



TOWN COUNCIL REGULAR MEETING AGENDA

November 19, 2024 at 6:30 PM

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

A. CALL MEETING TO ORDER

B. PLEDGE OF ALLEGIANCE

C. 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 551.089 Security Devices or Security Audits: IT Network Security.

D. RECONVENE OPEN MEETING

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

E. 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 Public Participation portion of the meeting or when the item is considered by the Town Council.

F. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Upper Trinity Regional Water District Report.
- [2.](#) Denton County Emergency Services District #1.
- [3.](#) Police Department – October 2024 Statistics/Activities.
- [4.](#) Administration – October 2024 Reports: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Board Member Attendance.

G. 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 October 15, 2024, Regular Meeting Minutes.

2. Consider approval of an Ordinance amending, Chapter 7, "Municipal Court", Article 7.01, "General Provisions," Section 7.01.005, "Court Clerk," and Section 7.01.006, "Prosecuting Attorney."
3. Consider approval of a Resolution appointing Andrea Carpenter as Municipal Court Clerk and Caprice Garcia as Municipal Court Prosecuting Attorney.
4. Consider approval of a Resolution authorizing the Bank Account Signatories for the Town of Bartonville bank accounts at Independent Financial Bank.
5. Consider approval of a Resolution repealing Resolution No. 2013-03, dated February 19, 2013, in its entirety.

H. PUBLIC HEARINGS AND REGULAR ITEMS

1. Discuss and consider approval of a Consulting Services Agreement between Datamax Technology Solutions Group and the Town of Bartonville to provide IT services; and authorize the Acting Town Administrator to execute same on behalf of the Town.
2. Discuss and consider awarding a Solid Waste and Recycling Contract and authorize the Mayor and Acting Town Administrator to begin negotiations with said company for solid waste and recycling services to begin January 1, 2025.
3. Discuss and consider approval of an Ordinance amending the Town's Budget for the Fiscal Year beginning October 1, 2024, and ending September 30, 2025, as adopted by Ordinance 772-24; providing for adjustments to the General Fund and Bartonville Crime Control and Prevention District Fund.
4. Discuss and consider approval of a Resolution establishing a Covered Applications and Prohibited Technology Policy as required by Government Code Chapter 620 and the Office of the Governor's directive regarding the installation and use of prohibited technologies on personal devices used to conduct Town of Bartonville business.

I. 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 551.074 Personnel Matters to deliberate and consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: Town Secretary.
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: Acting Town Administrator.
3. 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 Attorney.
4. 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.

J. RECONVENE OPEN MEETING

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

K. FUTURE ITEMS

L. ADJOURNMENT

The Town Council reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551.

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: Friday, November 15, 2024, prior to 8:00 pm.

Agenda Removed from Town of Bartonville Bulletin Board on: _____

By: _____, Title: _____



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024
FROM: Ricky Vaughan, Fire Chief, Denton County ESD No. 1
AGENDA ITEM: Denton County Emergency Services District #1 Monthly Report

SUMMARY:

Department Statistics/Activities

ATTACHMENTS:

- Monthly Report

Denton County

ESD No. 1

Monthly Report



Monthly Activity Report

OCTOBER

2024



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DCESD 1 Personnel	3
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Denton County ESD No. 1

OCTOBER 2024

DCESD1 Personnel

Operations

Battalion Chiefs	3
Officers - Captains	9
Apparatus Operators (Engineers)	9
Full-Time Firefighters (active)	29
Part-Time Employees (active)	10
Injuries/light duty/inactive	2
Total Members	62

Fire Administration

Fire Chief	1
Assistant Chief	1
Division Chiefs	3
Administrative Assistant	1
Director of Communications & Public Outreach	1
Total	7

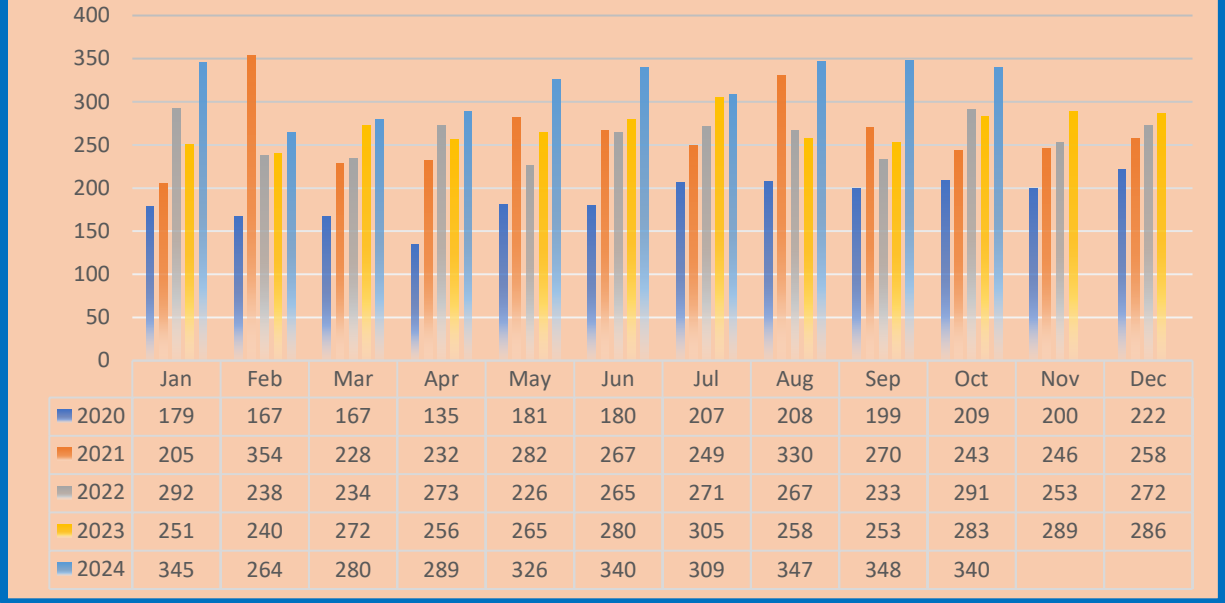
Department Paid Total 69

Sworn Staff	67
Civilians	2
Operational Volunteers	5
Department Total	74

DCESD Total Incident Count



**COMPARISON OF INCIDENTS
OVER THE PAST 5 YEARS MONTH-BY-MONTH**

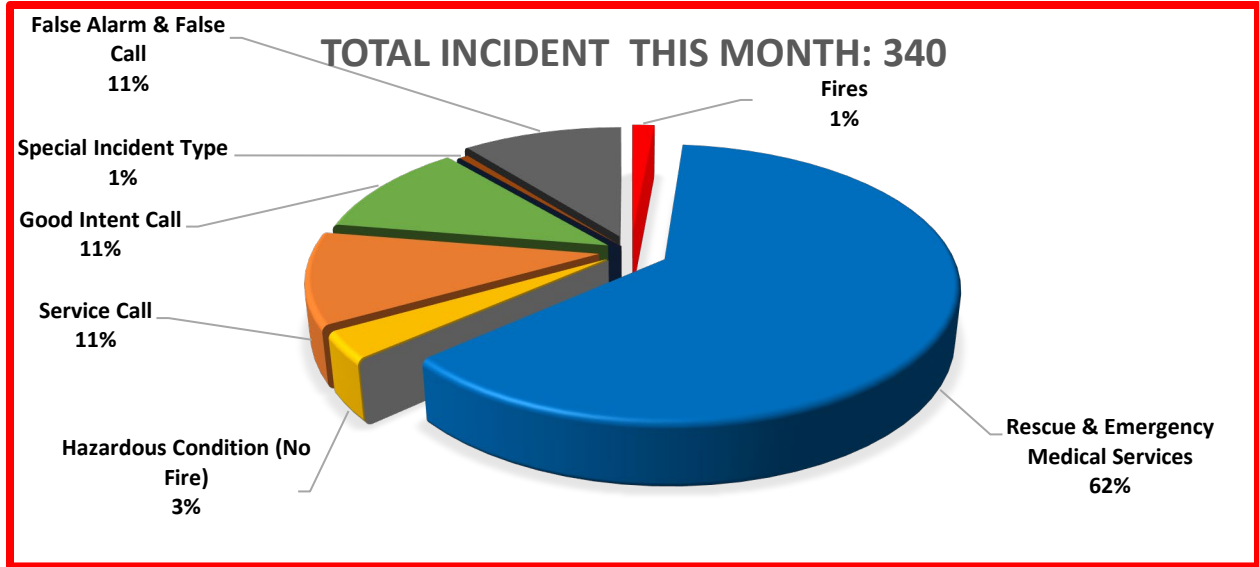


Year-to-Date Totals

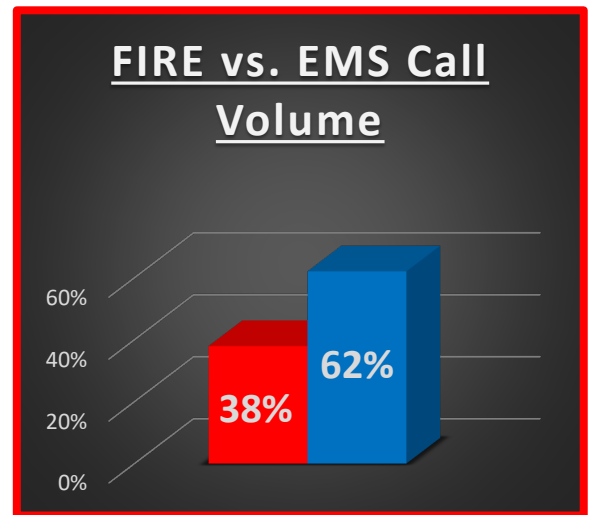


DCESD	YTD	Year End
2020	1832	2254
2021	2660	3164
2022	2590	3115
2023	2663	3238
2024	3188	

INCIDENT STATISTICS



Major Incident Types		
Fires	100's	5
Overpressure rupture, explosion – no fire	200's	0
Rescue & Emergency Medical Services	300's	211
Hazardous Condition (No Fire)	400's	11
Service Call	500's	37
Good Intent Call	600's	38
False Alarm / False Call	700's	36
Severe Weather & Natural Disaster	800's	0
Special Incident Type	900's	2



Percentage of Overlapping Calls

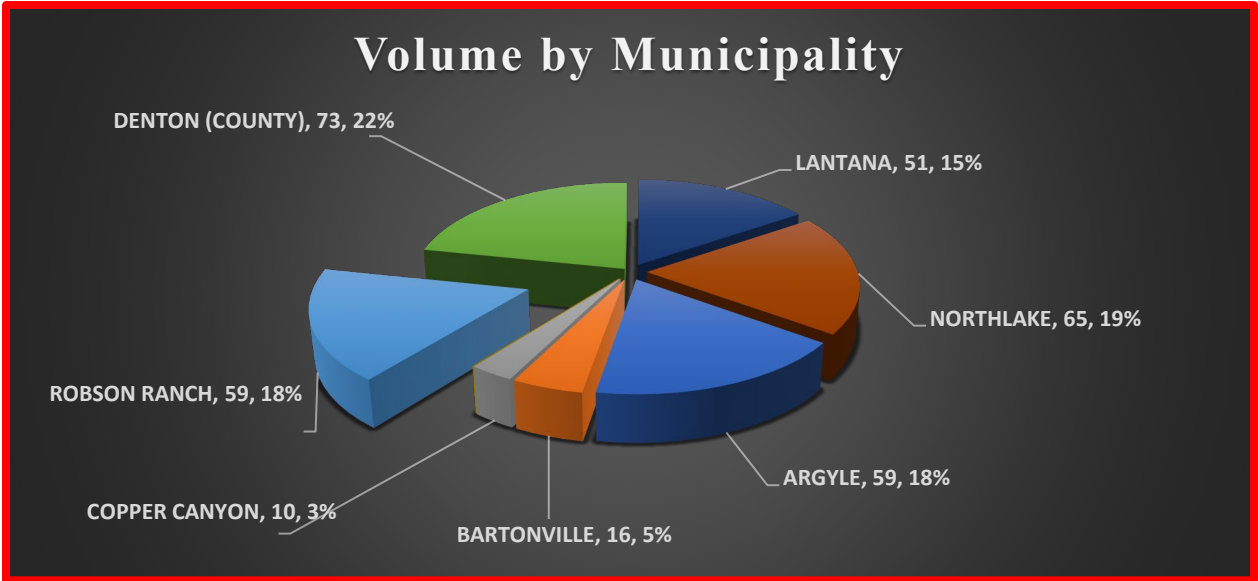
Overlapping Calls	
# OVERLAPPING	% OVERLAPPING
40	12%

Municipality Call Volume Breakdown



Denton County ESD No. 1

OCTOBER 2024



NFIRS INCIDENT TYPE	NFIRS #	Municipality							
		ARGYLE	BARTONVILLE	COPPER CANYON	CORRAL CITY	LANTANA	NORTHLAKE	Robson Ranch	DENTON COUNTY
Fire	100's	2				1		1	1
Overpressure Rupture, Explosion, Overheat	200's								
Rescue & Emergency Medical Services	300's	34	9	5		30	40	40	51
Hazardous Condition	400's	4	2			2	2		1
Service Call	500's	9	2	2		6	1	10	6
Good Intent Call	600's	7	3	3		4	9	3	6
False Alarm False Call	700's	2				8	13	5	8
Severe Weather & Natural Disaster	800's								
Special Incident Type	900's	1							
Municipality Totals		59	16	10	0	51	65	59	73

NFIRS Breakdown

100's – Fire Group

Structure, wildland, and vehicle fires.

200's – Overpressure Rupture, explosion, overhear – No Fire Group

Steam, air, gas, chemical, explosions(no-fire), etc.

300's – Rescue & Emergency Medical Service Group

EMS Incidents, lock-in, missing person, extrication, motor vehicle accidents, rescues, etc.

400's – Hazardous Conditions – No Fire Group

Gas leak, chemical hazards, power line down, biological incident, bomb removal, etc.

500's – Service Call Group

Person in distress, water evacuation, smoke/odor removal, animal rescue, assist PD, etc.

600's – Good Intent Group

Cancelled en route, controlled burning, wrong location, prescribed burn, etc.

700's – False Alarm & False Call Group

False alarm, malicious false call, unintentional system/detector operation and malfunction

800's – Severe Weather & Natural Disaster Group

Flood, wind, lightning, natural disaster assessment

900's – Special Incident Type

Citizen Complaint, Code Violation

Incident Response Times



Denton County ESD No. 1

OCTOBER 2024

90th Percentile Assessment

Lights and Sirens – 90 th Percentile Time (Dispatch to Arrival)	
Overall Fire/EMS	10:38
Overall FIRE	10:40
Overall EMS	10:30

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)

90th Percentile per Municipality					
ARGYLE	BARTONVILLE	COPPER CANYON	CORRAL CITY	LANTANA	NORTHLAKE
10:16	9:38	8:50	0:00	9:31	11:10

Average Response and Turnout Time Assessment

RESPONSE MODE	TOTAL RESPONDING UNITS	AVERAGE RESPONSE TIME (minutes)
Initial Lights and Sirens, Downgraded to No Lights or Sirens	3	14:31
Initial No Lights or Sirens, Upgraded to Lights and Sirens	0	0:00
Lights and Sirens	282	7:07
No Lights or Sirens	21	5:15

Average Response Time per Municipality					
ARGYLE	BARTONVILLE	COPPER CANYON	CORRAL CITY	LANTANA	NORTHLAKE
6:03	6:41	7:31	0:00	6:05	8:16

Public Education



Community Outreach Events

Fire Station Tours	3
Public Education Events	27
Ride Along (EMS Students/Orientation)	12
Community CPR Classes	2
- Total CPR Students	20
Total Events	44

Training Division

Total ISO Training Hours Logged / Month	1986.9
- EMS Training Hours Logged / Month	512
- FIRE Training Hours Logged / Month	1365.9
- Administrative Training / Month	109

Fire Inspection Report

INSPECTION TYPE	MONTHLY	YEAR TO DATE
*Fire Protection- Fire Alarm (Total)	0	2
*Fire Protection Commercial Sprinkler (Total)	2	20
*Annual (Total)	1	6
*Residential Sprinkler (Total)	14	96
*Fire Protection Inspection: Underground (Total)	0	8
* Controlled Access (Total)	1	3
* Certificate of Occupancy (Total)	6	51
* Compliant (Total)	0	2
Total:	24	188



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024
FROM: Kirk Riggs, Acting Town Administrator / Chief of Police
AGENDA ITEM: Police Department – Department Statistics/Activities

SUMMARY:

Department Statistics/Activities.

ATTACHMENTS:

- Monthly Report

Town of Bartonville Police Department

October 2024 Monthly Report



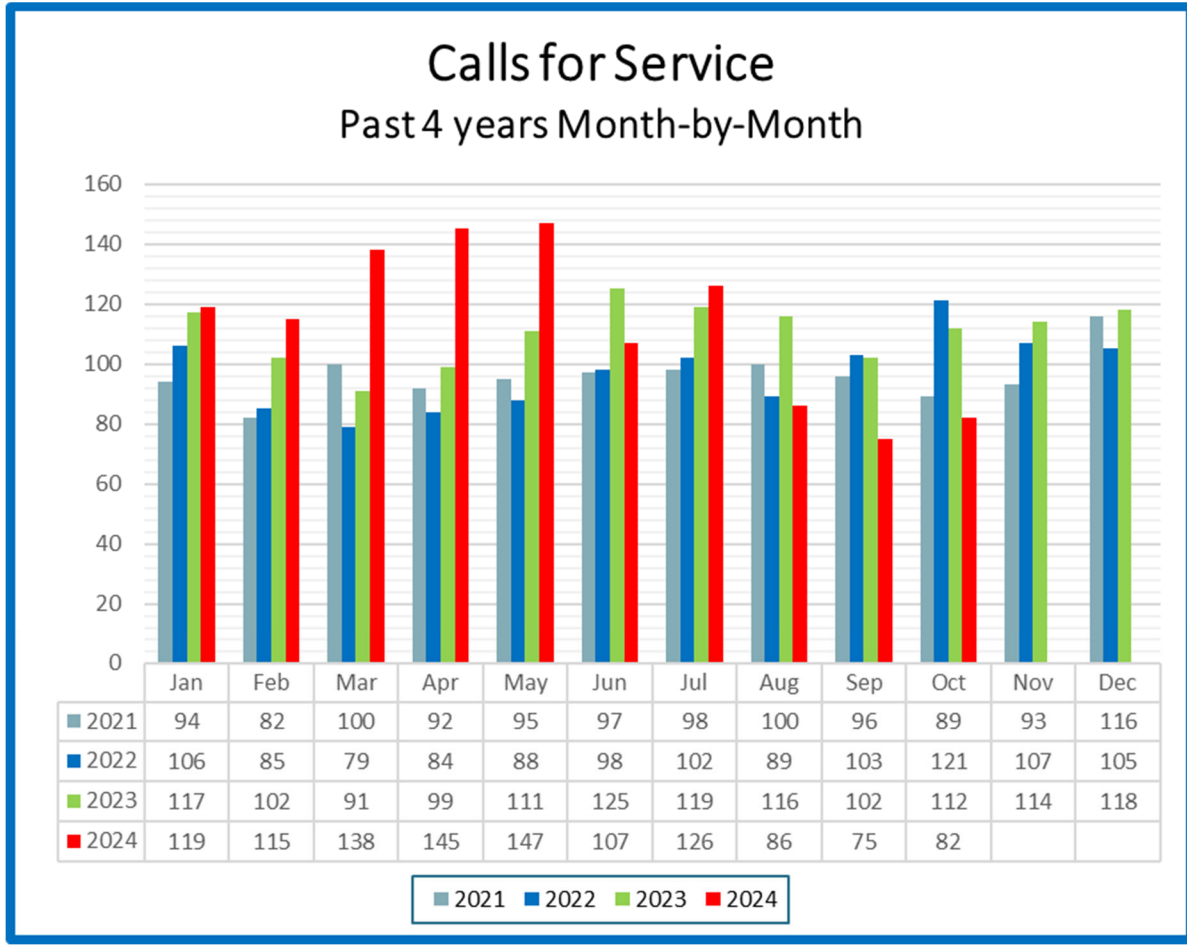
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Bartonville Police Department

October 2024

Total Calls for Service



Bartonville Police Department

October 2024

Abandoned Vehicle	1
Agency Assist	4
Alarm- Commercial	5
Alarm- Residential	3
Animal Bite Report	
Animal Complaint	1
Animal Cruelty	
Assault	2
Auto Theft	
Burglary	1
Citizen Assist	
Civil Standby	
Child Custody Issues	
Criminal Mischief	1
Criminal Trespass	
Disturbance	2
Domestic Disturbance	1
Fireworks Complaint	
Follow-up Investigation	7
Forgery/Fraud	2
Gunshots Heard	
Hang-up 911	
Harassment	1
Illegal Dumping	1
Indecent Exposure	
Intoxicated Person	
Juvenile Complaint	1
Loose Livestock	2
Meet Complainant	8
Motorist Assist	
Narcotics	
Noise Complaint	5
Open Door Investigation	
Ordinance Violation	1
Person with a Gun	
Psych/Suicide Attempt	
Reckless Driver	1
Road Blockage/Hazard	3
Stabbing/Gunshot	
Suspicious Person/Veh/Activity	14
Theft	5
Traffic Complaint	2
Traffic Transport Incident (Accidents)	2
Vehicle Complaint	1
Welfare Concern	5

Bartonville Police Department

October 2024

Uniformed Crime Reporting

ACTIVITY UCR	CURRENT MONTH 2	YTD 2024	TOTAL 2023
PART 1 OFFENSES			
Homicide / Manslaughter	0	0	0
Sexual Assault	0	1	2
Robbery	0	0	0
Aggravated Assault	0	0	1
Burglary	0	2	3
Larceny	2	25	9
Motor Vehicle Theft	0	1	2
Human Trafficking	0	0	0
Arson	0	0	0
TOTAL PART I	2	29	17

Officer Initiated Activity

<u>Officer Activity by Type</u>	Total
Admin Duty (Reports, Court, Clerical)	5
Building Checks	1
Close Patrols (Special Patrols Included)	91
Investigations (Sus veh/activity)	10
Traffic Stops	124
Vacation Watch	0
Walk Thru (Business contacts)	5
Total	236

Bartonville Police Department

October 2024

Misc. Information/Upcoming Events

- Officer Wilder represented our department at a neighborhood chili-off in Saddlebrook Estates, where he connected with residents in a relaxed, community-oriented setting. His participation helped build positive relationships and foster trust between the department and the community.
- Officer Wilder and Lt. Scudder visited Harvest Christian Academy, interacting with elementary school students by showcasing our new police vehicle and talking to the children about safety and the role of law enforcement. Their visit provided a fun and educational experience for the students.
- Officer Mazón is doing an excellent job in his Field Training Program (FTO) and is on track to be assigned a shift the first part of December.



TOWN COUNCIL COMMUNICATION

DATE: November 24, 2024
FROM: Shannon Montgomery, Town Secretary
AGENDA ITEM: Administration – October 2024 Reports

SUMMARY:

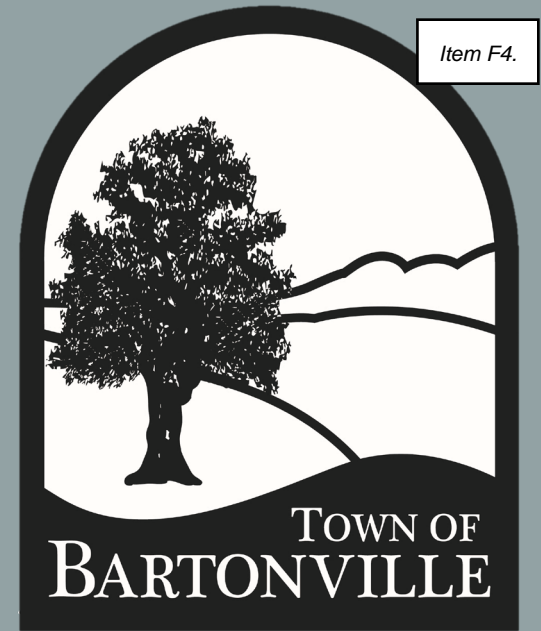
Monthly Reports October 2024.

ATTACHMENTS:

- Monthly Financial Report
- Monthly Animal Control Report
- Monthly Code Enforcement Report
- Monthly Engineering Report
- Monthly Municipal Court Report
- Monthly Permits Report
- Monthly Board Attendance Report

Town of Bartonville Monthly Financial Report

Month Ending
October 31, 2024



PRESENTED:
NOVEMBER 19, 2024

All General Fund Revenues

	October 2024 Revenue	Year to Date Revenue	Current Year Budget	Projected Revenue Remaining	% of Budgeted Revenue Remaining	Prior Year YTD Balance	Prior Year Ending Balance
Property Tax	\$3,996.07	\$3,996.07	\$1,200,000.00	\$1,196,003.93	99.67%	\$632.59	1092.674.69
Sales Tax	\$106,846.44	\$106,846.44	\$890,000.00	\$783,153.56	87.99%	\$57,417.48	\$930,478.01
Franchise Fees	\$66,699.06	\$66,699.06	\$260,000.00	\$193,300.94	74.35%	\$62,136.84	\$261,378.13
Other/Transfer	\$11,293.81	\$11,293.81	\$183,000.00	\$171,706.19	93.83%	\$13,372.25	\$240,624.25
Development Fees	\$105.50	\$105.50	\$4,000.00	\$3,894.50	97.36%	\$0.00	\$16,636.75
Permit Fees	\$38,093.80	\$38,093.80	\$175,000.00	\$136,906.20	78.23%	\$18,349.25	\$243,075.70
Municipal Court	\$5,188.64	\$5,188.64	\$100,000.00	\$94,811.36	94.81%	\$15,476.67	\$102,102.15
Total Revenue	\$232,223.32	\$232,223.32	\$2,812,000.00	\$2,579,776.68	91.74%	\$167,385.08	\$1,794,294.99

Sales Tax Collections



All General Fund Expenditures

	October 2024 Revenue	Year to Date Expenses	Current Year Budget	Budget Balance Remaining	% of Budgeted Revenue Remaining	Prior Year YTD Balance	Prior Year Ending Balance
Administration	\$69,983.32	\$69,983.32	\$1,225,603.00	\$1,155,619.68	94.29%	\$62,003.93	\$1,034,460.75
Police	\$61,458.64	\$61,458.64	\$1,136,128.00	\$1,074,669.36	94.59%	\$55,685.61	\$864,408.21
Municipal Court	\$1,600.00	\$1,600.00	\$12,000.00	\$10,400.00	86.67%	\$800.00	\$10,600.00
Transfers	\$43,683.58	\$43,683.58	\$210,000.00	\$166,316.42	79.20%	\$8,443.47	\$223,050.74
Total Expenses	\$176,725.54	\$176,725.54	\$2,583,731.00	\$2,407,005.46	93.16%	\$126,933.01	\$2,132,519.70

Expenditures by Department

Administration

	October 2024 Expenditures	Year to Date Expenditures	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year Fiscal Year End Balance
Salary & Benefits	\$43,681.05	\$43,681.05	\$576,183.00	\$532,501.95	92.42%	\$40,217.98	\$498,920.66
Other	\$1,069.72	\$1,069.72	\$70,500.00	\$69,430.28	98.48%	\$3,362.02	\$53,354.38
Contracted Services	\$6,471.25	\$6,471.25	\$405,750.00	\$399,278.75	98.41%	\$4,760.00	\$374,738.15
Fees & Service Charges	\$120.00	\$120.00	\$1,170.00	\$1,050.00	89.74%	\$7.50	\$870.50
Supplies	\$16,238.28	\$16,238.28	\$66,500.00	\$50,261.72	75.58%	\$12,908.96	\$65,959.89
Maintenance	\$2,403.02	\$2,403.02	\$55,500.00	\$53,096.98	95.67%	\$747.47	\$40,617.17
Capital Improvements	\$0.00	\$0.00	\$50,000.00	\$50,000.00	100.00%	\$0.00	\$0.00
Total Administration:	\$69,983.32	\$69,983.32	\$1,225,603.00	\$1,155,619.68	94.29%	\$62,003.93	\$1,034,460.75

Expenditures by Department

Police

	October 2024 Expenditures	Year to Date Expenditures	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year Fiscal Year End Balance
Salary & Benefits	\$57,353.56	\$57,353.56	\$1,032,497.00	\$975,143.44	94.45%	\$54,550.59	\$784,112.59
Maintenance	\$3,829.97	\$3,829.97	\$41,631.00	\$37,801.03	90.80%	\$1,075.78	\$41,671.99
Contracted Service	\$0.00	\$0.00	\$8,000.00	\$8,000.00	100.00%	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$8,000.00	\$8,000.00	100.00%		\$4,975.24
Supplies	\$275.11	\$275.11	\$46,000.00	\$45,724.89	99.40%	\$59.24	\$33,648.39
Total Police Department:	\$61,458.64	\$61,458.64	\$1,136,128.00	\$1,074,669.36	94.59%	\$55,685.61	\$864,408.21

Call Type Summary:

- Animal Bite (1)
- Dead Animal (1)
- Patrol (5)
- Trapping (1)
- Welfare Check (1)

Call

Address	Notes	Service / Type
10/11/2024 2201 Fm 407 E	CALLER STATED THEY HAD A RACCOON IN A TRAP AND NEEDED REMOVED. RACCOON WAS REMOVED.	Animal Control Trapping
10/11/2024 870 Blenheim	Andreas Serger 49-522-206-0756 870 Blenheim Dr Victim is from Germany and has a international phone number. He is living at his Host family's house who owns the dog.	Animal Control Animal Bite

10/22/2024
1205 Chestnut

Per caller
Dog at this address is in a crate in the back hasn't been getting food or water was hit by a car a couple days ago colors concerned of the well-being.

Animal Control
Welfare Check

Dog was in good health and had food and water. At this time I did not see the dog was in any distress.

10/31/2024
74 McMakin Rd

Caller stated there was some type of deceased animals that they needed removed.

animal was removed.

Animal Control
Dead Animal

Patrol

Address	Notes	Time In/Out	Service / Type
10/1/2024	Patrolled the city for loose, stray, and deceased animals.	-	Patrol Patrol
10/8/2024	Patrolled the city for loose, stray, and deceased animals.	-	Patrol Patrol
10/15/2024	Patrolled the city for loose, stray, and deceased animals.	-	Patrol Patrol
10/22/2024	Patrolled the city for loose, stray, and deceased animals.	-	Patrol Patrol

All American Dogs, Inc.

City of Bartonville Report

Item F4.

10/1/2024 - 10/31/2024

10/29/2024

Patrolled the city for loose,
stray, and deceased animals.

-

Patrol
Patrol

Call Type Summary:

Tall Grass and Weeds (9)
 Trash and Debris (11)

Call

Address	Notes	Service / Type
11/11/2024 1113 Maple Dr	Trash and debris front yard and right side of the driveway	Code Enforcement Trash and Debris
11/11/2024 1203 Chestnut Dr	Trash/debris, dryer in the front yard	Code Enforcement Trash and Debris
11/11/2024 404 Oakwood Dr	Trash/debris front yard is filled	Code Enforcement Trash and Debris
11/11/2024 1213 Brasher Dr	Tall grass and weeds	Code Enforcement Tall Grass and Weeds
11/11/2024 1208 Brasher Dr	Trash and debris, furniture and building materials in the front of house and leaning on the fence	Code Enforcement Trash and Debris
11/11/2024 1211 Brasher Dr	Tall grass/weeds and trash/debris, building materials stored in front of house	Code Enforcement Trash and Debris

11/11/2024 1205 Brasher Dr	Tall grass/weeds	Code Enforcement Tall Grass and Weeds
11/11/2024 1200 Brasher Dr	Tall grass/weeds	Code Enforcement Tall Grass and Weeds
11/11/2024 1113 Brasher Dr	Trash and debris overflowing from the front porch	Code Enforcement Trash and Debris
11/11/2024 1103 Brasher Dr	Trash and debris, building materials piled up and no trash bin for contractors	Code Enforcement Trash and Debris
11/11/2024 1200 Pecan Dr	Tall grass/weeds	Code Enforcement Tall Grass and Weeds
11/11/2024 703 Stonewood Blvd	Tall grass/weeds	Code Enforcement Tall Grass and Weeds
11/11/2024 126 Stonewood Blvd	Tall grass/weeds	Code Enforcement Tall Grass and Weeds
10/28/2024 393 E Jeter St	Hung a warning on the gate at this location.	Code Enforcement Tall Grass and Weeds

<p>10/23/2024 387 Dove Creek</p>	<p>We received a complaint about trash and debris being on the roadway at his location. Once on scene I did not observe any debris on or about the road way. Call Cleared.</p>	<p>Code Enforcement Trash and Debris</p>
<p>10/29/2024 1270 Saddlebrook Way</p>	<p>The pile of shavings is looking well maintained.</p>	<p>Code Enforcement Trash and Debris</p>
<p>11/12/2024 1270 Saddlebrook Way</p>	<p>The grounds around the stables and the pile of shavings are in good shape.</p>	<p>Code Enforcement Trash and Debris</p>
<p>10/23/2024 1270 Saddlebrook Way</p>	<p>The stables/Shavings collection area are in good condition. Paige and her crew are doing great.</p>	<p>Code Enforcement Trash and Debris</p>
<p>10/9/2024 1690 Broome Rd</p>	<p>I spoke with one of the guys working on the property. I let them know the grass was getting long and they said they would take care of it.</p>	<p>Code Enforcement Tall Grass and Weeds</p>
<p>10/16/2024 1690 Broome Rd</p>	<p>The property has been mowed.</p>	<p>Code Enforcement Tall Grass and Weeds</p>



Westwood

Town of Bartonville Status Report

Date: November 15, 2024

Plat Review

- N/A

ROW Permits

- Charter/Mastec – Lots of Locations
- Charter Mastec – Issues
 - Mastec has updates on each street and checking to make sure areas are cleaned up post construction.

Subdivision Construction

- Knights Crest – Construction completed and final walkthrough completed late October.
- Knights Landing – Construction ongoing

Street Fund

- Jeter Phase 2 design ongoing. Began survey and starting design work.

General Consultation

- Glenview Road ROW

Grading Plans Reviewed

- 1491 Land Fall Circle
- 2037 High Meadow

westwoodps.com
(888) 937-5150

Town of Bartonville
Municipal Court Council Report
From 10/1/2024 to 10/31/2024

11/1/2024 11

Item F4.

Violations by Type

Traffic	Penal	City Ordinance	Parking	Other	Total
118	0	0	1	2	121

Financial

State Fees	Court Costs	Fines	Tech Fund	Building Security	Total
\$3,659.88	\$1,289.10	\$4,267.00	\$153.49	\$188.03	\$9,557.50

Warrants

Issued	Served	Closed	Total
0	0	3	3

FTAs/VPTAs

FTAs	VPTAs	Total
0	0	0

Dispositions

Paid	Non-Cash Credit	Dismissed	Driver Safety	Deferred	Total
16	0	38	18	18	90

Trials & Hearings

Jury	Bench	Appeal	Total
0	0	0	0

Omni/Scofflaw/Collection

Omni	Scofflaw	Collections	Total
15	0	15	30

Permit #	Contact	Property	Permit Type	Issued Date	Estimated Value	Square Footage	Paid Amount
24-00088-01	Element Systems	201 Knights Crest	OSSF Permit - Residential	10/1/2024			\$410.00
24-00139-01	Watercrest Pools		Contractor Registration - General	10/23/2024			\$125.00
24-00248-01	Mike Glover Septic	1101 Vera Court	OSSF Permit - Residential	10/24/2024			\$410.00
24-00401-01	PGP Construction	1001 IT Neely Rd	New Commercial Building-The Chapel	10/1/2024	\$2,000,000.00	3860	\$4,246.00
24-00401-02	PGP Construction	1001 IT Neely Rd	Commercial Electrical	10/1/2024			\$130.00
24-00401-03	PGP Construction	1001 IT Neely Rd	Commercial Mechanical	10/1/2024			\$0.00
24-00401-04	PGP Construction	1001 IT Neely Rd	Commercial Plumbing	10/1/2024			\$130.00
24-00402-01	PGP Construction	1001 IT Neely Rd	New Commercial Building-The Event Center	10/1/2024	\$2,500,000.00	10723	\$11,795.30
24-00402-02	PGP Construction	1001 IT Neely Rd	Commercial Electrical	10/1/2024			\$130.00
24-00402-03	PGP Construction	1001 IT Neely Rd	Commercial Mechanical	10/1/2024			\$0.00
24-00402-04	PGP Construction	1001 IT Neely Rd	Commercial Plumbing	10/1/2024			\$130.00
24-00470-01	Collaborative Services-Electrical		Contractor Registration - Electrical	10/3/2024			\$0.00
24-00471-01	Collaborative Services - Plumbing		Contractor Registration - Plumbing	10/3/2024			\$0.00
24-00472-01	Collaborative Services-General Contractor		Contractor Registration - General	10/3/2024			\$125.00
24-00473-01	Aqua Group Inc.		Contractor Registration - Plumbing	10/3/2024			\$0.00
24-00474-01	Bailey's Landscape Mgt. Inc.		Contractor Registration - Irrigation	10/8/2024			\$125.00
24-00475-01	CWE Group Inc dba CW Service Pros	1029 Rockgate Rd	Plumbing Permit	10/7/2024			\$130.00
24-00476-01	Land Pro Creations	1202 Clydesdale Road	Sprinkler/Irrigation Permit	10/21/2024	\$3,000.00		\$185.00
24-00477-01	Verde Outdoor Solutions	812 Ginger's Way	Pool/Spa (inground)	10/8/2024	\$150,000.00	890	\$725.00
24-00478-01	Bailey's Landscape Mgt. Inc.	1425 Brian Street	Sprinkler/Irrigation Permit	10/10/2024			\$110.00
24-00479-01	VF Electric Inc.		Contractor Registration - Electrical	10/8/2024			\$0.00
24-00480-01	3M Custom Fence		Contractor Registration - General	10/10/2024			\$125.00
24-00481-01	3M Custom Fence	1425 Brian Street	Fence Permit	10/16/2024			\$75.00
24-00482-01	Amazing Exteriors	1221 Glenview Ln	Addition/REmodel -Windows	10/9/2024	\$44,594.00		\$75.00
24-00483-01	Sabre Luxury Homes	1142 Jefferson Court	New Residence Permit	10/10/2024	\$2,400,000.00	5815	\$3,779.75
24-00483-02	Sabre Luxury Homes	1142 Jefferson Court	New Residence (Non AC)	10/10/2024		2383	\$1,072.35
24-00483-04	Sabre Luxury Homes	1142 Jefferson Court	Grading and Drainage Permit	10/10/2024		8198	\$275.00
24-00483-05	Sabre Luxury Homes	1142 Jefferson Court	Culvert/Driveway	10/10/2024			\$120.00
24-00484-01	Sunny Home Services LLC		Contractor Registration - Mechanical	10/9/2024			\$0.00
24-00485-01	Malone Excavating & Waste Water Systems dba A&M Septic	1718 E Jeter Rd	OSSF Permit - Residential	10/18/2024			\$410.00
24-00486-01	Metro-Flow Plumbing		Contractor Registration - Plumbing	10/9/2024			\$0.00
24-00487-01	JNS Electric	1483 Landfall Cir	Electrical Permit	10/10/2024			\$130.00
24-00488-01	Optimus Electric LLC		Contractor Registration - Electrical	10/10/2024			\$0.00
24-00489-01	Ramer Concrete	1101 W. Jeter Rd	Culvert/Driveway	10/10/2024			\$120.00
24-00490-01	Coty Owens Electric Service LLC	1101 W. Jeter Rd	Electrical Permit	10/10/2024			\$130.00
24-00491-01	Lentz Companies Inc	1023 Gene Perry Ct	Electrical Permit	10/11/2024	\$20,000.00		\$130.00
24-00492-01	ANGEL PLUMBING	1023 Gene Perry Ct	Plumbing Permit	10/15/2024	\$2,500.00		\$130.00
24-00493-01	Zodiac Pools and Outdoor Living		Contractor Registration - General	10/17/2024			\$125.00
24-00494-01	Hillman Outdoor Living	1309 Palomino Cir	Covered Patio/Carport/Arbor Permit	10/17/2024	\$35,000.00	617.6	\$205.00
24-00495-01	Silva Signs & Service		Contractor Registration - Electrical	10/16/2024			\$0.00
24-00496-01	On the Hook Fish & Chips	2201 E. FM 407	Temporary Food Permit	10/26/2024			\$35.00
24-00497-01	Royal Flush Septic	1209 Pitner Court	OSSF Permit - Residential	10/25/2024			\$410.00
24-00499-01	Venture Custom Pools		Contractor Registration - General	10/21/2024			\$125.00
24-00500-01	Electrical Concepts, Inc.		Contractor Registration - Electrical	10/21/2024			\$0.00
24-00501-01	Hawk Air Company		Contractor Registration - Mechanical	10/21/2024			\$0.00
24-00502-01	Texas Pride Heating and Air Conditioning LLC		Contractor Registration - Mechanical	10/21/2024			\$0.00
24-00503-01	Flores Electrical Services		Contractor Registration - Electrical	10/21/2024			\$0.00
24-00504-01	Silva Signs & Service	2660 FM 407 Unit 200	Sign Permit	10/23/2024	\$2,000.00	35	\$75.00
24-00505-01	Silva Signs & Service	2660 FM 407 Unit 200	Sign Permit	10/23/2024	\$2,000.00	35	\$75.00
24-00506-01	Mollo Rather Custom Homes	849 Hat Creek Road	Fence Permit	10/23/2024			\$75.00
24-00507-01	Texas Rebath		Contractor Registration - Plumbing	10/23/2024			\$0.00

Permit #	Contact	Property	Permit Type	Issued Date	Estimated Value	Square Footage	Paid Amount
24-00508-01	AR Electric		Contractor Registration - Electrical	10/23/2024			\$0.00
24-00509-01	4L Electric		Contractor Registration - Electrical	10/24/2024			\$0.00
24-00510-01	Titan Fence & Supply Company		Contractor Registration - General	10/25/2024			\$125.00
24-00511-01	Five Star Irrigation		Contractor Registration - Irrigation	10/28/2024			\$125.00
24-00512-01	Five Star Irrigation	2028 High Meadow Ct	Sprinkler/Irrigation Permit	10/29/2024	\$15,000.00		\$110.00
24-00513-01	Bailey's Landscape Mgt. Inc.	1418 Clydesdale Road	Sprinkler/Irrigation Permit	10/31/2024	\$20,000.00	70000	\$110.00
24-00514-01	Titan Fence & Supply Company	2013 High Meadow Ct	Fence Permit	10/31/2024			\$75.00
24-00515-01	Denton Creek Builders	1101 Vera Court	New Residence Permit	10/30/2024	\$3,217,413.00	6864	\$4,461.60
24-00515-02	Denton Creek Builders	1101 Vera Court	New Residence (Non AC)	10/30/2024		2764	\$1,243.80
24-00515-04	Denton Creek Builders	1101 Vera Court	Grading and Drainage Permit	10/30/2024			\$275.00
24-00515-05	Denton Creek Builders	1101 Vera Court	Culvert/Driveway	10/30/2024			\$120.00
24-00518-01	Venture Custom Pools	1118 Vera Court	Pool/Spa (inground)	10/31/2024	\$114,372.00	1757	\$725.00

FY2025 Boards and Commission Attendance Report

Item F4.

Oct 24 Nov 24 Dec 24 Jan 25 Feb 25 Mar 25 Apr 25 May 25 Jun 25 Jul 25 Aug 25 Sep 25

Board of Adjustment (BOA)													
Position	Term	Director											
Chair	2024-2026	Donna Baumgarner (2014)	NO MEETING										
Vice Chair	2023-2025	Jim Lieber (2016)											
Director	2023-2025	Del Knowler (2011)											
Director	2024-2026	Kathy Daum (2003)											
Director	2023-2025	Siobhan O'Brien (2022)											
Alternate #1	2024-2026	Rebecca Jenkins (2022)											
Alternate #2	2023-2025	Heather Head (2023)											

All Terms are two (2) Years P - Present A - Absent E - Excused - Staff Notified

Oct 24 Nov 24 Dec 24 Jan 25 Feb 25 Mar 25 Apr 25 May 25 Jun 25 Jul 25 Aug 25 Sep 25

Planning & Zoning Commission (P&Z)													
Position	Term	Commissioner											
Chair	2024-2026	Ralph Arment (1988)	P										
Vice Chair	2024-2026	Gloria McDonald (1998)	E										
Commissioner	2024-2026	Brenda Hoyt-Stenovich (2014)	P										
Commissioner	2023-2025	Don Abernathy (2000)	P										
Commissioner	2023-2025	Larry Hayes (2021)	P										
Alternate #1	2024-2026	Pat Adams (2022)	P										
Alternate #2	2023-2025	Rick Lawrence (2023)	P										

All Terms are two (2) Years P - Present A - Absent E - Excused - Staff Notified

FY2025 Boards and Commission Attendance Report

Item F4.

Oct 24 Nov 24 Dec 24 Jan 25 Feb 25 Mar 25 Apr 25 May 25 Jun 25 Jul 25 Aug 25 Sep 25

Bartonville Community Development Corporation (BCDC)														
Position	Term	Director	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr 25	May 25	Jun 25	Jul 25	Aug 25	Sep 25
Chair	2023-2025	Randy Van Alstine (2014)	P											
Vice Chair	2024-2026	Brenda Latham (2021)	P											
Director	2023-2025	Jennifer Buck(2023)	A											
Director	2023-2025	Jim Langford (2015)	A											
Director	2024-2026	Lacy Burrhus (2023)	P											
Director	2024-2026	Scott Daum (2024)	A											
Director	2024-2026	Tyler Ochoa (2024)	P											

All Terms are two (2) Years

P - Present

A - Absent

E - Excused - Staff Notified

Oct 24 Nov 24 Dec 24 Jan 25 Feb 25 Mar 25 Apr 25 May 25 Jun 25 Jul 25 Aug 25 Sep 25

Crime Control and Prevention District (CCPD)														
Position	Term	Director	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr 25	May 25	Jun 25	Jul 25	Aug 25	Sep 25
Chair	2023-2025	Jeff Grubb (2011)	E											
Vice Chair	2024-2026	Johnny Jones (2012)	P											
Director	2023-2025	Chris Colbert (2011)	P											
Director	2023-2025	Jarod Root (2024)	P											
Director	2024-2026	Jim Murphy (2024)	P											
Director	2024-2026	Lori Van Alstine (2014)	P											
Director	2024-2026	Steve Weiss (2023)	P											

All Terms are two (2) Years

P - Present

A - Absent

E - Excused - Staff Notified

FY2025 Boards and Commission Attendance Report

Item F4.

10/8 10/22 11/12 11/18

Special Events Committee (SEC)													
Position	Term	Committee Member											
Chair	2024-2026	Lori Van Alstine	P	P									
Vice Chair	2024-2026	Kathy Daum	P	E									
Member	2024-2025	CM Keith Crandall	P	P									
Member	2024-2025	CM Margie Arens	P	P									
Member	2024-2026	Donna Baumgarner	E	P									
Member	2024-2026	Randy Van Alstine	P	P									
Member	2024-2025	Sean Stenovitch	E	P									

P - Present **A - Absent** E - Excused - Staff Notified



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024
FROM: Shannon Montgomery, Town Secretary
AGENDA ITEM: Consider approval of the October 15, 2024, Regular Meeting Minutes.

SUMMARY:

The Town Council held a Regular Meeting on October 15, 2024.

RECOMMENDED MOTION OR ACTION:

Approve October 15, 2024, Regular Meeting Minutes as presented.

ATTACHMENT:

- October 15, 2024, Regular Meeting Minutes

THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 15TH DAY OF OCTOBER 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING COUNCIL MEMBERS PRESENT, CONSTITUTING A QUORUM:

Jaclyn Carrington, Mayor
 Matt Chapman, Mayor Pro Tem/Place 2
 Jim Roberts, Council Member Place 1
 Clay Sams, Council Member Place 3
 Keith Crandall, Council Member Place 4
 Margie Arens, Council Member Place 5

Town Staff Present:

Shannon Montgomery, Town Secretary
 Ed Voss, Town Attorney
 Kirk Riggs, Chief of Police

A. CALL MEETING TO ORDER

Mayor Carrington called the Regular Session to order at 6:30 pm.

B. PLEDGE OF ALLEGIANCE

Mayor Carrington led the Pledge of Allegiance.

Mayor Carrington moved the following item forward:

F. PRESENTATIONS

1. Introduction of new Police Officer Josh Mazon, Oath of Office, and Badge Pinning.

Chief Riggs introduced Police Josh Mazon and administered his Oath of Office, while his wife pinned his Badge.

C./D. CLOSED SESSION

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 6:35 pm and reconvened into open session at 7:10 pm 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 emergency access to/from neighboring property, 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 Waste Connections contract, Solid Waste Request for Proposals, and procedures, and any and all legal issues related thereto.**

No action taken.

- 3. 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.**

No action taken.

E. 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 Public Participation portion of the meeting or when the item is considered by the Town Council.

There were no Public Presentations made.

G. APPOINTED REPRESENTATIVE/LIAISON REPORTS

- 1. Upper Trinity Regional Water District Report - No Report.**

- 2. Denton County Emergency Services District #1.**

Chief Vaughn of Denton County Emergency Services District No. 1 provided an update and addressed questions from Council.

- 3. Police Department – September 2024 Statistics/Activities.**

Chief Riggs summarized the monthly statistics and addressed questions from Council.

- 4. Administration – September 2024 Reports: Financial, including quarterly Investment Report, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Board Member Attendance.**

Town Secretary Montgomery provided a summary of the September 2024 financials and addressed questions from Council.

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 September 17, 2024, Regular Meeting Minutes.**
- 2. Consider approval of the September 30, 2024, Special Meeting Minutes.**

Motion made by Council Member Sams, seconded by Council Member Roberts to **APPROVE** Consent Agenda Items 1 – 2 as presented.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

I. PUBLIC HEARINGS AND REGULAR ITEMS

Mayor Carrington and Council Member Sams recused themselves from the dais at 7:25 pm; Mayor Pro Tem Chapman provided over the meeting for the next agenda item:

1. **Discuss and consider a Final Plat for a 101.467-acre property situated in the Daniel Cook Survey, Abstract Number 230, and A.M. Feltus Survey, Abstract Number 1594, in the Town of Bartonville, Denton County, Texas. The property is located on the north side of E Jeter Road, approximately 2,185 feet east of the intersection of E Jeter Road and Country Court, in Bartonville, Texas. This application constitutes a revision of an approved Final Plat (Town Project File FP-2024-003) The applicant is Mycoskie & Associates, Inc., on behalf of Knight Development Group, LLC. [Town of Bartonville File Number FP-2024-004.]. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its October 2, 2024 meeting.)***

Motion made by Council Member Crandall, seconded by Council Member Roberts, to APPROVE a Final Plat for a 101.467-acre property situated in the Daniel Cook Survey, Abstract Number 230, and A.M. Feltus Survey, Abstract Number 1594, in the Town of Bartonville, Denton County, Texas. The property is located on the north side of E Jeter Road, approximately 2,185 feet east of the intersection of E Jeter Road and Country Court, in Bartonville, Texas, with the following conditions:

1. Prior to recordation of the final plat, the plat and accompanying planning materials shall be reviewed and approved by the registered sanitarian for the Town of Bartonville, in accordance with Title 30, Texas Administrative Code, Chapter 285, Section 285.4(c).
2. In accordance with BDO Section 2.6.5., the final plat shall not be recorded until either:
 - a. All required public improvements have been constructed and accepted by the Town; or
 - b. The Town has received an appropriate surety from the applicant guaranteeing the construction of the required public improvements.
3. Prior to recordation, the Town approval signature box shall be updated to read "Final Plat."
4. Prior to recordation, the Owner's Dedication section shall remove all references to the dedication of the street in fee simple for public use.
5. Prior to recordation, the Owner's Dedication section shall be corrected to reference "Lot 1X, Lots 1-7, Block 1, and Lots 1-8, Block 2, Knight's Landing".
6. Any entry gate on Wiesen Way shall be set back no less than 555 feet from the edge of the E Jeter Road right of way. The gate opening shall be no less than 45 feet wide.

VOTE ON THE MOTION

AYES: Roberts, Chapman, Crandall, and Arens

NAYS: None

VOTE: 4-0

Mayor Carrington and Council Member Sams returned to the dais at 7:36 pm.

2. **Conduct a Public Hearing to hear public comment, discuss, and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 8, Section 8.02.001.(b). (Exceptions), to conform to recent revisions to Texas Local Government Code Section**

229.003, and to add an exception from firearms prohibitions for mounted shooting competition training or exhibition. The applicants are Stacey and Ronnie Smith. [Town of Bartonville File Number ZC-2024-003.] (The Planning and Zoning Commission recommended approval by a vote of 4-1-0 at its October 2, 2024 meeting.)

Mayor Carrington opened the Public Hearing at 7:56 pm.

Town Secretary Montgomery reminded Council of a statement IN FAVOR of the request from Rachel Neese, 1667 Broome Road, was placed in the Council packet.

Mayor Carrington closed the Public Hearing at 7:57 pm.

Motion made by Council Member Roberts, seconded by Council Member Crandall, to **APPROVE** an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 8, Section 8.02.001.(b). (Exceptions), to add a new subpart 5 that would permit the discharge of blank cartridges from firearms on Agricultural zoned property with prior notice to the Town Marshal, including recent revisions to Texas Local Government Code Section 229.03.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

The Ordinance caption reads as follows:

**TOWN OF BARTONVILLE
ORDINANCE NO. 775-24**

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 8, OFFENSES AND NUISANCES, ARTICLE 8.02, WEAPONS, SECTION 8.02.001, DISCHARGE OF FIREARMS, TO ADD MOUNTED SHOOTING TO THE LIST OF EXCEPTIONS, AND TO AMEND THE ORDINANCE IN ACCORDANCE WITH STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

- 3. Discuss and consider approval of a Task Order with Westwood Professional Services for engineering services for the design of E Jeter Road, Phase 2 construction project in an amount not to exceed \$88,000; and to authorize the Town Administration to execute same on behalf of the Town.**

Motion made by Council Member Chapman, seconded by Council Member Roberts to **APPROVE** a Task Order with Westwood Professional Services for engineering services for the design of E Jeter Road, Phase 2 construction project in an amount not to exceed \$88,000; and to authorize the Town Administration to execute same on behalf of the Town.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

4. Discuss and consider approval of a Request for Proposals (RFPs) for Solid Waste and Recycling Services.

Motion made by Council Member Sams, seconded by Council Member Crandall, to **APPROVE** a Request for Proposals (RFPs) for Solid Waste and Recycling Services as presented and directed Staff to publicize the Notice.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

J. FUTURE ITEMS

Discussion only, no action taken.

K. ADJOURNMENT

Mayor Carrington declared the meeting adjourned at 8:05 pm.

APPROVED this the 15th day of November 2024.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Shannon Montgomery, TRMC, Town Secretary



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Andrea Carpenter, Deputy Town Secretary

AGENDA ITEM: Consider approval of an Ordinance amending, Chapter 7, “Municipal Court”, Article 7.01, “General Provisions,” Section 7.01.005, “Court Clerk,” and Section 7.01.006, “Prosecuting Attorney.”

SUMMARY:

The proposed amendments will update the provisions governing the roles of the Municipal Court Clerk and the Prosecuting Attorney to align with current practices and ensure the efficient operation of the Municipal Court.

FISCAL INFORMATION: N/A

RECOMMENDED MOTION OR ACTION:

Move to approve an Ordinance amending, Chapter 7, “Municipal Court”, Article 7.01, “General Provisions,” Section 7.01.005, “Court Clerk,” and Section 7.01.006, “Prosecuting Attorney.”

ATTACHMENTS:

- Draft Ordinance

From Bartonville Town Code
Chapter 7 Municipal Court

ARTICLE 7.01 GENERAL PROVISIONS

§ 7.01.001 Established.

The town council hereby establishes the town municipal court, which shall be operated in accordance with the constitution and laws of the state.

§ 7.01.002 Jurisdiction.

- (a) The municipal court has exclusive original jurisdiction within the territorial limits of the town in all criminal cases that:
- (1) Arise under the ordinances of the town; and
 - (2) Are punishable only by a fine not to exceed:
 - (A) \$2,000.00 in all cases arising under the town's ordinances that govern fire safety, zoning, or public health and sanitation, including dumping of refuse; or
 - (B) \$500.00 in all other cases.
- (b) The municipal court has concurrent jurisdiction with the justice court of a precinct in which the town is located in all criminal cases arising under state law that:
- (1) Arise within the territorial limits of the town; and
 - (2) Are punishable only by a fine not to exceed \$200.00.
- (c) The municipal court has jurisdiction in the forfeiture and final judgment of all bail bonds and personal bonds taken in criminal cases of which the court has jurisdiction.

§ 7.01.003 Judge.

The town council shall appoint a legally qualified person as municipal court judge, who shall serve a term concurrent with the term of the town's mayor. The town municipal court judge shall be compensated at a rate established by the town council by resolution from time to time. Regular full-time employees serving in the capacity of the municipal court judge shall receive no additional remuneration for their services or allow any obligations in other municipal court(s) to interfere with the employee's duties and responsibilities to the town.

§ 7.01.004 Alternate judge.

The town council may appoint a legally qualified person as alternate municipal court judge, who shall serve a term concurrent with the term of the town's mayor. The town alternate municipal court judge shall be compensated at the same rate as established by the town council for the municipal court judge. Regular full-time employees serving in the capacity of the alternate municipal court judge shall receive no additional remuneration for their services or allow any obligations in other municipal court(s) to interfere with the employee's duties and responsibilities to the town.

§ 7.01.005 Court clerk.

~~The town's secretary shall serve as the municipal court clerk unless the town council appoints a court clerk who shall qualify within the term provided by law. The term of the municipal court clerk shall be concurrent with the term of the mayor.~~ town council shall appoint the municipal court clerk, who shall have the powers and duties prescribed by the laws of the state in transacting the business of the court. The municipal court clerk shall serve a term concurrent with the term of the town's mayor. The municipal court clerk shall receive such compensation approved by the town council. The municipal court clerk shall furnish such surety bond as may be required by the town council by ordinance or resolution, the premium of which shall be paid by the town.

§ 7.01.006 Prosecuting attorney.

The town's attorney or a deputy town attorney appointed by the town council shall serve as the prosecuting attorney in the town municipal court.

**TOWN OF BARTONVILLE
ORDINANCE NO. 777-24**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 7, "MUNICIPAL COURT," ARTICLE 7.01, "GENERAL PROVISIONS," BY AMENDING SECTIONS 7.01.005, "COURT CLERK," AND SECTION 7.01.006, "PROSECUTING ATTORNEY"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING 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 ("Town"), 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 Code of Ordinances of the Town of Bartonville, Texas ("Town Code"), provides, among other things, for the establishment of the Town's Municipal Court in accordance with state law; and

WHEREAS, the Town Council of the Town of Bartonville ("Town Council") desires to modify the Town Code provisions concerning the municipal court clerk and prosecuting attorney; and

WHEREAS, Chapter 29 of the Texas Government Code, Section 29.010, and Article 45.201 of the Texas Code of Criminal Procedure provide the Town Council with authority to specify the appointment, duties, term and other provisions applicable to the appointment of the municipal court clerk and prosecuting attorney; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of its citizens, and for the good government of the Town, to amend the Town Code as specified herein.

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

**SECTION 1.
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

SECTION 2.
AMENDMENT OF ARTICLE 7.01, SECTIONS 7.01.005 AND 7.01.006

From and after the effective date of this Ordinance, the Town of Bartonville Code of Ordinances, Chapter 7, "Municipal Court," Article 7.01, "General Provisions," is hereby amended by amending Sections 7.01.005 and 7.01.006, which shall read as follows:

"Article 7.01 General Provisions

* * *

§ 7.01.005 Court clerk.

The town council shall appoint the municipal court clerk, who shall have the powers and duties prescribed by the laws of the state in transacting the business of the court. The municipal court clerk shall serve a term concurrent with the term of the town's mayor. The municipal court clerk shall receive such compensation approved by the town council. The municipal court clerk shall furnish such surety bond as may be required by the town council by ordinance or resolution, the premium of which shall be paid by the town.

§ 7.01.006 Prosecuting attorney.

The town's attorney or a deputy town attorney appointed by the town council shall serve as the prosecuting attorney in the town municipal court."

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 any such unconstitutional phrase, 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 that 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.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect upon passage and publication of its caption, as the law in such cases provides.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, on this the 19th day of November, 2024.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Shannon Montgomery, TRMC, Town Secretary



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Andrea Carpenter, Deputy Town Secretary

AGENDA ITEM: Consider approval of a Resolution appointing Andrea Carpenter as Municipal Court Clerk and Caprice Garcia as Municipal Court Prosecuting Attorney.

SUMMARY:

These appointments are intended to ensure the continued efficient operation of the Municipal Court and to fill the respective roles with qualified individuals.

FISCAL INFORMATION: N/A

RECOMMENDED MOTION OR ACTION:

Move to approve a Resolution appointing Andrea Carpenter as Municipal Court Clerk and Caprice Garcia as Municipal Court Prosecuting Attorney

ATTACHMENTS:

- Draft Resolution

**TOWN OF BARTONVILLE, TEXAS
RESOLUTION 2024-23**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE,
DENTON COUNTY, TEXAS, APPOINTING THE BARTONVILLE MUNICIPAL COURT
CLERK AND PROSECUTING ATTORNEY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Texas Government Code provides that a general law city may provide for the appointment of a Municipal Court Clerk and Prosecuting Attorney; and

WHEREAS, the Town of Bartonville Code of Ordinances, Chapter 7, "Municipal Court," provides for the appointment of the Municipal Court Clerk and Prosecuting Attorney; and

WHEREAS, the Bartonville Town Council approved Resolution 2024-09, dated May 21, 2024, appointing Town Secretary Shannon Montgomery as Municipal Court Clerk; and

WHEREAS, the Bartonville Town Council has recently modified Chapter 7 of the Town of Bartonville Code of Ordinances to amend the provisions regarding the appointment of the Municipal Court Clerk and the Prosecuting Attorney for the Town; and

WHEREAS, Andrea Carpenter has the experience and background necessary to serve as Bartonville Municipal Court Clerk, and Caprice Garcia has the qualifications necessary to serve as Deputy Town Attorney to serve as the Town's Prosecuting Attorney, as set forth in Chapter 7, "Municipal Court," of the Town's Code of Ordinances.

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

The following individuals are hereby appointed:

Andrea Carpenter, Municipal Court Clerk

Caprice Garcia, Deputy Town Attorney and Prosecuting Attorney

for the Town of Bartonville, Texas. The Terms of Office shall run concurrent with the term of Mayor. Compensation of the Municipal Court Clerk shall be at the same rate as established by the Town Administrator for Deputy Town Secretary, and the surety bond shall be the same as for the Town Secretary. Compensation of the Prosecuting Attorney shall be at the same rate as established by contract.

PASSED AND APPROVED this the 19th day of November 2024.

APPROVED:

ATTEST:

Jaclyn Carrington, Mayor

Shannon Montgomery, TRMC, Town Secretary



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Kirk Riggs, Acting Town Administrator / Chief of Police

AGENDA ITEM: Consider approval of a Resolution authorizing the Bank Account Signatories for the Town of Bartonville bank accounts at Independent Financial Bank.

SUMMARY:

Resolution to update Bank Account Signatories for the Town of Bartonville bank accounts.

FISCAL INFORMATION: N/A

RECOMMENDED MOTION OR ACTION:

Move to approve a Resolution authorizing the Bank Account Signatories for the Town of Bartonville bank accounts at Independent Financial Bank.

ATTACHMENTS:

- Resolution authorizing the Bank Account Signatories

**TOWN OF BARTONVILLE, TEXAS
RESOLUTION NO. 2024-24**

**A RESOLUTION OF THE TOWN OF BARTONVILLE, DENTON COUNTY, TEXAS,
AUTHORIZING THE BANK ACCOUNT SIGNATORIES FOR THE TOWN OF
BARTONVILLE BANK ACCOUNTS AT INDEPENDENT FINANCIAL.**

WHEREAS, Section 22.042 of the Texas Local Government Code (L.G.C.) provides that the Mayor is the Chief Executive Officer of the municipality; and

WHEREAS, Section 22.037 of the Texas L.G.C. provides that the governing body shall elect one Council Member to serve as Mayor Pro Tem and shall perform the Mayor’s duties in the Mayor’s absence; and

WHEREAS, the Acting Town Administrator serves as the head of the administrative branch of the Town; and

WHEREAS, Section 22.073 of the Texas L.G.C. provides that the Town Secretary serves as general accountant of the municipality and shall keep regular accounts of the municipal receipts and disbursements; and

WHEREAS, it is the desire of the Town Council of the Town of Bartonville that all checks be signed by two signatures; and

WHEREAS, Independent Financial is the Official Bank Depository for Town funds and said bank requires all authorized signatories of the accounts be so designated by the Town and their signatures kept on file with the bank.

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

That the Town Council for the Town of Bartonville does hereby designate the following named Mayor, Mayor Pro Tem, Acting Town Administrator, and Town Secretary as authorized signatories for the Town of Bartonville General Operating Fund bank account and all other bank accounts maintained at Independent Financial:

- Jaclyn Carrington, Mayor
- Matt Chapman, Mayor Pro Tem
- Kirk Riggs, Acting Town Administrator
- Shannon Montgomery, Town Secretary

Two signatures shall be required for all checks issued.

PASSED AND APPROVED this the 19th day of November 2024.

APPROVED:

ATTEST:

Jaclyn Carrington, Mayor

Shannon Montgomery, TRMC, Town Secretary



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Kirk Riggs, Acting Town Administrator / Chief of Police

AGENDA ITEM: Consider approval of a Resolution repealing Resolution No. 2013-03, dated February 19, 2013, in its entirety.

SUMMARY:

Resolution to repeal No. 2013-03 was adopted to address specific provisions or policies related to certain Town employees. However, the employee referred to in this resolution is no longer employed with the Town, rendering its application and relevance outdated.

The repeal is a necessary housekeeping measure to ensure that our governing documents and policies remain current, applicable, and reflective of the Town's present operations. Maintaining outdated resolutions can create confusion, or lead to misinterpretations.

By adopting this resolution, the Town demonstrates its commitment to transparency, accountability, and the regular review and update of its policies.

FISCAL INFORMATION: N/A

RECOMMENDED MOTION OR ACTION:

Move to approve a Resolution repealing Resolution No. 2013-03, dated February 19, 2013, in its entirety.

ATTACHMENTS:

- Draft Resolution

**TOWN OF BARTONVILLE, TEXAS
RESOLUTION NO. 2024-25**

**A RESOLUTION OF THE TOWN OF BARTONVILLE, DENTON COUNTY, TEXAS,
REPEALING RESOLUTION NO. 2013-03, THAT APPOINTED A DEPUTY TOWN
ADMINISTRATOR, IN ITS ENTIRETY.**

WHEREAS, the Town of Bartonville, Texas is a Type "A" General Law Municipality located in Denton County, Texas, 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, Section 22.042 of the Texas Local Government Code specifies that the Mayor is the Chief Executive Officer of a general law municipality and can take appropriate administrative actions whenever necessary; and

WHEREAS, the Town Council of the Town of Bartonville finds that it is in the best interest of the Town to repeal Resolution No. 2013-03, dated February 19, 2013, that had appointed a Deputy Town Administrator, in its entirety.

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

That Resolution No. 2013-03, dated February 19, 2013, is hereby repealed in its entirety.

PASSED AND APPROVED this the 19th day of November 2024.

APPROVED:

ATTEST:

Jaclyn Carrington, Mayor

Shannon Montgomery, TRMC, Town Secretary



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Kirk Riggs, Acting Town Administrator / Chief of Police

AGENDA ITEM: Discuss and consider approval of a Consulting Services Agreement between Datamax Technology Solutions Group and the Town of Bartonville to provide IT services; and authorize the Acting Town Administrator to execute same on behalf of the Town.

SUMMARY:

This agenda item involves transitioning the Town's IT services from Agent IT/CorePLUS Solutions to Datamax, effective January 1, 2025. This change stems from recurring challenges with Agent IT/CorePLUS Solutions customer service and their inability to meet the Town's evolving IT needs and performance expectations.

To ensure an informed decision, we commissioned Datamax to conduct a comprehensive Business Technology Alignment Analysis (BTAA), evaluating our current IT infrastructure, support services, and anticipating future demands. The BTAA findings indicate that our current infrastructure is outdated, not able to handle growth or future demands, nor is our support system at the level of service the Town requires. Ending our contract with Agent IT/CorePLUS and entering into a new service agreement with Datamax would best serve the Town's interests by enhancing IT service reliability and aligning with our strategic goals.

On October 28, 2024, we issued a formal termination notice to Agent IT/CorePLUS Solutions, setting their final day of service as December 31, 2024. Until this date, Agent IT/CorePLUS Solutions remains fully responsible for fulfilling all contractual obligations. Their agreement will not be renewed. This transition aims to secure more dependable support for our IT infrastructure.

The total annual service cost for Datamax is \$42,300, leaving a deficit of \$17,100 within the current fiscal year budget. Costs for additional equipment and professional project services total \$91,867.15. Both General Fund and Crime Control Prevention District will share in these costs.

Staff has also planned for a contingency fund for both CCPD and General Fund of \$5,000 each to allow for additional costs for the transition to Datamax, including Laserfiche migration, licensing, email archiving solutions required by the Public Information Act, multi-factor authentication, and any unforeseen items that may arise during this transition. The contingency fund will not be transferred unless it is needed and both the Town Council and CCPD Board will be informed prior to utilization.

If this recommendation is approved, we propose that Datamax initiate coordination with Agent IT/CorePLUS in December 2024 to ensure a smooth, uninterrupted transition of IT services.

FISCAL INFORMATION:

These expenses will be allocated between the General Fund and the Crime Control and Prevention District (CCPD) budget:

Service	General Fund		CCPD		Total
Annual Service Costs	\$	7,900	\$	9,200	\$ 17,100
Hardware/Professional Services	\$	27,600	\$	64,400	\$ 92,000
Contingency Fund	\$	5,000	\$	5,000	\$ 10,000
	\$	40,500	\$	78,600	\$ 119,100

Staff is proposing a Budget Amendment in agenda item H.3.

RECOMMENDED MOTION OR ACTION:

Move to approve a Consulting Services Agreement between Datamax Technology Solutions Group and the Town of Bartonville to provide IT services; and authorize the Acting Town Administrator to execute same on behalf of the Town.

ATTACHMENTS:

- Datamax Technology Solutions Group Consulting Services Agreement

Datamax Technology Solutions Group Consulting Services Agreement

THIS AGREEMENT is made as of November 19, 2024 between The Town of Bartonville ("Client") and Datamax, Inc., dba: Datamax Technology Solutions Group ("Datamax"), a division of Datamax Office Systems.

In the event of a conflict in the provisions of any attachments hereto and the provisions set forth in this Agreement, the provisions of such attachments shall govern.

1. Consulting Services

1.1 Subject to the terms contained within this Consulting Services Agreement, Datamax agrees to provide to the above mentioned Client consulting services (the "Services"), including any deliverables, as are described on such Statements of Work (SOW) as are executed from time to time by the parties. If the Services are performed at the Client's location, Client shall provide appropriate computer hardware, software, communications resources, system and user documentation, office space, telephone service, copying, facsimile or postage and general office supplies and support to Datamax as necessary to perform the Services. In addition, Client shall: (a) provide Datamax with specific and detailed information concerning, and reasonable access to, Client computer systems and networks as more fully set forth in the SOW; (b) make available to each Datamax employee physically located on Client's premises, access to and time upon Client's computer system sufficient for Datamax to provide the Services; (c) provide an employee of Client who shall have substantial computer systems, network, and project management experience to act as a liaison between Client and Datamax; and (d) in general, to provide all information, access, and full, good faith cooperation reasonably necessary to facilitate the Services. Statements of Work may provide certain assumptions and/ or Client responsibilities regarding the Services. Client shall assume those responsibilities, including the procurement and the evaluation of the appropriate capacity of any third party products or services, and understands that Datamax's performance is dependent on Client's timely and effective performance of its responsibilities and its timely decisions and approvals. If Client fails or delays in its performance of any of the foregoing, Datamax shall be relieved of its obligations hereunder to the extent such obligations are dependent on such performance.

2. Price and Payment for Services

2.1 Client shall pay Datamax in accordance with the schedule(s) as set forth in each SOW. Any amount remaining unpaid after thirty (30) days shall accrue interest at a rate of the lesser of (a) one and one-half percent (1.5%) per month or (b) the highest rate allowed by law. In the event of any dispute regarding a portion of an invoice, the undisputed portion shall be paid as provided herein.

3. Taxes

- 3.1 Any and all taxes shall not be paid by the Client because Client is a tax exempt entity, and shall provide a tax exemption certificate to Datamax.

4. Client Representative

- 4.1 The following individual _____ shall represent the Client during the performance of this Agreement with respect to the services and deliverables as defined in any SOW and has authority to execute written modifications or additions to this Agreement and/ or any SOW as defined in Section 12. Any change in the scope of Services as defined in the SOW shall be agreed upon in writing by the parties, and Datamax shall have no obligation to perform services in connection with any change until the parties have agreed in writing upon the effect of such change on fees and/or schedule, which shall be specified in a formal Change Order signed by both the Client and Datamax.

5. Confidential Information

- 5.1 All data relating to Client's business affairs, operations, research, development, proprietary information, and customers which is acquired by Datamax as a result of performance hereunder shall be maintained as confidential by Datamax. Client shall not sell, transfer, publish, disclose, display, or otherwise make available Datamax proposals, quotations, implementation plans, white papers, reports, analysis documents, or correspondence (collectively, the "Intellectual Property") to third parties, and shall take all reasonable steps to prevent its agents, employees or independent contractors from doing any of the foregoing. Client shall protect the confidentiality of the Datamax Intellectual Property with the same degree of care that the Client uses to protect its own most confidential information, but in no event less than reasonable care. Client's obligations under this paragraph 5.1 are subject to Client's requirements and duties under the Texas Public Information Act, as amended.
- 5.2 Nothing in this Agreement shall restrict either party's use of information (including, but not limited to, ideas, concepts, know-how, techniques, and methodologies) (a) that is or becomes publicly available through no breach of this Agreement, (b) independently developed by it, (c) previously known to it without obligation of confidence or (d) acquired by it from a third party which is not, to its knowledge, under an obligation of confidence with respect to such information. In the event either party receives a subpoena or other validly issued administrative or judicial process requesting Confidential Information of the other party, the recipient shall promptly notify the other party of such receipt and may, thereafter, comply with such subpoena or process to the extent permitted by law. The Confidential Information shall be returned upon on the earlier of (a) completion of the Services or (b) the discloser's request. Datamax may retain, subject to the obligations of this section, copies of the Confidential Information for recordkeeping purposes.

- 5.3 In recognition that Datamax personnel performing under this Agreement may perform similar services for others, this Agreement shall not prevent Datamax from providing services or developing materials that are competitive with those developed or provided hereunder regardless of any similarity to such services or materials.

6. Staff

- 6.1 Datamax is an independent contractor and no employee of Datamax is or shall be deemed to be employed by Client. Client is hereby contracting with Datamax for the Services described in the Statements of Work and Datamax reserves the right to determine the method, manner, and means by which the Services will be performed. If the Services are performed at the Client's premises, then Datamax time spent at the premises is to be at the discretion of Datamax; subject to the Client's normal business hours and security requirements. Datamax shall not be required to devote Datamax consultant's full time nor the full time of Datamax staff to the performance of the Services required hereunder. The order or sequence in which the work is to be performed shall be under the control of Datamax. Client shall not provide any insurance coverage of any kind for any Datamax employee, and Client will not withhold any amount that would normally be withheld from an employee's pay.
- 6.2 Each of the following parties hereto agrees that, while performing Services under this Agreement, and for a period of six (6) months following the termination of this Agreement, neither party will, except with the other party's written approval, solicit or offer employment to the other party's employees or staff engaged in any efforts under this Agreement.

7. Use of Work Product

- 7.1 Client shall own, upon payment of all fees incurred, any deliverables, including software programs, source and object code, files, tapes, disks, and related user documentation, originally developed solely for Client under this Agreement. Such deliverables shall be owned by Client for its own internal use. Datamax does not convey nor does Client obtain any right in materials proprietary to Datamax, which Datamax may utilize or provide pursuant to the Services, or other materials not developed solely for and paid in full for under this Agreement, except as otherwise agreed upon in writing by the parties. Except as specifically set forth in writing and signed by both Client and Datamax, Datamax shall have all copyright and patent rights with respect to all materials developed under this Agreement, and Client is hereby granted a non-exclusive license to use and employ such material within the Client's business.

8. Warranty

- 8.1 Datamax warrants to Client that during the term of this Agreement and for a period of ninety (90) days from the completion of Services that the Services shall (a) be performed in a workmanlike manner in accordance with applicable commercial standards; (b) comply

with any applicable law, rule or regulation, and Datamax will have obtained all permits required to comply with such laws and regulations and (c) not violate or infringe upon any presently issued United States copyright, patent, trade secret or other property, contractual, employment or confidentiality right of a third party.

- 8.2 The foregoing warranties shall apply provided that (a) any software or other materials developed by Datamax have not been modified, unless authorized by Datamax in writing; (b) there has been no change in the computer equipment on which Datamax installed any software, unless authorized by Datamax in writing; (c) the computer equipment has sufficient capacity, is in good operating order and is installed in a suitable operating environment; (d) the nonconformity was not caused by Client or its agents or other third party; (e) Client promptly notifies Datamax of the nonconformity after discovery and (f) all fees due to Datamax have been paid.
- 8.3 Client accepts sole responsibility for the use of any software or other materials delivered hereunder to achieve Client's intended results and the results actually obtained from such software or materials. Client's sole and exclusive remedy is for Datamax to use commercially reasonable efforts to cause the Services to comply with the foregoing warranties. In the event that such services cannot be provided within a reasonable time after notification, Client's sole and exclusive remedy is to terminate this Agreement and to receive a refund of any fees paid to Datamax for the non-conforming Services.

ALL OF THE SERVICES ARE PROVIDED "AS IS". THE FOREGOING WARRANTY IS DATAMAX'S ONLY WARRANTY CONCERNING THE SERVICES AND ANY DELIVERABLE, AND IS MADE IN LIEU OF ALL OTHER WARRANTIES AND REPRESENTATIONS, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE.

9. **Limitation of Liability**

- 9.1 Datamax's liability (whether in contract, tort, negligence, strict liability, or by statute or otherwise) to Client or to any third party concerning performance or non-performance or otherwise related to this Agreement shall in the aggregate be limited to the fees received by Datamax hereunder for the portion of the services giving rise to such claim.

IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, PUNITIVE, SPECIAL, EXEMPLARY OR INDIRECT DAMAGE OR EXPENSES (INCLUDING LOST PROFITS OR SAVINGS) EVEN IF SUCH PARTY WAS ADVISED OF THE POSSIBILITY OF THE OCCURRENCE OF SUCH DAMAGES.

10. **Termination**

- 10.1 Either party may terminate this Agreement, or any other formally agreed and executed statement of work, without cause upon giving the other party thirty (30) days written

notice. During the thirty (30) day termination period, Client shall maintain Datamax staffing levels existing at the time of the notice of termination.

10.2 Either party may terminate this Agreement, or any other formally agreed and executed statement of work, for a breach of a material term upon giving the other party written notice identifying specifically the alleged breach. Upon receiving written notice, the breaching party shall have twenty-one (21) days to cure the alleged breach.

10.3 Either party may terminate this Agreement by written notice if the other party makes an assignment for the benefit of creditors, becomes subject to a bankruptcy proceeding, or is subject to the appointment of a receiver.

10.4 Upon termination of this Agreement by either party, each party shall promptly return to the other all data, materials, and other properties of the other held by it; provided, however, if Client has not satisfied all outstanding invoices for Services performed by Datamax prior to the date of termination, Datamax shall be entitled to retain such materials until payment is made.

10.5 [Intentionally Deleted]

11. Liquidated Damages

11.1 [Intentionally Deleted]

12. Scope of Agreement

12.1 If the scope of any of the provisions of the Agreement or any SOW is too broad in any respect whatsoever to permit enforcement to its full extent, then such provisions shall be enforced to the maximum extent permitted by law.

13. Additional Work

13.1 After receipt of a SOW which adds to the Services, Datamax may, at its discretion, take reasonable action and expend reasonable amounts of time and money based on such SOW. Client agrees to pay Datamax for such action and expenditure as set forth in the SOW.

14. Assignment

14.1 Neither party shall assign this Agreement without the other party's prior written consent.

15. Complete Agreement

15.1 This Agreement, including any SOW and any Addendum, constitutes the entire understanding between Datamax and Client and supersedes all prior agreements, arrangements, representations and communications, whether oral or written, regarding

the subject matter hereof. Client is entering this Agreement solely based upon the agreements and representations contained herein for its own purposes and not for the benefit of any third party.

16. Applicable Law

16.1 This Agreement shall be governed by the laws of the State of Texas without application of conflict of laws principles. Any suit relating to this Agreement may be instituted in any state or federal court in Denton County, Texas, and the parties submit to the jurisdiction of any such court.

17. Independent Contractor

17.1 Each party is an independent contractor and the parties shall not have the authority to bind, represent or commit the other. Datamax may use Client's name in its resumes client list, case studies or press releases. Nothing in this Agreement shall be deemed or construed to create a joint venture, partnership or agency relationship between the parties for any purpose.

18. Survival

18.1 The terms of 2, 5, 6, 8 and 9 shall survive termination of this Agreement for any reason.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and represent that the person(s) whose signatures appear below are duly authorized to execute this Agreement.

Town of Bartonville
Company

Client Signature

Kirk H. Riggs
Print Name

Acting Town Administrator / Chief of Police
Title

November 19, 2024
Date



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Kirk Riggs, Acting Town Administrator / Chief of Police

AGENDA ITEM: Discuss and consider awarding a Solid Waste and Recycling Contract and authorize the Mayor and Acting Town Administrator to begin negotiations with said company for solid waste and recycling services to begin January 1, 2025.

SUMMARY:

Town Council approved the Request for Proposals for Solid Waste and Recycling Services at their meeting on October 15, 2024.

On Wednesday, November 13, 2024, the Town received proposals for our current provider Waste Connections, Community Waste Disposal (CWD), and Frontier Waste Solutions.

Staff will provide a bid tabulation summary of each proposal and a recommendation during the November 19, 2024 meeting.

FISCAL INFORMATION: N/A

RECOMMENDED MOTION OR ACTION: N/A

ATTACHMENTS: None



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Kirk Riggs, Acting Town Administrator / Chief of Police

AGENDA ITEM: Discuss and consider approval of an Ordinance amending the Town's Budget for the Fiscal Year beginning October 1, 2024, and ending September 30, 2025, as adopted by Ordinance 772-24; providing for adjustments to the General Fund and Bartonville Crime Control and Prevention District Fund.

SUMMARY:

Bartonville Crime Control and Prevention District (CCPD) Proposed Budget Amendments:

1. Miscellaneous Items in an amount equal to \$14,500:

The agenda item under consideration involves informing the board regarding an oversight identified in several budget line items for the Fiscal Year 2024-2025. During our recent review, we noticed that the following accounts did not get transferred into this year's budget.

Revenues

Transfer In from Fund Balance	\$14,500
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Expenditures

Cell Phone Usage	\$8,000
Small Equipment Purchase/Repair	\$6,500

2. Body-Worn Cameras in an amount equal to \$17,000:

The Bartonville Police Department has been utilizing WatchGuard Body-Worn Cameras since 2018. Over time, we observed a steady decline in their performance and reliability. Specifically, we have encountered issues with limited availability of replacement parts, and battery life that no longer lasts through an entire shift. These shortcomings could create potential safety concerns for our officers and may negatively impact case prosecution if incidents are not fully recorded.

Given the importance of reliable, high-quality video evidence for both officer safety and case integrity, I recommend that we replace our current body-worn cameras with newer, more reliable technology through funding from the Crime Control and Prevention District (CCPD). By utilizing CCPD funds, we can equip each officer with an updated body-worn camera technology, ensuring consistent performance and greater reliability.

For your review and consideration, we have obtained a quote from Axon, a leading provider in law enforcement technology:

- Axon Proposal: \$16,780.36 annually over a five-year period

The Axon system would provide our officers with state-of-the-art technology, enhancing our department’s ability to maintain safety standards and ensure accountability.

Revenues

Transfer In from Fund Balance \$17,000

Expenditures

Axon Body Cameras* \$17,000

* New Account Code created by approval of budget amendment.

3. Datamax Information Technology improvements in an amount equal to \$78,600:

Revenues

Transfer In from Fund Balance \$78,600

Expenditures

Computer Software and Maintenance* \$9,200
Computer Hardware Improvements* \$64,600
Project Contingency Fund** \$5,000

* New Account Code created by approval of budget amendment.

** Only transferred, if needed

General Fund Proposed Budget Amendments:

1. Datamax Information Technology improvements in an amount equal to \$40,500:

Revenues

Transfer In from Fund Balance \$40,500

Expenditures

Computer Software and Maintenance* \$7,900
Computer Hardware Improvements* \$27,600
Project Contingency Fund** \$5,000

* New Account Code created by approval of budget amendment.

** Only transferred, if needed

2. Account Item Reallocation:

The portion of the budget amendment involves informing the Council of an oversight identified in several budget line items for the Fiscal Year 2024-2025. During our recent review, we noticed that the following accounts did not get transferred into this year’s budget. Staff is proposing to take funds from one account that will not be utilized to fund the accounts that did not get funded:

Vacation Buy Back (Admin) \$6,800
Admin Cell Phone Usage \$4,000
TCEQ Fees \$300
Criminal Investigations & Background \$2,000
Computer Software & Maintenance \$500

FISCAL INFORMATION:

Budget Amendment Summary	General Fund	CCPD
Total Funds Transferred from Respective Fund Balance	\$40,500	\$110,100
Reallocation of Funds	\$6,800	

RECOMMENDED MOTION OR ACTION:

Move to approve an Ordinance amending the Town’s Budget for the Fiscal Year beginning October 1, 2024, and ending September 30, 2025, as adopted by Ordinance 772-24; providing for adjustments to the General Fund and Bartonville Crime Control and Prevention District Fund.

ATTACHMENTS:

- Draft Ordinance

**TOWN OF BARTONVILLE, TEXAS
ORDINANCE NO. 776-24**

FISCAL YEAR 2024-2025 BUDGET AMENDMENT #1

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, AS ADOPTED BY ORDINANCE NO. 772-24; PROVIDING FOR ADJUSTMENTS TO THE GENERAL OPERATING FUND AND THE BARTONVILLE CRIME CONTROL AND PREVENTION DISTRICT 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, 2024, and ending September 30, 2025, 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 772-24 on September 17, 2024; 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, 2024, and ending on September 30, 2025, as heretofore adopted by Ordinance No. 772-24 is hereby amended to provide for adjustments to both the General Operating Fund and the Bartonville Crime Control and Prevention District Fund, as described below and incorporated herein, and expenditures for the fiscal year shall be made in accordance with said Annual Budget, as amended.

**TOWN OF BARTONVILLE
BUDGET AMENDMENT #1
FISCAL YEAR 2024-2025
November 19, 2024**

BARTONVILLE CRIME CONTROL AND PREVENTION DISTRICT BUDGET

Revenues

Transfer In from Fund Balance	\$ 110,100
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Expenditures

PD Cell Phone Usage*	\$ 8,000	
Small Equipment Purchase/Repair*	\$ 6,500	
Axon Body Cameras*	\$ 17,000	
Computer Software & Maintenance	\$ 9,200	
Computer Hardware Improvements*	\$ 64,400	
Project Contingency Fund**	\$ 5,000	

* New Account Code created by approval of budget amendment.

** Only transferred, if needed

	\$ 110,100	\$ 110,100
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GENERAL FUND BUDGET

Revenues

Transfer in from Fund Balance	\$ 40,500
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Expenditures

Computer Software & Maintenance	\$ 7,900	
Computer Hardware Improvements*	\$ 27,600	
Project Contingency Fund**	\$ 5,000	

Vacation Buy Back	\$ 6,800	
Admin Cell Phone Usage	\$ 4,000	
TCEQ Fees	\$ 300	
Criminal Investigations & Background	\$ 2,000	
Computer Software & Maintenance	\$ 500	
	\$ 47,300	\$ 47,300

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 19th day of November 2024.

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 19th day of November 2024.

Shannon Montgomery, Notary



TOWN COUNCIL COMMUNICATION

DATE: November 19, 2024

FROM: Shannon Montgomery, Town Secretary

AGENDA ITEM: Discuss and consider approval of a Resolution establishing a Covered Applications and Prohibited Technology Policy as required by Government Code Chapter 620 and the Office of the Governor's directive regarding the installation and use of prohibited technologies on personal devices used to conduct Town of Bartonville business.

SUMMARY:

Last session, the Texas legislature passed Senate Bill (S.B.) 1893, which prohibits the use of TikTok and certain other social media applications and services on governmental devices. The bill specifically requires cities and other political subdivisions to adopt a policy: (1) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (2) requiring the removal of covered applications from those devices.

Although the bill went into effect immediately upon being signed by the governor in 2023, the requirement that a city adopt a policy described above did not apply until the Department of Information Resources (DIR) and the Department of Public Safety (DPS) jointly developed a model policy for governmental entities to use in developing their local policy. The DIR/DPS model policy was released on September 16, 2024.

The draft policy adheres to the DIR/DPS model policy. The Town has been blocking the installation of TikTok on all town owned phones since Senate Bill 1893 passed in 2023.

FISCAL INFORMATION: N/A

RECOMMENDED MOTION OR ACTION:

Move to approve a Resolution establishing a Covered Applications and Prohibited Technology Policy as required by Government Code Chapter 620 and the Office of the Governor's directive regarding the installation and use of prohibited technologies on personal devices used to conduct Town of Bartonville business.

ATTACHMENTS:

- Draft Resolution and Policy

TOWN OF BARTONVILLE, TEXAS
RESOLUTION 2024-26

A RESOLUTION OF THE TOWN OF BARTONVILLE, ESTABLISHING A COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY POLICY AS REQUIRED BY GOVERNMENT CODE CHAPTER 620 AND THE OFFICE OF THE GOVERNOR’S DIRECTIVE REGARDING THE INSTALLATION AND USE OF PROHIBITED TECHNOLOGIES ON PERSONAL DEVICES USED TO CONDUCT TOWN OF BARTONVILLE BUSINESS.

WHEREAS, the Town of Bartonville, Texas is a Type “A” General Law Municipality located in Denton County, Texas, 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, the Texas Legislature passed Senate Bill 1893, which prohibits the use of TikTok and certain other social media applications and services on governmental devices; and

WHEREAS, Senate Bill 1893 specifically requires cities and other political subdivisions to adopt a policy: (1) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (2) requiring the removal of covered applications from those devices; and

WHEREAS, the law provides that town-adopted policies may allow for the installation and use of a covered application to the extent necessary for: (1) providing law enforcement; or (2) developing or implementing information security measures.

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

Section 1. That the foregoing recitals are hereby found to be true and correct findings of the Town of Bartonville, Texas, and are fully incorporated into the body of this Resolution.

Section 2. That the Town of Bartonville does hereby adopt a Policy, and is attached hereto as **Exhibit A**, and made a part of hereof for all purposes is hereby reviewed and adopted by the Town of Bartonville, Texas, as required by Government Code Section 620.005 and Senate Bill 1893.

PASSED AND APPROVED this the 19th day of November 2024.

APPROVED:

ATTEST:

Jaclyn Carrington, Mayor

Shannon Montgomery, TRMC, Town Secretary

EXHIBIT "A"



TOWN OF BARTONVILLE

**COVERED APPLICATIONS AND PROHIBITED
TECHNOLOGY POLICY**

November 19, 2024

1.0 INTRODUCTION

On December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business. Following the issuance of the Governor's directive, the 88th Texas Legislature passed Senate Bill 1893, which prohibits the use of covered applications on governmental entity devices.

As required by the Governor's directive and Senate Bill 1893, this model policy establishes a template that entities subject to the directive or bill may mimic to prohibit the installation or use of covered applications or prohibited technologies on applicable devices.

2.0 COVERED APPLICATIONS POLICY FOR GOVERNMENTAL ENTITIES

2.1 Scope and Definitions

Pursuant to Senate Bill 1893, governmental entities, as defined below, must establish a covered applications policy:

- A department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or a statute, including an institution of higher education as defined by Education Code Section 61.003.
- The supreme court, the court of criminal appeals, a court of appeals, a district court, or the Texas Judicial Council or another agency in the judicial branch of state government.
- A political subdivision of this state, including a municipality, county, or special purpose district.

This policy applies to all Town of Bartonville full- and part-time employees, contractors, paid or unpaid interns, and other users of government networks. All Town of Bartonville employees are responsible for complying with this policy.

A covered application is:

- The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited.
- A social media application or service specified by proclamation of the governor under Government Code Section 620.005.

2.2 Covered Applications on Government-Owned or Leased Devices

Except where approved exceptions apply, the use or installation of covered applications is prohibited on all government-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

The Town of Bartonville will identify, track, and manage all government-owned or -leased devices including mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices to:

- a. Prohibit the installation of a covered application.
- b. Prohibit the use of a covered application.
- c. Remove a covered application from a government-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S.).
- d. Remove an application from a government-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.

The Town of Bartonville will manage all government-owned or leased mobile devices by implementing the security measures listed below:

- a. [Restrict access to “app stores” or unauthorized software repositories to prevent the installation of unauthorized applications.]
- b. [Maintain the ability to remotely wipe non-compliant or compromised mobile devices.]
- c. [Maintain the ability to remotely uninstall unauthorized software from mobile devices.]

2.3 ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the government’s sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional social media applications or services that pose a risk to this state.

DIR will annually submit to the Governor a list of social media applications and services identified as posing a risk to Texas. The Governor may proclaim items on this list as covered applications that are subject to this policy.

If the Governor identifies an item on the DIR-posted list described by this section, then the Town of Bartonville will remove and prohibit the covered application.

The Town of Bartonville may also prohibit social media applications or services in addition to those specified by proclamation of the Governor.

2.4 COVERED APPLICATION EXCEPTIONS

The Town of Bartonville may permit exceptions authorizing the installation and use of a covered application on government-owned or -leased devices consistent with the authority provided by Government Code Chapter 620.

Government Code Section 620.004 only allows Town of Bartonville to install and use a covered application on an applicable device to the extent necessary for:

- (1) Providing law enforcement; or
- (2) Developing or implementing information security measures.

If the Town of Bartonville authorizes an exception allowing for the installation and use of a covered application, the Town of Bartonville must use measures to mitigate the risks posed to the state during the application's use.

The Town of Bartonville must document whichever measures it took to mitigate the risks posed to the state during the use of the covered application.

3.0 POLICY COMPLIANCE

The Town of Bartonville will verify compliance with this policy through various methods, including but not limited to, IT/security system reports and feedback to leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

4.0 POLICY REVIEW

This policy will be reviewed annually and updated as necessary to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of the Town of Bartonville.