



# TOWN COUNCIL WORKSHOP AND REGULAR MEETING AGENDA

August 15, 2023 at 6:00 PM

Town Hall - 1941 E. Jeter Road, Bartonville, TX 76226

## A. CALL WORKSHOP TO ORDER

1. Discussion of Proposed Budget for Fiscal Year 2023-2024 and all things related thereto.

## B. ADJOURN WORKSHOP

## C. CALL REGULAR SESSION TO ORDER IMMEDIATELY FOLLOWING WORKSHOP

## D. PLEDGE OF ALLEGIANCE

## E. PROCLAMATIONS

1. Proclamation proclaiming September 2023 as Live United Month.
2. Proclamation proclaiming August 15, 2023 as Annemarie Moore Day.

## F. PUBLIC PARTICIPATION

*If you wish to address the Council, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.*

## G. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Police Chief Report - Department Statistics/Activities July 2023.
2. Town Administrator - Monthly Reports July 2023: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits and Denton County Emergency Services District #1.

## H. CONSENT AGENDA

*This agenda consists of non-controversial or "housekeeping" items required by law. Items may be approved with a single motion. Items may be removed from the Consent Agenda by any Councilmember by making such request prior to a motion and vote on the Consent Agenda.*

1. Consider approval of the July 25, 2023 Workshop and Special Meeting Minutes.

## I. ACTION ITEMS

1. Public hearing to receive comment and consider approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit "A," Ordinance 361-05, Zoning Ordinance, by amending, Chapter 12, Village Center District (VC), Article 12.2, Uses

Permitted, by granting a Conditional Use Permit to allow for the operation of an Event Center use located at 1001 I.T. Neely Road. **(The Planning & Zoning Commission recommended approval by a vote of 5 to 0 at its August 2, 2023 meeting.)**

2. Discuss and consider awarding a contract for the E Jeter Road and Stonewood Boulevard Reconstruction Project.
3. Discuss and consider a Resolution suspending the September 1, 2023 Effective Date of CoServ Gas, LTD's requested Rate Change to permit the Town time to study the request and to establish reasonable rates and provide an effective date.
4. Public hearing to receive public comment and consider approval of the Bartonville Crime Control and Prevention District FY 2023-2024 proposed budget.
5. Discuss and consider approval of an ordinance amending the Town's Budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, as adopted by Ordinance No. 735-22; and amended by Ordinances 738-22 and 748-23, providing for adjustments to the General Fund and Bartonville Community Development Corporation Fund.
6. Discuss and consider accepting of the submission of the no-new revenue and voter-approval tax rate calculations; take action to consider a proposed tax rate for public input and consideration at the September 19, 2023 Regular Town Council meeting.
7. Discuss and consider a Development Agreement between the Town of Bartonville and Hines Acquisitions, LLC.

#### **J. CLOSED SESSION**

*Pursuant to the Open Meetings Act, Chapter 551, the Town Council will meet in a Closed Executive Session in accordance with the Texas Government Code.*

1. Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the Town's Extraterritorial Jurisdiction (ETJ), issues related to the Furst Ranch Development, issues related to amending the Town's Development Ordinance, and any and all legal issues related thereto.
2. Section 551.074 Personnel Matters to deliberate and consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: Town Administrator and Deputy Town Secretary/Court Clerk.

#### **K. RECONVENE OPEN MEETING**

*The Town Council to reconvene into an open meeting and consider action, if any, on items discussed in closed session.*

#### **L. FUTURE ITEMS**

#### **M. ADJOURNMENT**

### **CERTIFICATION**

I hereby certify that this Notice of Meeting was posted on the Town Website, and on the bulletin board, at Town Hall of the Town of Bartonville, Texas, a place convenient and readily accessible to the public at all times. Said Notice was posted on the following date and time; and remained posted continuously prior to the scheduled time of said meeting and shall remain posted until meeting is adjourned.

/s/ Shannon Montgomery, Town Secretary

Posted: August 11, 2023 prior to 5:00pm.

*The Town Council reserves the right to adjourn into executive session during the course of this meeting to discuss any item on the posted agenda as authorized by Chapter 551 of the Texas Government.*

*Agenda Removed from Town of Bartonville Bulletin Board on: \_\_\_\_\_*

*By: \_\_\_\_\_, Title: \_\_\_\_\_*



# TOWN COUNCIL COMMUNICATION

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**DATE** August 15, 2023

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Discussion of Proposed Budget for Fiscal Year 2023-2024 and all things related thereto.

## **SUMMARY:**

Town Council held a Budget Workshop on July 25, 2023, to discuss priorities for the upcoming 2023-24 Fiscal Year Budget.

This **DRAFT** Budget includes funding for the priorities expressed by Town Council during that workshop.

This includes:

- Continuing the annual Tree Trimming project to increase visibility and improve safety adjacent to public rights-of-way.
- Purchase of a new Police Cruiser to replace one of the aging units in the fleet.
- Funding for Special Events, including a Christmas tree lighting celebration and Memorial Day event.

Salaries and additional road projects remain undecided at this time and should be discussed, and direction provided on these issues.

## **FISCAL INFORMATION:**

## **RECOMMENDED MOTION OR ACTION:**

## **ATTACHMENTS:**

- **DRAFT** Budget

Town of Bartonville  
**GENERAL FUND**

Item A1.

	FY 2022	FY 2023	FY 2024
	Budget	Adopted	Proposed
	Budget	Budget	Budget
<b>BEGINNING FUND BALANCE</b>		<b>1,571,799</b>	<b>362,322</b>
<b>TRANSFER FROM FUND BALANCE</b>			
Transfer to Reserve Fund	-	282,596	-
Transfer to Street Improvement Fund	-	1,000,000	-
<b>REVISED FUND BALANCE</b>		<b>289,203</b>	<b>362,322</b>
<b>REVENUES</b>			
Property Taxes	825,238	943,000	1,050,000
Sales & Beverage Tax	715,000	759,800	785,000
Franchise Fees	161,000	157,500	200,000
Permit & Development Fees	279,400	162,900	180,000
Municipal Court	52,000	60,000	85,000
Other/Transfer	19,000	64,000	169,300
<b>TOTAL REVENUE</b>	<b>2,051,638</b>	<b>2,147,200</b>	<b>2,469,300</b>
<b>EXPENDITURES</b>			
<b>ADMINISTRATION</b>			
Salaries & Wages	319,400	421,410	401,790
Medical Benefits	38,864	74,974	102,897
Advertisements & Notices	4,000	4,500	4,500
Appraisal & Tax Collection Services	9,000	9,000	9,000
Contracted Services	380,250	307,310	339,610
Audit & Accounting Services	6,000	15,000	22,500
Fees & Service Charges	670	1,170	1,170
Banners & Signs	10,000	10,000	10,000
Clean Up Day	10,000	7,000	9,000
Computer Hardware & Software	29,000	30,000	36,430
Supplies/Postage/Printing	15,830	13,500	13,500
Copier Lease/Supplies/Maintenance	5,000	5,000	7,500
Dues & Memberships	4,000	4,000	5,000
Election Expense	12,500	12,500	14,000
Insurance - Property & Liability	4,750	5,872	7,500
Repairs & Maintenance	23,000	27,000	25,000
Public Transportation	1,180	1,180	1,180
Publications/Subscriptions	1,000	1,500	1,500
Records Management	3,500	6,000	6,000
Town Meetings/Events	1,800	6,000	21,000
Travel & Training	6,000	6,000	8,000
Utilities	17,500	17,500	17,500
Waste Water	-	36,300	36,300
Capital Improvements	150,000	-	50,000
<b>ADMIN EXPENSES</b>	<b>903,244</b>	<b>1,022,716</b>	<b>1,150,877</b>

Town of Bartonville  
**GENERAL FUND**

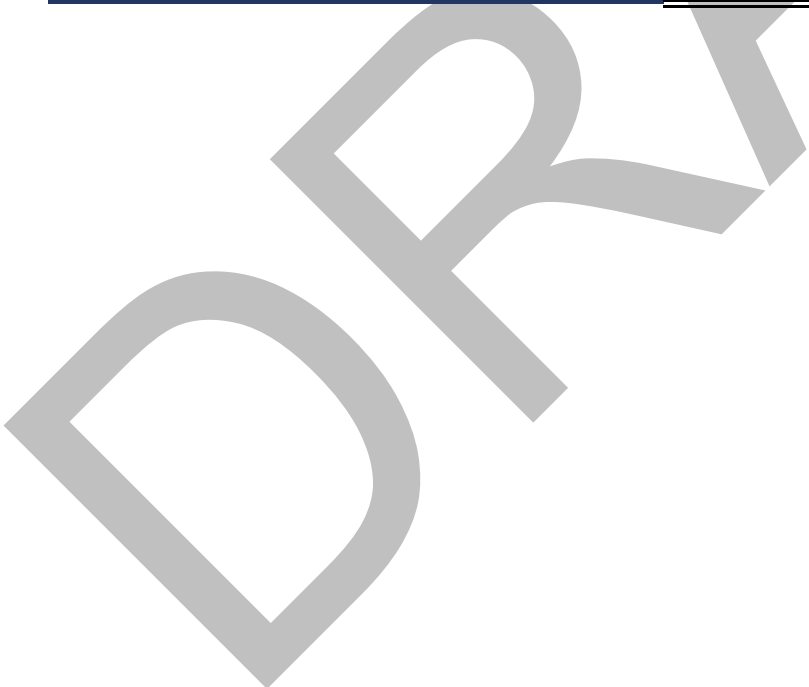
Item A1.

	FY 2022 Budget	FY 2023 Adopted Budget	FY 2024 Proposed Budget
<b>POLICE DEPARTMENT</b>			
Salaries & Wages	482,282	595,835	573,372
Medical Benefits	68,000	97,113	154,345
Vehicle Maintenance	8,000	8,000	12,000
Operations & Supplies	15,900	20,000	20,000
Computer Software & Maintenance	51,800	20,000	29,631
Contracts	6,025	7,500	8,000
Dues & Memberships	1,000	1,000	1,000
Fuel & Lubricants	12,000	15,000	22,000
Insurance	28,172	32,917	32,917
Travel & Training	2,000	3,000	3,500
Uniforms	3,500	4,000	4,000
<b>POLICE EXPENSES</b>	<b>678,679</b>	<b>804,365</b>	<b>860,765</b>
<b>MUNICIPAL COURT</b>			
Municipal Court Expenses	6,600	5,400	6,600
<b>TOTAL EXPENDITURES</b>	<b>1,588,523</b>	<b>1,832,481</b>	<b>2,018,242</b>
<b>TRANSFERS FROM GENERAL FUND</b>			
Transfer to Street Fund	115,000	-	-
Transfer to Capital Imp Fund	25,000	10,000	10,000
Transfer to Grants (Lantana Town Center 380)	250,000	210,000	210,000
Transfer to Vehicle/Equip Replacement Fund	21,600	21,600	94,000
Transfer to Tax Note Fund	51,515	-	-
<b>TOTAL TRANSFERS</b>	<b>463,115</b>	<b>241,600</b>	<b>314,000</b>
<b>REV OVER/(UNDER) EXP &amp; TRANSFERS</b>	-	73,119	137,058
<b>ENDING FUND BALANCE</b>		<b>362,322</b>	<b>499,380</b>
<b>REVISED REV OVER/(UNDER) EXP</b>		73,119	137,058
<b>REVISED ENDING FUND BALANCE</b>		<b>362,322</b>	<b>499,380</b>

Street Maintenance Sales Tax Restricted Fund

Fund: 170

	FY 2022	FY 2023	FY 2024
	Budget	Adopted Budget	Proposed Budget
<b>BEGINNING FUND BALANCE</b>		<b>1,246,109</b>	<b>673,109</b>
<b>REVENUES</b>			
Street Sales Tax	247,500	265,000	400,000
Interest Earned	2,000	2,000	60,000
Transfer from General Fund	115,000	-	-
FM ILA - Transfer to Street	150,000	-	-
<b>TOTAL REVENUE</b>	<b>514,500</b>	<b>267,000</b>	<b>460,000</b>
<b>EXPENDITURES</b>			
Engineering/Surveying Services	80,000	60,000	60,000
Street Maint/Repair	215,000	100,000	100,000
2019 Street Project	35,663	-	-
Street Projects	-	680,000	-
<b>TOTAL EXPENSES</b>	<b>330,663</b>	<b>840,000</b>	<b>160,000</b>
<b>REV OVER/(UNDER) EXP</b>	<b>183,837</b>	<b>(573,000)</b>	<b>300,000</b>
<b>ENDING FUND BALANCE</b>	<b>1,246,109</b>	<b>673,109</b>	<b>973,109</b>



Street Improvement Fund-Council Designated

Fund: 310

	FY 2022 Budget	FY 2023 Adopted Budget	FY 2024 Proposed Budget
<b>BEGINNING FUND BALANCE</b>	-	-	<b>1,000,000</b>
<b>TRANSFERS IN</b>			
Transfer in from Fund Balance	-	1,000,000	-
<b>TOTAL</b>	<b>-</b>	<b>1,000,000</b>	<b>-</b>
<b>EXPENDITURES</b>			
Street Projects	-	-	-
<b>TOTAL EXPENSES</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>REV OVER/(UNDER) EXP</b>	<b>-</b>	<b>1,000,000</b>	<b>-</b>
<b>ENDING FUND BALANCE</b>	<b>-</b>	<b>1,000,000</b>	<b>1,000,000</b>

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Town of Bartonville  
Reserve Fund

Item A1.

Fund: 150

	FY 2022	FY 2023	FY 2024
	Budget	Adopted	Proposed
	Budget	Budget	Budget
<b>BEGINNING FUND BALANCE</b>	<b>316,639</b>	<b>317,404</b>	<b>601,000</b>
<b>INTEREST &amp; TRANSFERS IN</b>			
Interest	765	1,000	15,000
Transfer in from Fund Balance	-	282,596	-
<b>TOTAL</b>	<b>765</b>	<b>283,596</b>	<b>15,000</b>
Interest Earned			
<b>ENDING FUND BALANCE</b>	<b>317,404</b>	<b>601,000</b>	<b>616,000</b>

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Economic Development Liability  
(Lantana Town Center Grants)

Fund: 180

	FY 2022	FY 2023	FY 2024
	Budget	Adopted	Proposed
	Budget	Budget	Budget
<b>BEGINNING FUND BALANCE</b>		<b>80,499</b>	<b>25,499</b>
<b>TRANFERS IN</b>			
Transfer from General Fund	250,000	210,000	210,000
<b>TOTAL</b>	<b>250,000</b>	<b>210,000</b>	<b>210,000</b>
<b>EXPENDITURES</b>			
LTC Sales Tax Grants	115,000	175,000	165,000
LTC Property Tax Grants	85,000	90,000	54,000
<b>TOTAL EXPENSES</b>	<b>200,000</b>	<b>265,000</b>	<b>219,000</b>
<b>REV OVER/(UNDER) EXP</b>	<b>50,000</b>	<b>(55,000)</b>	<b>(9,000)</b>
<b>ENDING FUND BALANCE</b>	<b>80,499</b>	<b>25,499</b>	<b>16,499</b>

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Town of Bartonville  
**Building Maintenance Fund**

Item A1.

Fund: 300

	FY 2022 Budget	FY 2023 Adopted Budget	FY 2024 Proposed Budget
<b>BEGINNING FUND BALANCE</b>		<b>39,639</b>	<b>34,939</b>
<b>TRANFERS IN</b>			
Interest Earned	300	300	300
Transfer from General Fund	25,000	10,000	10,000
<b>TOTAL</b>	<b>25,300</b>	<b>10,300</b>	<b>10,300</b>
<b>EXPENDITURES</b>			
Building Improvements-Town Hall	25,000	15,000	15,000
<b>TOTAL EXPENSES</b>	<b>25,000</b>	<b>15,000</b>	<b>15,000</b>
<b>REV OVER/(UNDER) EXP</b>	<b>300</b>	<b>(4,700)</b>	<b>(4,700)</b>
<b>ENDING FUND BALANCE</b>	<b>39,639</b>	<b>34,939</b>	<b>30,239</b>

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Town of Bartonville  
**Vehicle Computer Fund**

Item A1.

Fund: 301

	FY 2022 Budget	FY 2023 Adopted Budget	FY 2024 Proposed Budget
<b>BEGINNING FUND BALANCE</b>	<b>50,805</b>	<b>9,805</b>	<b>16,405</b>
<b>TRANSFERS IN</b>			
Transfer from General Fund	21,600	21,600	94,000
<b>TOTAL</b>	<b>21,600</b>	<b>21,600</b>	<b>94,000</b>
<b>EXPENDITURES</b>			
Computers	2,300		
Vehicle Equipment	60,300	15,000	2,300
Vehicle Replacement			80,000
<b>TOTAL EXPENSES</b>	<b>62,600</b>	<b>15,000</b>	<b>82,300</b>
<b>REV OVER/(UNDER) EXP</b>	<b>(41,000)</b>	<b>6,600</b>	<b>11,700</b>
<b>ENDING FUND BALANCE</b>	<b>9,805</b>	<b>16,405</b>	<b>28,105</b>

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Town of Bartonville  
Tax Note Fund

Item A1.

Fund: 200

	FY 2022	FY 2023	FY 2024
	Budget	Adopted	Proposed
	Budget	Budget	Budget
<b>BEGINNING FUND BALANCE</b>		614,000	298,948
<b>TRANFERS IN</b>			
Interest Earned	2,500	2,500	18,604
Transfer from General Fund	51,515	-	-
<b>TOTAL</b>	<b>54,015</b>	<b>2,500</b>	<b>18,604</b>
<b>EXPENDITURES</b>			
Tax Note Payment	317,567	317,552	317,552
<b>TOTAL EXPENSES</b>	<b>317,567</b>	<b>317,552</b>	<b>317,552</b>
<b>REV OVER/(UNDER) EXP</b>	-	(315,052)	(298,948)
<b>ENDING FUND BALANCE</b>	<b>614,000</b>	<b>298,948</b>	-

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Court Security Fund-Restricted

Fund: 210

	FY 2022	FY 2023	FY 2024
	Budget	Adopted	Proposed
	Budget	Budget	Budget
<b>BEGINNING FUND BALANCE</b>	<b>7,030</b>	<b>7,995</b>	<b>4,835</b>
<b>REVENUE</b>			
Building Security Fees	2,000	2,000	2,500
<b>TOTAL</b>	<b>2,000</b>	<b>2,000</b>	<b>2,500</b>
<b>EXPENDITURES</b>			
Court Building Security	660	3,660	3,660
Municipal Court Security	375	1,500	1,500
<b>TOTAL EXPENSES</b>	<b>1,035</b>	<b>5,160</b>	<b>5,160</b>
<b>REV OVER/(UNDER) EXP</b>	<b>965</b>	<b>(3,160)</b>	<b>(2,660)</b>
<b>ENDING FUND BALANCE</b>	<b>7,995</b>	<b>4,835</b>	<b>2,175</b>



Court Technology Fund - Restricted

Fund: 220

	FY 2022	FY 2023	FY 2024
	Budget	Adopted Budget	Proposed Budget
<b>BEGINNING FUND BALANCE</b>	<b>3,765</b>	<b>2,865</b>	<b>1,965</b>
<b>REVENUE</b>			
Court Technology Fees	1,700	1,700	2,000
<b>TOTAL</b>	<b>1,700</b>	<b>1,700</b>	<b>2,000</b>
<b>EXPENDITURES</b>			
Court Software/Hardware	2,600	2,600	2,700
	-	-	-
<b>TOTAL EXPENSES</b>	<b>2,600</b>	<b>2,600</b>	<b>2,700</b>
<b>REV OVER/(UNDER) EXP</b>	<b>(900)</b>	<b>(900)</b>	<b>(700)</b>
<b>ENDING FUND BALANCE</b>	<b>2,865</b>	<b>1,965</b>	<b>1,265</b>

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### Court Truancy Fund - Restricted

Fund: 230

	FY 2022	FY 2023	FY 2024
	Budget	Adopted	Proposed
	Budget	Budget	Budget
<b>BEGINNING FUND BALANCE</b>	<b>4,422</b>	<b>6,122</b>	<b>7,822</b>
<b>REVENUE</b>			
Court Technology	1,700	1,700	2,500
<b>TOTAL</b>	<b>1,700</b>	<b>1,700</b>	<b>2,500</b>
<b>EXPENDITURES</b>			
	-	-	-
	-	-	-
<b>TOTAL EXPENSES</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>REV OVER/(UNDER) EXP</b>	<b>1,700</b>	<b>1,700</b>	<b>2,500</b>
<b>ENDING FUND BALANCE</b>	<b>6,122</b>	<b>7,822</b>	<b>10,322</b>

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Town of Bartonville  
Community Development Corporation

Item A1.

Fund: 800

	FY 2022 Budget	FY 2023 Adopted Budget	FY 2024 Proposed Budget
<b>BEGINNING FUND BALANCE</b>		<b>740,721</b>	<b>693,196</b>
<b>REVENUES</b>			
Sales Tax Revenue	185,000	197,950	120,000
Interest Earned	2,500	2,000	25,000
<b>TOTAL REVENUE</b>	<b>187,500</b>	<b>199,950</b>	<b>145,000</b>
<b>EXPENDITURES</b>			
Grant Expenses/Projects	80,000	100,000	100,000
Other	19,625	20,875	15,625
Supplies	4,500	4,500	1,500
Contracted Services	61,000	62,100	37,100
Old Town Improvements			50,000
Old Town Maintenance	40,000	40,000	40,000
Salary Transfer to Town	10,000	20,000	10,000
<b>TOTAL EXPENSES</b>	<b>215,125</b>	<b>247,475</b>	<b>254,225</b>
<b>REV OVER/(UNDER) EXP</b>	<b>(27,625)</b>	<b>(47,525)</b>	<b>(109,225)</b>
<b>ENDING FUND BALANCE</b>	<b>740,721</b>	<b>693,196</b>	<b>583,971</b>

Crime Control Prevention District

Fund: 900

	FY 2022	FY 2023	FY 2024
	Budget	Adopted Budget	Proposed Budget
<b>BEGINNING FUND BALANCE</b>		<b>187,317</b>	<b>178,517</b>
<b>REVENUES</b>			
Sales Tax Revenue	80,000	96,750	100,000
Interest Earned	500	400	7,000
Grants and Donations	500	1,500	1,500
<b>TOTAL REVENUE</b>	<b>81,000</b>	<b>98,650</b>	<b>108,500</b>
<b>EXPENDITURES</b>			
Contracted Services	250	250	250
Other	300	200	200
Police/Other	5,000	36,500	37,500
Police/Supplies	66,428	70,500	73,200
<b>TOTAL EXPENSES</b>	<b>71,978</b>	<b>107,450</b>	<b>111,150</b>
<b>REV OVER/(UNDER) EXP</b>	<b>9,022</b>	<b>(8,800)</b>	<b>(2,650)</b>
<b>ENDING FUND BALANCE</b>	<b>187,317</b>	<b>178,517</b>	<b>175,867</b>





# TOWN COUNCIL COMMUNICATION

---

**DATE** August 15, 2023

**FROM:** Shannon Montgomery, Town Secretary

**AGENDA ITEM:** Proclamation proclaiming September 2023 as Live United Month.

**SUMMARY:**

Proclamation proclaiming September 2023 as Live United Month.

## Office of the Mayor

# roclamation

**WHEREAS:** United Way of Denton County celebrates 70 years of impact across Denton County in 2023; and

**WHEREAS:** by working together with supporters and collaborators across Denton County, United Way of Denton County improves access to education, economic mobility, and health & mental health for over 42,000 residents annually; and

**WHEREAS:** United Way of Denton County leads the effort to close gaps and open opportunities for every person in Denton County and works with a network of nonprofits, governments, businesses, and donors to respond to our neighbor's immediate needs and seek out better solutions for larger community-wide issues; and

**NOW, THEREFORE,** I, Jaclyn Carrington, Mayor of the Town of Bartonville, Texas, and on behalf of the Mayor and Town Council, do hereby proclaim, September 2023, as,

### ***“LIVE UNITED MONTH”***

in the Town of Bartonville and proudly join United Way of Denton County in calling on all residents of the Town of Bartonville to Give, Advocate, and Volunteer as we LIVE UNITED to build a better Denton County for all of us.

**PROCLAIMED AND SIGNED** on this the 15th day of August 2023.

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Jaclyn Carrington, **MAYOR**



# TOWN COUNCIL COMMUNICATION

---

**DATE** August 15, 2023

**FROM:** Shannon Montgomery, Town Secretary

**AGENDA ITEM:** Proclamation proclaiming August 15, 2023 as Annemarie Moore Day.

**SUMMARY:**

Bartonville resident Annemarie Moore celebrates her 98th birthday on August 15, 2023.

Office of the Mayor



# Proclamation

- WHEREAS:** Annemarie Moore was born in Einbeck, Germany on August 15, 1925; and
- WHEREAS:** Annemarie married Emmett Moore in the 1940's and they remained happily married until Emmett's death in 2016; and
- WHEREAS:** Annemarie Moore moved to Bartonville with her husband Emmett in 1987; and
- WHEREAS:** Annemarie Moore served the citizens of Bartonville as the Town Secretary for eleven years from May of 1989 to May of 2000; and
- WHEREAS:** Annemarie Moore's knowledge of Bartonville and its history are an invaluable asset and resource for the Town.

**NOW, THEREFORE,** I, Jaclyn Carrington, Mayor of the Town of Bartonville, Texas, and on behalf of the Mayor and Town Council, do hereby proclaim, Tuesday, August 15, 2023, as,

## ***“Annemarie Moore Day”***

in the Town of Bartonville and call upon our citizens to join in the celebration of her 98<sup>th</sup> birthday and special contributions as a member of our community.

**PROCLAIMED AND SIGNED** on this the 15th day of August 2023.

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Jaclyn Carrington, **MAYOR**



# TOWN COUNCIL COMMUNICATION

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**DATE** August 15, 2023

**FROM:** Bobby Dowell, Police Chief

**AGENDA ITEM:** Police Chief Report - Department Statistics/Activities July 2023.

**SUMMARY:**

Department Statistics/Activities July 2023.

**ATTACHMENTS:**

Department Statistics/Activities July 2023.

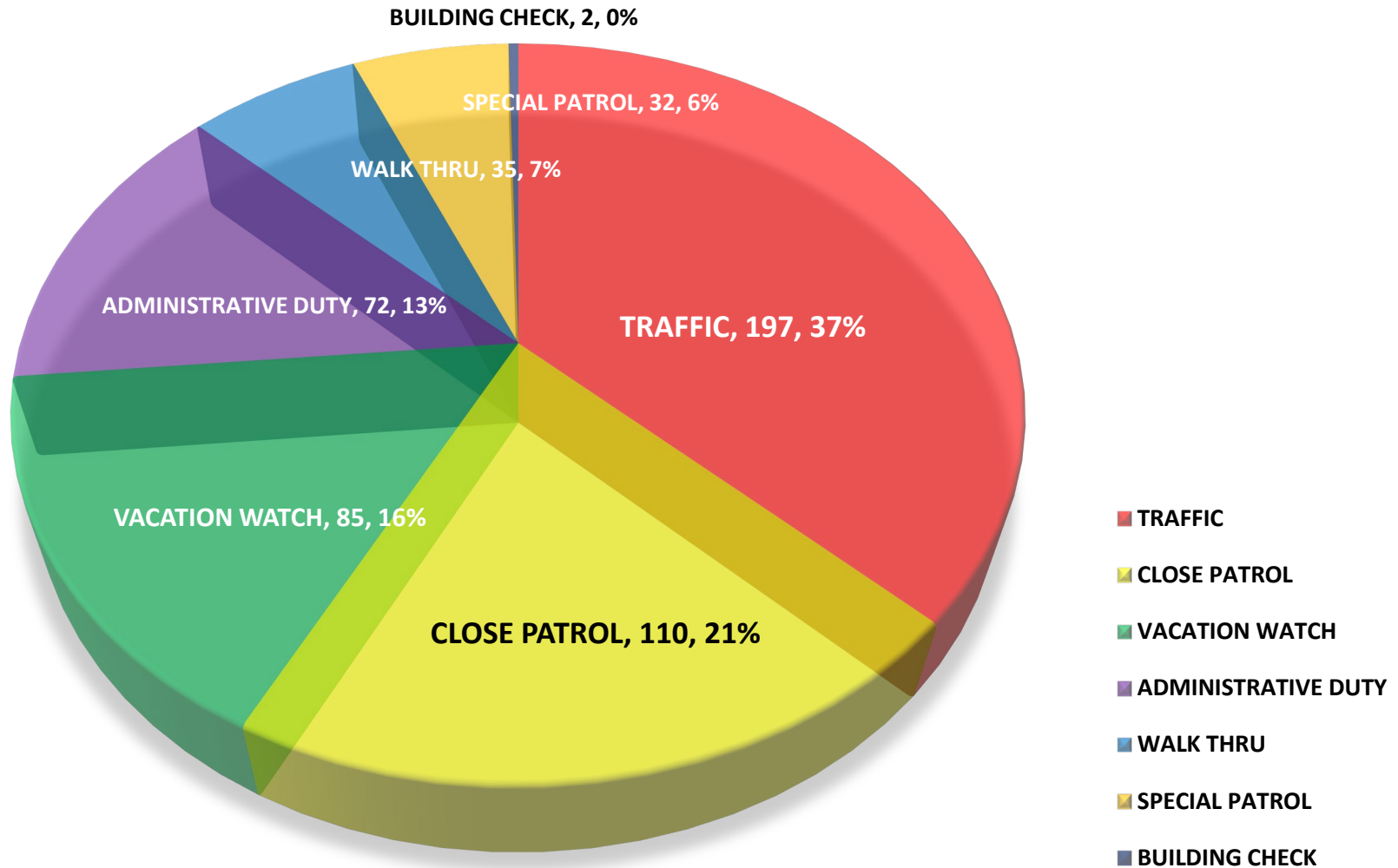
# Bartonville Police Department

## Monthly Report

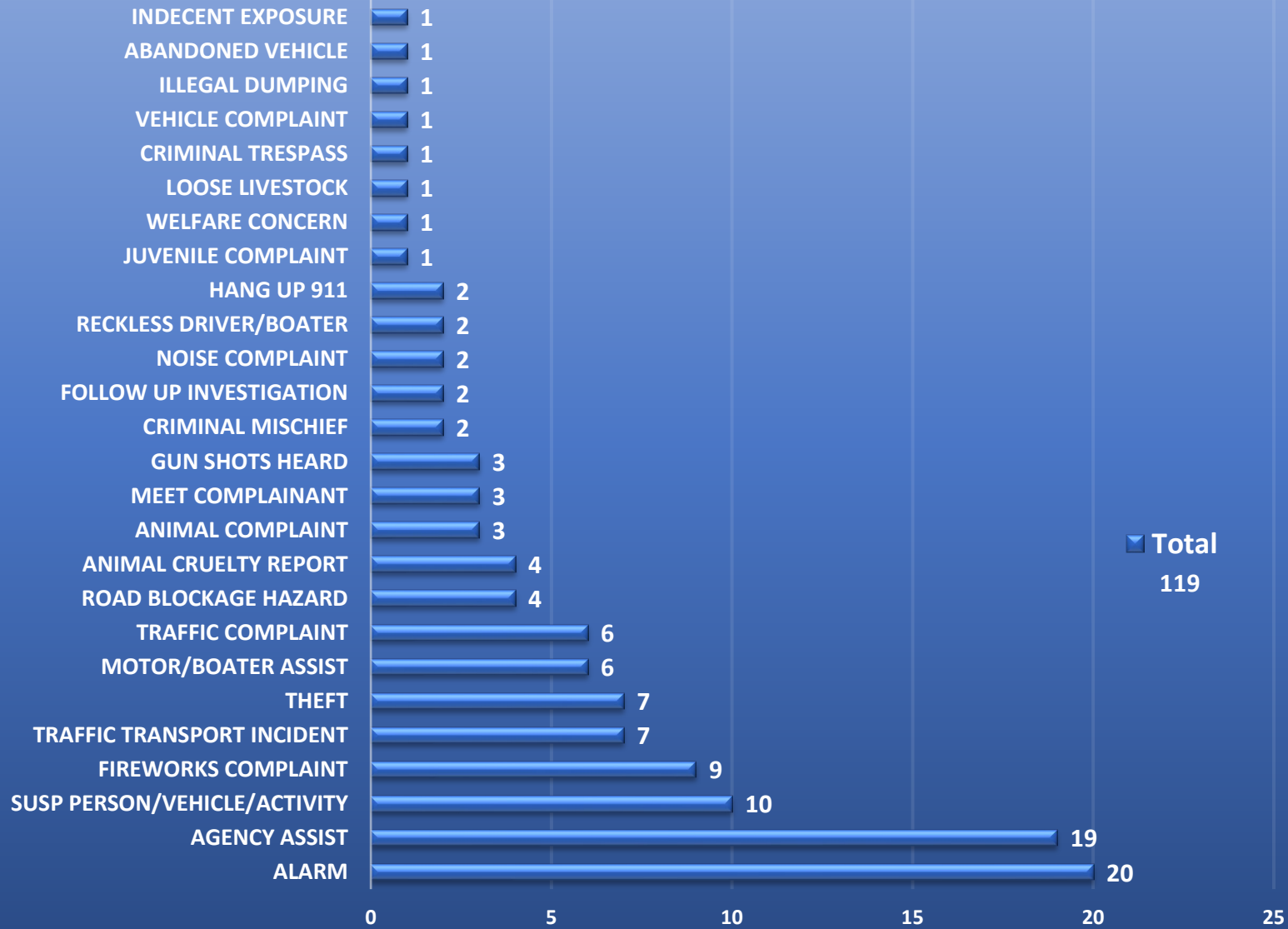




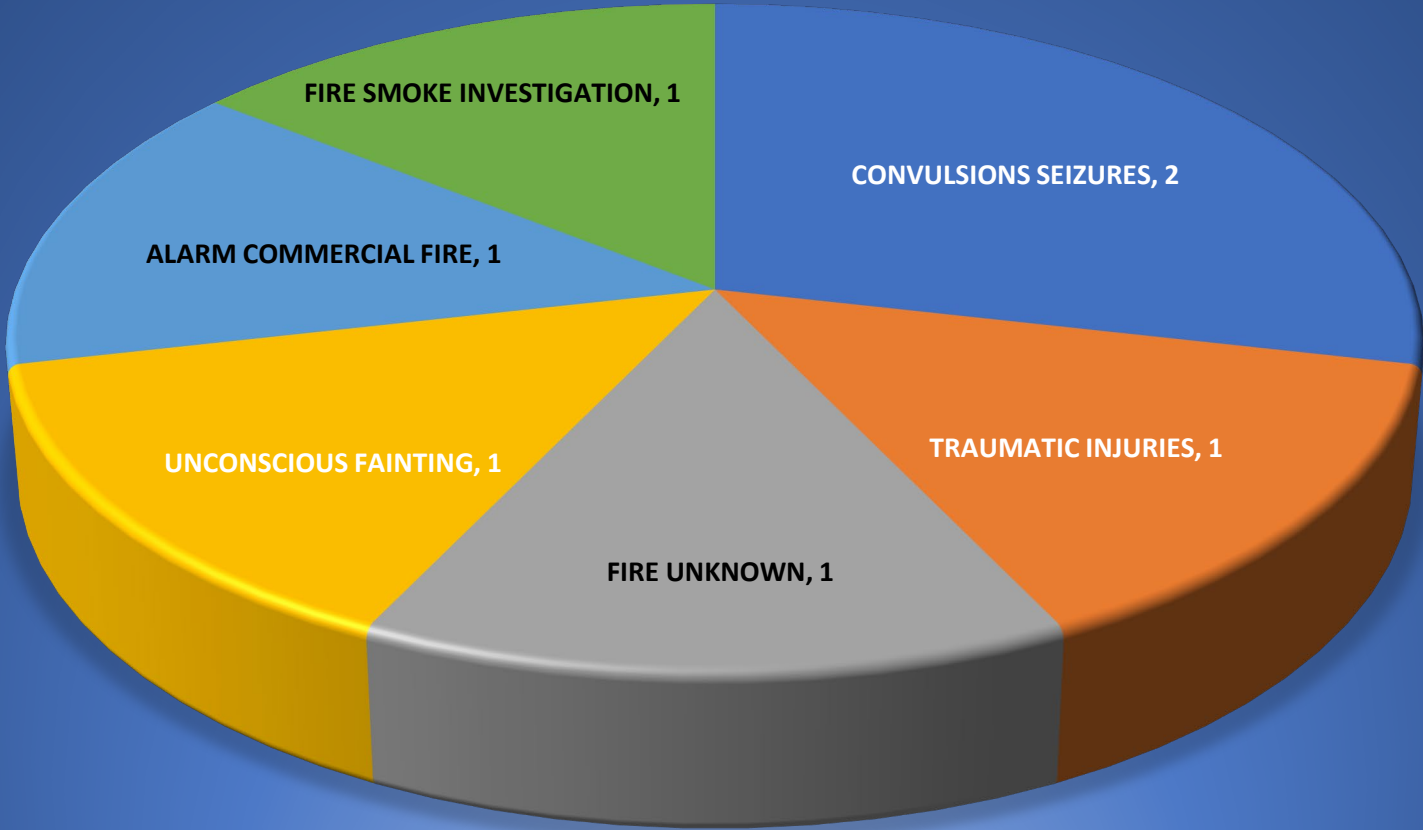
### July 2023 Officer Initiated Total

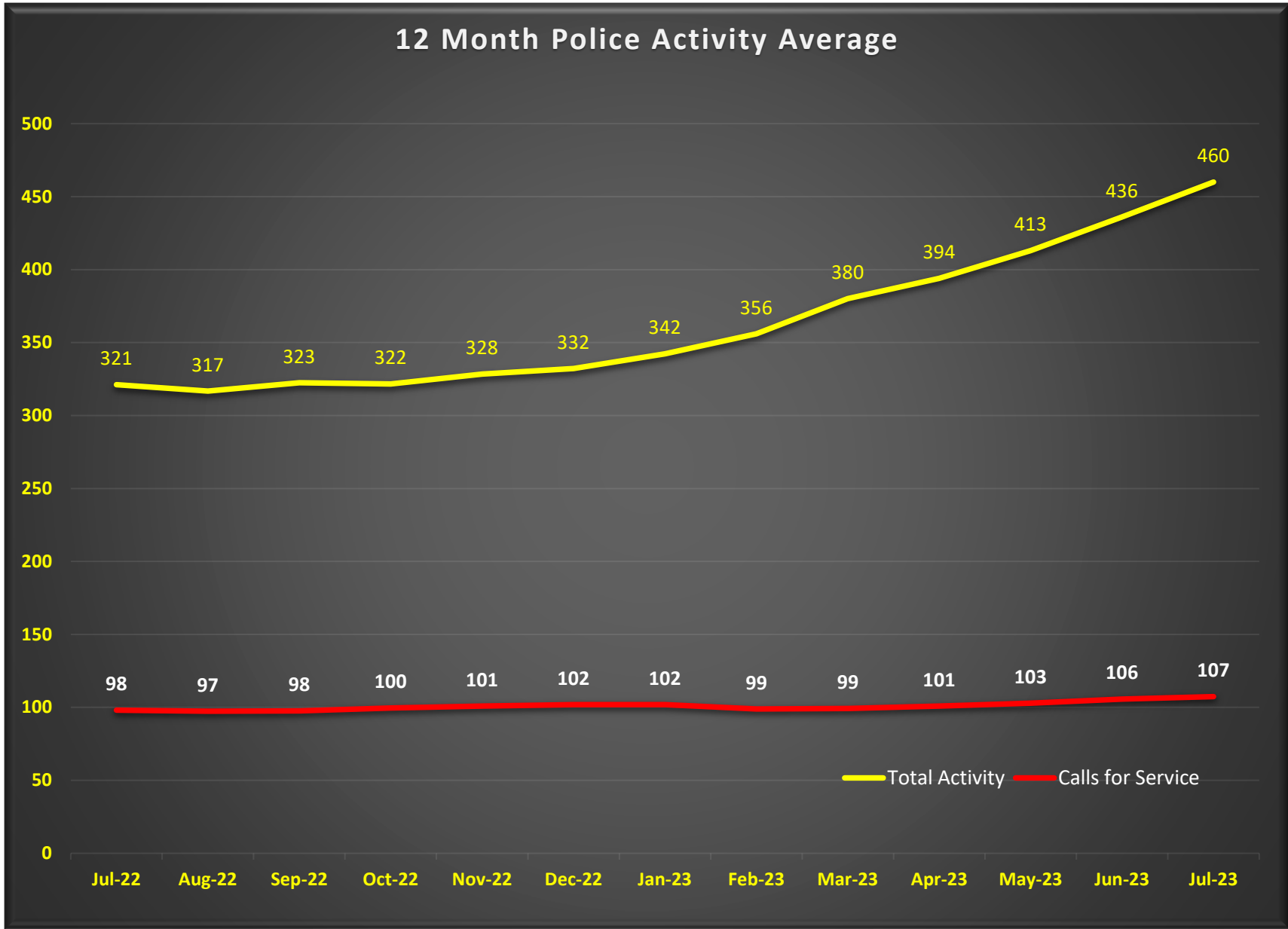


## July 2023 Calls for Service

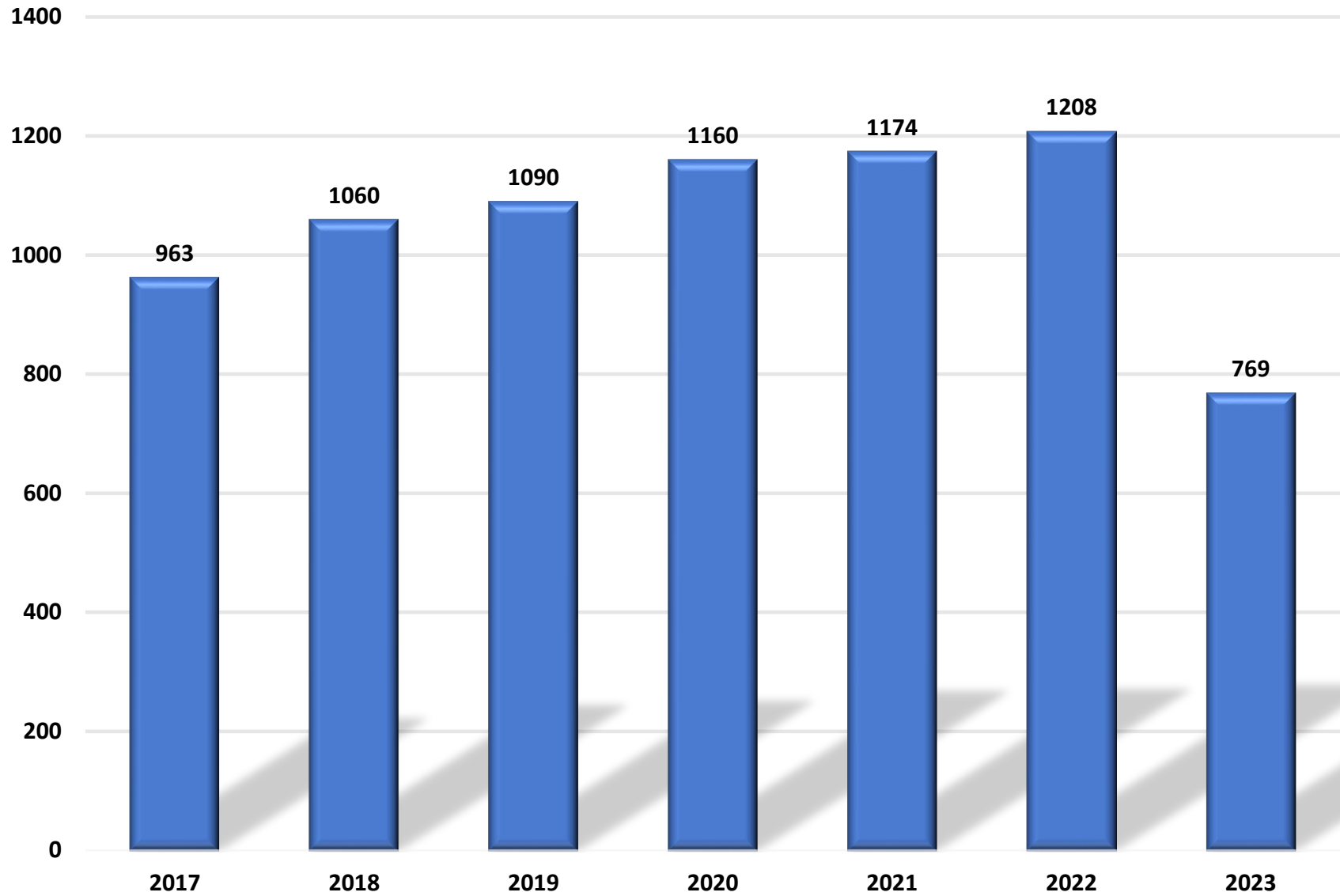


### JULY 2023 FIRE/EMS





### 2017 to Present - Report Calls





# TOWN COUNCIL COMMUNICATION

---

**DATE:** August 15, 2023

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Town Administrator - Monthly Reports July 2023: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits and Denton County Emergency Services District #1.

**SUMMARY:**

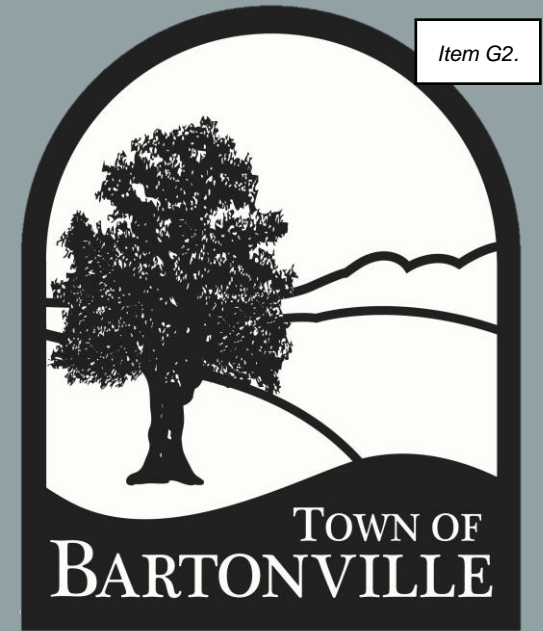
Monthly Reports July 2023.

**ATTACHMENTS:**

1. Monthly Financial Report
2. Monthly Animal Control Report
3. Monthly Code Enforcement Report
4. Monthly Engineering Report
5. Monthly Municipal Court Report
6. Monthly Permits Report
7. Monthly Denton County Emergency Services District #1 Report

# Town of Bartonville Monthly Financial Report

Month Ending  
July 31, 2023



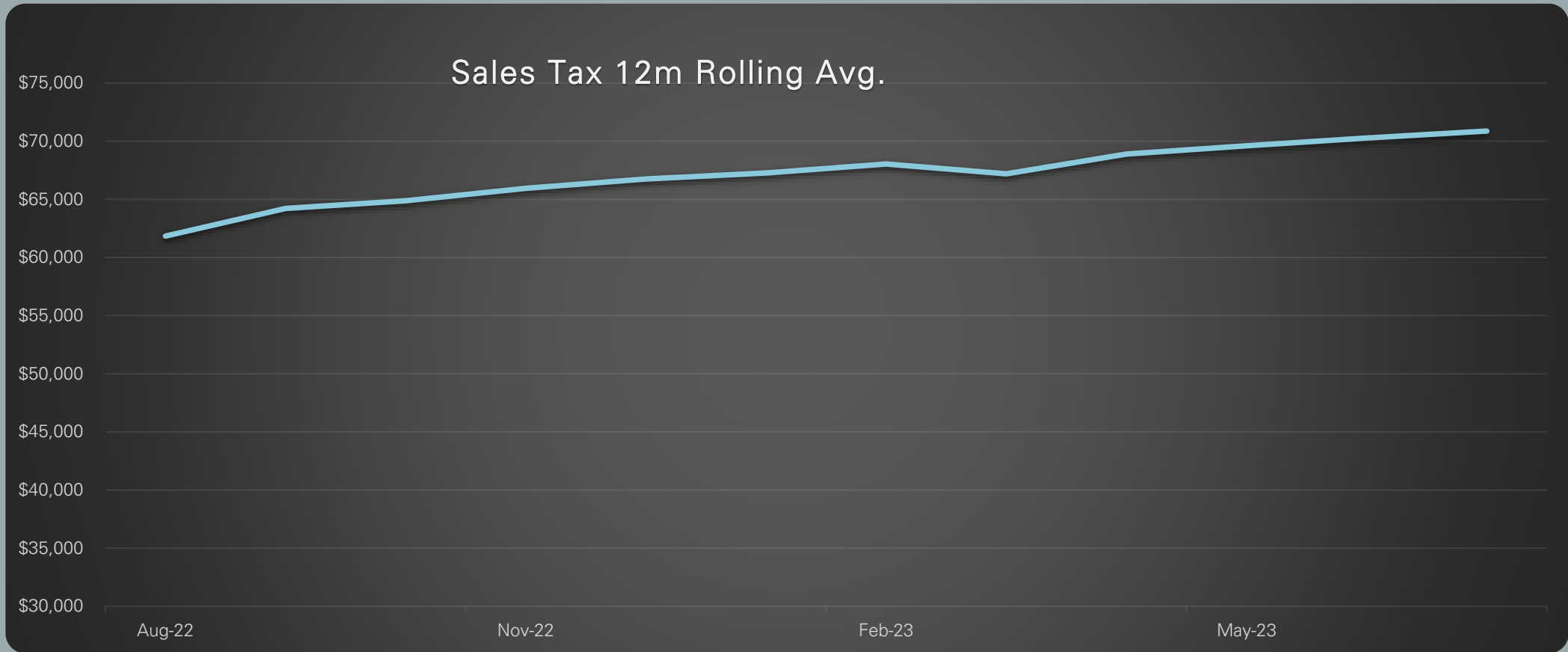
PRESENTED:  
AUGUST 15, 2023

## All General Fund Revenues

	July 2023 Revenue	Year to Date Revenue	Current Year Budget	Projected Revenue Remaining	% of Budgeted Revenue Remaining	Prior year YTD	Prior year ending balance
Property Tax	\$9578.58	\$979,477.24	\$943,000.00	(\$36,477.24)	(3.87%)	\$815,083.60	\$810,247.20
Sales Tax	\$62,779.68	\$686,589.00	\$759,800.00	\$73,211.00	9.64%	\$606,784.94	\$779,406.91
Franchise Fees	\$35,757.52	\$214,978.04	\$157,500.00	(\$57,478.04)	(36.49%)	\$179,484.35	\$211,360.40
Other/Transfer	\$47,078.23	\$186,779.01	\$186,679.20	(\$99.81)	(0.05%)	\$16,337.89	\$55,392.04
Development Fees	\$0	\$105,414.24	\$30,000.00	(\$75,414.24)	(251.38%)	*	*
Permit Fees	\$18,940.46	\$166,722.14	\$132,900.00	(\$33,822.14)	(20.29%)	*	*
Municipal Court	\$8,790.94	\$75,740.73	\$60,000.00	(\$15,740.73)	(26.23%)	\$38,159.00	\$56,295.24
<b>Total Revenue</b>	<b>\$182,925.41</b>	<b>\$2,415,700.40</b>	<b>\$2,269,879.20</b>	<b>(\$145,821.20)</b>	<b>(6.42%)</b>	*	*



# Sales Tax Collections



## All General Fund Expenditures

	July 2023 Expenditures	Year to Date Expenditures	Current Year Budget	Budget Balance Remaining	% of Balance Remaining	Prior Year YTD Balance	Prior year FY Ending Balance
Administration	\$83,203.68	\$1,046,519.01	\$1,145,395.20	\$98,876.19	8.63%	*	*
Police	\$58,984.71	\$570,150.	\$780,986.00	\$210,835.41	27.00%	\$416,184.61	\$537,727.68
Municipal Court	\$0	\$3,800.00	\$5,400.00	\$1,600.00	29.63%	\$5,000.00	\$6,000.00
Transfers	\$7,867.41	\$257,767.71	\$241,600.00	(\$16,167.71)	(6.69%)	\$265,184.02	\$307,035.89
<b>Total Expenses</b>	<b>\$150,055.80</b>	<b>\$1,878,237.31</b>	<b>\$2,173,381.20</b>	<b>\$295,143.89</b>	<b>13.58%</b>	*	*

# Expenditures by Department

## Administration

	July 2023 Expenditures	YTD Expenditures	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Salary & Benefits	\$34,578.91	\$358,239.81	\$502,256.00	\$144,016.19	28.67%	\$207,900.33	\$276,241.26
Other	\$22,667.21	\$233,154.21	\$163,479.20	(\$69,675.01)	42.62%	\$56,598.55	\$63,985.26
Contracted Service	\$19,748.02	\$332,706.11	\$338,490.00	\$5,783.89	1.71%	*	*
Fees & Service Charges	\$0	\$794.50	\$1,170.00	\$375.50	32.09%	\$725.77	\$1,237.84
Supplies	\$2,020.69	\$48,509.01	\$52,500.00	\$3,990.99	7.60%	\$29,361.42	\$37,727.88
Maintenance	\$4,188.85	\$35,424.77	\$37,500.00	\$2,075.23	5.53%	\$24,271.42	\$34,364.04
<b>Total Administration:</b>	<b>\$83,203.68</b>	<b>\$1,046,519.01</b>	<b>\$1,145,395.20</b>	<b>\$98,876.19</b>	<b>8.63%</b>	<b>*</b>	<b>*</b>

# Expenditures by Department

## Police

	July 2023 Expenditures	YTD Expenditures	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Salary & Benefits	\$53,329.49	\$514,753.79	\$709,486.00	\$194,732.21	27.45%	\$350,037.33	\$446,681.36
Maintenance	\$3,715.48	\$29,640.08	\$28,000.00	(\$1,640.08)	(5.86%)	\$43,176.49	\$58,407.99
Contracted Service	\$0	\$6,722.00	\$9,500.00	\$2,778.00	29.24%	\$6,320.00	\$8,082.21
Other	\$544.30	\$2,534.93	\$4,000.00	\$1,465.07	36.63%	\$975.65	\$1,381.40
Supplies	\$1,395.44	\$16,499.79	\$30,000.00	\$13,500.21	45.00%	\$14,337.93	\$23,174.72
<b>Total Police Department:</b>	<b>\$58,984.71</b>	<b>\$570,150.59</b>	<b>\$780,986.00</b>	<b>\$210,835.41</b>	<b>27.00%</b>	<b>\$416,184.61</b>	<b>\$537,727.68</b>

Jul 1, 2023 - Jul 31, 2023

Location	Notes	Code
Jul 28, 2023 1:32 PM 1941 JETER RD E	Patrolled city focusing on stray animals. left a card	Animal Control
Jul 25, 2023 9:38 AM fm 407 / fm 1830	Responded to a deceased dog/coyote in the median. Removed a deceased coyote from the median	Animal Control
Jul 20, 2023 3:26 PM 1941 JETER RD E	Patrolled city focusing on stray animals. Spoke to Sheri	Animal Control
Jul 11, 2023 4:45 PM 1941 JETER RD E	Patrolled city focusing on stray animals. spoke to thad	Animal Control
Jul 4, 2023 1:28 PM 1941 JETER RD E	Patrolled city focusing on stray animals. spoke to thad	Animal Control

Location	Notes	Code
Jul 18, 2023 1:30 PM	Patrolled city focusing on code issues. spoke to thad	Code Enforcement
Jul 18, 2023 7:55 AM hudson hill subdivision	at the request of city hall i made contact with the sup for the development for grass and weeds he stated he would get it taken care of	Code Enforcement
Jul 18, 2023 7:52 AM 1201 mulberry	Issued a warning for tall grass and weeds.	Code Enforcement
Jul 18, 2023 7:51 AM 506 oakwood	pictures taken for documentation	Code Enforcement
Jul 11, 2023 4:46 PM	Patrolled city focusing on code issues. spoke to thad	Code Enforcement
Jul 7, 2023 1:36 PM 506 oakwood	spoke to the owner, he has decided he can no longer take care of the property and is putting it up for sale	Code Enforcement
Jul 6, 2023 1:35 PM 506 oakwood	pictures taken for documentation	Code Enforcement
Jul 4, 2023 1:29 PM	Patrolled city focusing on code issues. spoke to thad	Code Enforcement

**Westwood**

## Town of Bartonville

### Status Report

**Date: August 10, 2023**

#### **Plan and Plat Review:**

- 1202 Clydesdale

#### **ROW Permits**

- Deer Hollow Frontier
- Spectrum 2648 FM 407
- 328 McMakin – ATT&T
- 780 Rockgate Road – Coserv
- AT&T High Meadow

#### **Subdivision Construction**

- N/A

#### **Street Fund**

- Work Order 5
  - Landfall Circle
  - 630 Badminton
  - E. Jeter Road Sink at Culvert
- Street Rehabilitation – E. Jeter & Rockgate - Bidding
- Stop Sign on Porter/Rockgate Installed

#### **General Consultation**

- Work Order 5 and Street Rehab Project above

Town of Bartonville  
Municipal Court Council Report  
From 7/1/2023 to 7/31/2023

8/3/2023 4

Item G2.

**Violations by Type**

Traffic	Penal	City Ordinance	Parking	Other	Total
129	3	1	2	2	137

**Financial**

State Fees	Court Costs	Fines	Tech Fund	Building Security	Total
\$4,662.38	\$1,157.33	\$6,789.00	\$204.62	\$250.67	\$13,064.00

**Warrants**

Issued	Served	Closed	Total
0	0	0	0

**FTAs/VPTAs**

FTAs	VPTAs	Total
0	0	0

**Dispositions**

Paid	Non-Cash Credit	Dismissed	Driver Safety	Deferred	Total
25	0	14	16	17	72

**Trials & Hearings**

Jury	Bench	Appeal	Total
0	0	0	0

**Omni/Scofflaw/Collection**

Omni	Scofflaw	Collections	Total
0	0	0	0



PermitReport

8/3/2023 12:14

Item G2.

Permit #	Contact	Property	Permit Type	Issued Date	Estimated Value	Square Footage	Paid Amount
23-00229-01	JAD Concrete LLC		Contractor Registration - General	7/3/2023			\$125.00
23-00230-01	Bailey's Landscape Mgt. Inc.	2734 Romero Way	Sprinkler/Irrigation Permit	7/27/2023	\$16,000.00		\$110.00
23-00233-01	Alternative Home Energy		Contractor Registration - General	7/10/2023			\$125.00
23-00237-01	Good Faith Energy	901 Dove Creek Road	Electrical Permit	7/5/2023	\$2,800.00		\$130.00
23-00238-01	Greenwave Energy and Roofing		Contractor Registration - Electrical	7/5/2023			\$0.00
23-00239-01	Freedom Solar Power		Contractor Registration - Electrical	7/5/2023			\$0.00
23-00240-01	Freedom Solar Power		Contractor Registration - General	7/6/2023			\$125.00
23-00241-01	Freedom Solar Power	422 Wolf Run Rd	Electrical Permit	7/7/2023	\$15,537.00	175.00	\$130.00
23-00242-01	ABC Home and Commercial Services	1040 Rockgate Road	Plumbing Permit	7/6/2023	\$971.16		\$130.00
23-00243-01	Larry Hayes	973 Ridgewood Cir	Accessory Bldg (201 - 1000 sq ft)	7/7/2023	\$2,000.00	440.00	\$220.00
23-00244-01	Pinnacle Foundation Repair		Contractor Registration - General	7/7/2023			\$125.00
23-00245-01	Pinnacle Foundation Repair	6970 Hawk Road	Foundation	7/7/2023	\$8,600.00	1200.00	\$75.00
23-00246-01	PentaVia Custom Homes		Contractor Registration - General	7/11/2023			\$125.00
23-00247-01	Alternative Home Energy	1232 Appaloosa Ct	Electrical Permit	7/12/2023	\$16,511.00		\$130.00
23-00247-02	Alternative Home Energy	1232 Appaloosa Ct	Plumbing Permit	7/12/2023	\$16,511.00		\$130.00
23-00248-01	ABC Supply		Truck Permit	7/11/2023			\$25.00
23-00250-01	Maribel Velazquez	1203 Chestnut Dr	Accessory Building	7/11/2023		144.00	\$75.00
23-00251-01	Rebecca Jenkins	975 Dyer Rd	Addition/REmodel (Non AC)	7/25/2023	\$50,000.00	488.00	\$349.60
23-00252-01	PentaVia Custom Homes	1149 Jefferson Court	Accessory Bldg (201 - 1000 sq ft)	7/12/2023	\$15,000.00	576.00	\$480.00
23-00253-01	V&V Electrical Group		Contractor Registration - Electrical	7/12/2023			\$0.00
23-00254-01	Tejas Stone Works, Inc.		Contractor Registration - General	7/12/2023			\$125.00
23-00255-01	United Plumbing Solutions		Contractor Registration - Plumbing	7/13/2023			\$0.00
23-00256-01	Element Systems	259 Pin Oak Ct	OSSF Application - Modification	7/28/2023			\$200.00
23-00257-01	Nextech, LLC		Contractor Registration - Mechanical	7/19/2023			\$0.00
23-00258-01	Tejas Stone Works, Inc.	870 Blenheim	Fence Permit	7/20/2023		4123.00	\$65.00
23-00260-01	BM Bohannan LLC	2652 FM 407 Unit 155	Commercial Finish-Out	7/20/2023		3444.00	\$1,722.00
23-00261-01	Wyse Services	1008 Hat Creek Road	OSSF Application - Modification	7/20/2023			\$200.00
23-00262-01	Town and Country Roofing		Contractor Registration - General	7/20/2023			\$125.00
23-00263-01	Bear Air Services		Contractor Registration - Mechanical	7/24/2023			\$0.00
23-00264-01	Keiser Electric	1064 Roadrunner Rd	Electrical Permit	7/26/2023			\$130.00
23-00264-02	Keiser Electric	1064 Roadrunner Rd	Plumbing Permit	7/26/2023			\$130.00
23-00265-01	Mollo Rather Custom Homes		Contractor Registration - General	7/25/2023			\$125.00
23-00266-01	Bill Worthy Plumbing		Contractor Registration - Plumbing	7/25/2023			\$0.00
23-00268-01	Frymire Home Services		Contractor Registration - Mechanical	7/26/2023			\$0.00
23-00270-01	Bear Air Services	1224 Saddlebrook Way	Mechanical Permit	7/27/2023	\$9,950.00	950.00	\$130.00
23-00271-01	Frymire Home Services	1034 James Price Ct	Mechanical Permit	7/27/2023	\$1,000.00	500.00	\$130.00
23-00272-01	Frymire Home Services	660 Seals Rd	Mechanical Permit	7/27/2023	\$1,000.00	500.00	\$130.00
23-00273-01	Frymire Home Services	280 Country Ct	Mechanical Permit	7/27/2023	\$1,000.00	500.00	\$130.00
23-00274-01	Ransco North Texas Operations		Contractor Registration - Irrigation	7/28/2023			\$125.00
23-00275-01	Priceless Water Well Service, LLC		Contractor Registration - General	7/28/2023			\$125.00
23-00277-01	Envirotec Construction Service		Truck Permit	7/31/2023			\$25.00
23-00278-01	Envirotec Construction Service		Truck Permit	7/31/2023			\$25.00
23-00282-01	Meraki Installers LLC		Contractor Registration - Electrical	7/31/2023			\$0.00

# Denton County

## ESD No. 1

### Monthly Report



**Monthly Activity Report**

**JULY 2023**



# Denton County ESD No. 1

JULY 2023

## Table of Contents

<b>Basic Analytics</b>	<b>Page</b>
DCESD 1 Personnel	3
Incident Counts	4-5
Municipality Volume	6
Response Times – 90 <sup>th</sup> Percentile and Average Response Times	7
Community Outreach Events & Fire Inspection Reports	8



# Denton County ESD No. 1

JULY 2023

## DCESD1 Personnel

### Operations

Captains	9
Apparatus Operators (Engineers)	9
Full-Time Firefighters	17
Part-Time Employees	16
Injuries	2
<b>Total</b>	<b>53</b>

### Fire Administration

Fire Chief	1
Assistant Chief	1
Division Chief	1
Administrative Assistant	1
Director of Communications & Public Outreach	1
<b>Total</b>	<b>5</b>

**Department Paid Total** 58

**Department Total** 62

Sworn Staff 56

Civilians 2

Operational Volunteers 4

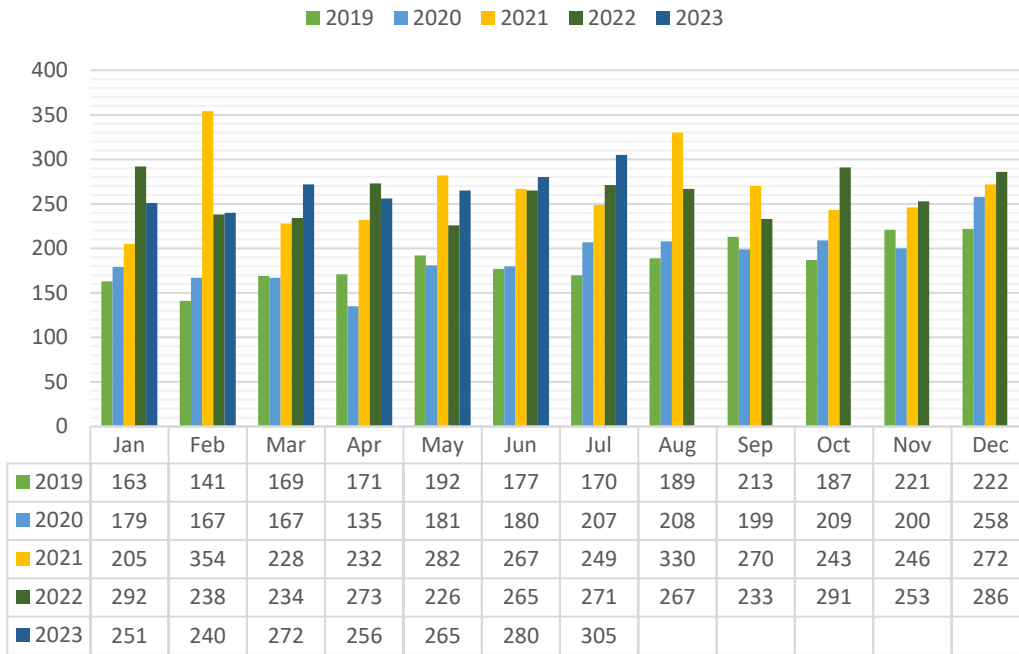


# Denton County ESD No. 1

JULY 2023

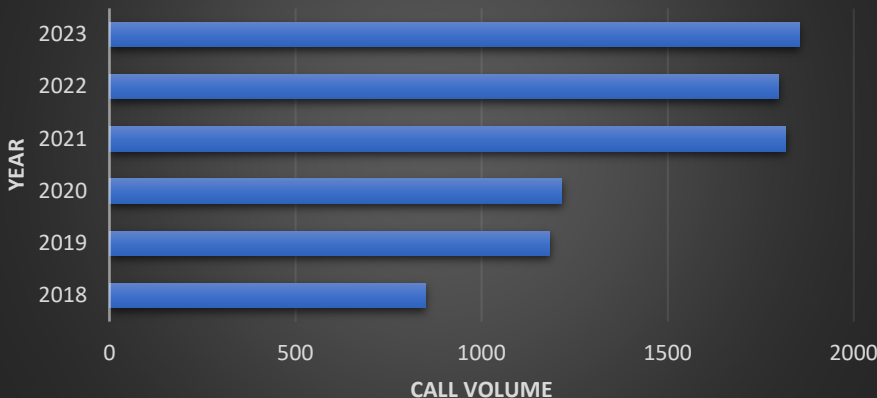
## DCESD Total Incident Count

### Comparison of Incidents Over the past 5 years Month-by-Month



## Year-to-Date Totals

### Year-To-Date Comparison of Incidents over 5 Years

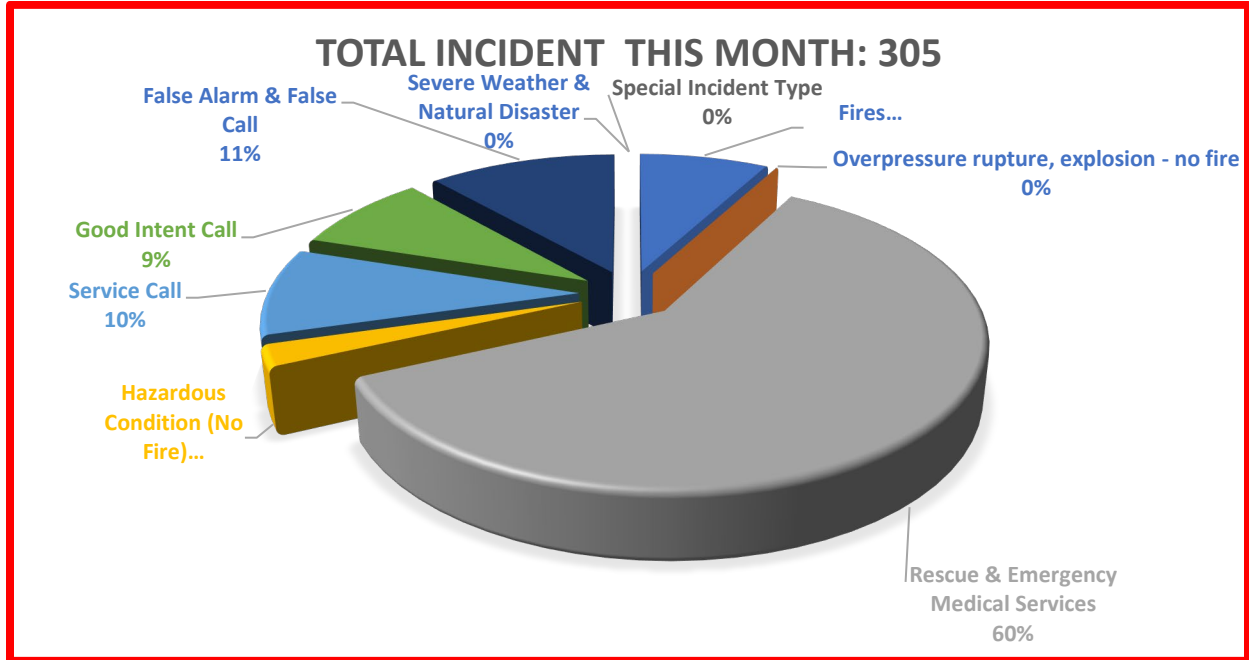


DCESD	YTD
2018	848
2019	1183
2020	1216
2021	1817
2022	1799
<b>2023</b>	<b>1869</b>

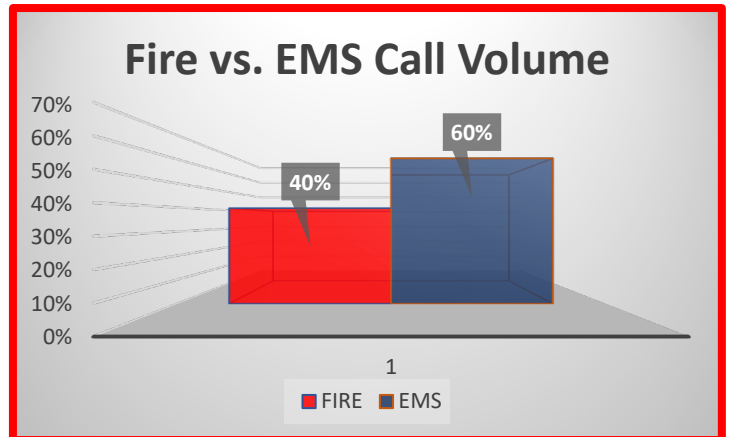


# Denton County ESD No. 1

JULY 2023



Major Incident Types	
Fires	24
Rescue & Emergency Medical Services	184
Overpressure rupture, explosion – no fire	0
Hazardous Condition (No Fire)	7
Service Call	29
Good Intent Call	26
False Alarm & False Call	35



## Percentage of Overlapping Calls

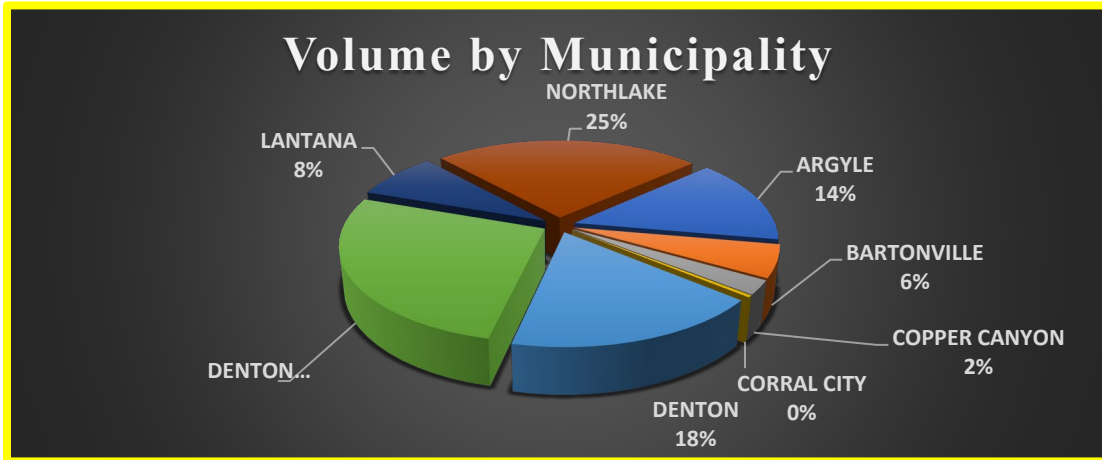
Overlapping Calls	
# OVERLAPPING	% OVERLAPPING
89	29.2%



# Denton County ESD No. 1

JULY 2023

## Municipality Volume



INCIDENT TYPE	ARGYLE	BARTONVILLE	COPPER CANYON	CORRAL CITY	LANTANA	NORTHLAKE
100 - Fire, other		1				
111 - Building fire					1	
118 - Trash or rubbish fire, contained						2
132 - Road freight or transport vehicle fire	1					
143 - Grass fire	1	1				2
154 - Dumpster or other outside trash receptacle fire			1			
311 - Medical assist, assist EMS crew		1				
321 - EMS call, excluding vehicle accident with injury	23	6	6	1	19	28
322 - Motor vehicle accident with injuries	6	1				1
323 - Motor vehicle/pedestrian accident (MV Ped)	1					
324 - Motor vehicle accident with no injuries.	2					1
331 - Lock-in (if lock out , use 511 )						1
412 - Gas leak (natural gas or LPG)	1				1	1
445 - Arcing, shorted electrical equipment	1					
461 - Building or structure weakened or collapsed		1				
500 - Service Call, other						2
511 - Lock-out		1				
522 - Water or steam leak						1
553 - Public service	1					1
554 - Assist invalid	1				1	1
611 - Dispatched & cancelled en route						7
622 - No incident found on arrival at dispatch address	1					
631 - Authorized controlled burning	1					
651 - Smoke scare, odor of smoke						2
652 - Steam, vapor, fog or dust thought to be smoke						1
700 - False alarm or false call, other						6
733 - Smoke detector activation due to malfunction					1	4
735 - Alarm system sounded due to malfunction						1
741 - Sprinkler activation, no fire - unintentional						1
743 - Smoke detector activation, no fire - unintentional		2				8
745 - Alarm system activation, no fire - unintentional	2	2				2
<b>TOTAL</b>	<b>42</b>	<b>16</b>	<b>7</b>	<b>1</b>	<b>23</b>	<b>73</b>



# Denton County ESD No. 1

JULY 2023

## Incident Response Times

### 90<sup>th</sup> Percentile Assessment

Lights and Sirens – 90 <sup>th</sup> Percentile Time (Dispatch to Arrival)	
<b>Overall</b>	<b>10:50</b>
<b>FIRE</b>	<b>9:31</b>
<b>EMS</b>	<b>10:42</b>

**Internal Compliance Goal:** Less than 8-minute response time from dispatch to first unit on arrival time. Assessment is performed by taking the total number of incidents where lights and sirens were utilized while responding to the incident.

**NFPA 1710 Response Recommendations:** Key performance objectives for...

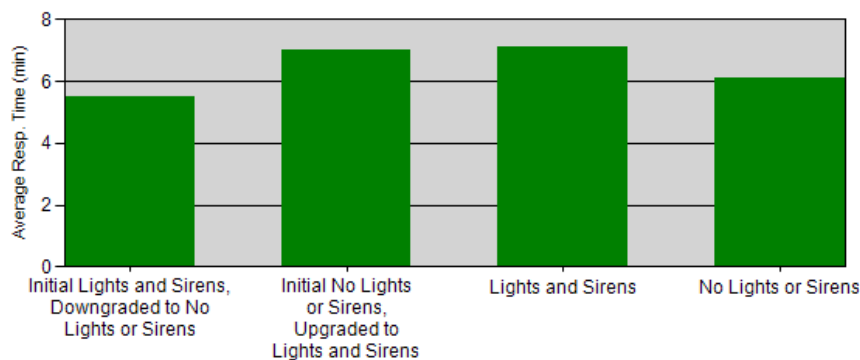
**FIRE Response:** (bunker gear required)

1. Turnout time: < 80 seconds (1 minute: 20 seconds)
2. First Unit on scene: < 240 seconds (4 minutes)

**EMS Response:** (no bunker gear required)

1. Turnout time: < 60 seconds (1 minute)
2. First Unit on scene: < 240 seconds (4 minutes)

### Average Response Time Assessment



RESPONSE MODE	CALLS	AVERAGE RESPONSE TIME (minutes)
Initial Lights and Sirens, Downgraded to No Lights or Sirens	2	5:50
Initial No Lights or Sirens, Upgraded to Lights and Sirens	1	7:00
Lights and Sirens	467	<b>7:12</b>
No Lights or Sirens	15	6:13





# Denton County ESD No. 1

JULY 2023

## Community Outreach Events

Fire Station Tours	1
Public Education Events	25
Ride Along	9
Community CPR Classes	0

**Total Events 35**

## JUNE Fire Inspection Report

OCCUPANCY	COUNT
<b>INSPECTION TYPE: Certificate of Occupancy</b>	
Assembly	1
Business Office	2
Low Hazard Storage	4
Mercantile	3
<b>INSPECTION TYPE: Fire Protection System Inspection</b>	
Auto Sales and Maintenance	1
Church/Places of Worship	1
Elementary School	1
Intermediate School	2
Mercantile	1
Multi-Family Residential	1
Single Family Residence	10
<b>Total # of Inspections:</b>	<b>27</b>

## Year To Date Fire Inspection Report

	YTD 2023	YTD 2022
<b>Total # of Inspections:</b>	<b>228</b>	<b>154</b>



# TOWN COUNCIL COMMUNICATION

---

**DATE** August 15, 2023

**FROM:** Shannon Montgomery, Town Secretary

**AGENDA ITEM:** Consider approval of the July 25, 2023 Special Meeting Minutes.

**SUMMARY:**

The Town Council held a special meeting on July 25, 2023.

**FISCAL INFORMATION:**

N/A

**RECOMMENDED MOTION OR ACTION:**

Approve the July 25, 2023 Town Council Special Meeting Minutes.

**ATTACHMENTS:**

July 25, 2023 Town Council Special Meeting Minutes DRAFT.

**THE BARTONVILLE TOWN COUNCIL SPECIAL MEETING HELD ON THE 25TH DAY OF JULY 2023,  
AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS 7:00 P.M.**

Item H1.

The Town Council met in a special meeting with the following Members present:

Jaclyn Carrington, Mayor  
Jim Roberts, Councilmember Place 1  
Clay Sams, Councilmember Place 3  
Keith Crandall, Councilmember Place 4  
Margie Arens, Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating: Thad Chambers, Town Administrator; Andrea Carpenter, Deputy Town Secretary; Bobby Dowell, Chief of Police; Ed Voss, Town Attorney; and Chris Cha, Town Engineer.

**A. CALL MEETING TO ORDER**

Mayor Carrington called the meeting to order at 6:00pm and opened the work session.

**B. WORK SESSION ITEMS**

**1. Discussion and provide direction on Town Council priorities related to the FY 2023-2024 Budget.**

Town Administrator Chambers discussed focusing on safety, development fees, special events, and budget.

**2. Discussion and provide direction on the Budget Planning Calendar related to the FY 2023-2024 Budget.**

Town Administrator Chambers reviewed the dates of the upcoming budget meetings.

**3. Discussion and provide direction on the Proposed Tax Rate related to the FY 2023-2024 Budget.**

Mayor Carrington proposed leaving the current rate in place, Councilmembers Crandall and Sams agreed.

**C. ADJURN WORK SESSION**

Mayor Carrington adjourned the work session at 6:19pm.

**D. CALL SPECIAL MEETING TO ORDER**

Mayor Carrington called the special meeting to order at 7:00pm.

**E. PLEDGE OF ALLEGIANCE**

Mayor Carrington led the pledge of allegiance.

**F. PUBLIC PARTICIPATION**

There was none.

**G. APPOINTED REPRESENTATIVE/LIAISON REPORTS**

**1. Police Chief Report - Department Statistics/Activities June 2023.**

Police Chief Dowell reviewed the June 2023 statistics and addressed questions from Council.

**2. Town Administrator - Monthly Reports February 2023: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Denton County Emergency Services District #1.**

Town Administrator Chambers reviewed the June 2023 financials and addressed questions from Council.

**H. CONSENT AGENDA**

**1. Consider approval of the June 20, 2023, regular meeting minutes.**

Councilmember Crandall moved to approve the June 20, 2023, regular meeting minutes as presented. Councilmember Roberts seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

**I. ACTION ITEMS**

**2. Public hearing to receive public comment and consider amendments to the 2043 Town of Bartonville Comprehensive Plan. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its July 5, 2023 meeting.)**

Town Administrator Chambers provided the Council with an overview of the proposed changes.

Mayor Carrington opened the Public Hearing at 7:30pm.

No one spoke in favor or opposition.

Mayor Carrington closed the Public Hearing at 7:30pm.

Councilmember Crandall moved to approve amendments to the 2043 Town of Bartonville Comprehensive Plan. Councilmember Arens seconded the motion.

The caption of the Ordinance approving the 2043 Town of Bartonville Comprehensive Plan reads as follows:

TOWN OF BARTONVILLE, TEXAS  
ORDINANCE 750-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, ADOPTING THE 2043 COMPREHENSIVE PLAN FOR THE TOWN OF BARTONVILLE; PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR PUNISHMENT; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

**VOTE ON THE MOTION****AYES:** Roberts, Sams, Crandall, and Arens**NAYS:** None**VOTE:** 4/0

3. **Public hearing to consider an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit "A," Ordinance 361-05, Zoning Ordinance, by amending Chapter 13, General Commercial District (GC), Article 13.2, Uses Permitted, by granting a Conditional Use Permit to authorize a drive through use on an approximately 2-acre site and approving an accompanying site plan. (The Planning and Zoning Commission recommended approval with conditions by a vote of 5 to 0 at its July 5, 2023 meeting.) [Town File #CUP-2023-003 and SP-2023-001]**

Town Administrator Chambers and Applicant Matt Maley, of Pape-Dawson Engineers, highlighted the proposed CUP.

Mayor Carrington opened the Public Hearing at 7:41pm.

No one spoke in favor or opposition.

Mayor Carrington closed the Public Hearing at 7:41pm.

Councilmember Roberts moved to approve an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit "A," Ordinance 361-05, Zoning Ordinance, by amending Chapter 13, General Commercial District (GC), Article 13.2, Uses Permitted, by granting a Conditional Use Permit to authorize a drive through use on an approximately 2-acre site and approving an accompanying site plan. Councilmember Sams seconded the motion.

The caption of the Ordinance approving CUP-2023-003 reads as follows:

TOWN OF BARTONVILLE  
ORDINANCE NO. 751-23

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02, EXHIBIT "A," ORDINANCE NO. 361-05, THE ZONING ORDINANCE, BY AMENDING CHAPTER 13, GENERAL COMMERCIAL DISTRICT (GC), ARTICLE 13.2, USES PERMITTED, BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A DRIVE THROUGH USE ON AN APPROXIMATELY 1.9589 ACRE-SITE THAT IS PART OF LOT 1, BLOCK 1, PHASE II OF LANTANA TOWN CENTER, LOCATED ON THE NORTHERN SIDE OF FM 407 AND JUSTIN ROAD AT BLANCO DRIVE; PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR NO VESTED RIGHTS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**VOTE ON THE MOTION****AYES:** Roberts, Sams, Crandall, and Arens**NAYS:** None**VOTE:** 4/0

4. **Public hearing to receive public comment and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, to change the zoning designation on two tracts of land, totaling one acre, situated in the Keith Survey, Abstract Number 1643A, Tract 4, and Newton Allsup Survey, Abstract 0003A, Tract 7, in the Town of Bartonville, Denton County, Texas, from Agricultural (AG) to Residential Estates 2 (RE-2). The tract of land is located on the south side of Frenchtown Road, approximately 330 feet east of its intersection with Dyer Road, in Bartonville, Texas. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its July 5, 2023 meeting.) [Town File #ZC-2023-002]**

Mr. Chambers presented and Missy Grau spoke.

Mayor Carrington opened the Public Hearing at 7:47p.m.

No one spoke in favor or opposition.

Mayor Carrington closed the Public Hearing at 7:47p.m.

Councilmember Sams moved to approve an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, to change the zoning designation on two tracts of land, totaling one acre, situated in the Keith Survey, Abstract Number 1643A, Tract 4, and Newton Allsup Survey, Abstract 0003A, Tract 7, in the Town of Bartonville, Denton County, Texas, from Agricultural (AG) to Residential Estates 2 (RE-2). Councilmember Crandall seconded the motion.

The caption of the Ordinance approving the Zoning Change reads as follows:

TOWN OF BARTONVILLE  
ORDINANCE NO. 752-23

AN ORDINANCE AMENDING ORDINANCE NO. 361-05, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF BARTONVILLE, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF TWO TRACTS OF LAND, TOTALING APPROXIMATELY ONE ACRE, LOCATED AT THE SOUTH SIDE OF FRENCHTOWN ROAD, APPROXIMATELY 330 FEET EAST OF ITS INTERSECTION WITH DYER ROAD, IN THE TOWN, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF AGRICULTURAL (AG) TO A ZONING DESIGNATION OF RESIDENTIAL ESTATES 2 (RE-2), AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

5. **Discuss and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 1, "General Provisions," Article 1.03, "Town Council," to amend Section 1.03.034. "Types of Meetings" and providing an effective date.**

Town Administrator Chambers explained that per the current Ordinance council meetings are not permitted to start prior to 7:00pm and amending the Ordinance will allow for flexibility with the start time.

Councilmember Roberts moved to approve an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 1, "General Provisions," Article 1.03, "Town Council," to amend Section 1.03.034, "Types of Meetings" and providing an effective date. Councilmember Arens seconded the motion.

The caption of the Ordinance approving the amendment to Section 1.03.034, "Types of Meetings" reads as follows:

TOWN OF BARTONVILLE  
ORDINANCE NO. 753-23

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.03, "TOWN COUNCIL," TO AMEND SECTION 1.03.034, "TYPES OF MEETINGS"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

**6. Discuss and consider a Resolution in support of creating an Emergency Services District #2.**

Chief Vaughn with Denton County Emergency Services District #1 explained that approving the Resolution would allow for the creation of ESD #2 to be placed on the ballot.

Councilmember Crandall moved to approve a Resolution in support of creating an Emergency Services District #2. Councilmember Roberts seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

**7. Discuss and consider a funding agreement for the Emergency Services District #1.**

The ESD #1 President was present to address any questions from Council.

Councilmember Crandall moved to approve a funding agreement for Denton County Emergency Services District #1. Councilmember Arens seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

**8. Discuss and Consider Acceptance of Deer Hollow Subdivision Public Improvements.**

Town Administrator Chambers stated that the Town Engineer had inspected the site and addressed concerns from Council.

Councilmember Roberts moved to approve acceptance of Deer Hollow Subdivision Public Improvements. Councilmember Crandall seconded the motion.

**VOTE ON THE MOTION****AYES:** Roberts, Sams, Crandall, and Arens**NAYS:** None**VOTE:** 4/0

- 9. Discuss and consider approval of Street and Drainage Repair cost estimates in the amount of \$96,914.50; and authorization for the Town Administrator to execute agreements on behalf of the Town necessary to complete the work.**

Town Administrator Chambers and Town Engineer Cha discussed repairs to be done on Landfall Circle, Brasher & Badminton, and E. Jeter, and stated that these repairs would require a budget amendment.

Councilmember Crandall moved to approve street and drainage repair cost estimates in the amount of \$96,914.50; and authorized the Town Administrator to execute agreements on behalf of the Town necessary to complete the work. Councilmember Arens seconded the motion.

**VOTE ON THE MOTION****AYES:** Roberts, Sams, Crandall, and Arens**NAYS:** None**VOTE:** 4/0

- 10. Discuss and consider scheduling September 5, 2023 for the Public Hearing on the proposed Fiscal Year 2023-2024 Budget; and scheduling September 19, 2023 for the adoption of said Budget.**

Town Administrator Chambers discussed the statutory requirements and stated that these two meetings require the Mayor and a supermajority of Council to be in attendance.

Councilmember Arens moved to approve scheduling September 5, 2023 for the Public Hearing on the proposed Fiscal Year 2023-2024 Budget; and scheduling September 19, 2023 for the adoption of said Budget. Councilmember Sams seconded the motion.

**VOTE ON THE MOTION****AYES:** Roberts, Sams, Crandall, and Arens**NAYS:** None**VOTE:** 4/0

- 11. Discuss and consider scheduling September 19, 2023 for the Public Hearing to consider the proposed tax rate.**

Town Administrator Chambers discussed the statutory requirements and stated that this action will require a roll call vote.

Councilmember Sams moved to approve scheduling September 19, 2023 for the Public Hearing to consider the proposed tax rate. Councilmember Roberts seconded the motion.

**VOTE ON THE MOTION****AYES:** Roberts, Sams, Crandall, and Arens**NAYS:** None**VOTE:** 4/0



**12. Discuss and consider extending the Board and Commission Application deadline to Friday, August 4, 2023.**

Councilmember Arens moved to extend the Board and Commission Application deadline to Friday, August 4, 2023. Councilmember Crandall seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

**13. Discuss and consider who will be on the Boards and Commission interview panel.**

Councilmember Sams moved to approve Matt Chapman and Gloria McDonald as the interview panel. Councilmember Arens seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Roberts, Sams, Crandall, and Arens

**NAYS:** None

**VOTE:** 4/0

**J./K. CLOSED SESSION/OPEN SESSION**

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 8:19pm and reconvened into open session at 8:58pm in accordance with the Texas Government Code regarding:

1. **Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the Town's Extraterritorial Jurisdiction (ETJ), issues related to the Furst Ranch Development, issues related to amending the Town's Development Ordinance, and any and all legal issues related thereto.**

No Action Taken.

2. **Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to HB2127 and any and all legal issues related thereto.**

No Action Taken.

3. **Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the regulation of Short-Term Rentals and any and all legal issues related thereto.**

No Action Taken.

**L. FUTURE ITEMS**

Budget items were requested.

**M. ADJOURNMENT**

Mayor Carrington declared the meeting adjourned at 8:59pm.

**APPROVED this the 15th day of August 2023.**

**APPROVED:**

\_\_\_\_\_  
Jaclyn Carrington, Mayor

**ATTEST:**

\_\_\_\_\_  
Shannon Montgomery, TRMC, Town Secretary

DRAFT



# TOWN COUNCIL COMMUNICATION

**DATE** August 15, 2023

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Public hearing to receive comment and consider approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit "A," Ordinance 361-05, Zoning Ordinance, by amending, Chapter 12, Village Center District (VC), Article 12.2, Uses Permitted, by granting a Conditional Use Permit to allow for the operation of an Event Center use located at 1001 I.T. Neely Road. **(The Planning & Zoning Commission recommended approval by a vote of 5 to 0 at its August 2, 2023 meeting.)**

**Applicant:** McAdams Co., Marty Bryan

**Zoning:** Village Center (VC)

**Summary:** The applicant has applied for a Conditional Use Permit to allow for the operation of an Event Center generally located at 1001 I.T. Neely Road, described as Lot 1R, Block A, Yeti Addition.

The Town of Bartonville previously approved a CUP via Ordinance 734-22. However, the applicant wishes to make changes to the previously approved site plan. In accordance with Bartonville Zoning Ordinance (BZO) Section 16.6, no conditionally permitted use shall be enlarged, extended, increased in intensity or relocated unless an application is made for a new conditional use permit in accordance with the procedures set forth in this section. As there is no provision in the BZO for administrative approval of any amendment to the approved CUP, the Town determined that a new CUP application would be required.

An Event Venue/ Banquet Hall is a permitted use by conditional use permit, only, in the Village Center zoning district.

### *Site Plan*

The Site Plan submitted with the CUP application was deemed incomplete. Therefore, a full Site Plan submittal would be required following the approval of a Conditional Use Permit for the property, in accordance with BZO Chapter 3. The Site Plan will require review and approval by the Bartonville Town Council.

**Staff Recommendation:** Approve with conditions. The following conditions of approval are recommended as written in the current CUP:

Security personnel for all events occurring at the Event Center approved by this Ordinance shall be provided by the owner/operator of the Event Center at no cost to the Town of Bartonville, as follows:

1. One (1) peace officer shall be provided as security for any event containing up to 50 persons in attendance;
2. Two (2) peace officers shall be provided as security for any event containing 51 to 200 persons in attendance;
3. Two (2) peace officers shall be provided as security for any event that utilizes the lawful service of alcoholic beverages to event attendees through the use of two (2) bar areas notwithstanding if the number of persons in attendance is less than 51 persons;
4. Three (3) peace officers shall be provided as security for any event containing in excess of 201 persons in attendance;
5. Coordination and scheduling of peace officers required hereunder shall occur between the Chief of Police of the Bartonville Police Department, or his designee, and the owner/operator of the Event Center in sufficient time ahead of all events to ensure compliance with these conditions;
6. Each peace officer providing security at any event shall be paid a standard hourly rate as agreed upon between the Chief of Police of the Bartonville Police Department and the owner/operator of the Event Center, with a two (2)-hour minimum payment required, and payment to each peace officer shall be made by the owner/operator of the Event Center before the beginning of the event in sufficient monetary amount to pay each peace officer for the minimum payment amount required hereunder, or for the entire event time period, whichever is greater;
7. The term "peace officer" as used herein means a person elected, employed, or appointed as a peace officer under Article 2.12, Texas Code of Criminal Procedure, or other law; and
8. The failure to comply with the above security personnel requirements, including the under-payment of a peace officer, will result in the prohibition/termination of the event until such time as the above security personnel requirements are satisfied.

**Attachments:**

1. CUP Application
2. Site Plan Application
3. Letter of Intent
4. Concept Plan
5. Rendering
6. Completeness Determination Letter
7. Mailed Notice Letter
8. Mailed Notice List



# Town of Bartonville

## Application for Conditional Use Permit

Item 11.

All applications must be submitted in accordance with the Submission Schedule attached hereto. Please complete the attached checklist. A site plan application must be submitted with all Conditional Use Permit Applications.

Applicant (Owner or Agent, Specify): McAdams - Doug Powell

Mailing Address: 201 Country View, Rounder, TX 76082

Phone: 469.312.0623 Fax: \_\_\_\_\_

Email Address\*: dipowell@McAdamsco.com  
 (\*This will be the primary method of communication)

Owner's Name(s) if different<sup>1</sup>: Marty Bryan

Owner's Address: 913 Hat Creek, Bartonville, TX

Phone: 972-849-5177 Fax: \_\_\_\_\_

General Location of Property: 1001 Lt Neely Rd

Current Zoning: Village Center

Legal Description of Property: Yeti Addr, Blk A, Lot 1R  
 (Attach Complete Metes and Bounds Description)

Use Being Requested (In accordance with Appendix C:Land Use Table, of the Town of Bartonville's Comprehensive Zoning Ordinance): \_\_\_\_\_

I hereby certify that the information concerning this proposed zoning change is true and correct and that I am the owner of record or the authorized for the owner of the above described property.

*Marty Bryan*

Signature of Applicant/Owner

05/30/23

Date

<b>STAFF USE ONLY:</b>	
Date Submitted: _____	Fee Paid: _____
Accepted By: _____	Check No. : _____
P & Z Public Hearing: _____	Metes & Bounds Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Council Public Hearing: _____	Notarized Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<sup>1</sup> A NOTARIZED statement that authorizes the agent to represent the owner(s) in this matter must be attached to this application.

All applications must contain the required information as specified in the Town of Bartonville's Comprehensive Zoning Ordinance, (Code of Ordinances, Chapter 14, Exhibit "A"), including but not limited to Chapter 16 relating to conditional use permits.

**ITEMS TO BE INCLUDED:**

✓	Completed Application
✓	Notarized statement signed by each property owner
✓	Tax certificate indicating no taxes are due
✓	Application Fee
✓	Completed Site Plan Application and documentation (to be submitted on a separate form)

**APPLICATION REVIEW PROCEDURES**

Upon initial submittal, your case will be distributed to the following for review: Bartonville Water Supply Corporation or Argyle Water Supply Corporation (as applicable), the Argyle Volunteer Fire District and the Town Engineer and other members of the Development Review Committee (DRC). The Plan(s) will then be scheduled for a DRC meeting (see attached schedule). At the DRC meeting, each department will furnish a copy of comments/concerns to the applicant. Once the plans are corrected, revisions must be submitted. The revisions will then go before the Planning and Zoning Commission (P&Z) for their review and recommendation. Once the P&Z Commission has made their recommendation, the Town Council will review and take action on the application.

**SUBMITTAL REQUIREMENTS FOR DEVELOPMENT REVIEW COMMITTEE (DRC):**

\*\*See attached schedule for submittal deadlines.

Upon initial submittal the following is required

1. A set of ten (10) full size plans;
2. One (1) 11" X 17" copy; and
3. A digital copy of the plans in pdf form to be submitted via CD.

**SUBMITTAL REQUIREMENTS FOR P&Z COMMISSION:**

\*\*See attached schedule for submittal deadlines.

Once the DRC has made their recommendation, the following is required on or before the deadline for revisions to the P&Z in accordance with the attached schedule:

1. An additional set of ten (10) full size plans;
2. One (1) 11" X 17" copy; and
3. A digital copy of the plans in pdf form to be submitted via CD.

**SUBMITTAL REQUIREMENTS FOR TOWN COUNCIL:**

\*\*See attached schedule for submittal deadlines.

Once the P&Z Commission has made their recommendation, the following is required on or before the deadline for revisions to the Council in accordance with the attached schedule:

1. An additional set of ten (10) full size plans;
2. One (1) 11" X 17" copy; and
3. A digital copy of the plans in pdf form to be submitted via CD.

## EXPIRATION OF CONDITIONAL USE PERMIT

A conditional use permit shall expire if:

1. A building permit for the use has not been approved within one (1) year of the date of approval of the permit;
2. The building permit subsequently expires;
3. The use has been discontinued or abandoned for a period exceeding six (6) months; or
4. A termination date attached to the permit has passed.

## CRITERIA FOR APPROVAL

A. Factors - When considering applications for a conditional use permit, the Commission and the Council shall evaluate the impact of the proposed conditional use on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
3. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhood and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

B. Conditions - The Commission may recommend and the council may require such modifications in the proposed use and attach such conditions to the conditional use permit as are necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of this section. Conditions include but are not limited to matters related to limitation of building size or height, increased open space, increased impervious surface, enhanced loading and parking requirements, additional landscaping and improvements including curbing and pedestrian amenities, vehicular access and parking, placement or orientation of buildings and entryways, buffer yards, landscaping and screening, signage restrictions and design, maintenance of buildings and outdoor areas, duration of the permit and hours of operation.



# NOTARY FORM

## Town of Bartonville

THE FOLLOWING IS TO BE COMPLETED BY EACH OWNER THAT IS NOT SIGNING THIS APPLICATION.

Dated: 5/30/22

I, Marty Bryan, owner of the Property located at ~~MSADAMS ITNELY~~ do hereby certify that I have given my permission to MCADAMS ENGINEERS, to submit this conditional use permit application.

Marty Bryan  
Print Name

[Signature]  
Signature of Owner

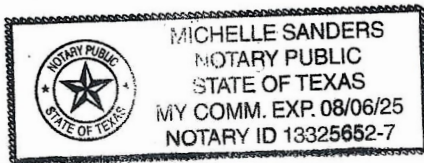
913 HAT CREEK CT. BARTONVILLE  
Address TX 76226

972-849-5177  
Phone No.

State of Texas §  
County of Denton §

Before me, Michelle Sanders, a Notary Public in and for said County and State, on this day personally appeared Marty Bryan known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

(Seal)



Michelle Sanders  
Notary





# TOWN OF BARTONVILLE SITE PLAN APPLICATION/SITE PLAN AMENDMENT APPLICATION

**1. Applicant:**

Name: McAdams/ Doug Powell

Address: 201 Country View Drive

City/State: Roanoke, Texas Zip: 76262

Office #: 469.312.0623 Cell #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email Address: dpowell@mcadamsco.com

**2. Property Owner:**

Name: Marty Bryan

Address: 913 Hat Creek Court

City/State: Bartonville, Texas Zip: 76226

Office #: 972.849.5177 Cell #: 972.849.5177 Fax #: \_\_\_\_\_

Email Address: martywbryan@gmail.com

**3. Site Location:**

Street Address: 1001 IT Neely Rd

Lot, Block, & Subdivision Name: Lot 1R & 2, Block A, Yeti Addition

**4. Summarize the proposed development. If necessary, use a separate sheet.**

\_\_\_\_\_  
Village Center  
\_\_\_\_\_  
\_\_\_\_\_

**5. Present Zoning:** VC -Village Center **Present Land Use:** Vacant

**Future Land Use Designation:** Village Center

6. All applications must contain the required information as specified in the Town of Bartonville's Comprehensive Zoning Ordinance, (Code of Ordinances, Chapter 14, Exhibit "A").

**I UNDERSTAND THAT IT IS NECESSARY FOR ME OR MY AGENT TO BE PRESENT AT BOTH THE PLANNING AND ZONING COMMISSION MEETING AND TOWN COUNCIL MEETING**

**FAILURE TO APPEAR** before the Planning and Zoning Commission or Town Council for more than one (1) hearing without an approved delay by the Town Administrator or his/her designee shall constitute sufficient grounds to table or deny the request unless the Town is notified at least 72 hours prior to the hearing.

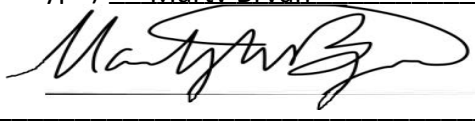
**DENIALS BY THE PLANNING AND ZONING COMMISSION** shall be forwarded to Town Council, along with the Commission's reasons for denial and will require a ¾ favorable vote of all members of Town Council.

**TABLED BY THE PLANNING AND ZONING COMMISSION:** The Commission may not defer its report for more than 90 days from the time it was posted on the agenda, or until it has had an opportunity to consider other proposed changes, which may have a direct bearing, unless a postponement is requested by the applicant.

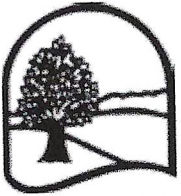
Applicant Name (print or type): Doug Powell

Applicant signature: 

Owner Name (print or type): Marty Bryan

Owner signature: 

Date Received \_\_\_\_\_ Date Paid \_\_\_\_\_ Receipt Number \_\_\_\_\_



# NOTARY FORM

## Town of Bartonville

THE FOLLOWING IS TO BE COMPLETED BY EACH OWNER THAT IS NOT SIGNING THIS APPLICATION.

Dated: 5/30/22

I, Marty Bryan, owner of the Property located at ~~MCADAMS IT/EECLY~~ do hereby certify that I have given my permission to MCADAMS ENGINEERS, to submit this conditional use permit application.

Marty Bryan  
Print Name

[Signature]  
Signature of Owner

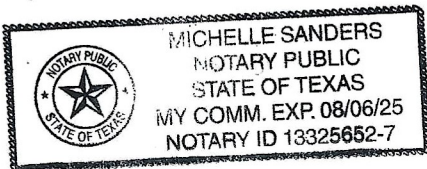
913 HAT CREEK CT. BARTONVILLE  
Address TX 76226

972-849-5177  
Phone No.

State of Texas §  
County of Denton §

Before me, Michelle Sanders, a Notary Public in and for said County and State, on this day personally appeared Marty Bryan known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

(Seal)



Michelle Sanders  
Notary

## CHAPTER 3. SITE PLANS

### 3.1 PURPOSE

A. This Section establishes a review process for nonresidential developments. The purpose is to ensure that a development project is in compliance with all applicable Town ordinances and guidelines prior to commencement of construction. (Ordinance 361-05 adopted 3/22/05)

### 3.2 GENERAL SITE PLAN

#### A. Approval Process

1. Maximum of Four Steps: The review process shall include up to four (4) steps:
  - a. Pre-application conference;
  - b. Site Plan;
  - c. Approval of other required plans or plats (see the Development Ordinance for platting requirements); and
  - d. Construction of project (after Town approval of all required plans and plats).

#### 2. Site Plan Required

a. A General Site Plan shall be required for development within the AG, RE-5, RE-2, R-1, MH, RLI, RB, VC, GC and P/SP zoning districts and specified in Subsection 3.2 E. below.

b. The approval process for a General Site Plan shall generally be reviewed by the Town Secretary, Town Planner, Town Engineer, recommendation by the Planning and Zoning Commission, and final consideration by the Town Council.

c. General - For the purposes of this Zoning Ordinance, the term "required plan(s)" is intended to refer to any of the plans specified in this Zoning Ordinance, as applicable.

B. Official Submission Date and Completeness of Application: The "official submission date" shall be the date upon which a complete application for approval of a required plan is submitted to the Town Secretary.

1. No application shall be deemed officially submitted until the Town Secretary determines that the application is complete and a fee receipt is issued by the Town.

2. Applications for any required plan must include all required information listed here and all such required information must be submitted in order for a Site Plan application to be considered complete and to be accepted for official submission by the Town.

a. An application for a Site Plan with notarized signatures of the owner or his/her designated representative if the applicant is not the owner of the subject property;

b. Application fee as established on the Town of Bartonville schedule of fees;

c. Verification that all taxes and assessments on the subject property have been paid;

d. Copies of the Site Plan, including all information specified by this Ordinance and the Town of Bartonville's Development Ordinance, on 24" x 36" sheet(s) drawn to a known engineering scale that is large enough to be clearly legible and other required information, the quantity of which shall be determined by the Town Secretary, or his/her designee;

e. General layout for the required public improvements (water, wastewater, grading/storm drainage, streets, water quality, fire lanes and hydrants, screening and landscaping, etc.), the

quantity of which shall be determined by the Town Secretary, or his/her designee;

f. Reduced copies (11" x 17") of the site plan as required by the Town Secretary, or his/her designee;

g. Landscaping and irrigation plans, the quantity of which shall be determined by the Town Secretary, or his/her designee; and

h. Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Town Secretary, or his/her designee, in order to ensure that the development request is understood.

C. Supplemental Requirements: The Town's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

D. Pre-Application Conference: Prior to formal application for approval of a required site plan, the applicant(s) should consult with the Town's Development Review Committee in order to become familiar with the Town's development regulations and the development process. At the pre-application conference, the developer may be represented by his/her land planner, engineer, surveyor, or other qualified professional.

E. Applicability: Submission and approval of a General Site Plan shall be required for development within the AG, RE-5, RE-2, R-1, MH, RLI, RB, VC, GC and P/SP zoning districts as follows:

1. For any new nonresidential development;
2. For any increase in an existing nonresidential structure that is greater than thirty (30) percent of the existing building square footage; or
3. For that portion of a single-family residential development that contains a private amenity or facility - i.e. recreation center, park, horse stable, etc.

F. Building Permit and Certificate of Occupancy: No building permit shall be issued until a Site Plan, as required, and all other required engineering/construction plans are first approved by the Town. No certificate of occupancy shall be issued until all construction and development conforms to the Site Plan and engineering/construction plans, as approved by the Town.

G. Extent of Area That Should Be Included In a Site Plan: When the overall development project is to be developed in phases, the area included within the Site Plan shall include only the portion of the overall property that is to be developed/constructed.

H. Principles and Standards for Site Plan Review and Evaluation: The following criteria have been set forth as a guide for evaluating the adequacy of proposed development within the Town of Bartonville, and to ensure that all developments are, to the best extent possible, constructed according to the Town's codes and ordinances.

The Town Secretary, or his/her designee, shall review the Site Plan for compliance with all applicable Town ordinances and with the Comprehensive Plan; for harmony with surrounding uses and with long-range plans for the future development of Bartonville; for the promotion of the health, safety, order, efficiency, and economy of the Town; and for the maintenance of property values and the general welfare.

General Site plan review and evaluation by the Town Secretary, or his/her designee, shall be performed with respect to the following:

1. The plan's compliance with all provisions of the Zoning Ordinance and other ordinances of the Town of Bartonville.

2. The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
3. The relationship of the development to adjacent uses in terms of harmonious design, facade treatment, setbacks, building materials, maintenance of property values, and any possible negative impacts.
4. The provision of a safe and efficient vehicular and pedestrian circulation system.
5. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
6. The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
7. The coordination of streets so as to arrange a convenient system consistent with the Thoroughfare Plan of the Town of Bartonville, as amended.
8. The use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and to complement and integrate the design and location of buildings into the overall site design.
9. Exterior lighting to ensure safe movement and for security purposes, which shall be arranged so as to minimize glare and reflection upon adjacent properties.
10. The location, size, accessibility, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
11. Protection and conservation of soils from erosion by wind or water or from excavation or grading.
12. Protection and conservation of watercourses and areas that are subject to flooding.
13. Provision of the adequate capacity of public or private facilities for water, sewer, paved access to and through the development, electricity, storm drainage, and adequate traffic management.
14. Consistency with the Comprehensive Plan of the Town of Bartonville, as amended.
15. In approving a Site Plan, the Town Council may impose additional reasonable conditions necessary to protect the public interest and welfare of the community. When considering an application for site design and use, the Planning and Zoning Commission may recommend and the Town Council may include any or all of the following conditions if they find it necessary to meet the intent and purpose of the standards of this Ordinance:
  - a. Require a maximum increase of up to twenty percent (20%) in the width or required plant materials for perimeter bufferyards in order to ensure compatibility between different land uses.
  - b. Require such modifications in the landscaping plan as will ensure proper screening and aesthetic appearance.
  - c. Require plantings and ground cover to be predominant, not accessory, to other inorganic or dead organic ground cover.
  - d. Require retention of significant physical features of a site. Said significant physical features includes, but are not limited to: existing stands of trees, protected trees as specified by the Town's tree preservation standards, bodies of water, watercourses, floodplains and other flood hazard areas, and other natural features.
  - e. Require the modification or revision of the placement, design or remodeling of structures,

signs, accessory buildings, etc. to be consistent with the standards of this Ordinance.

- f. Specify the type and placement or shielding of lights for outdoor circulation, parking, and security.
- g. Require new developments that produce more than five hundred (500) vehicle trips per day to provide traffic mitigation by means of traffic signals, traffic controls, turning islands, landscaping or any other means necessary to insure the viability, safety, and integrity of existing and proposed thoroughfares, based upon the results of a Traffic Impact Assessment meeting the minimum criteria specified in the Development Ordinance, as amended.
- h. Require pedestrian access, separate pedestrian accessways, sidewalks and protection from rain for pedestrians in new developments.
- i. Require developments to provide access to improved streets and, where possible, provide access to the lower order street rather than a major collector or arterial street as designated on the Thoroughfare Plan, as amended.
- l. Submission Requirements for Site Plan Approval: A Site Plan shall be prepared by a qualified civil engineer, land planner, architect or surveyor, and it shall clearly show in detail how the site will be constructed (such as paving, buildings, landscaped areas, utilities, etc.). To ensure the submission of adequate information the following information and items shall be submitted with an application for Site Plan approval in addition to any additional specific requirements for the review of Site Plan applications that may be devised and amended from time to time. It shall be the applicant's responsibility to obtain and be familiar with the requirements for Site Plan approval.
  1. A title block within the lower right-hand corner of the concept plan with the proposed name of the project/subdivision;
  2. The name and address of the owner/developer and the land planner, engineer architect or surveyor responsible for the design or survey;
  3. The scale of the drawing (both written and graphic scale) and north arrow;
  4. The date the drawing was prepared;
  5. Total site acreage and the location of the property according to the abstract and survey records of Denton County, Texas;
  6. A vicinity or location map that shows the location of the proposed development within the City (or its ETJ) and in relationship to existing roadways;
  7. The boundary survey limits of the tract and scale distances with north clearly indicated;
  8. The names of adjacent subdivisions (or the name of the owners of record and recording information for adjacent parcels of unplatted land), including parcels on the other sides of roads, creeks, etc.;
  9. The existing uses of the subject property;
  10. The general arrangement of future land uses, including the approximate number of lots and any residential uses anticipated;
  11. A generalized circulation plan for the subject property showing the proposed locations and patterns of motor vehicle and pedestrian traffic. Said circulation plan shall contain arrows indicating traffic flow;
  12. The existing zoning and existing/proposed uses on adjacent land;
  13. The location, width and names of all existing or platted streets or other public ways within or

adjacent to the tract;

14. The location, type, size and recording information for any existing easements located on the subject property or within two hundred (200) feet of the subject property. In the event no existing easements have been dedicated, a note to that effect shall be provided;
15. The location and building footprints of existing buildings located on the property. Existing buildings shall be noted as to those that are to remain and those that are to be removed;
16. Railroad rights-of-way located within two hundred (200) feet of the subject property;
17. Topography, including contours at five-foot intervals, with existing drainage channels or creeks;
18. Any 100-year floodplain as designated on the appropriate Flood Insurance Rate Map (FIRM) located on or within two hundred (200) feet of the subject tract. In the event that a 100-year floodplain is not located on the subject tract or within two hundred (200) feet of the subject tract, a note to that effect must be provided with the reference to appropriate panel number;
19. Any significant natural features such as rock outcroppings, caves, wildlife habitats, etc.;
20. All substantial natural vegetation;
21. Location of Gas/Oil wells or pipelines;
22. Location, type, size, and ownership of all existing water and wastewater lines. Said water and wastewater lines shall include all appurtenances - i.e. valves, hydrants;
23. Location, type, and size of all drainage and other underground structures;
24. Proposed connection to all existing water, wastewater, and drainage systems;
25. Adjacent political subdivisions, corporate limits, and/or school district boundaries;
26. Proposed strategies for tree preservation proposed strategies for tree preservation [sic] in accordance with Section 3.5 [\[Article 3.05\]](#) of the Town's Code of Ordinances (showing individual trees or tree masses that will be preserved, and the techniques that will be used to protect them during construction);
27. The layout and width (right-of-way lines) of existing and proposed thoroughfares, collector streets and/or intersections, and a general configuration of proposed streets, lots and blocks, including proposed median openings and left turn lanes on future divided roadways;
28. Existing and planned driveways located within two hundred (200) feet of the subject tract, including those located on the opposite side of divided roadways;
29. A general arrangement of land uses and buildings, including but not limited to:
  - a. Proposed nonresidential and residential densities;
  - b. Building footprints for each proposed structure;
  - c. Building heights;
  - d. Building square footages for each proposed structure. For multi-tenant or multi-purpose buildings, show the square footage for each intended use;
  - e. Building massing and orientation;
  - f. Location of loading/service areas;
  - g. Location of recycling containers, compactors, dumpsters and their enclosures;



- h. Sidewalks and pedestrian walkways;
- i. Parking plan showing the proposed on-site parking stalls with dimensions and driveway aisles with dimensions;
- j. Retention/detention ponds with proposed aesthetic treatments;
- k. Screening walls;
- l. Fences;
- m. Signage;
- n. Fire lanes with dimensions for fire lane aisles and turn-arounds;
- o. A lighting plan for all external lighting demonstrating that the City's lighting standards have been met. Said lighting plan shall include the following:
  - 1. The location and type of all lighting fixtures including the height of all pole lights;
  - 2. A photometric analysis showing the estimated illumination at the property line;
  - 3. The type of illumination fixtures to be utilized;
  - 4. The type and method of shielding proposed;
  - 5. Visibility easements; and
  - 6. Any proposed sites for parks, schools, public facilities, public or private open spaces;
- 29[a]. A landscape plan meeting the Town of Bartonville standards for landscape plans as specified in [Chapter 18](#) of this Ordinance;
- 30. An irrigation plan meeting the Town of Bartonville standards for irrigation plans as specified in [Chapter 18](#) of this Ordinance;
- 31. Building facade (elevation) plans showing the type and color of the exterior materials to be utilized for each building or structure and each screening wall. Said building elevations shall be drawn to a scale of one inch equals twenty feet (1" = 20') or any such scale as designated by the Town Secretary, or his/her designee; and

Provision of the above items shall conform to the principles and standards of this Ordinance and the Comprehensive Plan. To ensure the submission of adequate information, the Town is hereby empowered to maintain and distribute a separate list of specific requirements for site plan review applications. Upon periodic review, the Town Secretary, or his/her designee, shall have the authority to update such requirements for site plan and development review applications. It is the applicant's responsibility to be familiar with, and to comply with, these requirements.

J. Action by Planning and Zoning Commission or Town Council. An application for a site plan shall be considered administratively complete upon the occurrence of all of the following: (1) the Town staff and the Town Engineer have determined that the application for a site plan meets all requirements of applicable Town ordinances so that it may be reviewed by the Planning and Zoning Commission or Town Council; (2) the site plan has been placed on a duly posted agenda for the Planning and Zoning Commission or Town Council; and (3) the Planning and Zoning Commission or Town Council has taken action on the site plan. The Filing Date of a site plan means the date a site plan is considered by the Town to be administratively complete and is heard by either the Planning and Zoning Commission or Town Council.

The Planning and Zoning Commission or Town Council may take one of the following actions: (a) approve the site plan; (b) approve the site plan with conditions; or (c) disapprove the site plan.

In the event the Planning and Zoning Commission or Town Council conditionally approves or disapproves a site plan, the Planning and Zoning Commission or Town Council shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval, in accordance with Section 212.0091 of the Texas Local Government Code, as amended. After the conditional approval or disapproval of a site plan, the applicant may submit a written response that satisfies each condition for the conditional approval or remedies each reason provided for the disapproval, in accordance with Section 212.0093 of the Texas Local Government Code, as amended. In the event the Planning and Zoning Commission or Town Council receives such a response from the applicant, the Planning and Zoning Commission or Town Council shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plan not later than the fifteenth (15th) day after the date the response was submitted, in accordance with Section 212.0095 of the Texas Local Government Code, as amended.

The statutory 30-day time frame for site plan approvals, established by Chapter 212 of the Texas Local Government Code, shall commence on the Filing Date.

Pursuant to Section 212.009(b-2) of the Texas Local Government Code, as amended, upon application in writing by the applicant, the Planning and Zoning Commission or Town Council may approve one (1) Extension of Right to 30-Day Action, such Extension not to exceed 30 additional days.

K. Effect of Review/Approval: The Site Plan shall be considered authorization to proceed with construction of the site provided all other required Town approvals are obtained (such as final plat, engineering plans, etc.).

L. Validity and Lapse of Site Plan Approval:

1. The approved Site Plan shall be valid for a period of two (2) years from the date of Site Plan approval by the Town Council. By the end of the two-year period, the applicant must have completed the next “progress benchmark” as set forth below. If this is not accomplished, then the approved Site Plan shall expire and shall become null and void.

Approved Plan → Next “Progress Benchmark”

Site Plan ← Engineering release and commencement of construction of public improvements, and application for a building permit for at least one of the buildings on the approved Site Plan within two (2) years following approval of the Site Plan.

2. Extension and Reinstatement Procedure:

a. Prior to the lapse of approval for a Site Plan, the applicant may petition the Town (in writing) to extend the Site Plan approval.

b. Such petition shall be considered by the Town Council, and an extension may be granted by the Town Council at such meeting.

c. If no petition is submitted, then the Site Plan shall be deemed to have expired and shall become null and void. Any new request for Site Plan approval shall be deemed a “new project,” and shall be submitted with a new application form, with a new filing fee, and with new plans and materials in accordance with the procedures set forth in this Section. The new request shall also

be reviewed for compliance with the ordinances and regulations in effect at the time the new application is made.

d. In determining whether to grant a request for extension, the Town Council shall take into account the reasons for the lapse, the ability of the property owner to comply with any conditions attached to the original approval, and the extent to which development regulations would apply to the Site Plan at that point in time.

**M. Notice: All Site Plan submissions shall be subject to the noticing requirements of [Appendix A.5](#), General Notice Requirements.**



## LETTER OF INTENT &gt; THE RESERVE

May 31, 2023

Thad Chambers, CPM  
Town Administrator  
Town of Bartonville  
1941 E Jeter Road  
Bartonville, TX 7622

**RE: The Reserve CUP Amendment**

Mr. Chambers,

Please accept this letter, on behalf of Marty Bryan as an explanation of the proposed Conditional Use Permit Amendment. Since the original CUP was approved for the site last year there have been a few alterations to the site plan that was shown. The use of the site remains a proposed event center for weddings and other such events. The capacity of the site has not increased therefore there is no change to the impact of the use as proposed.

The few changes to the site plan include the addition of a chapel building and changes to the parking layout. The chapel has been added to benefit the operational use of the site for weddings. It has been determined that a separate space to hold the ceremony vs. the reception is something that most clients prefer. Again, the addition of the chapel does not increase the number of people that will be attending any one event.

The changes to the parking design -include removing spaces that were in the floodplain and showing spaces the Oncor has allowed within their easement.

We believe that the proposed changes are minimal and will not increase alter the impact the use will have on surrounding properties or lead to an increase in traffic, etc. The changes will actually make the site operate more efficiently and be better utilized by users of the site.

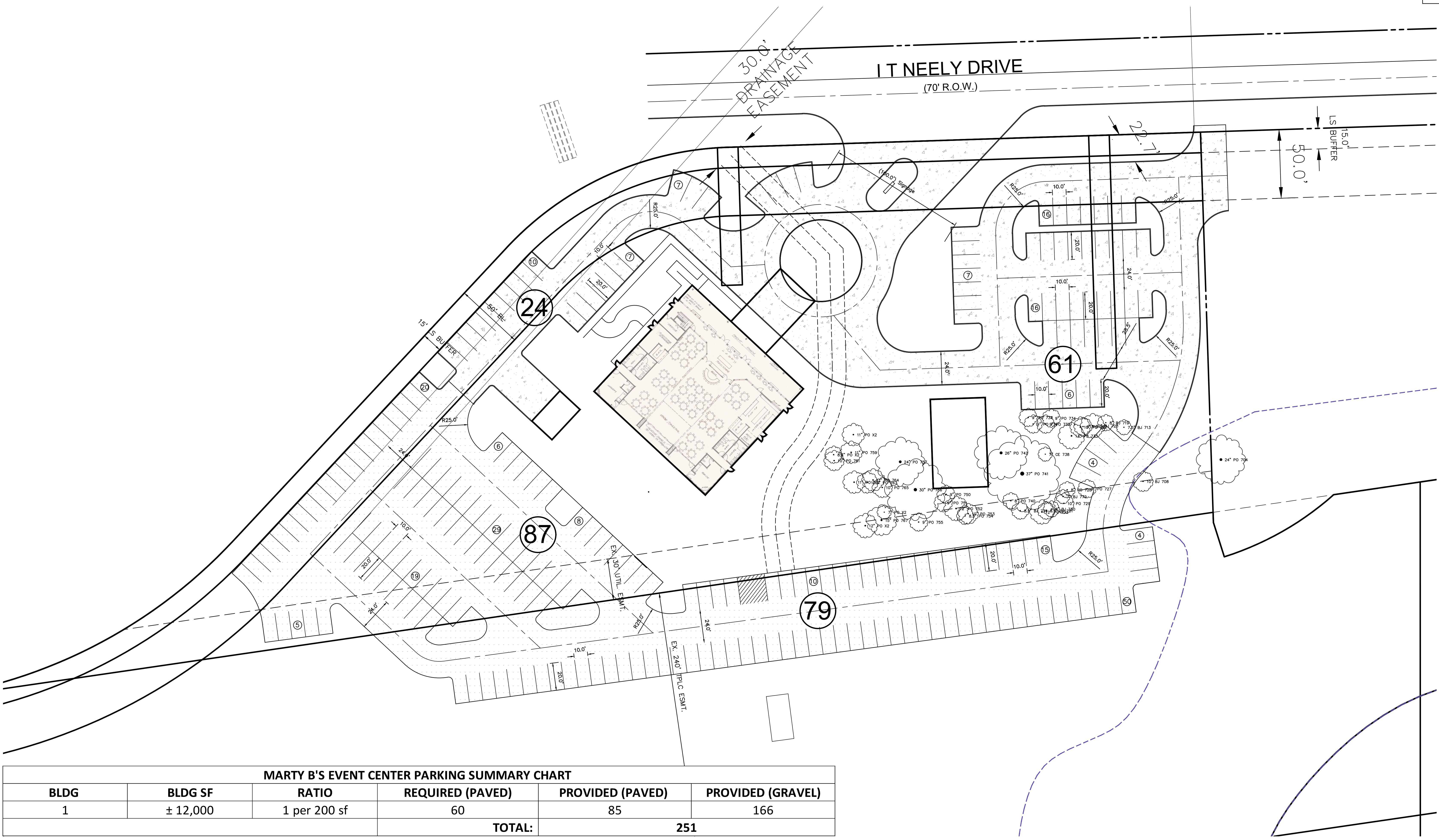
Please do not hesitate to contact us if you have any questions or need any additional information.

Sincerely,

**MCADAMS**

A handwritten signature in blue ink that reads 'Doug Powell'.

Doug Powell, AICP  
Sr. Planner, Planning + Entitlement

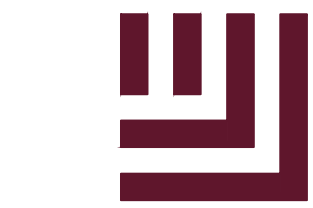


MARTY B'S EVENT CENTER PARKING SUMMARY CHART

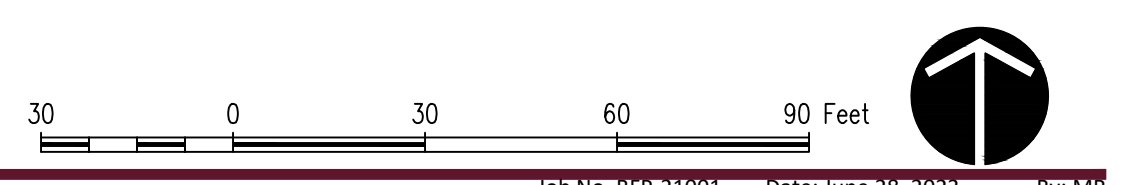
BLDG	BLDG SF	RATIO	REQUIRED (PAVED)	PROVIDED (PAVED)	PROVIDED (GRAVEL)
1	± 12,000	1 per 200 sf	60	85	166
<b>TOTAL:</b>				<b>251</b>	

THE RESERVE at MARTY B'S  
+/- 14.722 AC.

Town of Bartonville  
Denton County, Texas



The John R. McAdams Company, Inc.  
111 Hillside Drive  
Lewisville, Texas 75057  
972-436-9712  
201 Country View Drive  
Roanoke, Texas 76262  
940-240-1012  
TBP#: 19762 TBP#: 10194440  
www.gason.com  
www.mcadamsco.com



Scale: 0, 30, 60, 90 Feet

Job No: BFP-21001 Date: June 28, 2023 By: MR  
M:\Projects\BFP\BFP22001\04-Production\Planning and LA\Exhibits\Planning\MARTY B's Cara\CAD  
MARTY B'S EVENT CENTER\2023-06-26\_MARTY B's at The Reserve Concept Plan.dwg

This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were attained from best available information. This plan is subject to change.




MARTY B'S EVENT CENTER PARKING SUMMARY CHART

BLDG	BLDG SF	RATIO	REQUIRED (PAVED)	PROVIDED (PAVED)	PROVIDED (GRAVEL)
1	± 12,000	1 per 200 sf	60	85	162
<b>TOTAL:</b>				<b>247</b>	

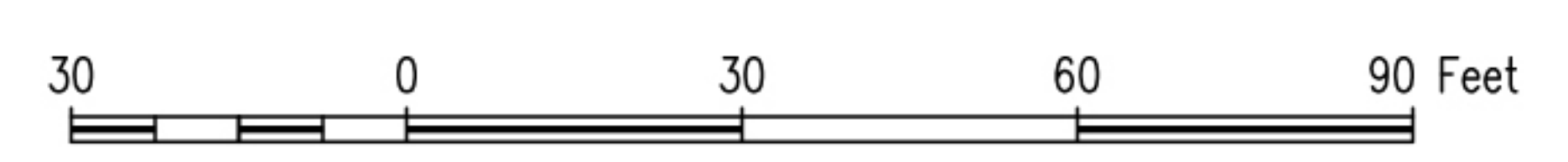



THE RESERVE at MARTY B'S  
+/- 14.722 AC.

Town of Bartonville  
Denton County, Texas



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940.240.1012  
TBP#: 19762 TBP#: 10194440  
www.gsoon.com  
www.mcadamsco.com

Job No. BPP-21001 Date: June 28, 2023 By: MR  
M:\Projects\BPP\BPP2001\04-Production\Planning and LA\Exhibits\Planning\MARTY B's Cara\CAD  
MARTY B EVENT CENTER\2023-06-28\_MARTY Bs at The Reserve Concept Plan.dwg  
This conceptual plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were attained from best available information. This plan is subject to change.

July 13, 2023

Mr. Thad Chambers  
Town Administrator  
Town of Bartonville  
1941 E Jeter Road  
Bartonville, TX 76226

Re: Reserve at Marty B's – CUP-2023-004  
Conditional Use Permit Completeness Review

Mr. Chambers:

I have reviewed the application for a Conditional Use Permit for the approximately 8.7-acre property located near the southeast corner of the intersection of FM 407 and I.T. Neely Road. Based on the application submittal requirements in Bartonville Zoning Ordinance (BZO) Sections 3.2.B.2 and 16.8.B.7, this application submittal for a Conditional Use Permit is complete.

This completeness determination is subject to a caveat that the applicable land use review will only be for a Conditional Use Permit, and that the requirements for the standard accompanying Site Plan required in BZO Section 3.2.I have not been met. Therefore, a full Site Plan submittal would be required following the approval of a Conditional Use Permit for the property, in accordance with BZO Chapter 3. The Site Plan will require review and approval by the Bartonville Town Council.

Please let me know if you have any questions.

With regards,



Ryan A. Wells, AICP, CFM  
Principal  
Ad Terram Consulting, LLC

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
EDUCATION LEADS TO SUCCESS FOUNDATION	2104 CAVALIER WAY	FLOWER MOUND	TX	75022-5588
DENTON COUNTY FRESH WATER SUPPLY DISTRICT NO.6	19 BRIAR HOLLOW LN STE 245	HOUSTON	TX	77027-2858
J WILLIAM & PEARL CLINTON	876 GEORGE ST	LANTANA	TX	76226-6477
AARON & AUDREY HILL	8971 NEWTON ST	LANTANA	TX	76226-6534
RYAN & LESLEY MANTZEL	8951 NEWTON ST	LANTANA	TX	76226-6534
CHARLES & DIANA WEST	8941 NEWTON ST	LANTANA	TX	76226-6534
MONTE C & JEANETTE A MALONE	109 FALLOW CT	LAMPASAS	TX	76550-3713
MARK A & ANNE B MILLER	8921 NEWTON ST	LANTANA	TX	76226-6534
DENTON COUNTY FRESH WATER SUPPLY DIST NO 7 C/O CLAY E CRAWFORD	19 BRIAR HOLLOW LN STE 245	HOUSTON	TX	77027-2858
M.F. HODGE PROPERTIES LLC, 7/11 AD VALOREM TAX DEPT	PO BOX 711	DALLAS	TX	75221-0711
BRYFAM PROPERTIES LLC ATTN: MARTY BRYAN	913 HAT CREEK COURT	BARTONVILLE	TX	76226



**TOWN OF BARTONVILLE  
ORDINANCE NO. XXX-23**

**AN ORDINANCE AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02, EXHIBIT "A," ORDINANCE 361-05, ZONING ORDINANCE, BY AMENDING, CHAPTER 12, VILLAGE CENTER DISTRICT (VC), ARTICLE 12.2, USES PERMITTED, BY GRANTING A CONDITIONAL USE PERMIT FOR THE OPERATION OF AN EVENT CENTER USE LOCATED ON A 14.722 ACRE-SITE THAT IS PART OF LOT 1R, BLOCK A, YETI ADDITION, LOCATED AT 1001 I.T. NEELY ROAD; PROVIDING FOR REPEAL OF ORDINANCE NO. 734-22; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NO VESTED RIGHTS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town of Bartonville, Texas, is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, the Planning and Zoning Commission of the Town of Bartonville and the Town Council of the Town of Bartonville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the Town of Bartonville is of the opinion that said zoning ordinance should be amended as provided herein.

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

**SECTION 1.**

The Zoning Ordinance for the Town of Bartonville, Texas, as amended, is hereby amended by amending Chapter 12, Village Center District (VC), Article 12.2, Uses Permitted, by granting a Conditional Use Permit for the operation of an Event Center use located on a 14.722 acre-site that is part of Lot 1R, Block A, Yeti Addition, Bartonville, Texas, located at 1001 I.T. Neely Road in Bartonville. The Conditional Use Permit granted herein includes the following additional conditions:

Security personnel for all events occurring at the Event Center approved by this Ordinance shall be provided by the owner/operator of the Event Center at no cost to the Town of Bartonville, as follows:

1. One (1) peace officer shall be provided as security for any event containing up to 50 persons in attendance;
2. Two (2) peace officers shall be provided as security for any event containing 51 to 200 persons in attendance;
3. Two (2) peace officers shall be provided as security for any event that utilizes the lawful service of alcoholic beverages to event attendees through the use of two (2) bar areas notwithstanding if the number of persons in attendance is less than 51 persons;
4. Three (3) peace officers shall be provided as security for any event containing in excess of 201 persons in attendance;
5. Coordination and scheduling of peace officers required hereunder shall occur between the Chief of Police of the Bartonville Police Department, or his designee, and the owner/operator of the Event Center in sufficient time ahead of all events to ensure compliance with these conditions;
6. Each peace officer providing security at any event shall be paid a standard hourly rate as agreed upon between the Chief of Police of the Bartonville Police Department and the owner/operator of the Event Center, with a two (2)-hour minimum payment required, and payment to each peace officer shall be made by the owner/operator of the Event Center before the beginning of the event in sufficient monetary amount to pay each peace officer for the minimum payment amount required hereunder, or for the entire event time period, whichever is greater;
7. The term “peace officer” as used herein means a person elected, employed, or appointed as a peace officer under Article 2.12, Texas Code of Criminal Procedure, or other law; and
8. The failure to comply with the above security personnel requirements, including the underpayment of a peace officer, will result in the prohibition/termination of the event until such time as the above security personnel requirements are satisfied.

The concept plan applicable to this use is approved and attached to this Ordinance as Exhibit A.

**SECTION 2.  
REPEAL OF ORDINANCE NO. 734-22**

Upon the Effective Date of this Ordinance, Town Ordinance No. 734-22, enacted on September 20, 2022, is hereby repealed in its entirety and replaced by this Ordinance.

**SECTION 3.  
SEVERABILITY**

It is hereby declared to be the intention of the Town Council of the Town of Bartonville, Texas, 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 should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 without incorporation in this Ordinance of such unconstitutional phrases, clause, sentence, paragraph, or section.

**SECTION 4.  
SAVINGS**

An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.  
ENGROSS AND ENROLL**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 6.  
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

**SECTION 7.  
PUNISHMENT**

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 Bartonville Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 8.  
NO VESTED RIGHTS**

No person or entity shall acquire any vested rights in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the Town Council of the Town of Bartonville, Texas, in the manner provided by law.

**SECTION 9.  
EFFECTIVE DATE.**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

**AND IT IS SO ORDAINED.**

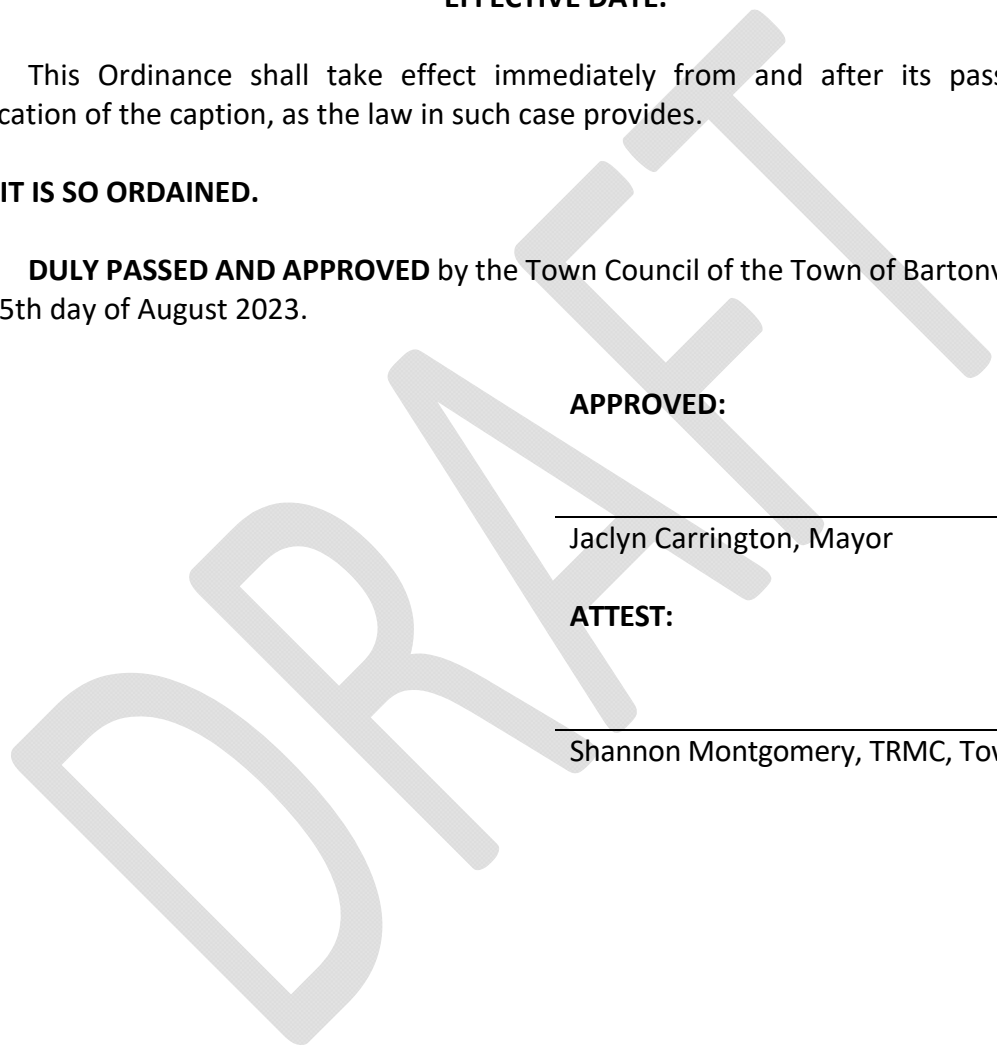
**DULY PASSED AND APPROVED** by the Town Council of the Town of Bartonville, Texas, on the 15th day of August 2023.

**APPROVED:**

\_\_\_\_\_  
Jaclyn Carrington, Mayor

**ATTEST:**

\_\_\_\_\_  
Shannon Montgomery, TRMC, Town Secretary



**EXHIBIT A  
CONCEPT PLAN**

DRAFT




MARTY B'S EVENT CENTER PARKING SUMMARY CHART

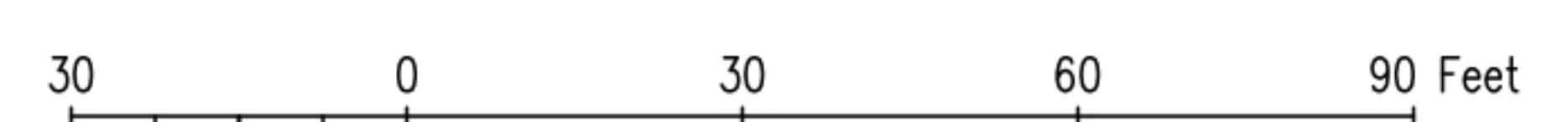
BLDG	BLDG SF	RATIO	REQUIRED (PAVED)	PROVIDED (PAVED)	PROVIDED (GRAVEL)
1	± 12,000	1 per 200 sf	60	85	162
<b>TOTAL:</b>				<b>247</b>	

THE RESERVE at MARTY B'S  
+/- 14.722 AC.

Town of Bartonville  
Denton County, Texas

The John R. McAdams Company, Inc.  
111 Hillside Drive  
Lewisville, Texas 75057  
972.436.9712  
201 Country View Drive  
Roanoke, Texas 75282  
940.240.1012  
TBP#: 19762 TBP#: 10194440  
www.gsoon.com  
www.mcadamsco.com



Job No. BPP-21001 Date: June 28, 2023 By: MR  
M:\Projects\BPP\BPP2001\04-Production\Planning and LA\Exhibits\Planning\MARTY B's Cara\CAD  
MARTY B EVENT CENTER\2023-06-28\_MARTY Bs at The Reserve Concept Plan.dwg

This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were attained from best available information. This plan is subject to change.



# TOWN COUNCIL COMMUNICATION

**DATE** August 15, 2023

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Discuss and consider awarding a contract for the E Jeter Road and Stonewood Boulevard Reconstruction Project

**SUMMARY:**

This contract will be for the following:

E. Jeter Rd. Phase 1: Approximately 1700' LF along E. Jeter Rd beginning at a point 400'+/- west of the intersection of E. Jeter Rd. and Porter Rd. and continuing west and north for approximately 1700'. The limits of the survey will extend to the apparent right-of-way line on each side of the roadway.

Stonewood Blvd.: Approximately 1000' LF along Stonewood Blvd. beginning at the intersection of Stonewood Blvd. and Porter Rd and continuing west approximately 1000'. The limits of the survey will extend to the apparent right-of-way line on each side of the roadway.

This project was delayed due to the change in Town Engineers.

**FISCAL INFORMATION:**

Budgeted: YES                      Amount: Undetermined at this time                      GL Account: 170.40.0000

\$550,000 remains in this line item. Revenue from the Street Maintenance Sales Tax has continued to accrue in this account.

**RECOMMENDED MOTION OR ACTION:**

**ATTACHMENTS:**

- Bid Advertisement
- Bid Tabulation (to be presented at meeting)

**Section 00 11 00**  
**TOWN OF BARTONVILLE**  
**ADVERTISEMENT FOR BIDS**

Bid Due: August 14th, 2023, at 2:00 PM

Project Name: E. JETER ROAD AND STONEWOOD BOULEVARD RECONSTRUCTION

Project No.: 44161

Project Location: TOWN OF BARTONVILLE, TX

The Town of Bartonville, Texas, will receive sealed bids for the referenced project which involves the reconstruction of approximately 1,700 LF of E. Jeter Road and 1,000 LF of Stonewood Boulevard. The project consists of approximately 4,750 SY of 6" (2" Type D on 4" Type B) HMAC pavement on a 6" flex base subgrade as well as 2,500 SY of pavement pulverization and 2" Type D overlay and other associated items.

Bids for a Contract shall be submitted on the bid forms provided, properly signed by an officer of the company, and dated. A Bid Security in the amount of five percent (5%) of the sum of Total Amount Bid must accompany each Bid. The Town reserves the right to waive irregularities and to reject bids.

Bids will be received until 2:00 PM local time, on Monday, August 14th, 2023, by the Town Secretary, Town of Bartonville, 1941 E Jeter Road, Bartonville, Texas 76226. Bids received after that time will not be accepted. Bids will be opened and read at 2:05 PM on the same day in the Town Conference Room and Council Chambers.

Copies of the Bid/Contract Documents may be obtained free of charge by the prospective bidders at [www.civcastusa.com](http://www.civcastusa.com) under the following project name - **"E. Jeter Road and Stonewood Boulevard Reconstruction"**. Bid documents may be purchased at Westwood Professional Services, 4060 Bryant Irvin Road, Fort Worth, Texas 76109 for \$100.00 per set (that is not refundable), by a cashier's check, certified check, money order, company check or personal check payable to Westwood. Addenda are free of charge and will be distributed to those who obtain Bid Documents from Westwood Professional Services. For more information, you may contact Westwood at (817) 412-7155 for questions.

(Affidavit Required)

**Town of Bartonville**

By: \_\_\_\_\_ /s  
Thad Chambers  
Town Administrator

(Published:) Friday, July 28<sup>th</sup>, 2023

Friday, August 4<sup>th</sup>, 2023



**Denton Record-Chronicle**  
**3555 Duchess Drive**  
**(940) 387-7755**

I, Stefan Edward Pla, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**  
28 Jul 2023

4 Aug 2023

**Notice ID:** 7mO5KednVGltfgEnAHfp  
**Notice Name:** Town of Bartonville Advertisement for Bids

**PUBLICATION FEE:** \$154.16

I declare under penalty of perjury that the foregoing is true and correct.

*Stefan Pla*

Agent

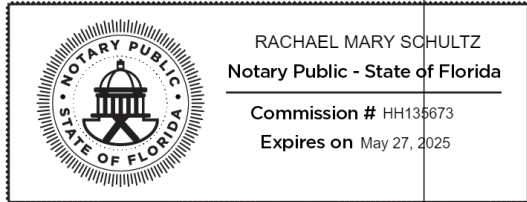
**VERIFICATION**

State of Florida  
County of Charlotte

Signed or attested before me on this: 08/04/2023

*Rachael Mary Schultz*

Notary Public  
Notarized online using audio-video communication



Section 00 11 00  
TOWN OF BARTONVILLE  
ADVERTISEMENT FOR BIDS  
Bid Due: August 14th, 2023, at  
2:00 PM  
Project Name: E.  
JETER ROAD AND  
STONEWOOD BOULEVARD  
RECONSTRUCTION  
Project No.: 44181  
Project Location: TOWN OF  
BARTONVILLE, TX  
The Town of Bartonville, Texas,  
will receive sealed bids for the  
referenced project which  
involves the reconstruction of  
approximately 1,700 LF of E  
Jeter Road and 1,000 LF of  
Stonewood Boulevard. The  
project consists of approximately  
4,750 SY of 6" (2" Type D on  
4" Type B) HMA/C pavement  
on a 6" flex base subgrade as  
well as 2,500 SY of pavement  
pulverization and 2" Type D  
overlay and other associated  
items.  
Bids for a Contract shall be  
submitted on the bid forms  
provided, properly signed by  
an officer of the company, and  
dated. A Bid Security in the  
amount of five percent (5%) of  
the sum of Total Amount Bid  
must accompany each Bid. The  
Town reserves the right to waive  
irregularities and to reject bids.  
Bids will be received until 2:00  
PM local time, on Monday,  
August 14th, 2023, by the Town  
Secretary, Town of Bartonville,  
1941 E Jeter Road, Bartonville,  
Texas 76226. Bids received after  
that time will not be accepted.  
Bids will be opened and read at  
2:05 PM on the same day in the  
Town Conference Room and  
Council Chambers.  
(Affidavit Required)  
Copies of the Bid/Contract  
Documents may be obtained  
free of charge by the prospective  
bidders at [www.civcastusa.com](http://www.civcastusa.com)  
under the following  
project name - "E. Jeter Road  
and Stonewood Boulevard  
Reconstruction". Bid documents  
may be purchased at Westwood  
Professional Services, 4060  
Bryant Irvin Road, Fort Worth,  
Texas 76109 for \$100.00 per  
set (that is not refundable), by a  
cashier's check, certified check,  
money order, company check  
or personal check payable to  
Westwood. Addenda are free of  
charge and will be distributed to  
those who obtain Bid Documents  
from Westwood Professional  
Services. For more information,  
you may contact Westwood at  
(817) 412-7155 for questions.  
(Published.) Friday, July 28th,  
2023  
Friday, August 4th, 2023  
Town of Bartonville  
By: /s/ Thad Chambers  
Thad Chambers  
Town Administrator





# TOWN COUNCIL COMMUNICATION

**DATE:** August 15, 2023

**FROM:** Ed Voss, Town Attorney

**AGENDA ITEM:** Discuss and consider a Resolution suspending the September 1, 2023 Effective Date of CoServ Gas, LTD's requested Rate Change to permit the Town time to study the request and to establish reasonable rates and provide an effective date.

## STAFF REPORT REGARDING COSERV'S REQUESTED RATE CHANGE

### **ACTION MUST BE TAKEN TO SUSPEND THE EFFECTIVE DATE ON OR BEFORE SEPTEMBER 1, 2023**

On July 28, 2023, CoServ Gas, Ltd. ("CoServ" or "Company"), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas ("RRC") and in all municipalities exercising original jurisdiction within its service area, effective September 1, 2023.

CoServ is seeking to increase its annual revenues in incorporated areas by \$10,314,726, which is an increase of 7.5% including gas costs, or 27.3% excluding gas costs. CoServ is also requesting: (1) new depreciation rates for distribution and general plant; (2) a prudence determination for capital investment; (3) specification of the factors to be used in any Interim Rate Adjustment Filing the Company makes pursuant to Texas Utilities Code § 104.302; and (4) a surcharge on customer bills to recover the reasonable rate case expenses associated with the filing of this statement of intent.

#### **Purpose of the Resolution:**

The proposed resolution suspends the September 1, 2023, effective date of the Company's rate increase for the maximum period permitted by law to allow the Town, working in conjunction with other similarly situated municipalities with original jurisdiction served by CoServ, to evaluate the filing, to determine whether the filing complies with the law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the Town to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the Town fails to take some action regarding the filing before the effective date, CoServ's rate request is deemed approved.

**Explanation of “Be It Resolved” Sections:**

**Section 1.** This section incorporates the “whereas” provisions in the preamble into the Resolution.

**Section 2.** The Town is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as “the maximum period allowed by law” rather than ending by a specific date. This is because the Company controls the effective date and can extend the deadline for final municipal action to increase the time that the Town retains jurisdiction if necessary to reach settlement on the case. If the suspension period is not otherwise extended by the Company, the Town must take final action on CoServ’s request to increase rates by September 1, 2023.

**Section 3.** This provision authorizes the Town to participate in a coalition of cities served by CoServ in order to more efficiently represent the interests of the Town and their citizens. It also authorizes the hiring of Thomas L. Brocato with the law firm of Lloyd Gosselink Rochelle and Townsend to represent the Town in this matter.

**Section 4.** By law, the Company must reimburse the municipalities for their reasonable rate case expenses. Legal counsel and consultants approved by the municipalities will present their invoices to legal counsel who will then seek reimbursement from CoServ. The Town will not incur liability for payment of rate case expenses by adopting a suspension resolution.

**Section 5.** This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

**Section 6.** This section provides that both CoServ’s counsel and counsel for the municipalities will be notified of the Town’s action by sending a copy of the approved and signed Resolution to certain designated individuals.

**Section 7.** This section identifies the effective date of the Resolution as the time it is adopted.

**TOWN OF BARTONVILLE, TEXAS  
RESOLUTION 2023 - XXX**

**A RESOLUTION OF THE TOWN OF BARTONVILLE, TEXAS, SUSPENDING THE SEPTEMBER 1, 2023, EFFECTIVE DATE OF COSERV GAS, LTD.'S REQUESTED RATE CHANGE TO PERMIT THE TOWN TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER MUNICIPALITIES IN THE COSERV SERVICE AREA, TO HIRE LEGAL AND CONSULTING SERVICES, AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF THE STEERING COMMITTEE OF MUNICIPALITIES SERVED BY COSERV GAS' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on or about July 28, 2023, CoServ Gas Ltd (“CoServ” or “Company”), pursuant to Gas Utility Regulatory Act § 104.102 filed with the Town of Bartonville, Texas (“Town”), a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within its service area, effective September 1, 2023; and

**WHEREAS**, the Town is a gas utility customer and a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under Chapter 104, § 104.001 *et seq.* of GURA, has exclusive original jurisdiction over CoServ’s rates, operations, and services within the Town; and

**WHEREAS**, in order to maximize the efficient use of resources and expertise, it is reasonable for the Town to cooperate with other municipalities in conducting a review of the Company’s application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

**WHEREAS**, it is not possible for the Town to complete its review of CoServ’s filing by the September 1, 2023, effective date proposed in CoServ’s Statement of Intent; and

**WHEREAS**, the Town will need an adequate amount of time to review and evaluate CoServ’s rate application to enable the Town to adopt a final decision as a local regulatory authority with regard to CoServ’s requested rate increase; and

**WHEREAS**, GURA § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

**WHEREAS**, GURA § 103.022 provides that costs incurred by municipalities in ratemaking activities are to be reimbursed by the regulated utility.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.** The findings and recitations set out in the preamble of this Resolution are found to be true and correct and are hereby adopted by the Town Council and made a part hereof for all purposes.

**SECTION 2.** The September 1, 2023, effective date of the rate request submitted by CoServ on July 28, 2023, shall be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

**SECTION 3.** The Town is authorized to cooperate with other municipalities in the CoServ service area, CoServ Gas Cities, and subject to the right to terminate employment at any time, hereby authorizes the hiring of Thomas L. Brocato of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. and consultants, to review CoServ's filing, negotiate with the Company, make recommendations to the Town regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the Town or Railroad Commission.

**SECTION 4.** The Town's reasonable rate case expenses shall be reimbursed by CoServ.

**SECTION 5.** It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

**SECTION 6.** A copy of this Resolution shall be sent to CoServ, care of Charles D. Harrell, CoServ Gas Ltd., 7701 South Stemmons, Corinth, Texas 76210-1842, and to Thomas Brocato, counsel for CoServ Gas Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725 ([tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com)).

**SECTION 7.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

**DULY ADOPTED** by the Bartonville Town Council on this 15th day of September, 2023.

---

Jaclyn Carrington, Mayor

APPROVED AS TO FORM:

---

Ed P. Voss, Town Attorney

I, Shannon Montgomery, Town Secretary of the Town of Bartonville, Texas, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Town Council of the Town of Bartonville, Texas, at its regular meeting held on the 15th day of August, 2023, as the same appears in the records of this office.

**IN TESTIMONY WHEREOF**, I subscribe my name hereto officially under the corporate seal of the Town of Bartonville, Texas, this 15th day of August, 2023.

---

Shannon Montgomery, TRMC  
Town Secretary for the Town of Bartonville, Texas

[seal]

DRAFT



# TOWN COUNCIL COMMUNICATION

**DATE** August 15, 2023

**FROM:** Bobby Dowell, Chief of Police  
Jeff Grubb, Crime Control & Prevention District Chair

**AGENDA ITEM:** Public hearing to receive public comment and consider approval of the Bartonville Crime Control and Prevention District FY 2023-2024 proposed budget.

**SUMMARY:**

The Bartonville Crime Control and Prevention District (BCCPD) held a public hearing June 21, 2023, and adopted its FY 2023–2024 proposed budget.

The Budget includes a line item of \$30,000 to transfer to the Town in the event the Town Council approves an additional position in their FY 2023-2024 budget.

The Local Government Code requires: *The governing body must publish notice of the hearing in a newspaper with general circulation in the district not later than the 10th day before the date of the hearing; any resident of the district is entitled to be present and to participate at the hearing; not later than the 30th day before the date the fiscal year begins, the governing body shall approve or reject the budget submitted by the board. The governing body may not amend the budget.*

If the governing body rejects the budget submitted by the board, the governing body and the board shall meet and together amend and approve the budget before the beginning of the fiscal year.

The budget may be amended after the beginning of the fiscal year on approval by the board and the governing body.

**ATTACHMENTS:**

- BCCPD FY 2023-2024 proposed budget

**RECOMMENDATION:** Conduct the public hearing. Move to approve the BCCPD budget for fiscal year beginning October 1, 2023, and ending on September 30, 2024.



**Bartonville Crime Control Prevention District  
Proposed FY 2023-2024 Budget**

Item 14.

Account #	Account Description	2022-2023 Proposed	2022-2023 Adopted	Current YTD	2023-2024 Proposed
900-4025	Sales Tax Revenue	\$ 96,750.00	\$ 96,750.00	\$ 93,782.82	\$ 100,000.00
900-4250	Interest Earned	\$ 400.00	\$ 400.00	\$ 10,074.37	\$ 7,000.00
900-4400	Grants and Donations	\$ 1,500.00	\$ 1,500.00	\$ 1,250.00	\$ 1,500.00
	<b>Total</b>	<b>\$ 98,650.00</b>	<b>\$ 98,650.00</b>	<b>\$ 105,107.19</b>	<b>\$ 108,500.00</b>
900-10-5082	Audit & Accounting Expense	\$ 250.00	\$ 250.00	\$ -	\$ 250.00
900-10-5107	Bonds	\$ 200.00	\$ 200.00	\$ 280.00	\$ 200.00
	<b>Total</b>	<b>\$ 450.00</b>	<b>\$ 450.00</b>	<b>\$ 280.00</b>	<b>\$ 450.00</b>
900-20-5105	Blue Santa	\$ 1,500.00	\$ 1,500.00	\$ 1,338.38	\$ 1,500.00
900-20-5147	Computer Software	\$ 12,000.00	\$ 12,000.00	\$ 10,394.96	\$ 13,200.00
900-20-5232	Equipment	\$ 50,000.00	\$ 50,000.00	\$ 36,975.40	\$ 50,000.00
900-20-5452	National Night Out	\$ 3,000.00	\$ 3,000.00	\$ 1,755.45	\$ 3,000.00
900-20-5627	Salary to Town*	\$ 30,000.00	\$ 30,000.00	\$ -	\$ 30,000.00
900-20-5711	Training Expense	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 3,000.00
900-20-5726	Uniform & Apparel Expense	\$ 8,000.00	\$ 8,000.00	\$ 3,437.56	\$ 9,000.00
900-20-6400	Squad Car Accessories	\$ 500.00	\$ 500.00	\$ -	\$ 1,000.00
	<b>Total</b>	<b>\$ 107,000.00</b>	<b>\$ 107,000.00</b>	<b>\$ 53,901.75</b>	<b>\$ 110,700.00</b>

\* Expenditure to transfer to Town in the event the Town Council approves an additional position in their FY 2023-2024 Budget.



# INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Denton Record-Chronicle** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(940) 387-7755**.

Notice ID: Li7KO3uaOeylJWWPG98c | **Proof Updated: Aug. 02, 2023 at 10:56am CDT**  
Notice Name: FY 2023-2024 CCPD Budget PH

**If a custom affidavit is required by law please email affidavit to [classads@dentonrc.com](mailto:classads@dentonrc.com).  
If this is not required by law we will disregard.  
By choosing a Saturday or Sunday, your notice will be in both the Saturday and Sunday e-Editions as well as the weekend print edition. You will only be billed for one day.**

**This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.**

<b>FILER</b>	<b>FILING FOR</b>
Shannon Montgomery smontgomery@townofbartonville.com (817) 693-5280	Denton Record- Chronicle

**Columns Wide: 1**                      **Ad Class: Legals**

Subtotal	\$18.00
Tax %	0
Processing Fee	\$6.80
<b>Total</b>	<b>\$24.80</b>

## NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN

that the Bartonville Town Council will conduct a Public Hearing at 6:30pm on Tuesday, August 15, 2023 at Bartonville Town Hall, 1941 E Jeter Road, Bartonville, Texas to receive public comment on the proposed FY 2023-2024 budget for the Bartonville Crime Control & Prevention District. All interested persons are encouraged to participate.

drc 08/05/2023



# TOWN COUNCIL COMMUNICATION

**DATE** August 15, 2023

**FROM:** Shannon Montgomery, Town Secretary

**AGENDA ITEM:** Discuss and consider approval of an ordinance amending the Town's Budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, as adopted by Ordinance No. 735-22; and amended by Ordinances 738-22 and 748-23, providing for adjustments to the General Fund and Bartonville Community Development Corporation Fund.

**SUMMARY:**

The budget amendment provides adjustments as follows to account for the transfer from the Town's General Fund Fund Balance to support the following expenditures:

- ESD #1 Funding in the amount of \$20,000
- Charter Internet Project in the amount of \$112,350
- Special Event Committee Expenditures in the amount of \$9,000 for town events
- Tree Trimming in the amount of \$8,000
- Engineering/Surveying expenditures in the amount of \$30,000

The budget amendment provides for adjustments to account for the transfer from the Bartonville Community Development Corporation Fund Balance to support the following expenditures:

- Marketing expenditures to purchase a Town Christmas Tree for Town events.

**FISCAL INFORMATION:**

<b>GENERAL FUND LINE ITEM ADJUSTMENTS</b>		
<b>Revenues</b>		
Transfer from Fund Balance		\$ 179,350.00
ESD #1 Funding Agreement	\$ 20,000.00	
Internet Project	\$ 112,350.00	
Town Meeting/Events - Special Events	\$ 9,000.00	
Tree Trimming	\$ 8,000.00	
Engineering/Surveying Services	\$ 30,000.00	
<b>Expenditures</b>		
		\$ 179,350.00
100-10-5280 Grant Expenses - ESD #1 Funding	\$ 20,000.00	
100-10-6100 Capital Improvements - Internet Project	\$ 112,350.00	
100-10-5710 Town Meetings/Events - Special Events	\$ 9,000.00	
100-10-5405 Tree Trimming	\$ 8,000.00	
100-10-5230 Engineering/Surveying Services	\$ 30,000.00	
<b>BARTONVILLE COMMUNITY DEVELOPEMENT CORPORATION LINE ITEM ADJUSTMENTS</b>		
<b>Revenues</b>		
Transfer from Fund Balance		\$ 3,200.00
Marketing - Purchase of Christmas Tree (excess funds needed)	\$ 3,200.00	
<b>Expenditures</b>		
		\$ 3,200.00
800-10-5289 Marketing - Purchase of Christmas Tree	\$ 3,200.00	

**RECOMMENDED MOTION OR ACTION:**

Move to approve an ordinance amending the Town's Budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, as adopted by Ordinance No. 735-22; and amended by Ordinances 738-22 and 748-23, providing for adjustments to the General Fund and Bartonville Community Development Corporation Fund.

**ATTACHMENTS:**

- Draft Ordinance

**TOWN OF BARTONVILLE, TEXAS  
ORDINANCE NO. XXX-23**

**FISCAL YEAR 2022-2023 BUDGET AMENDMENT #3**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, AS ADOPTED BY ORDINANCE NO. 735-22; AND AMENDED BY ORDINANCES 738-22 AND 748-23 BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND AND BARTONVILLE COMMUNITY DEVELOPMENT CORPORATION FUND PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; PROVIDING SAVINGS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES OF THE TOWN BARTONVILLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas, (the "Town") is a Type A General Law Municipality located in Denton County, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, an annual budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, was duly created and adopted by the Bartonville Town Council in accordance with Title Four (4), Chapter 102., Sections 102.002 and 102.003 of the Texas Local Government Code; and

**WHEREAS**, said Annual Budget was adopted by Ordinance 735-22 on September 20, 2022; and

**WHEREAS**, said Annual Budget was amended by Ordinance 738-22 on October 18, 2022; and

**WHEREAS**, said Annual Budget was again amended by Ordinance 748-23 on May 16, 2023; and

**WHEREAS**, after approval of said Annual Budget, unexpected needs have arisen which require amendment of the Annual Budget.

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

**SECTION 1.**

The Annual Budget of the Town of Bartonville, Texas, for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023, as heretofore adopted by Ordinance No. 735-22 and amended by Ordinances 738-22 and 748-23 is hereby amended to provide for adjustments to the General Fund and Bartonville Community Development Corporation Fund, as described below and incorporated herein, and expenditures for the fiscal year shall be made in accordance with said Annual Budget, as amended.

<b>GENERAL FUND LINE ITEM ADJUSTMENTS</b>		
<b>Revenues</b>		
Transfer from Fund Balance		\$ 179,350.00
ESD #1 Funding Agreement	\$ 20,000.00	
Internet Project	\$ 112,350.00	
Town Meeting/Events - Special Events	\$ 9,000.00	
Tree Trimming	\$ 8,000.00	
Engineering/Surveying Services	\$ 30,000.00	
<b>Expenditures</b>		
		\$ 179,350.00
100-10-5280 Grant Expenses - ESD #1 Funding	\$ 20,000.00	
100-10-6100 Capital Improvements - Internet Project	\$ 112,350.00	
100-10-5710 Town Meetings/Events - Special Events	\$ 9,000.00	
100-10-5405 Tree Trimming	\$ 8,000.00	
100-10-5230 Engineering/Surveying Services	\$ 30,000.00	
<b>BARTONVILLE COMMUNITY DEVELOPEMENT CORPORATION LINE ITEM ADJUSTMENTS</b>		
<b>Revenues</b>		
Transfer from Fund Balance		\$ 3,200.00
Marketing - Purchase of Christmas Tree (excess funds needed)	\$ 3,200.00	
<b>Expenditures</b>		
		\$ 3,200.00
800-10-5289 Marketing - Purchase of Christmas Tree	\$ 3,200.00	

**SECTION 2.**

The expenditures and amendments authorized by this Ordinance are necessary to meet unusual and/or unforeseen conditions or circumstances that could not have been included in the original budget through the use of reasonably diligent thought and attention.

**SECTION 3.**

This Ordinance shall be cumulative of all provisions of Ordinances of the Town of Bartonville, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**SECTION 4.**

It is hereby declared to be the intention of the Town Council of The Town of Bartonville 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 should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 5.**

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

**SECTION 6.**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 7.**

This Ordinance shall be in full force and effect from and after its date of passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by a vote of \_\_\_\_\_ to \_\_\_\_\_, **this the 15th day of August 2023.**

**APPROVED:**

\_\_\_\_\_  
Jaclyn Carrington, Mayor

**ATTEST:**

\_\_\_\_\_  
Shannon Montgomery, TRMC, Town Secretary

**State of Texas       §**  
**County of Denton   §**

Before me, Shannon Montgomery, a Notary Public in and for said County and State, on this day personally appeared Jaclyn Carrington, Mayor of the Town of Bartonville, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of the office this the 15th day of August 2023.

\_\_\_\_\_  
Shannon Montgomery,  
Notary





# TOWN COUNCIL COMMUNICATION

**DATE** August 15, 2023

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Discuss and consider accepting of the submission of the no-new revenue and voter-approval tax rate calculations; take action to consider a proposed tax rate for public input and consideration at the September 19, 2023 Regular Town Council meeting.

**SUMMARY:**

The purpose of this item is to vote on a preliminary maximum tax rate for the 2023 Tax year. ***Please note that during the final tax rate adoption process in September, Council can approve a lower rate at that time, however, will not be able to adopt a higher rate.***

The Town is required by Chapter 26 of the Property Tax Code:

- To determine and publish the no new revenue tax rate the voter approval tax rate
- Decide how much revenue is needed and calculate the rate required to raise that amount
- Publish notices, and if the tax rate will exceed the no new revenue rate, hold one public hearing.
- Adopt a tax rate

On August 11, 2023, the Town received the No New Revenue, Voter Approval Tax Rate, and the De minimus Rate Calculations from the Town's Accounting Consultant for the 2023 Tax Year.

The No-new-revenue rate is a calculated rate that would provide the town with about the same amount of revenues it received the year before on properties taxed in both years. The Voter-approval Rate is a calculated maximum rate allowed by law without voter approval.

Property Tax Rate Per \$100 of valuation:

<b>Current Rate</b>	<b>\$0.173646</b>
<b>No-new-revenue Rate</b>	<b>\$0.145698</b>
<b>Voter-approval Rate</b>	<b>\$0.163082</b>
<b>De minimis Rate</b>	<b>\$0.229670</b>

In accordance with Texas Tax Code Chapter 26 Assessment, a public hearing is required if the proposed property tax rate **exceeds the no-new revenue or voter-approval rate**. The language in the notice is stipulated by the State of Texas and cannot be added to in order to provide context.

# 2023 Tax Rate Calculation Worksheet

## Taxing Units Other Than School Districts or Water Districts

Town of Bartonville

817-693-5280

Taxing Unit Name

Phone (area code and number)

1941 E. Jeter Road, Bartonville, TX 76226

www.townofbartonville.com

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

**GENERAL INFORMATION:** Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

### SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	<b>2022 total taxable value.</b> Enter the amount of 2022 taxable value on the 2022 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). <sup>1</sup>	\$ 575,579,180
2.	<b>2022 tax ceilings.</b> Counties, cities and junior college districts. Enter 2022 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step. <sup>2</sup>	\$ 106,964,222
3.	<b>Preliminary 2022 adjusted taxable value.</b> Subtract Line 2 from Line 1.	\$ 468,614,958
4.	<b>2022 total adopted tax rate.</b>	\$ 0.173646 /\$100
5.	<b>2022 taxable value lost because court appeals of ARB decisions reduced 2022 appraised value.</b>	
	A. <b>Original 2022 ARB values:</b> ..... \$ 5,683,869	\$ 650,106
	B. <b>2022 values resulting from final court decisions:</b> ..... - \$ 5,033,763	
	C. <b>2022 value loss.</b> Subtract B from A. <sup>3</sup>	
6.	<b>2022 taxable value subject to an appeal under Chapter 42, as of July 25.</b>	
	A. <b>2022 ARB certified value:</b> ..... \$ 23,678,629	\$ 18,942,903
	B. <b>2022 disputed value:</b> ..... - \$ 4,735,726	
	C. <b>2022 undisputed value.</b> Subtract B from A. <sup>4</sup>	
7.	<b>2022 Chapter 42 related adjusted values.</b> Add Line 5C and Line 6C.	\$ 19,593,009

<sup>1</sup> Tex. Tax Code §26.012(14)

<sup>2</sup> Tex. Tax Code §26.012(14)

<sup>3</sup> Tex. Tax Code §26.012(13)

<sup>4</sup> Tex. Tax Code §26.012(13)

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Line	No-New-Revenue Tax Rate Worksheet	Amount
8.	<b>2022 taxable value, adjusted for actual and potential court-ordered adjustments.</b> Add Line 3 and Line 7.	\$ 488,207,967
9.	<b>2022 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2022.</b> Enter the 2022 value of property in deannexed territory. <sup>5</sup>	\$ 0
10.	<p><b>2022 taxable value lost because property first qualified for an exemption in 2023.</b> If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2023 does not create a new exemption or reduce taxable value.</p> <p><b>A. Absolute exemptions.</b> Use 2022 market value: ..... \$ <u>186,590</u></p> <p><b>B. Partial exemptions.</b> 2023 exemption amount or 2023 percentage exemption times 2022 value: ..... + \$ <u>307,638</u></p> <p><b>C. Value loss.</b> Add A and B.<sup>6</sup></p>	\$ 494,228
11.	<p><b>2022 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2023.</b> Use only properties that qualified in 2023 for the first time; do not use properties that qualified in 2022.</p> <p><b>A. 2022 market value:</b> ..... \$ <u>457,495</u></p> <p><b>B. 2023 productivity or special appraised value:</b> ..... - \$ <u>111</u></p> <p><b>C. Value loss.</b> Subtract B from A.<sup>7</sup></p>	\$ 457,384
12.	<b>Total adjustments for lost value.</b> Add Lines 9, 10C and 11C.	\$ 951,612
13.	<b>2022 captured value of property in a TIF.</b> Enter the total value of 2022 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2022 taxes were deposited into the tax increment fund. <sup>8</sup> If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 0
14.	<b>2022 total value.</b> Subtract Line 12 and Line 13 from Line 8.	\$ 487,256,355
15.	<b>Adjusted 2022 total levy.</b> Multiply Line 4 by Line 14 and divide by \$100.	\$ 846,101
16.	<b>Taxes refunded for years preceding tax year 2022.</b> Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2022. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. <sup>9</sup>	\$ 3,555
17.	<b>Adjusted 2022 levy with refunds and TIF adjustment.</b> Add Lines 15 and 16. <sup>10</sup>	\$ 849,656
18.	<p><b>Total 2023 taxable value on the 2023 certified appraisal roll today.</b> This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled.<sup>11</sup></p> <p><b>A. Certified values:</b> ..... \$ <u>635,941,052</u></p> <p><b>B. Counties:</b> Include railroad rolling stock values certified by the Comptroller's office: ..... + \$ _____</p> <p><b>C. Pollution control and energy storage system exemption:</b> Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: ..... - \$ <u>0</u></p> <p><b>D. Tax increment financing:</b> Deduct the 2023 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2023 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below.<sup>12</sup> ..... - \$ <u>0</u></p> <p><b>E. Total 2023 value.</b> Add A and B, then subtract C and D.</p>	\$ 635,941,052

<sup>5</sup> Tex. Tax Code §26.012(15)  
<sup>6</sup> Tex. Tax Code §26.012(15)  
<sup>7</sup> Tex. Tax Code §26.012(15)  
<sup>8</sup> Tex. Tax Code §26.03(c)  
<sup>9</sup> Tex. Tax Code §26.012(13)  
<sup>10</sup> Tex. Tax Code §26.012(13)  
<sup>11</sup> Tex. Tax Code §26.012, 26.04(c-2)  
<sup>12</sup> Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount
19.	<p><b>Total value of properties under protest or not included on certified appraisal roll.</b> <sup>13</sup></p> <p><b>A. 2023 taxable value of properties under protest.</b> The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. <sup>14</sup> ..... \$ <u>25,543,136</u></p> <p><b>B. 2023 value of properties not under protest or included on certified appraisal roll.</b> The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. <sup>15</sup> ..... + \$ <u>0</u></p> <p><b>C. Total value under protest or not certified.</b> Add A and B. \$ <u>25,543,136</u></p>	
20.	<b>2023 tax ceilings.</b> Counties, cities and junior colleges enter 2023 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step. <sup>16</sup>	\$ <u>112,129,471</u>
21.	<b>2023 total taxable value.</b> Add Lines 18E and 19C. Subtract Line 20. <sup>17</sup>	\$ <u>597,450,936</u>
22.	<b>Total 2023 taxable value of properties in territory annexed after Jan. 1, 2022.</b> Include both real and personal property. Enter the 2023 value of property in territory annexed. <sup>18</sup>	\$ <u>0</u>
23.	<b>Total 2023 taxable value of new improvements and new personal property located in new improvements.</b> New means the item was not on the appraisal roll in 2022. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2022 and be located in a new improvement. New improvements <b>do</b> include property on which a tax abatement agreement has expired for 2023. <sup>19</sup>	\$ <u>14,287,586</u>
24.	<b>Total adjustments to the 2023 taxable value.</b> Add Lines 22 and 23.	\$ <u>14,287,586</u>
25.	<b>Adjusted 2023 taxable value.</b> Subtract Line 24 from Line 21.	\$ <u>583,163,350</u>
26.	<b>2023 NNR tax rate.</b> Divide Line 17 by Line 25 and multiply by \$100. <sup>20</sup>	\$ <u>0.145698</u> /\$100
27.	<b>COUNTIES ONLY.</b> Add together the NNR tax rates for each type of tax the county levies. The total is the 2023 county NNR tax rate. <sup>21</sup>	\$ _____ /\$100

**SECTION 2: Voter-Approval Tax Rate**

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	<b>2022 M&amp;O tax rate.</b> Enter the 2022 M&O tax rate.	\$ <u>0.173646</u> /\$100
29.	<b>2022 taxable value, adjusted for actual and potential court-ordered adjustments.</b> Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>488,207,967</u>

<sup>13</sup> Tex. Tax Code §26.01(c) and (d)  
<sup>14</sup> Tex. Tax Code §26.01(c)  
<sup>15</sup> Tex. Tax Code §26.01(d)  
<sup>16</sup> Tex. Tax Code §26.012(6)(B)  
<sup>17</sup> Tex. Tax Code §26.012(6)  
<sup>18</sup> Tex. Tax Code §26.012(17)  
<sup>19</sup> Tex. Tax Code §26.012(17)  
<sup>20</sup> Tex. Tax Code §26.04(c)  
<sup>21</sup> Tex. Tax Code §26.04(d)

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Line	Voter-Approval Tax Rate Worksheet	Amount
30.	<b>Total 2022 M&amp;O levy.</b> Multiply Line 28 by Line 29 and divide by \$100	\$ 847,754
31.	<p><b>Adjusted 2022 levy for calculating NNR M&amp;O rate.</b></p> <p><b>A. M&amp;O taxes refunded for years preceding tax year 2022.</b> Enter the amount of M&amp;O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. .... + \$ <u>3,555</u></p> <p><b>B. 2022 taxes in TIF.</b> Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2023 captured appraised value in Line 18D, enter 0. .... - \$ <u>0</u></p> <p><b>C. 2022 transferred function.</b> If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. .... +/- \$ <u>0</u></p> <p><b>D. 2022 M&amp;O levy adjustments.</b> Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. .... \$ <u>3,555</u></p> <p><b>E.</b> Add Line 30 to 31D.</p>	\$ 851,309
32.	<b>Adjusted 2023 taxable value.</b> Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 583,163,350
33.	<b>2023 NNR M&amp;O rate (unadjusted).</b> Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.145981 /\$100
34.	<p><b>Rate adjustment for state criminal justice mandate.</b> <sup>23</sup>  <b>If not applicable or less than zero, enter 0.</b></p> <p><b>A. 2023 state criminal justice mandate.</b> Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ <u>0</u></p> <p><b>B. 2022 state criminal justice mandate.</b> Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. .... - \$ <u>0</u></p> <p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100. .... \$ <u>0</u> /\$100</p> <p><b>D.</b> Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0 /\$100
35.	<p><b>Rate adjustment for indigent health care expenditures.</b> <sup>24</sup>  <b>If not applicable or less than zero, enter 0.</b></p> <p><b>A. 2023 indigent health care expenditures.</b> Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose. .... \$ <u>0</u></p> <p><b>B. 2022 indigent health care expenditures.</b> Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state assistance received for the same purpose. .... - \$ <u>0</u></p> <p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100. .... \$ <u>0</u> /\$100</p> <p><b>D.</b> Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0 /\$100

<sup>22</sup> [Reserved for expansion]  
<sup>23</sup> Tex. Tax Code §26.044  
<sup>24</sup> Tex. Tax Code §26.0441

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Line	Voter-Approval Tax Rate Worksheet	Amount
36.	<p><b>Rate adjustment for county indigent defense compensation.</b> <sup>25</sup>  <b>If not applicable or less than zero, enter 0.</b></p> <p><b>A. 2023 indigent defense compensation expenditures.</b> Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose..... \$ <u>0</u></p> <p><b>B. 2022 indigent defense compensation expenditures.</b> Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state grants received by the county for the same purpose..... \$ <u>0</u></p> <p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100..... \$ <u>0</u> /\$100</p> <p><b>D.</b> Multiply B by 0.05 and divide by Line 32 and multiply by \$100..... \$ <u>0</u> /\$100</p> <p><b>E.</b> Enter the lesser of C and D. If not applicable, enter 0.</p>	\$ <u>0</u> /\$100
37.	<p><b>Rate adjustment for county hospital expenditures.</b> <sup>26</sup>  <b>If not applicable or less than zero, enter 0.</b></p> <p><b>A. 2023 eligible county hospital expenditures.</b> Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. .... \$ <u>0</u></p> <p><b>B. 2022 eligible county hospital expenditures.</b> Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2021 and ending on June 30, 2022. .... \$ <u>0</u></p> <p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100..... \$ <u>0</u> /\$100</p> <p><b>D.</b> Multiply B by 0.08 and divide by Line 32 and multiply by \$100..... \$ <u>0</u> /\$100</p> <p><b>E.</b> Enter the lesser of C and D, if applicable. If not applicable, enter 0.</p>	\$ <u>0</u> /\$100
38.	<p><b>Rate adjustment for defunding municipality.</b> This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.</p> <p><b>A. Amount appropriated for public safety in 2022.</b> Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year ..... \$ <u>0</u></p> <p><b>B. Expenditures for public safety in 2022.</b> Enter the amount of money spent by the municipality for public safety during the preceding fiscal year ..... \$ <u>0</u></p> <p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100 ..... \$ <u>0</u> /\$100</p> <p><b>D.</b> Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ <u>0</u> /\$100
39.	<p><b>Adjusted 2023 NNR M&amp;O rate.</b> Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.</p>	\$ <u>0.145981</u> /\$100
40.	<p><b>Adjustment for 2022 sales tax specifically to reduce property taxes.</b> Cities, counties and hospital districts that collected and spent additional sales tax on M&amp;O expenses in 2022 should complete this line. These entities will deduct the sales tax gain rate for 2023 in Section 3. Other taxing units, enter zero.</p> <p><b>A.</b> Enter the amount of additional sales tax collected and spent on M&amp;O expenses in 2022, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent ..... \$ <u>0</u></p> <p><b>B.</b> Divide Line 40A by Line 32 and multiply by \$100 ..... \$ <u>0</u> /\$100</p> <p><b>C.</b> Add Line 40B to Line 39.</p>	\$ <u>0.145981</u> /\$100
41.	<p><b>2023 voter-approval M&amp;O rate.</b> Enter the rate as calculated by the appropriate scenario below.</p> <p><b>Special Taxing Unit.</b> If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08.</p> <p>- or -</p> <p><b>Other Taxing Unit.</b> If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.</p>	\$ <u>0.151090</u> /\$100

<sup>25</sup> Tex. Tax Code §26.0442  
<sup>26</sup> Tex. Tax Code §26.0443

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Line	Voter-Approval Tax Rate Worksheet	Amount
<b>D41.</b>	<p><b>Disaster Line 41 (D41): 2023 voter-approval M&amp;O rate for taxing unit affected by disaster declaration.</b> If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of</p> <p>1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or</p> <p>2) the third tax year after the tax year in which the disaster occurred</p> <p>If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. <sup>27</sup> If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).</p>	\$ <u>0</u> /\$100
<b>42.</b>	<p><b>Total 2023 debt to be paid with property taxes and additional sales tax revenue.</b> Debt means the interest and principal that will be paid on debts that:</p> <p>(1) are paid by property taxes,</p> <p>(2) are secured by property taxes,</p> <p>(3) are scheduled for payment over a period longer than one year, and</p> <p>(4) are not classified in the taxing unit's budget as M&amp;O expenses.</p> <p><b>A. Debt</b> also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. <sup>28</sup></p> <p>Enter debt amount ..... \$ <u>0</u></p> <p><b>B.</b> Subtract <b>unencumbered fund amount</b> used to reduce total debt. .... - \$ <u>0</u></p> <p><b>C.</b> Subtract <b>certified amount spent from sales tax to reduce debt</b> (enter zero if none) ..... - \$ <u>0</u></p> <p><b>D.</b> Subtract <b>amount paid</b> from other resources ..... - \$ <u>0</u></p> <p><b>E. Adjusted debt.</b> Subtract B, C and D from A. .... \$ <u>0</u></p>	\$ <u>0</u>
<b>43.</b>	<b>Certified 2022 excess debt collections.</b> Enter the amount certified by the collector. <sup>29</sup>	\$ <u>0</u>
<b>44.</b>	<b>Adjusted 2023 debt.</b> Subtract Line 43 from Line 42E.	\$ <u>0</u>
<b>45.</b>	<p><b>2023 anticipated collection rate.</b></p> <p><b>A.</b> Enter the 2023 anticipated collection rate certified by the collector. <sup>30</sup> ..... <u>100.00</u> %</p> <p><b>B.</b> Enter the 2022 actual collection rate. .... <u>100.01</u> %</p> <p><b>C.</b> Enter the 2021 actual collection rate. .... <u>101.02</u> %</p> <p><b>D.</b> Enter the 2020 actual collection rate. .... <u>96.26</u> %</p> <p><b>E.</b> If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. <sup>31</sup></p>	\$ <u>100.00</u> %
<b>46.</b>	<b>2023 debt adjusted for collections.</b> Divide Line 44 by Line 45E.	\$ <u>0</u>
<b>47.</b>	<b>2023 total taxable value.</b> Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>597,450,936</u>
<b>48.</b>	<b>2023 debt rate.</b> Divide Line 46 by Line 47 and multiply by \$100.	\$ <u>0</u> /\$100
<b>49.</b>	<b>2023 voter-approval tax rate.</b> Add Lines 41 and 48.	\$ <u>0.151090</u> /\$100
<b>D49.</b>	<p><b>Disaster Line 49 (D49): 2023 voter-approval tax rate for taxing unit affected by disaster declaration.</b> Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.</p>	\$ <u>0</u> /\$100

<sup>27</sup> Tex. Tax Code §26.042(a)  
<sup>28</sup> Tex. Tax Code §26.012(7)  
<sup>29</sup> Tex. Tax Code §26.012(10) and 26.04(b)  
<sup>30</sup> Tex. Tax Code §26.04(b)  
<sup>31</sup> Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount
50.	<b>COUNTIES ONLY.</b> Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2023 county voter-approval tax rate.	\$ _____ /\$100

**SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes**

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue. This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	<b>Taxable Sales.</b> For taxing units that adopted the sales tax in November 2022 or May 2023, enter the Comptroller’s estimate of taxable sales for the previous four quarters. <sup>32</sup> Estimates of taxable sales may be obtained through the Comptroller’s Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2022, enter 0.	\$ 0
52.	<b>Estimated sales tax revenue.</b> Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. <sup>33</sup>  <b>Taxing units that adopted the sales tax in November 2022 or in May 2023.</b> Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. <sup>34</sup> <b>- or -</b> <b>Taxing units that adopted the sales tax before November 2022.</b> Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ 0
53.	<b>2023 total taxable value.</b> Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 597,450,936
54.	<b>Sales tax adjustment rate.</b> Divide Line 52 by Line 53 and multiply by \$100.	\$ 0 /\$100
55.	<b>2023 NNR tax rate, unadjusted for sales tax.</b> <sup>35</sup> Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.145698 /\$100
56.	<b>2023 NNR tax rate, adjusted for sales tax.</b> <b>Taxing units that adopted the sales tax in November 2022 or in May 2023.</b> Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2022.	\$ 0.145698 /\$100
57.	<b>2023 voter-approval tax rate, unadjusted for sales tax.</b> <sup>36</sup> Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.151090 /\$100
58.	<b>2023 voter-approval tax rate, adjusted for sales tax.</b> Subtract Line 54 from Line 57.	\$ 0.151090 /\$100

**SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control**

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit’s expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	<b>Certified expenses from the Texas Commission on Environmental Quality (TCEQ).</b> Enter the amount certified in the determination letter from TCEQ. <sup>37</sup> The taxing unit shall provide its tax assessor-collector with a copy of the letter. <sup>38</sup>	\$ 0
60.	<b>2023 total taxable value.</b> Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 597,450,936
61.	<b>Additional rate for pollution control.</b> Divide Line 59 by Line 60 and multiply by \$100.	\$ 0 /\$100
62.	<b>2023 voter-approval tax rate, adjusted for pollution control.</b> Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ .0151090 /\$100

<sup>32</sup> Tex. Tax Code §26.041(d)  
<sup>33</sup> Tex. Tax Code §26.041(i)  
<sup>34</sup> Tex. Tax Code §26.041(d)  
<sup>35</sup> Tex. Tax Code §26.04(c)  
<sup>36</sup> Tex. Tax Code §26.04(c)  
<sup>37</sup> Tex. Tax Code §26.045(d)  
<sup>38</sup> Tex. Tax Code §26.045(i)



**SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate**

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The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate adjusted to remove the unused increment rate for the prior three years.<sup>39</sup> In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020;<sup>40</sup>
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);<sup>41</sup> or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.<sup>42</sup>

Individual components can be negative, but the overall rate would be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.<sup>43</sup>

Line	Unused Increment Rate Worksheet	Amount/Rate
<b>63.</b>	<b>Year 3 component.</b> Subtract the 2022 actual tax rate and the 2022 unused increment rate from the 2022 voter-approval tax rate.	
	<b>A.</b> Voter-approval tax rate (Line 67).....	\$ <u>0.205172</u> /\$100
	<b>B.</b> Unused increment rate (Line 66).....	\$ <u>0.042033</u> /\$100
	<b>C.</b> Subtract B from A.....	\$ <u>0.163139</u> /\$100
	<b>D.</b> Adopted Tax Rate.....	\$ <u>0.173646</u> /\$100
	<b>E.</b> Subtract D from C.....	\$ <u>0.015070</u> /\$100
<b>64.</b>	<b>Year 2 component.</b> Subtract the 2021 actual tax rate and the 2021 unused increment rate from the 2021 voter-approval tax rate.	
	<b>A.</b> Voter-approval tax rate (Line 67).....	\$ <u>0.215679</u> /\$100
	<b>B.</b> Unused increment rate (Line 66).....	\$ <u>0.019534</u> /\$100
	<b>C.</b> Subtract B from A.....	\$ <u>0.196145</u> /\$100
	<b>D.</b> Adopted Tax Rate.....	\$ <u>0.173646</u> /\$100
	<b>E.</b> Subtract D from C.....	\$ <u>0.022499</u> /\$100
<b>65.</b>	<b>Year 1 component.</b> Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate.	
	<b>A.</b> Voter-approval tax rate (Line 65).....	\$ <u>0.215439</u> /\$100
	<b>B.</b> Unused increment rate (Line 64).....	\$ <u>0.022499</u> /\$100
	<b>C.</b> Subtract B from A.....	\$ <u>0.192940</u> /\$100
	<b>D.</b> Adopted Tax Rate.....	\$ <u>0.192940</u> /\$100
	<b>E.</b> Subtract D from C.....	\$ <u>0</u> /\$100
<b>66.</b>	<b>2023 unused increment rate.</b> Add Lines 63E, 64E and 65E.	\$ <u>0.011992</u> /\$100
<b>67.</b>	<b>Total 2023 voter-approval tax rate, including the unused increment rate.</b> Add Line 66 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	\$ <u>0.163082</u> /\$100

<sup>39</sup> Tex. Tax Code §26.013(a)  
<sup>40</sup> Tex. Tax Code §26.013(c)  
<sup>41</sup> Tex. Tax Code §§26.0501(a) and (c)  
<sup>42</sup> Tex. Local Gov't Code §120.007(d), effective Jan. 1, 2022  
<sup>43</sup> Tex. Tax Code §26.063(a)(1)  
<sup>44</sup> Tex. Tax Code §26.012(8-a)  
<sup>45</sup> Tex. Tax Code §26.063(a)(1)

**SECTION 6: De Minimis Rate**

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.<sup>44</sup> This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.<sup>45</sup>

Line	De Minimis Rate Worksheet	Amount/Rate
68.	<b>Adjusted 2023 NNR M&amp;O tax rate.</b> Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i>	\$ 0.145981 /\$100
69.	<b>2023 total taxable value.</b> Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 597,450,936
70.	<b>Rate necessary to impose \$500,000 in taxes.</b> Divide \$500,000 by Line 69 and multiply by \$100.	\$ 0.083689 /\$100
71.	<b>2023 debt rate.</b> Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0 /\$100
72.	<b>De minimis rate.</b> Add Lines 68, 70 and 71.	\$ 0.229670 /\$100

**SECTION 7: Voter Approval Tax Rate Adjustment for Emergency Revenue Rate**

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.<sup>46</sup>

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.<sup>47</sup>

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
73.	<b>2022 adopted tax rate.</b> Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.173646 /\$100
74.	<b>Adjusted 2022 voter-approval tax rate.</b> Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line.  If a disaster occurred in 2022 and the taxing unit calculated its 2022 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2022 worksheet due to a disaster, complete the applicable sections or lines of Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet. - or - If a disaster occurred prior to 2022 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2022, complete the separate <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2022 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster. <sup>48</sup> Enter the final adjusted 2022 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2022 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ 0 /\$100
75.	<b>Increase in 2022 tax rate due to disaster.</b> Subtract Line 74 from Line 73.	\$ 0.173646 /\$100
76.	<b>Adjusted 2022 taxable value.</b> Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 487,256,355
77.	<b>Emergency revenue.</b> Multiply Line 75 by Line 76 and divide by \$100.	\$ 846,101
78.	<b>Adjusted 2023 taxable value.</b> Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 583,163,350
79.	<b>Emergency revenue rate.</b> Divide Line 77 by Line 78 and multiply by \$100. <sup>49</sup>	\$ 0 /\$100

<sup>46</sup> Tex. Tax Code §26.042(b)

<sup>47</sup> Tex. Tax Code §26.042(f)

<sup>48</sup> Tex. Tax Code §26.042(c)

<sup>49</sup> Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount	Item 16.
80.	<b>2023 voter-approval tax rate, adjusted for emergency revenue.</b> Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	\$ <u>0.163082</u> /\$100	

**SECTION 8: Total Tax Rate**

Indicate the applicable total tax rates as calculated above.

**No-new-revenue tax rate.** ..... \$ 0.145698 /\$100  
 As applicable, enter the 2023 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).  
 Indicate the line number used: \_\_\_\_\_

**Voter-approval tax rate.** ..... \$ 0.163082 /\$100  
 As applicable, enter the 2023 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue).  
 Indicate the line number used: \_\_\_\_\_

**De minimis rate.** ..... \$ 0.229670 /\$100  
 If applicable, enter the 2023 de minimis rate from Line 72.

**SECTION 9: Taxing Unit Representative Name and Signature**

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.<sup>50</sup>

**print here** ➡

\_\_\_\_\_  
 Printed Name of Taxing Unit Representative

**sign here** ➡

\_\_\_\_\_  
 Taxing Unit Representative

\_\_\_\_\_  
 Date

<sup>50</sup> Tex. Tax Code §§26.04(c-2) and (d-2)



# TOWN COUNCIL COMMUNICATION

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**DATE** August 15, 2023

**FROM:** Ed Voss, Town Attorney

**AGENDA ITEM:** Discuss and consider a Development Agreement between the Town of Bartonville and Hines Acquisitions, LLC.

**SUMMARY:**

Discuss and consider a Development Agreement between the Town of Bartonville and Hines Acquisitions, LLC.