



TOWN OF WESTLAKE, TEXAS
BOARD OF ALDERMEN REGULAR MEETING

A G E N D A

June 23, 2008

**WESTLAKE TOWN HALL
3 VILLAGE CIRCLE
MUNICIPAL COURT ROOM, SUITE 207
7:00 p.m.**

- 1. CALL TO ORDER.**
- 2. PLEDGE OF ALLEGIANCE.**
- 3. CITIZENS' PRESENTATIONS:** This is an opportunity for citizens to address the Board on any matter whether or not it is posted on the agenda. The Board cannot by law take action nor have any discussion or deliberations on any presentation made to the Board at this time concerning an item not listed on the agenda. The Board will receive the information, ask staff to review the matter, or an item may be noticed on a future agenda for deliberation or action.
- 4. CONSENT AGENDA:** All items listed below are considered routine by the Board of Aldermen and will be enacted with one motion. There will be no separate discussion of items unless a 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.
 - a. Review and approve minutes of the Board of Aldermen and Planning and Zoning Commission joint workshop held on May 29, 2008.
 - b. Review and approve minutes of the Board of Aldermen meeting held on June 9, 2008.
 - c. Review and approve any outstanding bills.

- d. Consider a Resolution authorizing the termination of the agreement between Night Line Janitorial Services, Inc.
- 5. **ELECT A MAYOR PRO TEM.**
- 6. **CONSIDER A RESOLUTION REAPPOINTING AND APPOINTING MEMBERS TO BOARDS, COMMISSIONS, AND COMMITTEES.**
- 7. **CONSIDER A RESOLUTION APPOINTING A PRESIDENT TO THE WESTLAKE ACADEMY FOUNDATION BOARD OF DIRECTORS.**
- 8. **DISCUSS AND CONSIDER A RESOLUTION DESIGNATING AN ELECTED OFFICIAL FROM THE GOVERNING BODY TO SERVE AS ITS VOTING REPRESENTATIVE TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) GENERAL ASSEMBLY.**
- 9. **CONSIDER AN ORDINANCE AMENDING THE EXISTING GAS FRANCHISE BETWEEN THE TOWN AND ATMOS ENERGY CORPORATION.**
- 10. **BOARD CALENDAR.**
 - Strategic Planning Retreat
 - o 6/27 and 6/28, Embassy Suites, Grapevine – 8:30 a.m.
 - NW Metroport Chamber of Commerce Luncheon, 7/1/08, 11:30 a.m.
 - Planning and Zoning Commission – 7/24/08, 6 p.m.
 - Texas Municipal League Newly Elected Officials training
 - o 7/25 – 7/26/08, Austin, 7:30 a.m.
 - o 8/8 - 8/9/08, Austin, 7:30 a.m.
 - Texas Municipal League Annual Conference and Exhibition
 - o October 28 – 31, 2008, San Antonio, Texas

11. ADJOURNMENT.

ANY ITEM ON THIS POSTED AGENDA COULD BE DISCUSSED IN EXECUTIVE SESSION AS LONG AS IT IS WITHIN ONE OF THE PERMITTED CATEGORIES UNDER SECTIONS 551.071 THROUGH 551.076 AND SECTION 551.087 OF THE TEXAS GOVERNMENT CODE.

CERTIFICATION

I certify that the above notice was posted at the Town Hall of the Town of Westlake, 3 Village Circle, by Friday, June 20, 2008, by 5 p.m. under the Open Meetings Act, Chapter 551 of the Texas Government Code.

Kim Sutter, TRMC, Town Secretary

If you plan to attend this public meeting and have a disability that requires special needs, please advise the Town Secretary 48 hours in advance at 817-490-5710 and reasonable accommodations will be made to assist you.

Texas Pledge:

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

Town of Westlake

Item # 2 – Pledge of
Allegiance

Back up material has not been
provided for this item.

Town of Westlake

Item # 3 – Citizens' Presentations

Back up material has not
been provided for this item.



**MINUTES OF THE
TOWN OF WESTLAKE, TEXAS
BOARD OF ALDERMEN AND
PLANNING AND ZONING COMMISSION
JOINT WORKSHOP**

May 29, 2008

PRESENT: Mayor Laura Wheat and Aldermen Tim Brittan, Larry Corson, Carol Langdon, Don Redding, Rebecca Rollins.

PLANNING AND ZONING COMMISSION:

Chairman Bill Greenwood, Commissioners Walter Copeland, Allen Heath, and Sharon Sanden.

ABSENT: None.

OTHERS PRESENT:

Town Manager Tom Brymer, Town Attorney Stan Lowry, Town Secretary Kim Sutter, Public Works Superintendent Jarrod Greenwood, DPS Director Don Wilson, Public Works Superintendent Jarrod Greenwood, Planning and Development Director Eddie Edwards, Assistant to the Town Manager Ginger Awtry, and Court Administrator Amanda DeGan.

1. CALL TO ORDER.

A. BOARD OF ALDERMEN

Mayor Wheat called the Board of Aldermen meeting to order at 5:15 p.m.

B. PLANNING & ZONING COMMISSION

Chairman Greenwood called the Planning and Zoning Commission meeting to order at 5:15 p.m.

2. DISCUSSION REGARDING AN APPLICATION FOR AN AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE BY REMOVING APPROXIMATELY 107 ACRES FROM PLANNED DEVELOPMENT 3-PLANNING AREA 3 (PD 3-3)

**AND REZONING THAT ACREAGE TO BE CALLED PLANNED DEVELOPMENT
3-PLANNING AREA 12 (PD 3-12).**

Town Manager Brymer reviewed the zoning case and advised that staff is recommending approval of the case based on the following findings:

- Conformance with the Comprehensive Plan
- Zoning Districts / Uses Permitted
- Access / Streets (no site access proposed from Dove Road)
- Site Design / Drainage
- Pedestrian Circulation / Trails / Open Space

Discussion ensued regarding the site access, residential density, and trail plan.

The following individuals representing the applicant were present:

- Mr. Joe Schnieder, Senior Vice President, Hillwood Properties
- Mr. Russell McLaughlin, Vice President, Hillwood Properties
- Mr. Bradley Selner, Executive Vice President, Staubach
- Mr. Tommy Parrett, Executive Vice President, Staubach
- Mr. John Eisele, Partner, Deloitte
- Mr. Cary Moon, Deloitte
- Mr. Paul Martin, Attorney representing Deloitte

Russell Laughlin addressed the Board and Commission regarding the case.

Mr. John Eisele, Partner with Deloitte, briefly reviewed the plan concept and stated that the development would be a cornerstone for attracting, developing, and retaining Deloitte personnel. Mr. Eisele added that the Circle T location is favored 'heavily' and that Deloitte is very cognizant of retaining the features of the site.

Mayor Wheat expressed her excitement about the development.

Alderman Corson expressed his desire to have the master trail plan updated.

**3. DISCUSS POSSIBLE DEVELOPERS AGREEMENT RELATED TO PLANNED
DEVELOPMENT 3 – PLANNING AREA 3 (PD3-3) AND PROPOSED PLANNED
DEVELOPMENT 3 PLANNING AREA 12 (3-12).**

Town Manager Brymer advised the Board and the Commission that a proposed development agreement will be brought before the Board for approval at a future meeting.

Town Attorney Lowry stated that the zoning case and the developer agreement will be considered separately as the zoning case applies only to the property in question and addresses uses and restrictions to the specific site, and any off-site issues will need to be addressed under a separate agreement.

Town Manager Brymer outlined the major points of the agreement and advised the Board and the Commission that Hillwood has agreed to participate in the improvements to Dove Road (between the western boundary of Fidelity and the western boundary of the Deloitte property), at a maximum participation rate of 50% of the cost or \$1,500,000.

Discussion ensued with regard to the Dove Road improvements, the undergrounding of utilities, site access, and the reduction of residential acreage in the remainder of PD 3-3.

Town Manager Brymer advised the Board that an item will be included on the June 9, 2008, agenda for the Board to consider the agreement.

4. ADJOURNMENT.

A. BOARD OF ALDERMEN

There being no further business, Mayor Wheat asked for a motion to adjourn.

MOTION: Alderman Brittan made a motion to adjourn the meeting. Mayor Pro Tem Redding seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat adjourned the Board of Aldermen at 7:02 p.m.

B. PLANNING & ZONING COMMISSION

There being no further business, Chairman Greenwood asked for a motion to adjourn.

MOTION: Commissioner Copeland made a motion to adjourn the meeting. Commissioner Heath seconded the motion. The motion carried by a vote of 4-0.

Chairman Greenwood adjourned the Planning and Zoning Commission at 7:02 p.m.

APPROVED BY THE BOARD OF ALDERMEN ON JUNE 23, 2008.

Laura Wheat, Mayor

ATTEST:

Kim Sutter, TRMC, Town Secretary



**MINUTES OF THE
TOWN OF WESTLAKE, TEXAS
BOARD OF ALDERMEN REGULAR MEETING**

June 9, 2008

PRESENT: Mayor Laura Wheat and Aldermen Tim Brittan, Larry Corson, Carol Langdon, Don Redding, and Rebecca Rollins.

ABSENT: None.

OTHERS PRESENT: Town Manager Tom Brymer, Town Attorney Stan Lowry, Town Secretary Kim Sutter, Finance Director Debbie Piper, DPS Director Don Wilson, Director of Planning and Development Eddie Edwards, Facilities and Recreation Director Troy Meyer, Director of Administrative Services and Human Resources Todd Wood, and Assistant to the Town Manager Ginger Awtry.

1. CALL TO ORDER.

Mayor Wheat called the meeting to order at 7:52 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Wheat led the pledge of allegiance to the United States flag.

3. CONSENT AGENDA.

Mayor Wheat introduced the consent agenda and asked for a motion.

A. **RESOLUTION NO. 08-33** - Consider a Resolution authorizing the Town Manager to enter into an Interlocal Cooperation agreement with the Northeast Fire Department Association.

B. **RESOLUTION NO. 08-34** - Consider a Resolution approving the opening of two new TexPool depository accounts to accommodate the Arts and Sciences Center project.

C. Review and approve minutes of the Board of Aldermen and regular meeting held on

May 19, 2008.

D. **RESOLUTION NO. 08-35** - Consider a Resolution approving the addition of a 457 deferred compensation plan to the employee benefit package.

E. Review and approve any outstanding bills.

MOTION: Mayor Pro Tem Redding made a motion to approve the consent agenda as presented. Alderwoman Langdon seconded the motion. The motion carried by a vote of 5-0.

4. CITIZENS' PRESENTATIONS.

There was no one present wishing to address the Board.

5. CONSIDER A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF WESTLAKE, AIL INVESTMENT, L.P. (AIL) AND HILLWOOD ALLIANCE SERVICES, LLC (HAS) PERTAINING TO RESPONSIBILITIES AND FUNDING FOR CERTAIN ROADWAY IMPROVEMENTS/EXTENSIONS, ACCESS, BUFFERS, TRAIL IMPROVEMENTS, PLACEMENT OF ELECTRIC LINES UNDERGROUND, AS WELL AS FILING OF A REZONING APPLICATION FOR THE REMAINDER OF THE PD 3-3 ZONING DISTRICT.

Town Manager Brymer introduced the item and reviewed the proposed development agreement with the Board.

The following individuals were present to address any questions from the Board:

- Mr. Steve Silverstein, Director, Deloitte
- Mr. Jon Eisele, Partner, Deloitte
- Mr. Cary Moon, Deloitte
- Mr. Bradley Selner, Executive Vice President, Staubach
- Mr. Tommy Parrett, Executive Vice President, Staubach
- Mr. Paul Martin, Attorney, Vinson and Elkins
- Mr. Mike Berry, President, Hillwood Development
- Mr. Russell McLaughlin, Senior Vice President, Hillwood Development
- Mr. Bill Burton, Senior Vice President, Hillwood Development
- Mr. Joe Schneider, Vice President, Hillwood Development
- Mr. Chad Key, Attorney, Kelly, Hart and Hallman, LLP

Mr. Russell Laughlin, Hillwood Development, addressed the Board regarding the agreement and presented the following recommended revisions to the agreement:

- Section 1 (The HAS Improvements), (B) - Westerly road construction and dedication – Strike *Effective Date of this Agreement* and replace with . . . *HAS Improvement Deadline* (defined in Section 1 (A)).

- Section 1 (B) (2) (c) - Acceptance of Dedication of westerly road – Strike . . . *provided that AIL or one of its affiliates.*
- Section 5 (B) - Change references to Dove Road to the Dove/Ottinger Road Section.
- Section 5 (E) - Specific Town Obligations Related to the Dove/Ottinger Road Section (1) and (2): Change references from 60 days to 30 days.

Alderman Corson asked for an explanation regarding developer participation with the Dove Road improvements.

Mr. Laughlin advised that Hillwood / AIL has agreed to participate in the improvements along the frontages of Deloitte and Hillwood. Mr. Laughlin described the area as where Dove Road stops today (Fidelity's west property line) through the westerly property line of Deloitte, and improving the roadway to the Town's standards as described in the Master Thoroughfare Plan at the time of the improvements. Mr. Laughlin advised the Board that AIL's total obligation will be capped at \$1.5 million.

Alderman Corson asked if the Town Manager and Town Attorney feel the document, as presented, complies with the Board's discussion from the May 29, 2008, joint workshop.

Town Manager Brymer and Town Attorney Lowry agreed that the agreement, as written, meets the intent of the Board as discussed at the May 29, 2008, joint workshop.

Mayor Wheat inquired as to the two (2) year indemnification requirement (Section 2 General Requirements for the HAS Improvements (G)).

Town Attorney Lowry responded that the indemnification language is consistent with other development agreements with the Town, and covers three general facets of indemnity or release: 1) general blanket indemnity; 2) design defects; and 3) release component of the developer expressly acknowledging that the Town is an approving agency whose role is to approve and release permits and not assume liability regarding any improvements. Town Attorney Lowry reminded the Board that the agreement does not negate the Town's governmental immunity.

Discussion ensued with regard to Section 5 (C) (4) regarding the Town's minimum trail width.

Town Manager Brymer reviewed the major transaction points:

- Westerly road improvements to Dove Road;
- Town cannot require the road to be dedicated before seven (7) years; However, HAS can require that the road be dedicated before seven years, but the road must meet the Town's standards;
- AIL's total obligation with regard to any improvements to Dove Road is capped at \$1.5 million or 50% of the cost of the initial construction;

Town Manager Brymer advised the Board that staff recommends approval of the agreement with the four changes outlined by the Developer as well as the addition of adding the word *minimum* prior to the eight (8) foot width for trails (Section 5 (C) (4)).

MOTION: Mayor Pro Tem Redding made a motion to approve **Resolution No. 08-36**, approving the proposed development agreement with AIL Investment L.P. and Hillwood Alliance Services as recommended by the Town Manager. Alderman Brittan seconded the motion. The motion carried by a vote of 5-0.

6. CONTINUE A PUBLIC HEARING AND CONSIDER AN ORDINANCE APPROVING AN APPLICATION FOR AN AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, BY REMOVING APPROXIMATELY 107 ACRES FROM PLANNED DEVELOPMENT 3-PLANNING AREA 3 (PD 3-3) AND REZONING THAT ACREAGE TO BE CALLED PLANNED DEVELOPMENT 3-PLANNING AREA 12 (PD 3-12).

Town Manager Brymer introduced the case. Mr. Brymer presented the Board a vicinity map and the proposed concept plan and highlighted the key points related to the case.

Mr. Russell Laughlin, Hillwood Development, addressed the Board regarding the proposed ordinance. Mr. Laughlin reviewed the following changes to the ordinance:

- Ordinance caption – correct spelling of *Acreage* and add the word . . . *Related* before retail uses.
- Exhibit 1, Section 6.2 PD Development Plans: Supplements and PD Districts.
- Section 11.1 Site Access to read as follows:
 - Section 11.1 The ingress/egress shall be from the north via private road extending from Westlake Parkway and from the West from an ingress/egress pont directly off of J.T. Ottinger Road (revised below).
 - Emergency access shall be permitted off of Dove Road.
 - All ingress/egress locations shall be shown on the final approved site plan. (modified at the applicant's request)

Town Attorney Lowry suggested the following language for Section 11.1 (Site Access) *The primary ingress/egress point for guests of the conference and educational center shall be from the north via private road extending from Westlake Parkway. There shall be allowed a secondary entry point from the west for ingess/egress, including without limitation for service and employee access off of J.T. Ottinger Road.*

Discussion ensued with regard to vehicle traffic along J.T. Ottinger and Dove Roads.

The Board discussed possible options for limiting truck traffic along J.T. Ottinger and Dove Roads.

Mayor Wheat continued the public hearing.

There being no one requesting to speak, Mayor Wheat closed the public hearing.

Mayor Wheat read the proposed language regarding site access.

MOTION: Alderman Corson made a motion to adopt **Ordinance No. 591**, as distributed to the Board at the meeting and including the addition of the proposed language regarding site access as recommended by the Town Attorney and read by the Mayor. Alderwoman Rollins seconded the motion.

Alderman Corson asked if the proposed language regarding site access is legally enforceable.

Town Attorney Lowry advised the Board that it is legally impossible for the Town to dictate some level of volume or use of a public roadway. Mr. Lowry added that the site plan must comport to the zoning ordinance, and added that the proposed language identifies the ingress/egress sites and provides minimal restrictions to the applicant when preparing the site plan.

Alderman Corson expressed his concern with the proposed language as he feels that it could be read to infer that the Town is endorsing the use of J.T. Ottinger Road.

Mr. Chad Key, Attorney, Kelly, Hart and Hallman, LLP, stated that the intent of the language is to provide clarity with regard to site access when the site plan is submitted.

Following discussion, Alderman Corson suggested that the proposed language with regard to site access be revised as follows:

- The primary ingress/egress point for guests of the conference and educational center shall be from the north via private road extending from Westlake Parkway. There shall be allowed a secondary entry point from the west for ingress/egress, including without limitation for service and employee access ~~off of J.T. Ottinger Road.~~

Town Attorney Lowry and the Applicant agreed to the change.

AMENDED

MOTION: Alderman Brittan moved to amend the motion to include the change as presented by Alderman Corson. Mayor Pro Tem Redding seconded the amended motion. The motion carried by a vote of 5-0.

7. CONDUCT A PUBLIC HEARING AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING CASES:

- A) SITE PLAN; CASE NO. SP-08-01**
- B) PRELIMINARY PLAT; CASE NO. PP-08-01; Lots 1-6**
- C) FINAL PLAT; CASE NO. FP-08-01; Lots 1-2 only**

ALL THREE APPLICATIONS LISTED ABOVE PERTAIN TO THE FOLLOWING TRACTS OF LAND: approximately 10.22 acres of land in the Planned Development 3-Planning Area 10 (PD 3-10) zoning district, being a tract of land situated in the William

Huff Survey, Abstract No. 648, Tarrant County, Texas, and being a portion of that tract of land conveyed to AIL Investment, L.P., by deed recorded in Volume 13588, Page 189 and all of that tract of land conveyed to Hillwood Development Co. LLC (Tract 1) by deed recorded in County Clerk's Filing No. D205179108, both of Deed Records, Tarrant County, Texas; and, generally located at the Southwest corner of SH 377 and SH 170.

Town Manager Brymer introduced the cases and reviewed the traffic access management and site design (materials, building design, architecture, and hard screening). Mr. Brymer added that the Landscape plan will comport with the Town's minimum requirements.

Mayor Wheat opened the public hearings.

There being no one wishing to speak, Mayor Wheat closed the public hearings and asked for a motion.

Town Manager Brymer added that the Planning and Zoning Commission recommended approval of the case with the staff recommendations and requested a note be added to the plat advising that any future acceleration and/or deceleration lanes would not be borne at the expense of the Town. Mr. Brymer added that the Chair of the Westlake Public Art Society has spoke with the developer regarding the integration of public art and the developer has agreed to integrate public art as part of the northwest corner development.

MOTION: Mayor Pro Tem Redding made a motion to approve **Resolution No. 08-37**, approving a site plan SP 08-01, with the recommendations of the Planning and Zoning Commission. Alderman Corson seconded the motion.

Alderman Corson asked Town Manager Brymer if all concerns from an architecture and design standpoint comport with the Town's requirements.

Director of Planning and Development Edwards responded that the Planned Development zoning requires articulation on all four sides; however, during the site plan approval process, the Board can approve a variance to the Planned Development.

VOTE ON

MOTION: The motion carried by a vote of 5-0 (**Resolution No. 08-37**).

MOTION: Alderman Redding made a motion to approve **Resolution No. 08-38** and **Resolution 08-39**, approving a preliminary plat and final plat. Alderman Corson seconded the motion. The motion carried by a vote of 5-0.

8. CONSIDER A RESOLUTION APPOINTING MEMBERS TO THE WESTLAKE ACADEMY FOUNDATION BOARD OF DIRECTORS.

Town Manager Brymer introduced the item.

MOTION: Alderwoman Langdon made a motion to approve **Resolution 08-40**, appointing Leah Rennhack, Karen Osborne, Deborah Zielger, Kelly Cox, and Colleen Hess to the Westlake Academy Foundation Board of Directors. Alderwoman Rollins seconded the motion. The motion carried by a vote of 5-0.

9. BOARD CALENDAR.

Mayor Wheat reviewed the Board calendar items:

- School Board Training 6/10 – 6/11, 6 p.m. to 9:00 p.m.
- Westlake Academy Foundation meeting – 6/12/08, 8:30 a.m.
- Texas Student Housing Authority meeting - 6/17/08, 5:30 p.m.
- Celebrate Scott Bradley - 6/21/08, 3 p.m., Marriott Solana
- Board of Aldermen Regular meeting – 6/23/08, 7 p.m.
- Board of Trustee Special Workshop – 6/23/08, time tbd
- Strategic Planning Retreat – 6/27 and 6/28, Embassy Suites, Grapevine
- Planning and Zoning Commission – 7/24/08, 6 p.m.
- Texas Municipal League Newly Elected Officials training
 - 7/25 – 7/26/08, Austin, 7:30 a.m.
 - 8/8 - 8/9/08, Austin, 7:30 a.m.

10. ADJOURNMENT.

There being no further business, Mayor Wheat asked for a motion to adjourn the meeting.

MOTION: Alderwoman Langdon made a motion to adjourn the meeting. Alderman Brittan seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat adjourned the meeting at 9:35 p.m.

APPROVED BY THE BOARD OF ALDERMEN ON JUNE 23, 2008.

Laura Wheat, Mayor

ATTEST:

Kim Sutter, TRMC, Town Secretary

TOWN OF WESTLAKE

Invoices Received: 06/02/08 thru 06/15/08

For Review by Board on 06/23/08

VENDOR NAME	INVOICE	AMOUNT	FUND	ACCT	DEPT	DESCRIPTION
Boyle & Lowry, LLP	12273	10,905.00	100	43310	11	Legal Fees - Town
FedEx	2-740-44496	26.05	100	46120	11	Shipping Costs: City of Olathe
Fort Worth Business Pres	06042008	95.00	100	46115	11	One Year Subscription: 52 issues
Graham Associates	080519	4,070.00	100	43215	11	Town Engineering Fees - Westlake Corners
Graham Associates	080519	3,005.00	100	43215	11	Town Engineering Fees - Boundary survey of cemetery & research fees
Nextel	392123723-044	219.75	100	45310	11	Mobile Phone set-up & 2 month fees for 04/30/08 thru 06/26/08 - Tom Brymer
North Texas Commission	10720	1,200.00	100	46115	11	Membership Investment (08/01/08 - 08/01/09)
Office Depot	424285255-001	99.99	100	46105	11	Kit extended powerline range
Office Depot	430930570-001	6.83	100	46105	11	10 pk/file jackets
Office Depot	430930570-001	29.20	100	46106	11	24/case of bottle water & paper cups
Office Depot	431200093-001	157.48	100	46105	11	Legal white pads & toner cartridge
Office Depot	431506723-001	75.28	100	46105	11	4/boxes of legal folders & white address labels
Office Depot	432321594-001	310.11	100	46105	11	Cartridge, copy paper, various size binder clips, hanging folder & envelopes
Office Depot	432475683-001	256.08	100	46105	11	Pocket files (various sizes) & hanging files
Office Depot	M424288641-001	(99.99)	100	46105	11	Credit for invoice #424285255-001: kit extended powerline range
PBCC 6992326-1 (PitneyBoves)	6992326-MY08	249.00	100	45325	11	Quarterly Mail Machine Lease - Town (Schedule 003): 06/20/08 to 09/20/08
Thomas E. Brymer	ER060308	13.37	100	45830	11	Business lunch w/Don Redding at La Scala
Vickie Brown	PR060808	362.50	100	43335	11	Contract labor - Administrative
Total Administration		20,980.65				
Reprographics	418442	18.77	100	46125	12	Copies of plans
Total Planning & Development		18.77				
Municipal Code Corp.	98885	512.00	100	43241	13	226/imaged pages plus shipping (Meeting minutes updated)
Total Town Secretary		512.00				
DFW Communications	30805179	678.06	100	44221	14	Communication Supplies - 2 Nicad Batteries
Gierisch Brothers Mortor	67532	15.00	100	46215	14	LB Propane
GST Public Safety	2008011135	641.61	100	46605	14	EMS Uniforms
Home Depot	5042686	47.45	100	46155	14	Paint & weed eater parts
Huguley Assessment Ctr	462	400.00	100	43125	14	Blake Talbot assessment
Intermedix	05042008	(279.58)	100	43334	14	EMS User Fee - April 2008 (Total collected \$7,333.58)
Intermedix	06042008	477.60	100	43334	14	EMS User Fee - May 2008 (Total collected \$3,979.94)
Mary Connell	717	225.00	100	43135	14	Psychological Evaluation for Blake W. Talbot
Matheson Tri-Gas	702153	87.38	100	46615	14	Medical Supplies
Metro Fire	22815-1	150.00	100	46215	14	Vehicle Maintenance: clearance lights plus freight charges
Office Depot	432321594-001	42.00	100	46105	14	Shipping labels & envelopes
Receipt Pharmacy	221643	17.89	100	46615	14	Medical Supplies
Receipt Pharmacy	222890	83.78	100	46615	14	Medical Supplies
Receipt Pharmacy	223065	71.80	100	46615	14	Medical Supplies
Receipt Pharmacy	223073	24.00	100	46615	14	Medical Supplies
Receipt Pharmacy	223308	222.94	100	46615	14	Medical Supplies
Richard Whitten	ER060308	35.00	100	45820	14	Lunch & Dinner while in Austin for Fire class
Richard Whitten	ER060308	231.30	100	45825	14	Mileage to & from Austin for Fire Class
Schad & Pulte	63026	80.00	100	46615	14	Medical Supplies
T-Mobile	05282008	103.70	100	45310	14	Wireless Internet Cards for EMS vehicles
WorldPoint	496129	68.75	100	46130	14	CPR Cards & Books
Total Fire Dept.		3,423.68				
Boyle & Lowry, LLP	12273	1,293.75	100	43310	15	Legal Fees - Court
Brad Bradley	ER060608	52.00	100	45830	15	Continuing Education - Traffic Conference
Bradley L. Bradley	06012008	2,541.66	100	43330	15	Judge Services for the month of June 2008
Cardinal Tracking	940309489	1,793.94	100	46165	15	150 paper Roll /Mobilecite Tickets
Focal Point Solutions	13377	171.00	100	45325	15	Storage fees, file request/retrievals & delivery

TOWN OF WESTLAKE

Invoices Received: 06/02/08 thru 06/15/08

For Review by Board on 06/23/08

VENDOR NAME	INVOICE	AMOUNT	FUND	ACCT	DEPT	DESCRIPTION
LexisNexis	1081941-20080531	295.00	100	46163	15	Billing period: 05/01/08 to 05/31/08 - locate defendants
Office Depot	383672645-001	109.99	100	46105	15	All in one HP Officejet
Office Depot	383672955-001	94.96	100	46105	15	Ink HP, pad finger suregrip, stamp self-ink dater & file rotary
Office Depot	383813429-001	26.91	100	46105	15	Binder clips, dividers & planner
Office Depot	383813429-001	111.31	100	46106	15	Hospitality items
Office Depot	383820667-001	22.65	100	46105	15	3 reams of blue brights paper
Office Depot	383942897-001	37.08	100	46105	15	Address Labels (3000ct)
Office Depot	410400357-001	53.99	100	46105	15	Desktop wireless mouse keyboard
Purchase Power 2	06032008	400.00	100	46120	15	Court Postage
Robert Price Jr.	06162008	20.00	100	35115	15	Citation Revenue Refund: #34522-1
Total Court		7,024.24				
A to T Lamps	70311	247.50	100	44218	17	Bulbs - Facility Supplies
Access Lift & Service	05300812	100.00	100	45903	17	Elevator Maintenance for the month of May 2008
Dallas Door & Supply Co.	165137	590.00	100	45906	17	Repairs: NW - remove exit device from the door repair & East - automatic operator could not be adjusted due to main control is bad
DFW Safe & Lock	55307	106.00	100	44212	17	Trip charge, tightening I/S Handle, cut key: Door repair at Academy
Hadden Landscaping	28408	165.00	100	43344	17	Mow & Weedeat at the Dove/Ottinger intersection
Hadden Landscaping	28409	443.28	100	44306	17	Mow & Weedeat at the Cemetary/Parchman House
Hadden Landscaping	28411	135.00	100	43348	17	Mow, weed eat lift station
Hadden Landscaping	28553	1,977.30	100	43348	17	Landscape Maintenance - Municipal Complex for June 2008
Hadden Landscaping	28648	29.25	100	43340	17	Academy: Reprogram irrigation clock
Hadden Landscaping	28703	1,927.91	100	43348	17	Academy: Mulch and flowers
Home Depot	7025253	102.41	100	44212	17	Plywood & bolts
Home Depot	7115970	(58.29)	100	44212	17	Credit for invoice #8025143
Home Depot	8025143	313.92	100	44226	17	Hand tools
Home Depot	8025143	86.64	100	44212	17	Bolts & top soil
Home Depot	8592880	13.67	100	44226	17	1 inch bit
Humphrey & Assoc	66451	203.18	100	44218	17	Lamp and Bulb Supplies/Materials
Humphrey & Assoc	66451	130.00	100	44213	17	Labor
Leslie's	1067498	201.50	100	44212	17	Pump not priming pump seal
Logical Solutions	101029	256.02	100	44213	17	Lighting for POD's A, B, & C are not turning off
Longhorn, Inc.	S1706571.001	12.30	100	43340	17	Swingjoint
Louis E. Funderburg	006708	100.00	100	43348	17	Mow playing fields & Pond area
Nextel	392123723-044	133.02	100	45310	17	Mobile Phone charges for Troy Meyer from 04/27/08 thru 05/26/08
Old Faithful Fountains	5745	834.47	100	44306	17	Academy: Technician replaced the contactors & overloads & cleaned the clay valve screen
SimplexGrinnell	63435456	1,365.54	100	45906	17	Alarm & detection and replaced ram battery for pc
TDIndustries	000059433	200.00	100	43351	17	Water treatment agreement for: May 2008
TDIndustries	0000600122	2,100.54	100	43338	17	Qtrly billing for contract HVAC maintenance: June 2008
TDIndustries	FAC1029882	965.00	100	45906	17	Fire Alarm Account: Inspection repairs
TDIndustries	FAC1030115	780.00	100	45905	17	Replace 4 gauges: sprinkler repairs
TDIndustries	NTS1019879	3,314.49	100	43340	17	Water line leak
TDIndustries	NTS1038093	199.85	100	45904	17	4" rubber coupling leaking (destination, technician labor & fuel surcharge)
Triple R Locksmith	31417	52.00	100	44212	17	2/duplicate keys & 1/Ford truck
Troy Meyer	ER052508	94.45	100	46215	17	Mileage: setup & take down for May 25th event, met with Graham Assoc. in Arlington, p/u shirts in Grapevine, met with contractors, landscaping, drain on pump & meeting with Ms. Lee, two trips to cemetery/campus & met w/door & camera contractor, grills in Southlake, p/u PC for meeting
Troy Meyer	ER061608	85.81	100	45315	17	Monthly DSL Service: February, March & April 2008
Total Facilities/Grounds		17,207.76				
GFOA	2582649	65.00	100	46115	18	Certificate of Achievement Review fee 2007
STW Inc.	06072008	286.00	100	44310	18	Accounts Payable: 1099 print changes & General Ledger: discuss w/D.Piper how to run report & convert to excel

TOWN OF WESTLAKE

Invoices Received: 06/02/08 thru 06/15/08

For Review by Board on 06/23/08

VENDOR NAME	INVOICE	AMOUNT	FUND	ACCT	DEPT	DESCRIPTION
Total Finance		351.00				
Arbor Care	306	3,300.00	100	43343	19	Raise trees behind campus, remove trees at the park, clean up debris along Pearson, clear road signs & chip debris
Hadden Landscaping	28552	1,220.83	100	43349	19	June 2008 Landscape Maintenance - Glenwyck Trail Area - 50% to GW Farms
Hadden Landscaping	28632	87.50	100	43340	19	June 2008 Irrigation inspection @ Dove Road & Triangle
Hadden Landscaping	28633	22.36	100	43349	19	June 2008 Landscape Maintenance - Dove Road & Triangle - 50% to GW Farms
Texas AquaServe, LP	04302008	474.92	100	45911	19	April 2008 Pond Maintenance - charge 50% to GW Farms
Texas AquaServe, LP	05312008	471.24	100	45911	19	May 2008 Pond Maintenance - charge 50% to GW Farms
Total Parks/Recreation		5,576.85				
Kaleidoscope	20080093	2,447.50	100	43267	20	Administrative Support Service (network administration, talking with Cisco people, etc): included update of exchange server & e-mail migration
Kaleidoscope	20080093	1,200.00	100	43265	20	Technology Consultant - IT Fee - On-Site support - installing software, virus protector, etc. (Basic help and support for hardware/software)
Office Depot	431501589-001	178.97	100	43405	20	USB drive, Wireless router & hard drive
STW Inc.	06072008	603.55	100	44310	20	Annual support for Axiar spooler & System support
Total IT		4,430.02				
Boyle & Lowry, LLP	12273	371.25	199	13020	0	Legal Fees - Academy
Office Depot	38527283-001	22.49	199	13020	0	Stamp Pre-Ink Rect
Xact Business Solutions	135454	27.50	199	13020	0	Printing of Business Cards for Mark Rosevear
Total Academy Fund		421.24				
Chem Can Co.	25032	110.00	220	43505	11	Portable toilet rental from 05/23/08 thru 05/27/08 (Decoration Day)
Lawton Publications	102726	720.00	220	43531	11	Northwest Metroport Chamber Directory 2008/2009
Due from Visitor Fund		830.00				
Boyle & Lowry, LLP	12273	37.50	255	43310	0	Legal Fees - Cemetery Fund
Due from Cemetery		37.50				
Boyle & Lowry, LLP	12273	2,516.25	410	16600	0	Legal Fees - Arts & Science Building
FedEx	2-729-39889	21.11	410	16600	13.6	A&S Shipping Costs: McCall, Parkhurst & Horton - Leroy Grawunder, Jr.
Due from Capital Projects		2,537.36				
Graham Associates	080519	1,980.00	500	43220	16	Engineering Fees - Utility Fund
Hadden Landscaping	28410	190.00	500	44116	16	Landscape Maintenance - Pump Station
Home Depot	6026936	25.96	500	44220	16	Paint wand & wooden stakes
Jarrold Greenwood	ER060908	64.99	500	45310	16	Cell phone invoice period April 26 thru May 25, 2008
Jarrold Greenwood	ER060908	9.00	500	45810	16	Parking for meeting with Fort Worth
Jarrold Greenwood	ER060908	15.99	500	46216	16	Fuse holder for light bar
North Texas SSC	508771	419.15	500	46215	16	2001 F-150 Truck: truck repairs
O'Reilly	0880-190663	59.97	500	46215	16	Vehicle floor mats & trailer hitch lock
Reprographics	419626	522.92	500	44122	16	1,000/digital gloss including folding & fuel surcharge: water report
Texas Excavation Safety	08-3089	81.70	500	44220	16	Line Location for May 2008
Tri-County Electric 150-50	06052008	4,654.37	500	46221	16	UF Electric Service - Pump Station
Due from Utility		8,024.05				
Office Depot	432475683-001	135.87	100	13100	0	4/cases of copy paper & pens
Due from TSH		135.87				

TOWN OF WESTLAKE

Invoices Received: 06/02/08 thru 06/15/08

For Review by Board on 06/23/08

VENDOR NAME	INVOICE	AMOUNT	FUND	ACCT	DEPT	DESCRIPTION
		71,510.99				

Town of Westlake

Memo

To: Honorable Mayor and Members of the Board of Aldermen
From: Troy Meyer, Facilities and Recreation Director
Subject: Regular Meeting of June 23, 2008
Date: June 16, 2008

ITEM

Consider a Resolution authorizing the termination of the agreement between Night Line Janitorial, Service, Inc. and The Town of Westlake for janitorial maintenance of the Westlake Civic Campus.

BACKGROUND

Night Line Janitorial, Service, Inc. was contracted in February 2008 to provide janitorial maintenance for the Westlake Academy. They have performed an inadequate job for the first six months of the contract.

Due to an increase in complaints on areas not being cleaned, staff recommends termination of the current contract with Night Line Janitorial, Service, Inc. The current contract with Night Line Janitorial, Service, Inc. requires a 30 day termination notice which will be given on June 30, 2008.

The bid notice will be published in the Star-Telegram on June 28th and 29th. The goal is to present a new contract to the board for consideration at the July 28, 2008, regular meeting.

FUNDING

The funds for janitorial maintenance is include in the adopted 2007-08 Westlake Academy budget.

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

Resolution No. 08-41

TOWN OF WESTLAKE

RESOLUTION NO. 08-41

AUTHORIZING THE TERMINATION OF THE AGREEMENT BETWEEN NIGHT LINE JANITORIAL, SERVICE, INC. AND THE TOWN OF WESTLAKE FOR JANITORIAL MAINTENANCE OF THE WESTLAKE CIVIC CAMPUS.

WHEREAS, the Town of Westlake has discussed and documented the quality of service received over the past six months with Night Line Janitorial, Service, Inc.; and

WHEREAS, the Town of Westlake will now choose to exercise the right to terminate the contract with Night Line Janitorial, Service, Inc. as stated in the executed agreement, by sending a 30 day termination notice.

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

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

SECTION 2. The Board of Aldermen of the Town of Westlake, Texas, hereby approves the contract termination with Night Line Janitorial, Service, Inc. for janitorial maintenance and further authorizes the Town Manager to execute a 30 day notice of termination on behalf of the Town of Westlake, Texas, to be sent immediately upon approval by the Board of Aldermen.

PASSED AND APPROVED ON THIS 23rd DAY OF June 2008.

ATTEST:

Laura Wheat, Mayor

Kim Sutter TRMC, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Town of Westlake

Memo

To: Honorable Mayor and Members of the Board of Aldermen

From: Kim Sutter, Town Secretary

Subject: Regular Meeting of June 23, 2008

Date: June 17, 2008

ITEM

Elect a Mayor Pro Tem

BACKGROUND

Each year following the May General election, the Board elects one of its members to serve as the Mayor Pro Tem.

The Mayor Pro Tem shall perform the duties of the Mayor in cases of absence or inability of the Mayor to perform such duties.

The Mayor Pro Tem shall have the right to vote as a member of the Board.

Don Redding is currently serving as the Mayor Pro Tem.

RECOMMENDATION

No Recommendation

FUNDING

N/A

ATTACHMENTS

None.

Town of Westlake

Memo

To: Honorable Mayor and Members of the Board of Aldermen

From: Kim Sutter, Town Secretary

Subject: Regular Meeting of June 23, 2008

Date: June 17, 2008

ITEM

Consider a Resolution reappointing and appointing members to Boards, Commissions, and Committees.

BACKGROUND

Members with expiring terms have been contacted by the Town Secretary's office and asked to respond as to their desire to continue to serve as a board, commission, or committee member. Attached you will find a worksheet which includes responses from each of the Board members with an expiring term of June 2008. Vacancies are also noted on the worksheet.

The attached resolution indicates the names of the board, commission, and committee members that wish to continue to serve as well as the term expiration for each appointment/reappointment.

Please note that there are open positions on a few of the Boards and you may also wish to make appointments to fill those vacancies as well as consider new appointments to fill the positions of board members who no longer wish to continue to serve.

Two applications have been received and will be provided to you prior to the meeting.

RECOMMENDATION

Consider reappointments and appointments to the Town's Boards, Commissions, and Committees.

FUNDING

N/A

ATTACHMENTS

Term expiration worksheet

Resolution No. 08-42

**Term Expiration and Vacancy Worksheet
June 2008**

Rev.
6/18/2008 - 4:18 PM

Red = Vacancy or Not Seeking Reappointment

Blue = Consider for Reappointment

4B Economic Development Board (4 Aldermen and 3 non-Aldermen, 2 year terms) (must be residents of the Town)(7 members, 2 year terms)

Member	Address	Phone number	New Term Expires
Vacant, Alderman (chr)			June-09
Vacant, Alderman			June-09
Vacant - Alderman			June-09
Vacant - non-Alderman			June-09
Vacant - non-Alderman			June-09

Historical Preservation Society (Meets 3rd Monday of each month at 6 p.m.)

(created by Resolution 00-02, 2-14-00) (3 year terms) (10 member board)

Member	Address	Phone Number	New Term Expires
Kelly Bradley, Pres.	One Paigebrooke Westlake, TX 76262	817-337-5565	June-10 No
Allen Heath	5944 Stagecoach Circle Westlake, TX 76262	817-491-9140	June-10 No
Sharon Sanden	13288 Thornton Drive Westlake, TX 76262	817-491-9491	June-10 Yes

Planning & Zoning Commission (meets the 4th Thursday of each Month - if necessary) (2 yr terms)

Member	Address	Phone Number	New Term Expires
Vacant (T. Brittan)			June-10
Walter Copeland	1606 Creekwood Ct. Westlake, TX 76262	817-917-1478 (cell)	June-10 Yes
Allen Heath	5944 Stage Coach Circle Westlake, TX 76262	817-491-9140	June-10 Yes, if desire of Board

Public Art Society of Westlake (est. Reso. 07-25, 4-23-07, amdended Reso.08-12 2-25-08) (9 members)

Member	Address	Phone Number	New Term Expires
Vacant			June-10
Vacant			June-10
Mary Petty	1021 Simmons Keller, TX 76248		June-10 Yes
Vacant			June-10

Texas Student Housing Authority Board of Directors (7 Directors, 2 year terms)

Member	Address	Phone Number	New Term Expires
Jim Carter	2650 FM 407, Suite 145-100 Bartonville, TX 76226	817-239-7791	June-10 Yes
Jac Irvine	6068 Lake Way Mews North Richland Hills, TX 76180	817-428-1910	June-10 Yes
Vacant			June-10
Jill McKean	11845 Hickory Circle Keller, TX 76248	469-586-2378	June-10 Yes
Scott Bradley	General Counsel 3 Village Circle, Ste 207, 76262	817-800-4508	

Westlake Tree City USA Advisory Committee

(created by Reso. 00-08, 2-28-00) (5 members; residents of Town; 1 youth member, if possible)

(1 term of 3 yrs; 2 terms of 2 yrs; and 2 terms of 1 yr) (must be a resident of the Town)

Member	Address	Phone Number	New Term Expires
Vacant (3 yr term)	Juan Fontanes resigned		June-10
Vacant (2 yr term)	Doug Mayer did not seek reappt. in 2007		June-10
Vacant (1 yr term)	Barb Griggs did not seek reappt.		June-10
Vacant (1 yr term)	Expired term of B. Timmerman (August 2006)		June-10

Westlake Academy Foundation (7 to 15 members (reso. 07-36), 2 year terms)

Member	Address	Phone Number	New Term Expires	Seeking reappt?
Laura Wheat	2006 Navasota Cove Westlake, TX 76262	817-380-1515	June-10	Yes
Julie Timmerman	1804 Millstream Court Westlake, TX 76262	817-742-0333	June-10	Yes
Chris Noonan, President	814 Shorecrest Drive Southlake, TX 76092	817-329-1569	June-10	Yes
Bill Greenwood	40 Wyck Hill Lane Westlake, TX 76262	817-379-9696	June-10	Yes

Written responses to request for reappointment:

Allen Heath - P&Z and Westlake Historical Preservation Society

For the P&Z, if the board would like me stay on, I would be willing to continue. If the BA would like fresh blood on the P&Z and appoint somebody else, that is perfectly okay too as I think I've completed 10 years. Whatever the board decides is fine with me.

For the WHPS, I would like to step down allowing fresh ideas and enthusiasm fill the spot.

Al Heath, Certified IT Specialist
BT/IT CPT Data Management
IBM PartnerWorld Cross Systems

Sharon Sanden – Reappointment to Westlake Historical Preservation Society

If you have other Westlake residents wanting to fill the vacancy that is fine otherwise I will be happy to serve another term.

Just let me know,

Sharon

Walter Copeland – P&Z

Yes, I would like to be reconsidered for appointment.

Walter Copeland

Jac Irvine – Texas Student Housing Authority

Yes, as long as the focus continues to be providing scholarships for kids.

Jac

TOWN OF WESTLAKE

RESOLUTION NO. 08-42

REAPPOINTING AND APPOINTING MEMBERS TO THE 4B ECONOMIC DEVELOPMENT BOARD; WESTLAKE HISTORICAL PRESERVATION SOCIETY; PLANNING AND ZONING COMMISSION; PUBLIC ART SOCIETY OF WESTLAKE; TEXAS STUDENT HOUSING AUTHORITY BOARD OF DIRECTORS; THE TEXAS STUDENT HOUSING CORPORATION; THE TEXAS STUDENT HOUSING CORPORATION – SAN MARCOS PROJECT; THE TEXAS STUDENT HOUSING CORPORATION – DENTON PROJECT; THE TEXAS STUDENT HOUSING CORPORATION – COLLEGE STATION PROJECT; THE TEXAS STUDENT HOUSING CORPORATION – MSU PROJECT; THE TEXAS CHARTER SCHOOL CORPORATION – LTTS CHARTER SCHOOL, INC. PROJECT, AND THE TEXAS CHARTER SCHOOL CORPORATION – NEW FRONTIERS CHARTER SCHOOL PROJECT; WESTLAKE TREE CITY USA ADVISORY COMMITTEE, AND THE WESTLAKE ACADEMY FOUNDATION, AND RESOLVING RELATED MATTERS.

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:

SECTION I. THAT the following individuals are hereby appointed to the 4B Economic Development Board:

Vacant, Mayor or Alderman
Vacant, Alderman
Vacant, Alderman
Vacant, non-Alderman
Vacant, non-Alderman

said terms of office expiring June 2009.

As a result of the appointments heretofore stated, the 4B Economic Development Board is represented by the following:

	<u>Term Expiration</u>
Vacant, Mayor or Alderman	June 2009
Don Redding, Alderman	June 2009
Vacant, Alderman	June 2009
Vacant, Alderman	June 2009
David Brown, Non-Alderman	June 2009
Vacant, Non-Alderman	June 2009
Vacant, Non-Alderman	June 2009

SECTION II. THAT the following individual is hereby reappointed to the Westlake Historical Preservation Society Board:

Sharon Sanden

said term of office expiring June 2011.

As a result of the appointment heretofore stated, the Westlake Historical Preservation Society is represented by the following:

	<u>Term Expiration</u>
Kristi Layton	June 2009
Lisa Councilman	June 2009
Ruby Held	June 2009
Stephen Thornton	June 2010
Jack Wiesman	June 2010
Michelle Corson	June 2010
Teresa Walton	June 2010
Sharon Sanden	June 2011
Vacant	June 2011
Vacant	June 2011

SECTION III. THAT the following individuals are hereby reappointed to the Planning and Zoning Commission:

Walter Copeland
Allen Heath

said terms of office expiring June 2010 and the appointment of

Vacant

Said term of office expiring June 2010.

As a result of the appointments heretofore stated, the Planning and Zoning Commission is represented by the following:

	<u>Term Expiration</u>
William Greenwood	June 2009
Sharon Sanden	June 2009
Walter Copeland	June 2010
Allen Heath	June 2010
Vacant	June 2010

Section IV. THAT the following individual is hereby reappointed to the Public Art Society of Westlake:

Mary Petty

said term of office expiring June 2011, and the appointment of

Board Liaison (Mayor or Board of Aldermen)

As a result of the appointment heretofore stated, the Public Art Society of Westlake is represented by the following:

	<u>Term Expiration</u>
Dave Rollins	June 2009
Kay Anderson	June 2009
Shannon LaRue	June 2009
Michelle Corson, Chair	June 2010
Leah Rennhack	June 2010
Vacant	June 2010
Mary Petty	June 2011
Vacant	June 2011
Vacant	June 2011
(Board Liaison)	
Staff Liaison	Town Manager or his appointee

Section V. THAT the following individuals are hereby reappointed to the Texas Student Housing Authority, the Texas Student Housing Corporation, the Texas Student Housing Corporation – San Marcos Project, the Texas Student Housing Corporation – Denton Project, the Texas Student Housing Corporation – College Station Project, the Texas Student Housing Corporation – MSU Project, the Texas Charter School Corporation – LTTS Charter School, Inc. Project, and the Texas Charter School Corporation – New Frontiers Charter School Project:

Jim Carter
Jac Irvine
Jill McKean

said terms of office expiring June 2010 and the appointment of

Vacant

Said term of office expiring June 2010.

As a result of the appointments heretofore stated, the Texas Student Housing Authority, the Texas Student Housing Corporation, the Texas Student Housing Corporation – San Marcos Project, the Texas Student Housing Corporation – Denton Project, the Texas Student Housing Corporation – College Station Project, the Texas Student Housing Corporation – MSU Project, the Texas Charter School Corporation – LTTS Charter School, Inc. Project, and the Texas Charter School Corporation – New Frontiers Charter School Project are represented by the following:

	<u>Term Expiration</u>
Jim Carter	June 2010
Jac Irvine	June 2010
Jill McKean	June 2010
Vacant	June 2010
George Ledak	June 2009
Chuck Schultz	June 2009
Melanie Lekkos	June 2009

SECTION VI. THAT the following individuals are hereby appointed to the Westlake Tree City USA Advisory Committee:

Vacant	June 2009
Vacant	June 2009
Vacant	June 2010
Vacant	June 2010

As a result of the appointments heretofore stated, the Westlake Tree City USA Advisory Committee is represented by the following:

	<u>Term Expiration</u>
Julie Timmerman	June 2009
Vacant	June 2009
Vacant	June 2009
Vacant	June 2010
Vacant	June 2010

SECTION VII. THAT the following individuals are hereby reappointed to the Westlake Academy Foundation Board of Directors:

Laura Wheat
 Julie Timmerman
 Chris Noonan
 Bill Greenwood

said term of office expiring June 2010.

As a result of the appointments heretofore stated, the Westlake Academy Foundation is represented by the following:

	<u>Term Expiration</u>
Leah Rennhack	June 2010
Laura Wheat	June 2010
Julie Timmerman	June 2010
Chris Noonan	June 2010
Bill Greenwood	June 2010
Dr. Shezad Malik	June 2010
Jeff Ryan	June 2010
George Ledak	June 2009
David Lee	June 2009
Leigh Sander	June 2009
Kelly Cox	
Deborah Zielger	
Karen Osborne	
Colleen Hess	
John Awtry	Term as Chr. of HOC

SECTION VIII. THAT this resolution shall take effect from and after its final date of passage, and it is accordingly so ordered.

PASSED AND APPROVED ON THIS 23rd DAY OF JUNE 2008.

ATTEST:

Laura Wheat, Mayor

Kim Sutter, TRMC, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Town of Westlake

Memo

To: Honorable Mayor and Members of the Board of Aldermen
From: Tom Brymer, Town Manager
Date: June 13, 2008
Subject: June 23, 2008 Meeting

ITEM

Consider a resolution appointing a President to the Westlake Academy Foundation Board of Directors.

BACKGROUND

Chris Noonan's term as President expires June 2008. Mr. Noonan will continue to serve as a member of the Board.

The Westlake Academy Foundation Board of Directors met on June 12, 2008, and unanimously voted to recommend Leah Rennhack to serve as the President of the Foundation.

Leah Rennhack was appointed to serve as a member of the Board at the June 9, 2008, regular meeting.

RECOMMENDATION

Approve the Resolution

ATTACHMENTS

Resolution No. 08-43

TOWN OF WESTLAKE

RESOLUTION NO. 08-43

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS, APPOINTING LEAH RENNHACK TO FILL THE POSITION OF PRESIDENT OF THE BOARD OF DIRECTORS OF THE WESTLAKE ACADEMY FOUNDATION, AND RESOLVING REALTED MATTERS.

WHEREAS, The Board of Aldermen desires to appoint Leah Rennhack to fill the position of President of the Board of Directors of the Westlake Academy Foundation and to ratify and confirm all actions taken by or on behalf of the Town prior to the adoption of this Resolution in connection with making this appointment; and

WHEREAS, the meeting at which this Resolution has been considered was open to the public as required by law, and public notice of the time, place, and subject of the meeting has been given in accordance with Chapter 551, Government Code.

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

SECTION 1: The findings and declarations contained in the preamble of this Resolution are hereby incorporated as part of this Resolution.

SECTION 2: This Board of Aldermen hereby appoints Leah Rennhack to the position of President of the Board of Directors of the Westlake Academy Foundation and ratifies and confirms all actions taken by or on behalf of the Town prior to the adoption of this Resolution in connection with making this appointment.

SECTION 3: This Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED ON THIS 23rd DAY OF JUNE 2008.

ATTEST:

Laura Wheat, Mayor

Kim Sutter, TRMC, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Town of Westlake

Memo

To: Honorable Mayor and Members of the Board of Aldermen

From: Tom Brymer, Town Manager

Subject: Regular Meeting of June 23, 2008

Date: June 16, 2008

ITEM

Discuss and consider a Resolution designating an elected official from the governing body to serve as its voting representative to the North Central Texas Council of Governments (NCTCOG) General Assembly.

BACKGROUND

Each year following the municipal and school board elections, the North Central Texas Council of Governments (NCTCOG) publishes a regional directory of locally elected government officials and staff professionals for the 16-county North Central Texas region and we have updated our information accordingly.

Additionally, NCTCOG annually requests designation and/or recertification of a voting representative. This representative must be an elected official from the governing body of the member government. The representative serves as a liaison between the local government and NCTCOG; receives publications and announcements from NCTCOG; and is eligible to vote on proposed Bylaws amendments and for candidates to serve on the NCTCOG Executive Board. Attached to the resolution is the applicable form which contains additional information concerning the voting representative. It is my understanding that we have never designated a voting representative. Once a delegate has been selected and the proposed resolution has been approved, the applicable form will be completed and submitted to NCTCOG.

FUNDING

Not applicable at this time.

RECOMMENDATION

Staff recommends that the Board designate one elected official to represent the Town of Westlake as its voting representative and approve the corresponding resolution.

ATTACHMENTS

Resolution No. 08-44
NCTCOG Voting Representative Designation Form

TOWN OF WESTLAKE

RESOLUTION NO. 08-44

DESIGNATING AN ELECTED OFFICIAL FROM THE TOWN OF WESTLAKE, TEXAS, TO SERVE AS ITS VOTING REPRESENTATIVE TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG).

WHEREAS, the Board of Aldermen recognizes the importance of and supports the North Central Texas Council of Governments role in municipal government; and

WHEREAS, the Board of Aldermen wishes to participate in the annual selection and/or recertification of its voting delegate and liaison from the elected governing body of the Town of Westlake;

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

SECTION 1. This Board of Aldermen hereby designates _____ to serve as its voting representative and liaison to the North Central Texas Council of Governments (NCTCOG).

SECTION 2. This Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED ON THIS 23rd DAY OF JUNE 2008.

ATTEST:

Laura Wheat, Mayor

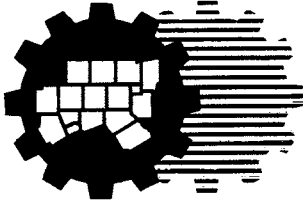
Kim Sutter, TRMC, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
Designation of Voting Representative



As a member of the North Central Texas Council of Governments,

hereby designates the

(name of county, city, school district, or special district)

following elected official to serve as its voting representative to NCTCOG's General Assembly.

Name: _____ Title: _____

Mailing Address: _____

Telephone: () _____

Signed: _____ Title: _____ Date: _____

FOR YOUR INFORMATION

Under the Bylaws of the North Central Texas Council of Governments, each member government is entitled to one voting representative on the General Assembly. The **voting representative must be an elected official from the governing body of the member government.** This voting representative serves as a liaison between the local government and NCTCOG; receives publications and announcements from NCTCOG; and is eligible to vote on proposed Bylaws amendments and for candidates to serve on NCTCOG's Executive Board. A city or county official must be a designated voting representative in order to be considered for service on the Executive Board.

Some voting representatives may have retired from office or some member governments may wish to select a different representative from the one currently serving. Therefore, NCTCOG annually requests recertification of voting representatives – usually after the municipal/school board elections. Use this form to designate your official voting representative to NCTCOG. If you wish, you have the option to list your **existing voting representative, without formal reappointment**, unless that person is no longer in office.

Town of Westlake

Memo

To: Honorable Mayor and Members of the Board of Aldermen

From: Tom Brymer, Town Manager

Subject: Regular Meeting of June 23, 2008

Date: June 19, 2008

ITEM

Consider an Ordinance amending the existing gas franchise between the Town and ATMOS Energy Corporation.

BACKGROUND

The Town of Westlake agreed to a rate settlement with Atmos earlier this year. The rates that were agreed to in the settlement were approximately 80% lower than the rates initially requested by Atmos. The rate settlement also had a “favored nations” clause, which allowed the settling group of cities the benefit of any favorable term offered to any other city or city group settling with Atmos.

Subsequent to the rate settlement, Atmos settled with another group of cities. That city group asked Atmos, as part of the rate settlement, to allow them to increase the franchise fee Atmos pays to the city for use of the right-of-way to 5% (previously the fee had been 4%) of the gross receipts collected from within a municipality’s limits. Usually a city is in a different role when working on rate matters than it would be when negotiating a franchise, so franchise fees are not usually part of rate discussions. However, Atmos agreed to let those cities raise their franchise fees. Because of the most favored nations clause in our agreement with Atmos, that increase in the franchise fee is also available to the Town.

If the Board wishes to accept the offer of an increase in the franchise fees, it will require an amendment to the franchise. Franchises and franchise amendments are done by ordinance.

RECOMMENDATION

Consider adoption of the ordinance amending the existing gas franchise between the town and ATMOS Energy Corporation.

FUNDING

N/A

ATTACHMENTS

Ordinance No. 596

TOWN OF WESTLAKE

ORDINANCE NO. 596

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING THE EXISTING GAS FRANCHISE BETWEEN THE TOWN AND ATMOS ENERGY CORPORATION TO PROVIDE FOR A DIFFERENT CONSIDERATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY ATMOS ENERGY CORPORATION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Atmos Energy Corporation (“Company”) is engaged in the business of furnishing and supplying gas to the general public in the Town of Westlake (“Town”), including the transportation, delivery, sale, and distribution of gas in, out of, and through the Town for all purposes, and is using the public streets, alleys, grounds and rights-of-way within the Town for that purpose under the terms of a franchise ordinances duly passed by the governing body of the Town and duly accepted by Company or its predecessor in interest; and

WHEREAS, the Town and Company desire to amend said franchise ordinance to provide for a different consideration;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS, THAT:

SECTION ONE: The consideration payable by Company for the rights and privileges granted to Company by the franchise ordinance duly passed by the governing body of this Town and accepted by Company or its predecessor in interest is hereby changed to be five percent (5%) of the Gross Revenues, as defined in the franchise ordinance.

SECTION TWO: Franchise payments shall be made on the dates prescribed in the existing franchise and shall be for the rights and privileges of the respective period during which the payment is made.

SECTION THREE: This ordinance shall take effect for all franchise fees from May 1, 2008. Company shall, within thirty (30) days from the receipt of this ordinance, file its written acceptance of this ordinance with the Office of the Town Secretary in substantially the following form:

To the Honorable Mayor and Board of Aldermen:

Atmos Energy Corporation, acting by and through the undersigned authorized officer, hereby accepts in all respects, on this the ____ day of _____, 2008, Ordinance No. 596 amending the current gas franchise between the Town and Atmos Energy Corporation.

Atmos Energy Corporation

By: _____

Vice-President, Mid-Tex Division

SECTION FOUR: In all respects, except as specifically and expressly amended by this ordinance, the existing franchise ordinance heretofore duly passed by the governing body of the Town shall remain in full force and effect.

SECTION FIVE: The Town shall provide a copy of this Ordinance to Mr. david Park, Vice President of Rates and Regulatory Affairs, Atmos Energy Corp., 5420 LBJ Freeway, Suite 1800, Dallas, Texas 75240, no later than ten (10) business days after its final passage and approval.

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

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS, on this the 23RD day of June 2008.

APPROVED:

Laura Wheat, Mayor

ATTEST:

Kim Sutter, TRMC, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney
Town Attorney

Town of Westlake

Item #10 – Board Calendar

Back up material has not
been provided for this item.

10. BOARD CALENDAR.

- Strategic Planning Retreat
 - 6/27 and 6/28, Embassy Suites, Grapevine – 8:30 a.m.
- NW Metroport Chamber of Commerce Luncheon, 7/1/08, 11:30 a.m.
- Planning and Zoning Commission – 7/24/08, 6 p.m.
- Texas Municipal League Newly Elected Officials training
 - 7/25 – 7/26/08, Austin, 7:30 a.m.
 - 8/8 - 8/9/08, Austin, 7:30 a.m.
- Texas Municipal League Annual Conference and Exhibition
 - October 28 – 31, 2008, San Antonio, Texas

Town of Westlake

Item #11 – Adjournment

Back up material has not
been provided for this item.
