preliminary plat.

SECTION 2.2 ACCESSORY USES AND STRUCTURES.

An accessory use or structure which is customarily incidental to the principal use or structure, and which is located on the same lot or tract of land, shall be permitted as an accessory use without being separately listed as a permitted use.

ARTICLE III.

DEVELOPMENT STANDARDS

SECTION 3.1 DENSITY.

~~Section 3.1.1 Non-Residential Uses. The maximum aggregate floor area for all allowed non-residential uses outside of a Mixed Use Development Area in this PD District is 1,010,000 square feet.~~

~~Section 3.1.2 Mixed Use Development Area. The maximum aggregate floor area for all allowed uses within a Mixed Use Development Area in this PD District is 350,000. lot coverage shall be 90%.~~

Section 3.1.3-1 Residential Uses. This PD District may contain a maximum of 275 owner-occupied, attached or detached single family dwelling units.

Section 3.1.2. Non-residential Uses. There are no density limitations.

Section 3.1.3. Lot Coverage. The lot coverage for all residential and non-residential uses shall not exceed 90 percent.

SECTION 3.2 MINIMUM LOT SIZE.

Section 3.2.1 Residential ~~area~~Area. The minimum lot size for all residential detached units is 5,000 square feet. There are no minimum lot sizes for Residential attached units.

Section 3.2.2 ~~Mixed Use Development~~ Non-Residential Uses~~Area~~. There are no minimum lot sizes ~~within a Mixed Use Development Area except as described in Section 2.1 above.~~

SECTION 3.3 MINIMUM LOT WIDTH

Section 3.3.1 Residential Uses. The minimum lot widths for residential detached units shall be 50 feet; and the minimum lot widths for residential attached units shall be 30 feet. ~~There are no minimum lot widths for attached uses within a Mixed Use Development Area.~~

Section 3.3.2 ~~Mixed Use Development Area~~ Non-Residential Uses. There shall be no minimum lot widths ~~within a Mixed Use Development Area, except as noted in Section 3.1.~~

~~Section 3.3.3 Non-Residential. The minimum lot width for non-residential uses outside of a Mixed Use Development area uses outside of a Mixed Use Development Area shall be 200 feet.~~

SECTION 3.4 MAXIMUM BUILDING HEIGHT.

Section 3.4.1 ~~Mixed Use Development Area~~ General. For residential uses, that maximum

~~building height for principal buildings shall be four (4) stories and 60 feet. For non-residential uses, the maximum building height for principal buildings shall be six (6) stories and 100 feet. For permitted non-residential uses located within 660 feet of the right-of-way of State Highway 114 and / or State Highway 170, there shall be no building height restrictions. For permitted residential uses the minimum building height on the first story shall be ten (10) feet. The maximum height for all structures within a Mixed Use Development area shall be six (6) stories or 90 feet, but not to exceed a height of 735 feet above Mean Sea Level (MSL). The following additional standards apply:~~

~~A. — Adjacent buildings within the same block must be varied in height; however, the height differential between buildings cannot exceed two (2) floors.~~

~~B.A. Building Heights heights are measured from the average sidewalk grade to the top of the parapet or roof eave.~~

~~C. — Sloped roofs shall not exceed a pitch of 8 inch rise for every 12 inches of run.~~

~~D. — Attic space under the roof may be occupied.~~

~~E. — Vaulted and curved roofs are permitted but shall not exceed an apex height of greater than 16 feet above the parapet or eave line.~~

~~Section 3.4.2 **Residential** Uses. The maximum height for all residential structures outside of a Mixed Use area is 35 feet.~~

~~Section **3.4.3** All Uses Outside a Mixed Use Development Area. The maximum height for all structures shall be the lesser of eight (8) stories or 735 feet above Mean Sea Level (MSL). Adjacent~~

~~buildings within the same block must be varied in height; however, the height differential between buildings cannot exceed four (4) floors.~~

Section 3.4.42 Exceptions to Height Requirements. The height limits imposed by this Section shall not apply to (a) chimneys and vent stacks, church spires, towers, cupolas, sloped roofs, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices provided such equipment, fixtures, and devices are screened from view with a solid wall that is architecturally consistent with the design of the building to which they are attached.

SECTION 3.5 MINIMUM BUILDING FOOTPRINT SIZE.

The minimum ~~building footprint (i.e., habitable area) for each detached and attached single-family dwelling units shall be 3,000 square feet. There shall be no minimum building footprint requirements for non-residential uses residential dwelling unit size shall be 1,500 square feet. The minimum building size for all other uses shall be 2,000~~5,000 square feet.

SECTION 3.6 FRONT YARD SETBACKS AND BUILD TO LINES.

Section 3.6.1 ~~Mixed Use Development Area~~General. There shall be a 15-foot minimum build-to-line for ~~all detached and~~ attached residential uses ~~in a Mixed Use Development area. Detached residential shall have a 20-foot minimum front yard setback.~~ There are no minimum front yard setbacks for ~~other non-residential~~ uses, ~~in a Mixed Use Development area~~ except that sidewalk zones and landscaping will be consistent with the PD ~~supplement~~Supplement.

~~Section 3.6.2 Uses outside a Mixed-Use Development Area. The minimum front yard for non-residential uses not within a Mixed-Use Development Area shall be 50 feet. Detached residential uses shall have a 20-foot minimum front yard setback.~~

SECTION 3.7 REAR YARD SETBACKS.

The minimum rear yard setbacks for all uses ~~outside of a Mixed-Use Development Area~~ shall be 20 feet.

SECTION 3.8 SIDE YARD SETBACKS.

Section 3.8.1 ~~Mixed-Use Development Area~~—Residential Attached. ~~There shall be no minimum side yard setback requirements for single-family residential attached units. Each attached single-family dwelling shall have only one five-foot wide side yard. The side yard requirements shall apply to only one side yard of the first and last attached houses in each set of attached houses.~~

Section 3.8.2 ~~Mixed-Use Development Area~~—Residential Detached. The minimum side-yard setback requirements for single-family residential detached units shall be 10 feet.

Section 3.8.3 Non-Residential Uses ~~in a Mixed-Use Development Area~~. There shall be no minimum side yard setback requirements for ~~any~~ non-residential uses ~~within a Mixed-Use Development Area~~. There shall be no side yard setback requirements for any other uses within a ~~Mixed-Use Development Area~~.

~~Section 3.8.4 Non-Residential Uses not in a Mixed-Use Development Area. The minimum side yard for non-residential uses not in a mixed-use development area shall be 25 feet.~~

SECTION 3.9 SLOPE REQUIREMENTS.

The regulations contained in the ~~Code of Ordinances or UDC~~ Town Code of Ordinances, including the UDC, relating to building heights and setback requirements based on a slope measured from a roadway or a residential use does not apply to development within this planning area.

ARTICLE IV.

ADDITIONAL ~~MIXED-USE~~ DEVELOPMENT ~~AREA~~ STANDARDS

SECTION 4.1 ROADWAY STANDARDS.

The general roadway standards applicable within ~~a Mixed-Use Development Area~~ this PD District are established by the drawings labeled ~~“Mixed Use Development Area Roadway Standards”~~. Street cross-sections for such roadways (including on ~~—~~ street parking) are illustrated on Exhibits 3 through 7.

SECTION 4.2 LANDSCAPING.

All landscape requirements for this PD District are established in: (i) the Roadway Standards of this ordinance (See Exhibits 3 through 7); (-ii) the Lake Edge Standards (-See Exhibit 8); and (iii) the PD Supplement. In the event that any landscaping standard is not addressed by (i), (-ii) or (iii) above, then the landscaping standards contained in the UDC shall apply.

SECTION 4.3 LAKE EDGE.

The standards applicable to the development of the Lake Turner shoreline are ~~it~~ illustrated on Exhibit 8.

SECTION 4.4 ROOFS.

All principal roofs for single-family residential detached units shall be sloped as set forth herein.
All principal roofs for single-family residential attached and non-residential uses shall be sloped or low slope (i.e., flat) as set forth herein. Where provided, all principal roofs for single-family residential detached and attached units shall have a minimum slope of 8:12. Where provided, flat roofs for single-family residential attached units and non-residential uses shall be surrounded on all sides by a parapet wall. Parapet walls shall be architecturally articulated for visual interest between individual buildings. Additionally, any building mechanical equipment located on flat roofs shall be visually screened from all sides by an opaque screen enclosure **OR** by parapet walls, either of which shall be a minimum of 12 inches greater in height than the equipment.~~Commercial roofs will be predominantly flat with sloped roof architectural features. Commercial roofs will not have a height to length ratio limit. Residential roofs will be predominantly sloped with flat accent roofs. Sloped roofs will not have a height to length ratio greater than 8:12. Curved roofs will be no taller than 16 feet above the plate or cornice line. All mechanical units must be screened from view.~~

~~SECTION 4.5 CONSISTENT FIRST FLOOR HEIGHTS.~~

~~Above a given block, the first floor heights should be similar in adjacent buildings, particularly as reflected in the exterior spandrel between the first and second floor. On commercial streets, the heights of the first floors and adjacent buildings should not vary by more than one foot. Likewise, heights of canopies and colonnades covering the sidewalks should match from building to building along a given block front, with a maximum height of 14 feet.~~

SECTION 4.6-5 STREET LEVEL ENTRIES AND OPENINGS.

All buildings shall have their principal pedestrian entrance front a street or an open space. All residential uses shall provide a porch, a stoop, or other similar architectural feature or landscape architectural feature at their principal pedestrian entrance. All non-residential Commercial entries along the street shall have additional architectural detailing in order to emphasize the principal pedestrian entrance. This may be achieved through awnings, canopies, or recessed doorways or other similar architectural features subject to review and approval by the Town Planner. should be recessed at least two feet from the building face, shall be covered with a protective rain covering such as awnings and canopies. Residential entries may be recessed or may be covered with a protective rain covering such as awnings and canopies.

SECTION 4.7 STOREFRONT SPACING.

At least one building entry or passage shall occur every 25 feet on average in any block, but no further than 40 feet apart along any commercial facade.

SECTION 4.76 STOREFRONT FIRST FLOOR GLAZING REQUIREMENTS.

For the purposes of this Section 4.6, the provisions for first floor glazing requirements shall only apply to front building façades (i.e., where the principal pedestrian entrance is provided). The front building façade of all first floor commercial uses shall be no less than 60 percent glazed in glass between two (2) feet and 12 feet above the adjacent sidewalk. On corner lots, the property owner or the developer shall select only one building façade to be the front building façade; and the front building façade shall be required to have no less than 60 percent glazed in glass as described above. Where appropriate, sliding doors and / or sliding windows that will allow the activity of the first floor business to open adjacent to and onto the sidewalk may be installed for cafés, restaurants,

and other food service establishments, subject to approval by the Town Planner. The use of mirrored, reflective, and tinted glass shall be prohibited, unless required otherwise by the Energy Code. Glazing shall not extend for greater than 35 feet in length without vertical or horizontal articulations in order to provide visual relief and architectural variety. Commercial storefront glazing shall be continuous in no longer than 35-foot spans. Glazing to be visually broken by introduction of vertical elements, such as columns, pilasters, or other architectural detail consistent with the overall design. Highly reflective or heavily tinted glass is prohibited.

SECTION 4.8-7 STREET LEVEL FACADES.

On corner lots, to encourage visual interest, no portion of a building façade at the first floor set along a street or an open space that is not designed as shopfront as described in Section 4.6 above, shall extend for greater than 20 feet in length without an interruption for a door opening, window opening or other architectural articulation. This provision shall exclude rear building façades or building façades facing a surface parking. Blank building façades facing a street or an open space shall be prohibited. Blank stretches of street level, street-facing facades (those without windows or entries) should be minimized; however, stretches of ten twenty feet are acceptable. Blank stretches between 30 ten feet and 520 feet are permissible, but should be limited. Blank stretches over 20 50 feet are not allowed except in cases of murals being utilized for visual interest. Murals are encouraged with design to be coordinated with Town staff.

SECTION 4.9-8 PORCHES AND STOOPS.

Where first floors are exclusively used for residential purposes, a porch or stoop shall be located at the principal pedestrian entrance into the dwelling unit. Where provided, porches shall be a

minimum of six (6) feet deep and porch floors shall be made of cast stone, stone, or concrete slab.
Where provided, stoops shall be a minimum of five (5) feet deep and five (5) feet wide and stoops
shall be made of cast stone, stone, or stucco. All first floor porches ~~must and stoops shall~~ be
elevated at least 18-24 inches above the adjacent sidewalk for privacy.

SECTION 4.~~10-9~~ SIDEWALK COVERINGS.

Canopies and colonnades are permitted and encouraged.

SECTION 4.~~11-10~~ ~~DIVERSITY OF USES~~ MIXED-USE.

It is intended that a mixed-use development be achieved through purposeful horizontal integration
of residential and non-residential uses. Complementary and compatible non-residential uses may
only be mixed horizontally and vertically within the same building. Residential uses and non-
residential uses shall not be mixed vertically within the same building~~Diversity of uses is~~
~~encouraged throughout a Mixed Use Development Area. Mixing uses vertically within buildings~~
~~is also encouraged.~~

SECTION 4.~~12-11~~ MID-BLOCK PASSAGES.

Mid-block passages which connect the street to the interior of blocks and the parking therein are
encouraged. These passages may be enclosed or open air, but must remain open to public passage.
These passages should be enhanced with landscaping. Pedestrian circulation should be encouraged
and enhanced.

SECTION 4.~~13-12~~ PAVING MATERIALS.

Roadways and parking lots, subject to the approval of Development Agreement by the Council,

~~will~~shall be concrete, asphalt, with brick, stamped concrete, paver or stone crosswalks and concrete curbs. Entire sections of important roadways may be brick. Sidewalks shall be concrete and / or brick. Other paved areas, such as courtyards and plazas, may be brick, concrete, or stone, as appropriate.

SECTION 4.~~14~~13 PEDESTRIAN ACCESSES.

Pedestrian access must be maintained throughout the PD District. All buildings and open space ~~must~~shall be ~~joined~~connected by sidewalks and other pedestrian paths that follow the standards established in the PD Supplement, the UDC and the Trails and Open Space Plan. Sidewalks are also required to link recreational and entertainment uses to parking areas.

SECTION 4.14 MURALS.

Murals shall only be permitted on principal non-residential buildings. There shall only be one (1) mural permitted per non-residential building, provided that the murals are applied to building façades that directly face the State Highway 114, State Highway 170 and / or Schwab Way right-of-way. Murals shall not be applied to any building façade facing any shopfront or residential unit.

ARTICLE V.

EXHIBITS

EXHIBIT 1 Legal Description of PD District

EXHIBIT 2 Mixed Use Development Area Maximum Building Height View-shed Analysis

Mixed Use Development Roadway Standards

EXHIBIT 3 Street "A" — Primary Road

EXHIBIT 4 Street "B" — Town Square

EXHIBIT 5 Street "C" — Perimeter Road

EXHIBIT 6 Street "D" — Interior Road

EXHIBIT 7 Street "E" — Service Lanes

EXHIBIT 8 Lake Edge

EXHIBIT 9 — First Phase of Development

EXHIBIT 1

DESCRIPTION 5A, Tract 1

BEING a certain tract of land situated in the Richard Eads Survey, Abstract Number 393, the Jesse Sutton Survey, Abstract Number 1154, and the J. Bacon Survey, Abstract Number 1565, Denton County, Texas and being part of that tract of land described by deed to Westlake Retail Associates, LTD. recorded in Instrument Number 98-R0118649, Official Public Records Denton County, Texas and being more particularly described by metes and bounds as follows: BEGINNING at the northeast corner of said Westlake Retail Tract;

THENCE S 17°23'44"W, 329.22 feet;

THENCE with said curve to the right, an arc distance of 225.55 feet, through a central angle of 72°36'05", having a radius of 178.00 feet, the long chord which bears S 53°41'47"W, 210.76 feet;

THENCE S 89°59'49"W, 2082.87 feet;

THENCE with said curve to the left, an arc distance of 610.57 feet, through a central angle of 33°57'51", having a radius of 1030.00 feet, the long chord which bears S 61°39'47"W, 601.67 feet;

THENCE S 33°22'07"W, 762.52 feet; THENCE N 56°49'29"W, 274.51 feet; THENCE S 00°36'27"E, 72.88 feet; THENCE N 89°09'16"W, 296.16 feet; THENCE N 34°40'58"E, 368.29 feet; THENCE S 75°40'04"E, 65.50 feet; THENCE S 89°39'43"E, 41.37 feet; THENCE N 03°17'07"E, 181.84 feet;

THENCE with said curve to the right, an arc distance of 3328.05 feet, through a central angle of 67°01'44", having a radius of 2844.79 feet, the long chord which bears N 70°21'27"E, 3141.49 feet;

THENCE S 75°49'09"E, 137.98 feet; THENCE S 75°16'22"E, 75.82 feet; THENCE S

67°10'21"E, 317.59 feet; THENCE S 00°31'47"E, 57.12 feet;

THENCE S 75°23'25"E, 42.78 feet to the Point of Beginning and containing 2,302,827 square feet or 52.87 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

DESCRIPTION 5A, Tract 2

BEING a certain tract of land situated in the Richard Eads Survey, Abstract Number 393, the Jesse Sutton Survey, Abstract Number 1154, and the J. Bacon Survey, Abstract Number 1565, Denton County, Texas and being part of that tract of land described by deed to Westlake Retail Associates, LTD. recorded in Instrument Number 98-R0118649, Official Public Records Denton County, Texas and being more particularly described by metes and bounds as follows: COMMENCING at the northeast corner of said Westlake Retail Tract;

THENCE S 17°23'44"W, 476.68 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 783.77 feet, through a central angle of 17°32'30", having a radius of 2560.00 feet, the long chord which bears S 08°37'29"W, 780.71 feet;

THENCE S 00°08'46"E, 87.08 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 159.11 feet, through a central angle of 08°57'34", having a radius of 1017.50 feet, the long chord which bears S 04°20'01"W, 158.95 feet to the POINT OF BEGINNING;

THENCE continuing with said curve to the right, an arc distance of 509.18 feet, through a central angle of $28^{\circ}40'19''$, having a radius of 1017.50 feet, the long chord which bears

S $23^{\circ}08'58''$ W, 503.88 feet;

THENCE with said curve to the left, an arc distance of 389.64 feet, through a central angle of $18^{\circ}52'45''$, having a radius of 1182.50 feet, the long chord which bears S $28^{\circ}02'45''$ W, 387.88 feet;

THENCE N $00^{\circ}46'40''$ W, 285.95 feet; THENCE N $89^{\circ}52'40''$ W, 803.58 feet; THENCE S $01^{\circ}45'09''$ E, 315.41 feet; THENCE N $89^{\circ}55'57''$ W, 630.71 feet; THENCE N $76^{\circ}17'08''$ W, 209.46 feet;

THENCE N $41^{\circ}18'25''$ W, 569.86 feet to the beginning of a non-tangent curve to the right;

THENCE with said non-tangent curve to the right, an arc distance of 128.76 feet, through a central angle of $03^{\circ}55'08''$, having a radius of 1882.50 feet, the long chord which bears

N $88^{\circ}08'17''$ E, 128.73 feet; THENCE S $89^{\circ}54'10''$ E, 898.42 feet;

THENCE N $75^{\circ}29'58''$ E, 1406.35 feet to the Point of Beginning and containing 884,076 square feet or 20.30 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

EXHIBIT 1, CONT'D.

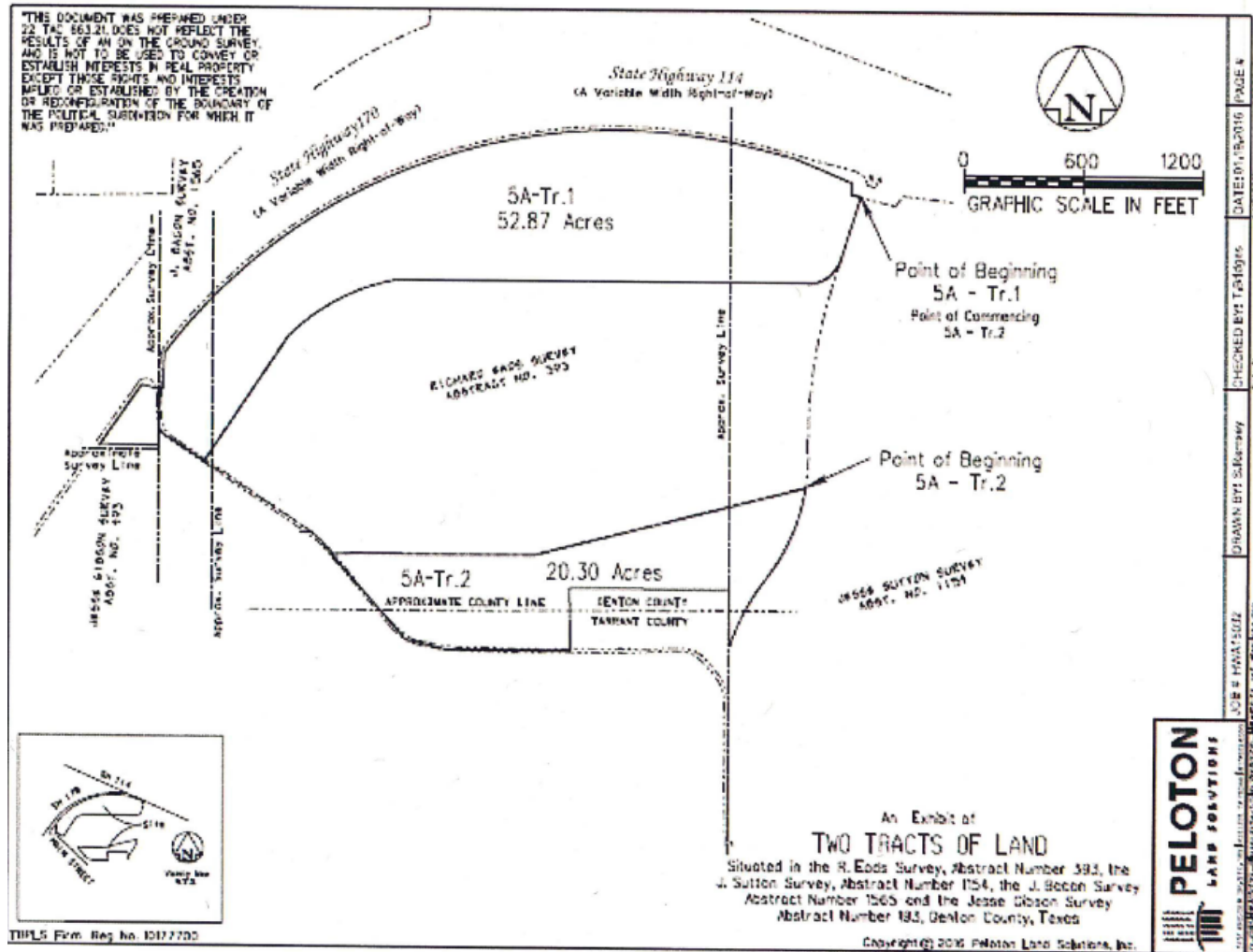
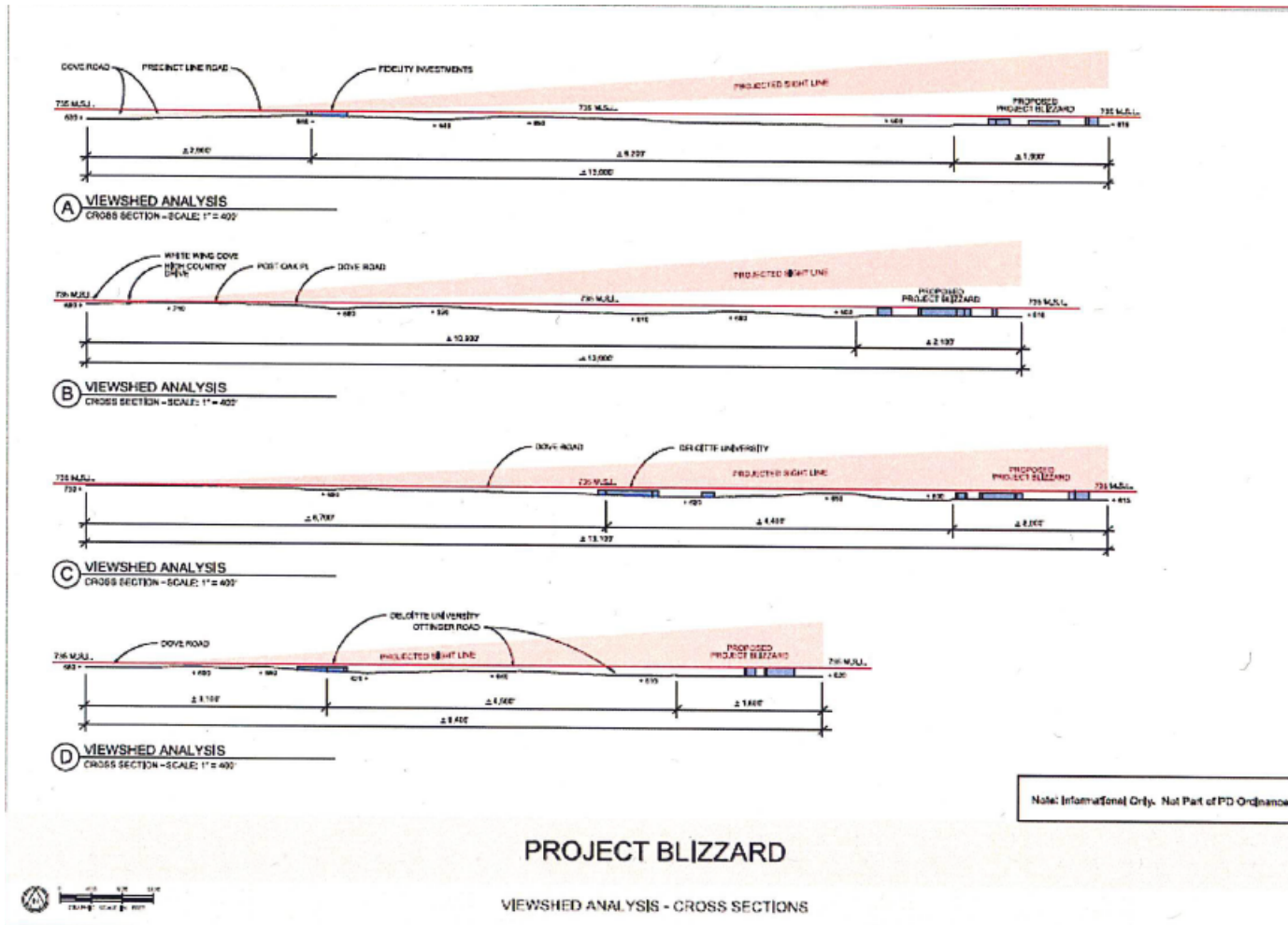


EXHIBIT 2



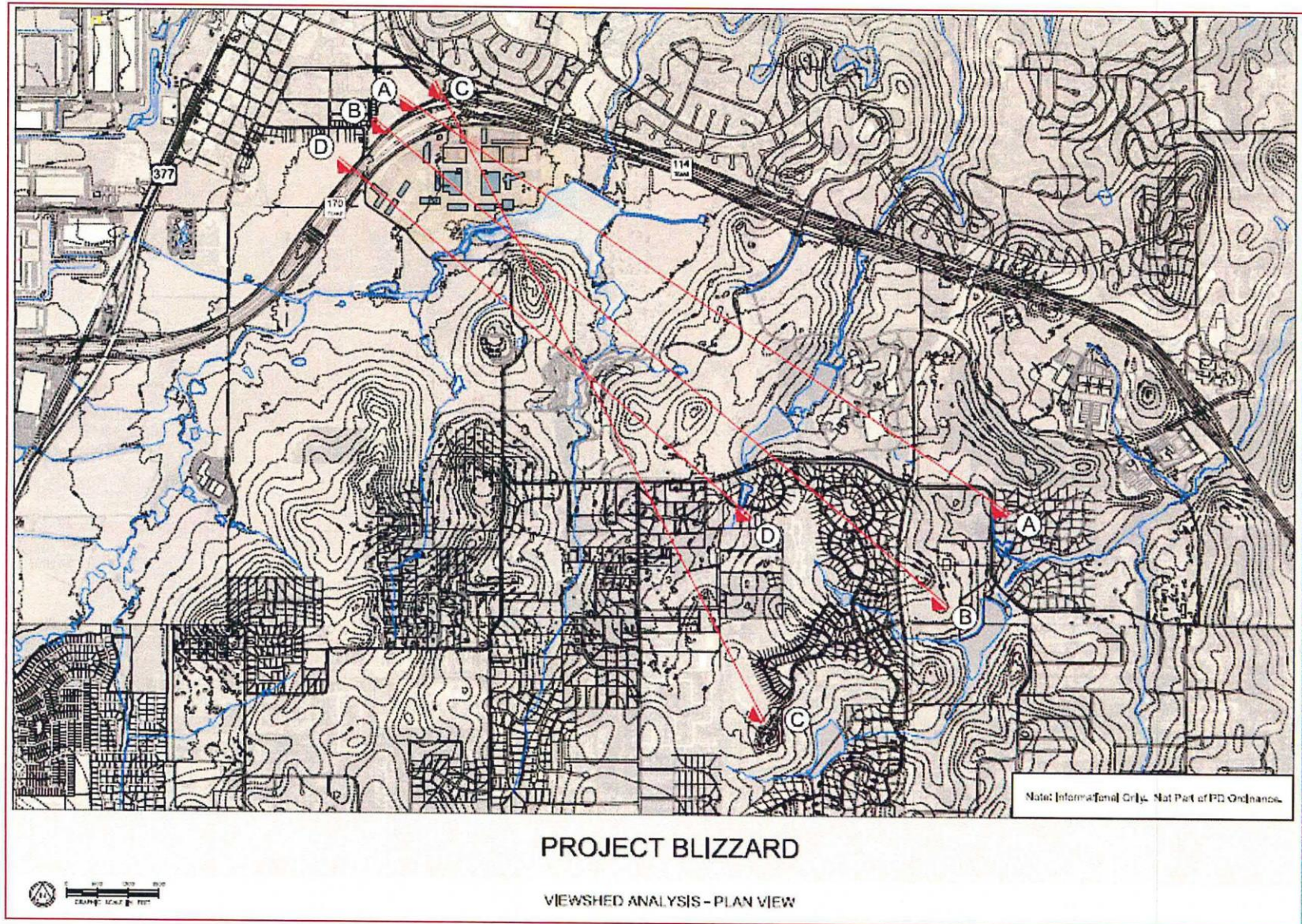


EXHIBIT 3 STREET “A” – PRIMARY ROAD

STREET A PRIMARY ARTERIAL

Typically Street A is the main boulevard running through the area. It will be four lanes and divided where it passes through the mixed-use development and be urban in character. The median will be narrow, on-street parking will be allowed, sidewalks will be close to the street edge and traffic lights will be more frequent if required. Speed limits will be lower on this stretch to allow for pedestrian crossings and street intersections.

Street Character

Street A will be primarily commercial. There will be high traffic volume, but it will remain pedestrian friendly.

Building Heights

Building heights will be no less than two stories and no more than four stories.

Sidewalk Zone/ Build-To-Lines

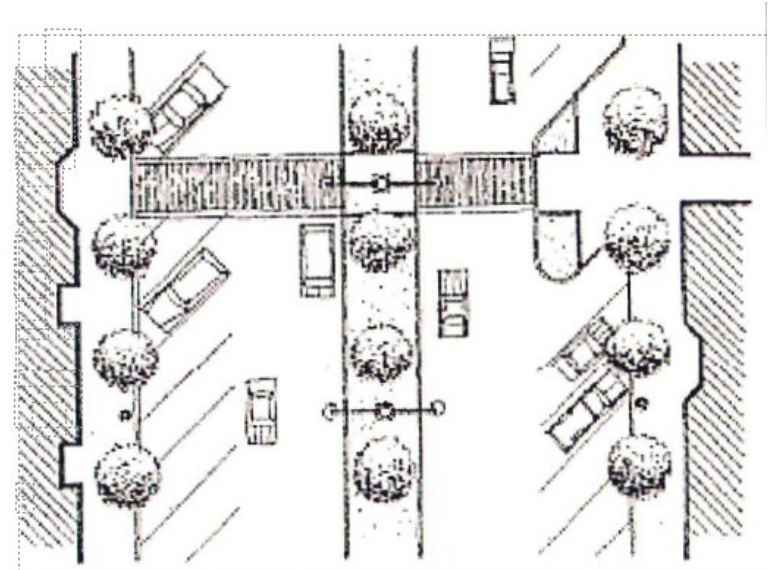
The depth of the sidewalk and “build-to” line will be a minimum of 15 feet from the face of the curb.

Parking

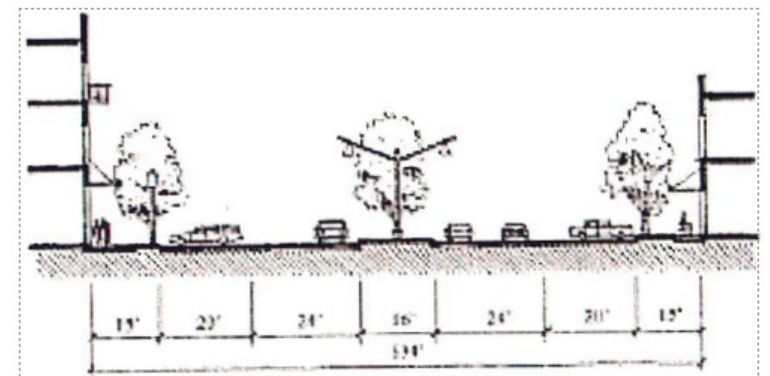
Angled and parallel street parking will be allowed on both sides.

Landscaping

Street trees are required along sidewalks and in medians placed at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 4 STREET “B” – TOWN SQUARE

STREET B TOWN SQUARE

Town Square may be a one-way street within the mixed-use development. It is primarily a retail shopping street with slow traffic. There will be parallel parking on the inside curb next to the Square and angled parking on the outside curb next to the shops.

Street Character

Town Square will be primarily commercial, with active pedestrian areas.

Building Heights

Building heights will be no less than two stories and no more than four.

Sidewalk Zone/ Build-To-Lines

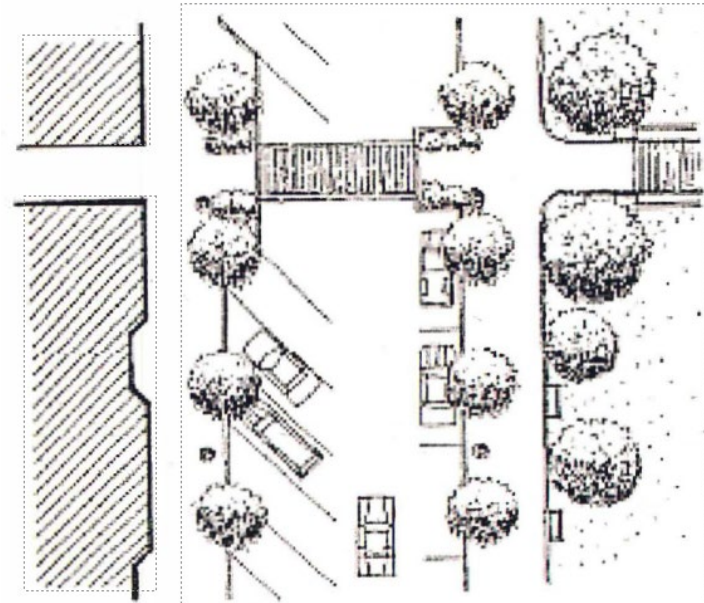
The depth of the sidewalk and “build-to” line shall be 15 feet from the curb. All buildings facing Town Square must be built 100% to the build-to line with the exception of civic buildings, building entries, through-block passages, and required building articulations.

Parking

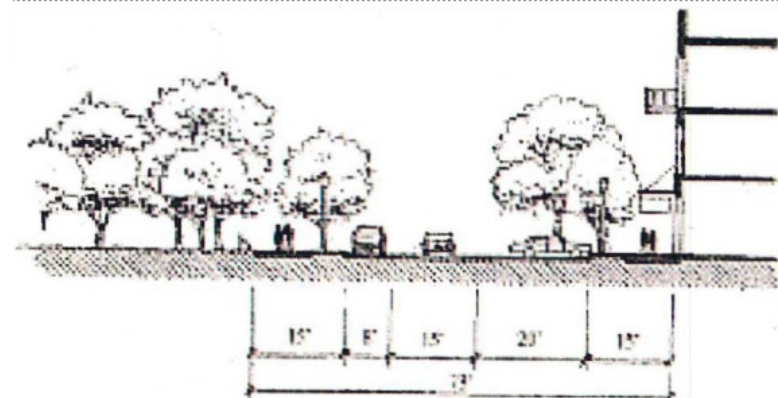
Angled parking will be allowed on the outside of the street and parallel parking will be allowed on the inside next to the square.

Landscaping

Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 5 STREET “C” -- PERIMETER ROAD

STREET C PERIMETER ROAD

The perimeter road parallels the boundaries of the site and may form the outer ring of the mixed-use development area’s street system. It is a two-way street with parallel parking provided on both sides.

Street Character

The portions of the perimeter road nearest to retail and office areas are primarily commercial. The remainder is primarily residential with occasional shops or cafés mixed in at street level.

Building Heights

Building heights vary but are generally one to three stories.

Sidewalk Zone/ Build-To-Lines

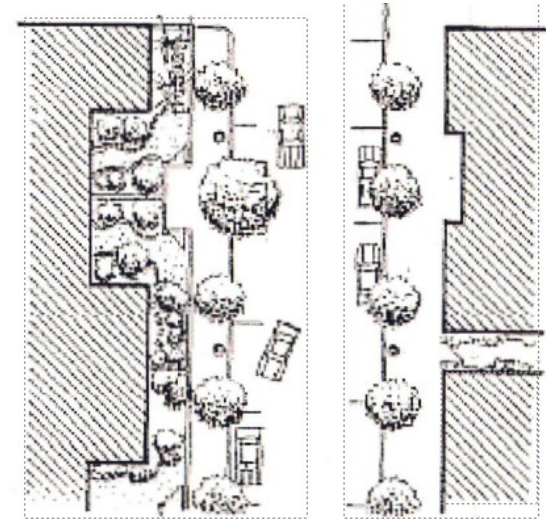
The depth of the sidewalk zone adjacent to residential uses shall be 10 feet from the curb, and adjacent to all other uses shall be 15 feet from the curb. The “build-to” line for residential uses shall be a minimum of 20 feet from the curb and a maximum of 40 feet from the curb. The “build-to” line for all other uses shall be 15 feet from the curb.

Parking

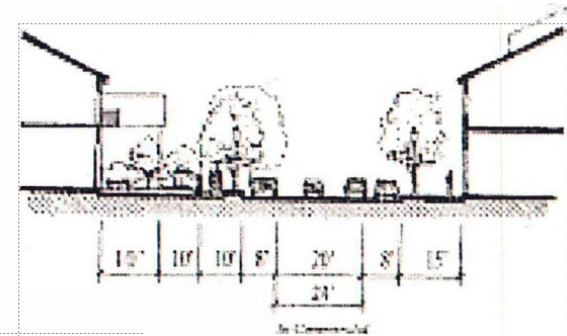
Parallel parking will be provided on both sides of the street.

Landscaping

Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 6 STREET “D” INTERIOR ROAD

STREET D INTERIOR STREETS

Interior streets are two-lane streets with on-street Parking.

Street Character

Interior Street is an active shopping, business and Residential street. Its residential areas are generally above the street level, but some are on the ground floor level as well.

Building Heights

Building heights vary from one to four stories.

Sidewalk Zone/ Build-To-Lines

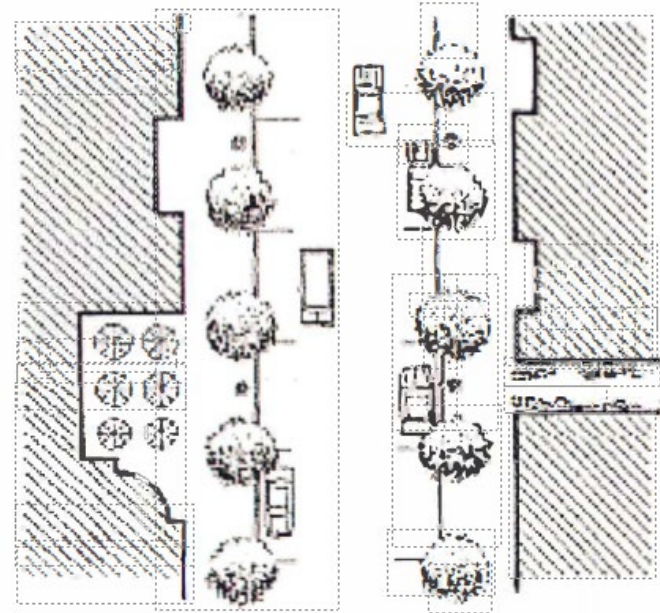
The depth of the sidewalk zones and “build-to” lines shall vary from 15 feet in residential areas to 25 feet in dense retail areas.

Parking

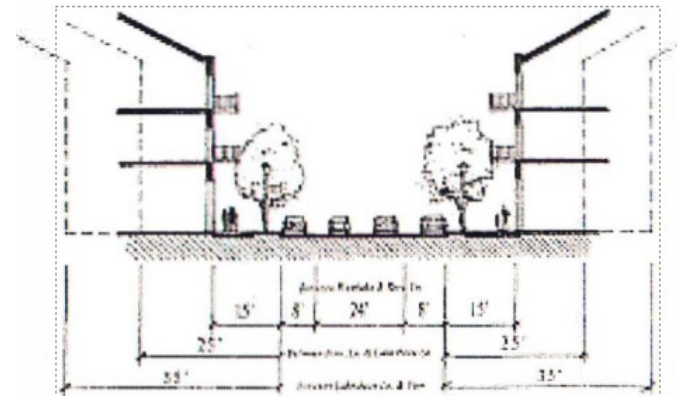
Parallel parking is allowed on both sides of the street.

Landscaping

Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 7 Street “E” –Service Lanes

STREET E SERVICE LANES

Service Lanes are two-way / two-lane service corridor midway between blocks within the mixed use areas. It provides access for service vehicles to parking areas and nearby buildings.

Street Character

The Service Lane is a small, vehicle-oriented alley with slow traffic throughout. It is not designed to encourage high level pedestrian traffic, but it will accommodate them.

Building Heights

Building heights vary from one to four stories.

Sidewalk Zone/ Build-To-Lines

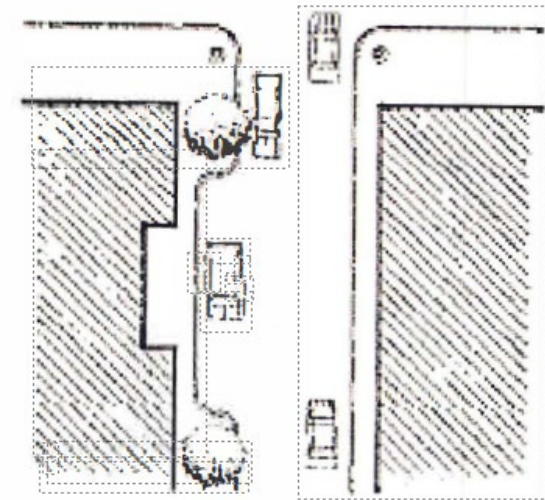
The depth of sidewalk zones and “build-to” lines shall be five feet from the curb.

Parking

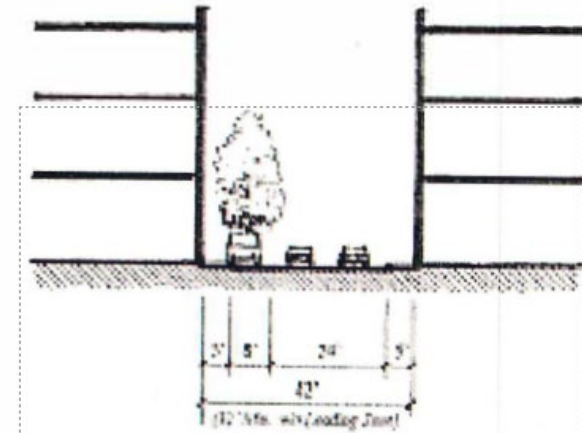
There is no on street parking with the exception of occasional loading zones.

Landscaping

Street trees are not required.



Street Plan



Street Section

EXHIBIT 8 LAKE EDGE

LAKE EDGE

The shore along Lake Turner is a waterfront area to be enjoyed by all the residents and visitors of Westlake. A continuous pathway, possibly a portion of the Town's trail system, runs along the shore.

Building Heights

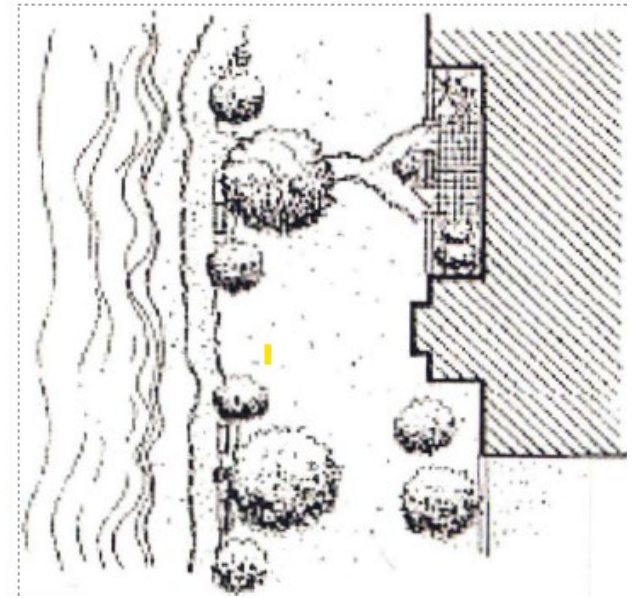
Buildings along the Lake Edge will be one to three stories

Pathway Zone/ Build-To-Lines

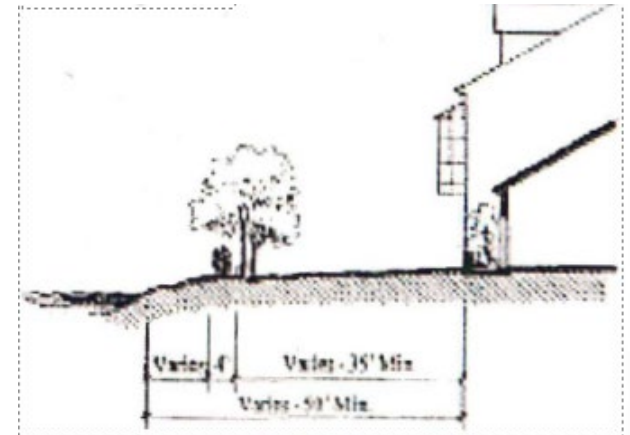
The continuous pathway shall be at least six feet wide. The pathway must be at least 35 feet from any building face (but may be adjacent to a building face). Buildings must be set back at least 50 feet from the shoreline.

Landscaping

The Lake Edge landscaping will be approved at the time of PD Site Plan approval.

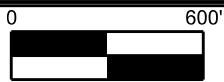
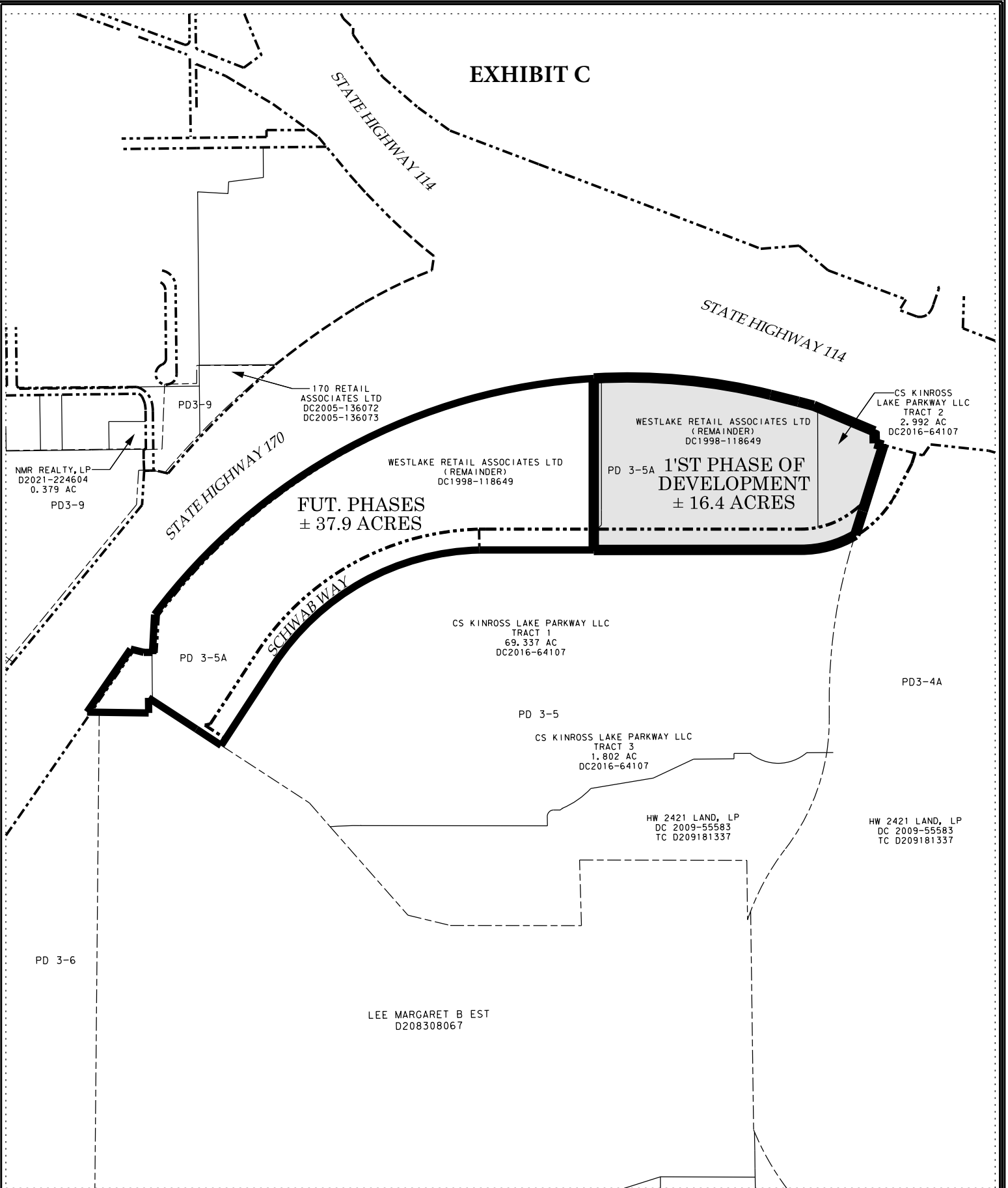


Lake Edge Plan



Lake Edge Section

EXHIBIT C



GRAPHIC SCALE

SHEET CONTENT

SHEET NO. 1 OF 1

Circle T Ranch
PD 3-5A



Hillwood
9800 Hillwood Pkwy, Suite 300
Fort Worth, TX 76177
817.224.6000
www.AllianceTexas.com



8800 HILLWOOD PARKWAY, SUITE 250
FORT WORTH, TEXAS 76177 PH: 817-562-3350







Town of Westlake

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

Staff Report

File #: RES 25-11

Agenda Date: 3/24/2025

Agenda #: H.3.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act regarding Resolution 25-11 appointing a Capital Improvement Advisory Committee for the purposes of advising the Town Council on the adoption of Impact Fees for Water, Wastewater and Roadway Facilities under Chapter 395 of the Texas Local Government Code and declaring an effective date (Cheryl Taylor, P.E., Director of Public Works)

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

BACKGROUND:

Chapter 395 of the Local Government Code requires the appointment of a Capital Improvement Advisory Committee (CIAC) to review land use assumptions and the Capital Improvement Plan proposed for the adoption of impact fees. If adopted, the CIAC's role will expand to include monitoring and evaluating the implementation of impact fees.

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.

Chapter 395 of the Texas Local Government Code requires the appointment of a capital improvement advisory committee. The committee shall consist of no less than five (5) members of which not less than forty percent (40%) must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. The Planning and Zoning Commission "may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the commission may still act as the advisory committee if at least one such representative is appointment by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee."

The role of the advisory committee is to serve in an active capacity and is established to:

1. Advise and assist the Town Council in adopting land use assumptions;
2. Review the capital improvement plan (CIP) and file written comments;

3. Monitor and evaluate implementation of the CIP;
4. File semiannual reports with respect to the progress of the CIP and report to the Town Council any perceived inequities in implementing the plan or imposing the impact fee; and
5. Advise the Town Council of the need to update or revise the land use assumptions, CIP, and impact fee.

Project kickoff for the impact fee study was in January 2025 with nine (9) months anticipated for completion. Consideration of adoption of impact fees shall be by the end of the calendar year.

FISCAL IMPACT:

There is no fiscal impact for the appointment of the Capital Improvement Advisory Committee.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 25-11 appointing a Capital Improvement Advisory Committee for the purposes of advising the Town Council on the adoption of Impact Fees for Water, Wastewater and Roadway Facilities under Chapter 395 of the Texas Local Government Code and declaring an effective date.

ATTACHMENT(S):

1. Resolution 25-11

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

RESOLUTON 25-11

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPOINTING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE, FOR PURPOSES OF ADVISING THE TOWN COUNCIL ON THE POTENTIAL ADOPTION OF IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES UNDER CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS the Town Council of Westlake has authorized an impact fee study to consider potential adoption of an impact fee program for water, wastewater, and roadway facilities; and

WHEREAS, *Texas Local Government Code*, Chapter 395 prescribes certain procedures for the development of an impact fee program; and

WHEREAS, the Town Council of Westlake has determined that the Planning and Zoning Commission are qualified to serve as members of the Capital Improvements Advisory Committee, and that this committee contains at least one representative of the real estate, development, or building industry; and

WHEREAS, the Town shall utilize this established Capital Improvements Advisory Committee for the purpose of making recommendations to the Town Council concerning land use assumptions, capital improvements plans for water, wastewater, and roadway facilities, and impact fees for such facilities and shall comply with the requirements of Sections 395.050 of Chapter 395; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westlake, Texas, that:

SECTION 1: The Planning and Zoning Commission are hereby appointed to serve as the Capital Improvements Advisory Committee.

SECTION 2: The Westlake Capital Improvements Advisory Committee is hereby appointed to serve for the consideration of potential water, wastewater, and roadway impact fees.

SECTION 3: The duties of the Westlake Capital Improvements Advisory Committee shall include all required review and actions under the provisions of Chapter 395 of the Texas Local Government Code.

SECTION 4: The Capital Improvements Advisory Committee shall be solely advisory, and should any member resign or be removed from office, the Town Council shall appoint additional members, as necessary, to satisfy the requirements of Texas Local Government Code Chapter, Section 395.058.

SECTION 5: Should any portion or part of this Resolution be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other portion hereof, but all valid portions hereof shall remain in full force and effect.

SECTION 6: This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED ON THIS 24TH DAY OF MARCH, 2025.

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 #: WA RES 25-04

Agenda Date: 3/24/2025

Agenda #: H.4.

WESTLAKE ACADEMY STAFF REPORT RECOMMENDATION

Discuss, consider and act regarding WA Resolution 25-04 approving and adopting a policy that allows for staff to be paid during emergency school closures. (Dr. Kelly Ritchie, Head of School)

STAFF: Head of School Dr. Kelly Ritchie

BACKGROUND:

During school closures due to inclement weather or other emergencies, both teachers and students must make up any missed time not already accounted for in the school calendar to meet the state requirement of 25,600 student instructional minutes and 187 contracted teacher workdays per year. While we were able to recover the required instructional minutes for students this year by adjusting the schedule within the existing school year, the additional two staff workdays remain unaccounted for. As a result, staff may need to extend the school year beyond the published calendar to fulfill their contractual workdays.

For consideration of approval is a policy that allows staff to be paid during an emergency school closure for up to five days when the missed workdays are not scheduled to be made up later. Additionally, for emergency closures expected to extend beyond five workdays, staff payment could be considered on a case-by-case basis. This approach would provide financial stability for employees while maintaining flexibility for the district in handling extended closures.

DISCUSSION:

Following the COVID-19 pandemic and the week of closures during the 2021 power grid failure, some school districts have reevaluated their policies on staff pay during emergency closures. In researching how other districts handle this issue, we found that some have adopted a local Board Policy allowing staff salaries to be paid during emergency closures rather than extending the school calendar to make up for lost workdays.

According to the Texas Association of School Boards (TASB):

“A district may pay employees even if it is not legally obligated to pay them, if the district takes steps to avoid an improper use of public funds. Specifically, the board must: (1) determine that the expenditure serves a public purpose; (2) retain sufficient control over the expenditure to ensure that the public purpose is accomplished; and (3) ensure that the district receives a return benefit. In the case of temporary closings due to weather events or epidemics, some boards have concluded that paying employees for hours not worked increases morale and reduces employee turnover.”

This approach ensures financial stability for employees while also supporting retention and overall staff morale.

6 Tex. Att’y Gen. Op. No. KP-0204 (2018).

FISCAL IMPACT:

The fiscal impact would be a reduction of operational cost required to open the school buildings for any additional days required to make up the emergency school closure days.

STAFF RECOMMENDATION:

Staff recommends approving WA Resolution 25-04 approving and adopting a policy to pay Westlake Academy staff during emergency school closures.

ATTACHMENT(S):

WA Resolution 25-04

Section 21.401 - Minimum Service Required.

Personnel Issues During Disasters, Emergencies and School Closings

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. 25-04

A RESOLUTION OF THE WESTLAKE ACADEMY BOARD OF TRUSTEES AUTHORIZING PAY FOR STAFF DURING AN EMERGENCY SCHOOL CLOSURE OF UP TO FIVE DAYS FOR WHICH THE WORKDAYS ARE NOT SCHEDULED TO BE MADE UP AT A LATER DATE. PAY FOR AN EMERGENCY CLOSING LIKELY TO EXTEND BEYOND FIVE WORKDAYS SHALL BE CONSIDERED BY THE BOARD WITH RECOMMENDATIONS FROM THE SUPERINTENDENT ON A CASE BY CASE BASIS.

WHEREAS, Westlake Academy desires to keep the staff and students safe during emergency situations; and,

WHEREAS, the leaders of Westlake Academy desire to support the staff of Westlake Academy during emergency school closures by ensuring financial stability while also supporting retention and overall staff morale without extending the staff work calendar; 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 recommendation to pay staff during an emergency school closure for up to five workdays and consider extended emergency closures on a case by case basis.

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 24TH DAY OF MARCH 2025.

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

Tex. Educ. Code § 21.401

Section 21.401 - Minimum Service Required

- (a) A contract between a school district and an educator must be for a minimum of 10 months' service.
- (b) Except as provided by Subsection (c-1), an educator employed under a 10-month contract must provide a minimum of 187 days of service.
- (c) The commissioner, as provided by Section 25.081(b), may reduce the number of days of service required by this section. A reduction by the commissioner does not reduce an educator's salary.
- (c-1) If a school district anticipates providing less than 180 days of instruction for students during a school year, as indicated by the district's academic calendar, the district may reduce the number of days of service required by this section proportionately. A reduction by the district does not reduce an educator's salary.
- (d) Subsections (a) and (b) do not apply to a contract between a school district and an educational diagnostician.

Tex. Educ. Code § 21.401

Amended by Acts 2019, Texas Acts of the 86th Leg.- Regular Session, ch. 673, Sec. 1, eff. 6/10/2019.

Amended by Acts 2007, 80th Leg., R.S., Ch. 82, Sec. 2, eff. 9/1/2007.

Amended by Acts 1999, 76th Leg., ch. 396, Sec. 1.30, eff. 9/1/1999.

Amended by Acts 1997, 75th Leg., ch. 592, Sec. 1.05, eff. 9/1/1997

Amended by Acts 1997, 75th Leg., ch. 949, Sec. 1, eff. 9/1/1997

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. 5/30/1995.



Personnel Issues During Disasters, Emergencies, and School Closings

Published online in [TASB School Law eSource](#)

Each year, many Texas school employees cannot work when schools are affected by contagious illness, hurricanes, or other disasters. Infectious diseases and disasters may affect just a handful of employees, or they may result in the closing of one or more campuses. During epidemics and school closings, many districts wish to continue paying employees their regular wages in order to protect staff and students, maintain morale, and reduce employee turnover. In addition, districts may wish to pay a premium to employees who work during a disaster, especially if a district continues to pay other employees who are idled. The following FAQs address the legal principles relating to employee absences during a school closing.

1. Is a district required to pay employees who do not work while the district is closed due to a disaster or pandemic?

Maybe. The answer depends on the employee's status under the Fair Labor Standards Act (FLSA) and the amount of time the district is closed.

Nonexempt employees: The FLSA does not require a district to pay nonexempt employees if the district is closed, even if employees would normally be scheduled to work. *Nonexempt employees* include both hourly employees and salaried employees whose duties do not qualify them for exemption from the FLSA's minimum wage and overtime requirements. In school districts, nonexempt employees include bus drivers, cafeteria workers, clerical staff, and instructional aides. Whether the district is closed for part of a day, part of a week, or a full week or more, the law does not require the district to pay these employees for time they do not work.¹

Exempt employees: The rules for employees who are exempt from the minimum wage and overtime laws depend on whether the employee is: (a) an educator; or (b) another exempt employee. Generally, state law requires districts to employ *educators* under contracts that provide for a minimum of 187 days of service.¹ The commissioner may reduce the number of days of service below 187 due to a calamity such as a disaster,

¹ An exception may apply to a salaried, nonexempt employee who is paid a fixed salary for a workweek of variable hours. 29 C.F.R. § 778.306.

¹ Tex. Educ. Code § 21.401(b). An *educator* is a person who is required to hold a certificate issued by the State Board for Educator Certification. Tex. Educ. Code § 5.001(5). This includes classroom teachers, counselors, librarians, principals, and superintendents.

flood, or extreme weather condition, but such a reduction by the commissioner does not reduce an educator's salary.² It is uncertain whether a district may reduce days of service for an employee contracted in excess of the required minimum to an amount still greater than 187 days. A district that is facing such a situation should consult legal counsel.

For exempt employees who are not employed under a contract, such as business managers and transportation directors, the analysis depends on whether the district is closed for either a partial or full *workweek*.³ If an exempt employee works any part of a workweek—e.g., if a district is closed for only part of a week—the FLSA mandates that the employees be paid the full weekly salary.⁴ If a district is closed for a full workweek and an exempt employee performs no work, the FLSA does not require the district to pay the employee.⁵

2. Is it permissible for a district to pay employees who do not work while the district is closed?

Yes. A district may pay employees even if it is not legally obligated to pay them, if the district takes steps to avoid an improper use of public funds. Specifically, the board must: (1) determine that the expenditure serves a public purpose; (2) retain sufficient control over the expenditure to ensure that the public purpose is accomplished; and (3) ensure that the district receives a return benefit.⁶ In the case of temporary closings due to weather events or epidemics, some boards have concluded that paying employees for hours not worked increases morale and reduces employee turnover. TASB Policy DEA(LOCAL), at Pay During Closing, allows a district to authorize such payment by resolution or other board action. In a situation where the district faces risks of a health epidemic, a district may authorize payment to an employee staying home from work as a precautionary measure through board action.

To overcome a challenge that such a payment is a gift of public funds, the board should adopt such a resolution or take similar action at an open meeting that complies with the Texas Open Meetings Act. The resolution or action should address:

1. the public purpose served by continuing wage payments;
2. which employees will continue to receive wage payments;
3. if applicable, whether nonexempt employees who will be required to work while the school is closed will receive premium payments (see question below); and
4. the duration of the payments, which can be revisited if the district is required to remain closed for longer than anticipated.

² Tex. Educ. Code §§ 21.401(c), 25.081(b).

³ A *workweek* is a fixed and regularly recurring seven-day period that may or may not coincide with the calendar week. 29 C.F.R. § 778.105. The rules applicable to exempt employees do not apply to teachers. 29 C.F.R. § 541.303.

⁴ 29 C.F.R. § 541.602.

⁵ 29 C.F.R. § 541.602.

⁶ Tex. Att'y Gen. Op. No. KP-0204 (2018).

TASB Policy Service has a template resolution to authorize wage payments during an emergency closing available in the TASB Regulation Resource Manual at DEA(EXHIBIT).

3. Can a district pay a premium to employees who are required to work while the district is closed?

Yes. A district may decide to pay a premium to nonexempt employees who work during difficult times. The amount of this higher rate of pay, known as *premium pay*, is set by the district. For example, some employers pay hourly employees who work during closures a premium of time and one-half for regular hours. The district should be mindful that premium payments may affect the employee's hourly rate for overtime purposes during the relevant time period.⁷

Because a district is not legally required to pay a premium, the decision should be made in advance and should include the safeguards of public funds described in response to the previous question. This decision can be reflected in TASB Policy DEA(LOCAL) at Pay During Closing: Premium Pay During Disasters. If your district has not adopted such language and wishes to do so, the district's policy administrator should consult its policy consultant in TASB Policy Service for assistance. If a district needs certain staff to return to work to support students instructionally, the district may desire to end premium pay for nonexempt employees reporting to work during a closure and can do so through a board resolution.

4. Will the district receive reimbursement from disaster funds for labor costs during school closings?

A district may be eligible for reimbursement of certain wages paid to employees who worked during a disaster-related closing. The Federal Emergency Management Agency (FEMA) Public Assistance Program and Policy Guide (PAPPG) provides for reimbursement of some labor costs incurred during a disaster covered by a federal disaster declaration.⁸ Moreover, to be eligible for certain labor costs, the district must have had a written policy in place, before the disaster, providing for the payment of these labor costs.

TASB Policy Service has language available relating to premium pay for work performed during disasters. The available text aligns with the current FEMA PAPPG. The PAPPG provides that FEMA determines eligibility for public assistance funding for overtime, premium pay, and compensatory time costs based on the district's written policy in place before the disasters, provided the policy: (1) does not make the wage payments contingent on federal funding; (2) is applied uniformly regardless of whether there has been a presidential declaration of a disaster; and (3) has a non-discretionary criteria for when the district activates various pay types. Upon request, this language will be added to TASB Policy DEA(LOCAL) at Pay During Closing: Premium Pay During Disasters.

⁷ 29 C.F.R. § 778.108.

⁸ Federal Emergency Management Agency, [Public Assistance Program and Policy Guide](#) (June 1, 2020).

The availability of funds for reimbursement after a disaster involves a case-by-case determination by FEMA based on the eligibility requirements in the PAPPG. In determining eligibility for reimbursement, courts and administrative decisions defer to FEMA's discretionary authority. Districts should work with their local attorney on these issues. Given the tentative nature of FEMA reimbursements, a school district should not provide premium pay for employees solely because of anticipated federal assistance.

5. How can a district prepare to request reimbursements for labor costs from FEMA?

As described above, FEMA has discretionary authority to determine reimbursement eligibility for disaster-related expenses, including labor costs. FEMA will make these determinations based on PAPPG and other guidance released in response to the COVID-19 pandemic.⁹ In recent guidance, FEMA suggests that only certain labor expenses related to emergency work, specifically emergency protective measures, performed as a result of the disaster are eligible for reimbursement.¹⁰ FEMA guidance includes types of emergency protective measures that may be eligible for reimbursement.¹¹ School district employers may identify a very narrow group of employees potentially eligible for reimbursement for labor, such as custodians deep cleaning facilities during a school closure. While federal reimbursement for labor costs depends on FEMA's determination, districts can prepare for reimbursement requests by documenting expenses and attending training.¹²

6. If the district schedules makeup days within the original instructional year, can contract employees be required to work the make-up days?

Yes. Contract employees are required to work the schedule described in their contracts and any related documents. As discussed above, state law generally requires educator contracts to provide for a minimum of 187 days of service.¹³ The commissioner may reduce the number of days of service if the number of instructional minutes is reduced.¹⁴ However, the waiver of minutes of instruction is not the same as a waiver of days of service. If a district does not seek a waiver of the required days of service, the district may require contract employees to work the schedules under their contracts, including any make-up days.

⁹ FEMA posted [pandemic related resources](#) (Apr. 1, 2020).

¹⁰ Federal Emergency Management Agency, [Talking Points PA Application Simplification for COVID-19](#) (Mar. 22, 2020).

¹¹ Federal Emergency Management Agency, [Coronavirus COVID-19 Pandemic Eligible Emergency Protective Measures](#) (Mar. 17, 2021).

¹² Tex. Educ. Agency, [Cost Reimbursements](#) (Mar. 25, 2020); Tex. Educ. Agency, [COVID-19 FAQ: FEMA- Related Issues](#) (Apr. 2, 2020). TEA continues to provide guidance related to [COVID-19](#) issues. The Texas Division of Emergency Management offers [resources and training opportunities](#). FEMA provides an independent course on [grant application](#).

¹³ Tex. Educ. Code § 21.401(b).

¹⁴ Tex. Educ. Code §§ 21.401(c); 25.081(b).

7. If the district is forced to modify its instructional calendar, can we require contract employees to work beyond their original end date without additional compensation?

Maybe. Contract employees are also protected by the work schedule described in their contracts and any related documents. For example, the Commissioner of Education has held that a teacher cannot be required to work after the last duty day specified in the work schedule distributed before the penalty-free resignation date.¹⁵ Thus, the district must first determine what schedule the teacher agreed to work.

8. If the district is forced to modify its instructional calendar, can we require noncontract employees to work beyond their original end date without additional compensation?

Probably not. Some districts continue wage payments to hourly employees during school closings. These districts may be tempted to treat such payments as an advance against any additional days of work required by the closing. However, the Texas Constitution prohibits governmental entities from advancing wages.¹⁶ Accordingly, a district should not treat wage payments to nonexempt staff during idle periods as advances against possible future services. In addition, the FLSA requires that nonexempt employees receive at least minimum wage for all hours worked and, where applicable, overtime pay. Thus, nonexempt employees who work further into the summer must be paid for their time.

9. Do wage payments to contract employees during a school closing constitute an impermissible advance of wages?

Probably not. Most districts pay salaried employees who work a ten- or eleven-month schedule on an *annualized* basis—the salary is spread over twelve months. At any given time during the school year, these employees have earned more than the district has paid them. By the end of April, these employees have typically been paid 3/4ths of their salaries, with the remainder to be paid out over May, June, and July. Thus, continuing payments to these employees is not an advance of wages. Moreover, the Attorney General has concluded that a public employer may pay employees earlier than scheduled without violating the Texas Constitution, so long as the employees have earned the wages paid.¹⁷

10. Can employees use leave if the district is open, but they are unable to report to work during a disaster or for reasons related to pandemic influenza?

Districts should follow their normal leave policies for employees who miss work due to a disaster or a routine illness. During a disaster, some employees will be unable to come to work because roads are impassable or because they must deal with personal matters, such

¹⁵ *Kelley v. North East Indep. Sch. Dist.*, Tex. Comm’r of Educ. Decision No. 026-R10-1101 (Jan. 3, 2006).

¹⁶ Tex. Const. Art. III, § 52; Tex. Att’y Gen. Op. No. JM-1194 (1990).

¹⁷ Tex. Att’y Gen. Op. No. JC-0080 (1999).

as lost housing or insurance claims. During a pandemic, some employees will miss work because they have potentially been exposed to an illness, are themselves sick, because a family member is sick, or because their children's schools and daycare facilities are closed.

Generally, if the employee or family member is sick or injured, the employee may be able to access state or local leave, subject to the district's usual medical certification requirements. Depending on the severity of illness, the employee may also be able to access Family and Medical Leave Act and/or temporary disability leave.

Disaster-related illnesses will fall under most districts' leave policies. Most districts define "family emergency" for purposes of state sick leave accrued before the 1995-96 school year as "disasters . . . involving the employee or a member of the employee's immediate family." Most districts apply this same definition to non-discretionary personal leave, both state and local.

In the case of an epidemic, a district may see a public benefit to extending additional local leave, paid or unpaid, to allow a person to stay at home in the case of potential exposure to a virus. To avoid a gift of public funds challenge, the board should pass a resolution to determine a public purpose served if employees do not report to work during a period of a quarantine. Such a resolution should reflect a district's local needs and address whether leave for a quarantine is paid or unpaid, covers a voluntary quarantine or a district-requested quarantine, the number of days of leave, and if an employee is required to show cause for a voluntary quarantine. Note that an extension of local leave will be in addition to federal leave made available under federal law, if any.

A district may also decide to offer additional extended sick leave to protect employees who become ill during an epidemic or need to care for a sick family member. The district can provide additional leave by passing a board resolution to find a public purpose for such a benefit. Districts will want to work with local counsel to determine the parameters around offering additional extended leave. As noted above, this extended sick leave will be in addition to leave available under federal law, if any.

Use of leave for childcare purposes is more complicated. A district may reasonably interpret the term "disaster" to encompass situations where an employee is unable to work because school or childcare facilities are closed due to a pandemic. This is a local decision. Another option is for the district to waive limits on the use of discretionary leave. Many districts have local policies that limit the number of consecutive days an employee may use discretionary leave. The board may opt, through formal vote, to waive or suspend these limits to allow employees who are unable to work for childcare reasons relating to a disaster or pandemic illness to use that leave. If a district chooses to waive limits for these reasons, the district should also specify the documentation it will require to support the use of discretionary leave for childcare purposes.

11. May a district authorize a leave donation bank for employees absent because of disaster-related circumstances?

Yes. The creation of a leave-sharing plan for use after a major disaster is a local decision that can be reflected in a district's Policy DEC(LOCAL). Such a plan should be contingent on a presidential disaster declaration and made available to employees adversely affected by a major disaster. According to IRS guidance, if the leave is for a disaster that has caused severe hardship to the employee or to a family member of an employee that requires the employee to be absent from work the leave donor will not incur negative tax consequences.¹⁸ In crafting the policy language, the district should work with its local attorney to ensure tax liability is not created on behalf of the leave donor.

12. Does FMLA leave continue to run while a district is closed?

Maybe. Whether a closure counts against an employee's FMLA leave entitlement depends on the duration of the closure.

Closures of less than one week: The FMLA regulations do not specifically address the impact of closures of less than a week. The regulations do, however, address the impact of holidays.¹⁹ Extrapolating from the rules on holidays, a closure during a week of FMLA leave has no effect if the employee is taking leave in increments of one week or more; the week is counted as a week of FMLA leave. If, on the other hand, an employee is using FMLA leave in increments of less than one week, the closure will not count against the employee's FMLA entitlement unless the employee was otherwise scheduled and expected to work on the day school was closed.

Closures of more than one week: The FMLA regulations address situations where an employer's business activity has temporarily ceased and employees generally are not expected to report to work.²⁰ According to the regulations, closures of a week or more do not count toward an employee's FMLA leave.

This document is provided for educational purposes and contains information to facilitate a general understanding of the law. References to judicial or other official proceedings are intended to be a fair and impartial account of public records, which may contain allegations that are not true. This publication is not an exhaustive treatment of the law, nor is it intended to substitute for the advice of an attorney. Consult your own attorney to apply these legal principles to specific fact situations.

Originally published April 2020. Updated April 2021.

¹⁸ I.R.S. Notice 2006-59, Bulletin No. 2006-28 (July 10, 2006).

¹⁹ 29 C.F.R. § 825.200(h).

²⁰ 29 C.F.R. § 825.200(h).



Town of Westlake

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

Staff Report

File #: RES 25-07

Agenda Date: 3/24/2025

Agenda #: H.5.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act regarding Resolution 25-07 approving the Investment Policy (Cayce Lay Lamas, Finance Director)

STAFF: Cayce Lay Lamas, Finance Director

BACKGROUND:

The Town Council is required to review and approve a written investment policy, not less than once a year, according to the Public Funds Investment Act (PFIA) §2256 of the Texas Government Code. The Investment Policy is a written compilation of the Town's investment policies, procedures, and strategies. It is a comprehensive document which must be updated periodically in response to changing laws, as well as internal changes to policies and procedures.

The Town of Westlake, as a fiduciary of public funds, has determined that investing funds is in the best interest of the citizenry in order to minimize risk to principal, ensure liquidity of funds, and obtain a reasonable return. As a municipality, the Town is restricted to specific investment activities by the PFIA. Additionally, the PFIA provides guidance on the administration, including policies, reporting, and training.

DISCUSSION:

The only update to the Policy at this time is the addition of a list of approved broker/dealers (exhibit A). Broker/dealers are an important part of the Town's investment strategy. They allow for the direct purchase of PFIA-compliant instruments and support portfolio diversification, safety of principal, and reasonable yield. The list of approved broker/dealers will be given the occasional opportunity to bid for direct placement investments. Investments will be chosen based on yield, type of instrument, and maturation for cash flow purposes. These activities will be reported as part of the required quarterly investment report and the approved broker/dealers will be evaluated on an annual basis.

FISCAL IMPACT:

There is no cost to the Town or Academy. Approval of the policy allows for continued investment activities to generate interest revenue.

STAFF RECOMMENDATION:

Staff recommends the approval of the policy, as presented with the broker/dealer list (Exhibit A).

ATTACHMENT(S):

Resolution 25-07

Investment Policy

Exhibit A - Approved Broker/Dealers

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. 25-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING AND ADOPTING THE INVESTMENT POLICY.

WHEREAS, Texas Government Code 2256 requires the governing body of an investing entity to review, approve, and adopt by rule, order, ordinance, or resolution, a written investment policy not less than once a year; and

WHEREAS, a review of the Town's investment activities, policy, and performance has been conducted and it has been deemed necessary to update the Investment Policy; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code, the Open Meetings Act, and the Texas Tax Code; 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 of Westlake Council hereby adopts the attached Investment Policy with the approved broker/dealer list (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 24TH DAY OF MARCH 2025.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:



L. Stanton Lowry, Town Attorney

Investment Policy

Outline

1. Policy Statement
2. Scope
3. Objectives & Strategy
4. Legal Limitations, Responsibilities & Authority
5. Authorized & Prohibited Investments
6. Policy Acceptance

Policy Statement

It is the policy of the Town of Westlake ("the Town") that all funds shall be managed and invested in conformance with State and Federal regulations, applicable bond covenants and ordinances, and this adopted written Investment Policy. The administration of the Town's funds and the investment of those funds shall be handled to achieve the overall objectives of safety, liquidity, public trust, and yield.

Effective cash management is recognized as essential to good fiscal management. Cash management and effective investment strategy development will be pursued to take advantage of interest earnings as viable and material revenue to all Town funds. The Town's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with this Policy.

It is the intent of the Town to comply with all State and Federal laws, including but not limited to the Texas Public Funds Investment Act (the "Act", Texas Government Code, Chapter 2256), the Securities and Exchange Commission, and the Internal Revenue Service statutes. The earnings from investments will be used in a manner that best serves the public trust and interests of the Town.

Scope

This Investment Policy applies to all the investment activities conducted by the Town and Westlake Academy, including, but not limited to the investment of general funds, reserve funds, interest and sinking funds, and bond funds. Retirement funds are not governed by this Policy. This Policy established guidelines for who can invest public funds, how those funds will be invested, and the process for reviewing and/or amending investment strategies and this Policy.

Objectives & Strategy

Objectives

The Town's investment objectives include those outlined in the Act. The primary strategic objectives for investment activities are listed in order of their priority:

- Preservation and Safety of Principal – The primary objective of all investment activity is the preservation of capital and the safety of principal in the overall portfolio. The suitability of each investment decision will be made on the basis of safety and minimizing risk, as defined within this Policy.

- Liquidity – The Town's investment portfolio will remain sufficiently liquid to enable it to meet all operating requirements which might be reasonably anticipated. Investment decisions will be based on cash flow analysis of anticipated expenditures through management of diversified instruments, maturity dates, and regular market analysis.
- Yield – The Town's investment portfolio shall be designed with the objective of attaining a reasonable market rate of return, while maintaining consistency with this Policy. For bond proceeds subject to arbitrage restrictions, the primary objectives shall be to obtain a fair market rate, to minimize costs associated with the investment of such funds, and to comply with bond covenants.
- Diversification – Diversification is required in the portfolio's composition as a mechanism to achieve the stated safety, liquidity, and yield objectives. Diversification of the portfolio will include diversification by maturity and market sector and will include the solicitation from multiple broker/dealers or banks for diversification and market coverage. Competitive bidding will be used on each sale or purchase.
- Suitability – The Town will evaluate each investment opportunity individually and in the context of the Town's total portfolio for safety, liquidity, and yield.
- Marketability – The Town's investments will be limited to those prescribed within the Policy and whose marketability supports the Town's liquidity requirements and maturity limitations.

Strategy

The investment strategy of the Town is to minimize risk of avoidable loss while seeking a reasonable rate of return and adhering to this Policy. The investment strategies by fund are as follows:

- Operating Funds – Operating Funds are pooled cash assets that comprise the majority of the Town's portfolio and include all Town operating funds, Academy operating funds, and long-term reserves. The primary investment strategy for these funds seek to assure that anticipated cash flows are matched with adequate investment liquidity to ensure continued operations. Reserves established in accordance with the Town's cash reserves policy or designated for specific purposes and time frames may be invested for longer terms. The secondary objective is to create a portfolio structure which will minimize volatility while providing competitive yields on funds.
- Debt Service Funds – The primary strategy for Debt Service Funds is to ensure adequate funds are available to cover the debt service obligations as required by the schedules of each issuance. Surplus funds outside the debt service principal and interest requirements will be invested according to investment targets and strategies for Operating Funds. In general, the final maturity dates of investments should not exceed the expected project completion date(s) for which debt was issued and meet all underlying bond covenants.
- Bond Reserve Funds – Bond Reserve Funds are reserves required by bond covenant or other contractual requirement to be maintained through the life of the debt issue. These funds generally do not have a need for liquidity and may be invested in longer term maturities within the overall guidelines of this Policy, bond covenants, and arbitrage restrictions. These funds have maturity and yield limitations based on the final maturities and coupon rates of the issuances.
- Other Funds – All other funds include both bond proceeds and operating funds set aside for identified Capital Projects or Special Purposes. The funds should be invested to match projected cash flow requirements of projects with sufficient liquidity to meet unanticipated project outlays.

The maximum weighted average maturity of the portfolio will be no more than three (3) years and the maximum stated maturity of any security will not exceed five (5) years. The funds are combined for investment purposes but the unique needs of all the funds in the portfolio are recognized and represented.

Legal Limitations, Responsibilities & Authority

Legal Limitations

The Town is subject to the Public Funds Investment Act (Texas Government Code §2256), the Public Funds Collateral Act (Texas Government Code §2257), Securities & Exchange Commission requirements, and Internal Revenue Service requirements, as activities and transactions dictate.

The Town's Policy is specifically written to ensure all transactions and involved parties comply with the Act and applicable authorities. Should any applicable legal requirements or Policy be violated with a transaction or other action, the Town will immediately cease engaging in that activity, pending a review and analysis, which will be shared with the Council/Board for further direction.

The Town is legally required to adopt a written Investment Policy that includes authorized investments, the maximum allowable stated maturity of an individual investment, methods to monitor the market prices of investments, and settlement of transactions.

Responsibilities & Authority

Town Council/Board of Trustees

The Town Council/Board of Trustees are responsible for considering the quality and capability of staff, financial advisors, and consultants involved in investment management and procedures. The Council/Board must approve a written investment policy not less than once a year. The Council/Board is also responsible for approving agreements with the Town's Financial Advisor and the list of Broker/Dealers. The Council/Board delegates all administrative authority required to carry out the objectives and strategies listed within the Policy.

Investment Officers

The Town Manager and Director of Finance, acting on behalf of the Council/Board, are designated as the Investment Officers of the Town and are responsible for all investment management decisions and activities. All participants in the investment process shall seek to act responsibly as custodians of the public trust, in compliance with the "prudent investor rule" outlined in Texas Government Code §2256.006.

The Investment Officers shall develop and maintain written administrative procedures for the operation of the investment program, which are consistent with this Investment Policy. Procedures will include safekeeping, wire transfers, banking services contracts, and other investment-related activities. The Investment Officers shall be responsible for all transactions undertaken and shall establish a system of internal controls to regulate the activities of subordinate officials and staff. The Investment Officers shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officers are not available. No officer or designee may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the Investment Officers.

Investment Officers are required to undertake the training required by the Act, §2556.008, and engage in any reasonable additional training that ensures staff is capable of safeguarding the Town's invested assets. The Act requires Investment Officers to attend at least one training from an independent source with at least ten (10) hours of instruction within twelve (12) months of assuming these duties. The Investment Officers must attend investment training not less than once in a two (2) year period and for not less than ten (10) hours.

Investment Officers shall report the activities of investment transactions and market conditions to the Council/Board no less than quarterly. The Investment Officers are also responsible for ensuring all required reporting is completed accurately and timely to the appropriate authorities or interested parties. This does include reporting compiled by other consultants or resources.

Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of personal liability.

Financial Advisors

The Investment Officers may select a Financial Advisor to advise the Town on the investment of Town funds and other responsibilities, including but not limited to investment strategy, security selection, competitive bidding, investment and debt reporting and documentation, arbitrage compliance, and refinancing or defeasance of outstanding obligations. The Financial Advisor must be appropriately registered and licensed, as required by appropriate governing body and statute.

The Financial Advisor will be presented to the Council/Board for agreement approval, as prescribed by need or agreement renewal schedule.

Broker/Dealer

The Town shall establish a list of approved broker/dealers, which qualify under SEC rule 15C3-1 (uniform net capital rule) and from which it will conduct security transactions. Each prospective business organization must provide current financial statements, resumes of key sales personnel, and a completed broker/dealer questionnaire. The Financial condition of each qualified firm shall be reviewed annually.

Broker/dealers will receive a copy of the Town's Policy and must ensure compliance in order to be considered or continue as an approved party. All broker/dealers are required to acknowledge receipt the policy and their ability to adhere to all the Policy through their established procedures and controls in writing prior to doing any business with the Town.

It is the responsibility of approved broker/dealers to notify the Town, in writing, of any changes within their organization that may preclude them from compliance with the Policy, including, but not limited to, changes in internal controls or policies, statutory changes which may impact transactions or Policy compliance, changes relating to key personnel, or any other factor which may result in non-compliance with any piece of this Policy.

The approved list of broker/dealers (exhibit A) shall be reviewed with the Council/Board annually for performance and compliance. A broker/dealer on the Town's approved list is not guaranteed business and must acknowledge that the Investment Officers will enter into transactions in the best interest of the Town, which will focus on safety, liquidity, yield, and diversification.

Authorized & Prohibited Investments

The Town shall evaluate the suitability of each investment opportunity presented in accordance with this Policy.

Authorized Investments

The following investments are considered authorized by the Council/Board, pending compliance with the objectives and strategy listed within the Policy:

- Obligations of, or guaranteed by, the Town, as defined in Texas Government Code §2256.009, including but not limited to obligations backed by the full faith and credit of this state or the United State or their respective agencies and instrumentalities and interest-bearing banking deposits guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC).
- Certificate of deposits (CDs), as defined in Texas Government Code §2256.010, include funds guaranteed or insured by the FDIC or funds invested by an entity through a broker or depository institution.
- Repurchase agreements, as defined in Texas Government Code §2256.011, are fully collateralized investments with a defined termination date, secured by a combination of cash and obligations, requires the securities being purchased by the Town to be pledged to Town and held in the Town's name.
- Commercial paper, as defined in Texas Government Code §2256.013, has a stated maturity of 365 days or fewer from issuance and is rated not less than A-1, P-1, or an equivalent rating.
- Mutual funds, as defined in Texas Government Code §2256.014, includes no-load money market mutual funds registered with the SEC and adheres to the time limitations in statute. The Town is not authorized to invest more than 15% of its monthly average fund balance, nor have its bond proceeds and reserves make up more than 10% of the mutual fund balance.
- Guaranteed investment contracts, as defined in Texas Government Code §2256.015, include direct placement or purchases of instruments with a defined termination date and must be pledged to the Town. The Town must receive bids from at least three (3) separate providers with no material financial interest in the instruments and will endeavor to select the highest yield and lowest cost instrument that also meets the objectives of this Policy. The Town will use its list of approved Broker/dealers to source bids whenever possible.
- Investment pools are authorized investments, as defined in Texas Government Code §2256.016, responsible for pooling investing entities' funds and managing investments in compliance with the Act. Investment pools are required to report on their performance, participants, and portfolio to the Town at least monthly, maintain compliance with the Act for all investments, and maintain a continuous credit rating of no lower than AAA or AAA-. The Council/Board must authorize participation in any investment pool via resolution at an open and regularly scheduled meeting. The Town shall not invest any more than 50% of its average monthly fund balance with a single investment pool.
- Bonds, debentures, or similar debt obligations rated at least A-1 and issued by a public institution included but not limited to an institution of higher education, municipal utility, ports and navigation districts, independent school districts, or public junior college. The Town will adhere to accounting requirements and fund qualifications listed within each authorized type in the Act.

The above listed descriptions of authorized investments are summarized for Policy presentation. Authorized investments have additional qualified instruments and limitations listed within the Act. The Investment Officers are responsible for ensuring compliance with the Act for all instruments or transactions, including for the above listed investments.

Should the Town be presented with a prudent investment opportunity not explicitly authorized by this Policy, the Town will consider the instrument only if it meets the additional criteria of authorized investments listed in the Act. The Investment Officer is responsible for notifying the Council/Board as soon as practicable and presenting an amendment to this Policy to include the instrument.

Prohibited Investments

The Town shall not invest any public funds in a manner which violates applicable State or Federal law, regulatory agency requirements, bond covenants, or this Policy. Expressly prohibited investments include:

- Investments with a stated maturity of more than five (5) years.
- Investments with financial institutions that are not federally insured or collateralized with eligible securities.
- Investments that would not comply with the Texas Ethics Commission's definition of an elected official or Investment Officer with a personal business relationship to the security issuer.
- Investments that cannot be executed "delivery versus payment" (DVP) through the Town's safekeeping agent. By doing so, the Town's funds are not released until the Town has received the securities purchased.
- Investments which violate, or will violate prior to maturity, any provision of this Policy or applicable State and Federal law.

Policy Acceptance

This Policy shall be reviewed not less than annually by the Town Manager and Director of Finance. Any revisions or amendments will be presented to Town Council/Board of Trustees and will be included in the formal approval. The Council is required by the Act to adopt a written investment policy, which will be done annually.

This Policy may be presented outside the above prescribed timeline if applicable statutes, bond covenants, or investment instruments dictate.

Approved Broker/Dealers

First Financial Bank
Hilltop Securities
SAMCO
Schwab

This list will be updated as needed and provided to Council for approval with the investment policy, not less than annually. Inclusion on this list does not guarantee business; direct instrument purchases will be made based on yield, instrument type, and maturity for cash flow purposes.



Town of Westlake

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

Staff Report

File #: RES 25-12

Agenda Date: 3/24/2025

Agenda #: H.6.

TOWN STAFF REPORT RECOMMENDATIONS

Discuss, consider and act regarding Resolution 25-12 to approve and adopt a written decision regarding the application by Vertical Bridge for a Specific Use Permit to construct a cellular tower at 2000 Dove Road (Town Attorney Stan Lowry)

STAFF: Town Attorney Stan Lowry

BACKGROUND:

On July 15, 2024, the Town Council conducted a duly noticed public hearing to consider whether to approve or deny an SUP application for the construction of a wireless communication facility tower submitted by Vertical Bridge. After receiving a report and presentation from Town staff (which included the Planning and Zoning Commission's recommendation to deny the SUP), listening to a presentation from the Applicant, and hearing testimony from the public, the Town Council deliberated and voted to deny the SUP. However, the Town Council inadvertently failed to adopt a written report with findings for denial as required by Code of Ordinances Sec. 102-94(6). A draft of the written report will be presented for Council's review and consideration during discussion of the item.

STAFF RECOMMENDATION:

Staff recommends approval of the written order

ATTACHMENTS

Pending materials from Town Attorney.

TOWN COUNCIL ACTION/OPTIONS:

- 1) Motion to approve
- 2) Motion to approve the written order with the following changes (please state changes in motion)
- 3) Motion to table
- 4) Motion to deny



Town of Westlake

Staff Report

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

File #: 25-52

Agenda Date: 3/24/2025

Agenda #: I.1.

TOWN STAFF REPORT RECOMMENDATIONS

Section 551.071: Consultation with and legal advice from the Town Attorney regarding pending litigation - Vertical Bridge v. Town of Westlake



Town of Westlake

Staff Report

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

File #: 25-54

Agenda Date: 3/24/2025

Agenda #: 1.2.

TOWN STAFF REPORT RECOMMENDATIONS

Section 551.087: Deliberation regarding Economic Development Negotiations to deliberate the offer of a financial or other incentive to a business prospect: Project ED 25-02.



Town of Westlake

Staff Report

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

File #: 25-35

Agenda Date: 3/24/2025

Agenda #: 1.3.

TOWN STAFF REPORT RECOMMENDATIONS

Section 551.074(1): Deliberation regarding Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, of a public officer or employee:
Town Manager Annual Evaluation