

The Regular Meeting of the Town of Westlake Town Council will begin immediately following the conclusion of the Town Council Work Session but not prior to the posted start time.



TOWN OF WESTLAKE, TEXAS

Vision Statement

An oasis of natural beauty that maintains our open spaces in balance with distinctive development, trails, and quality of life amenities amidst an ever expanding urban landscape.

TOWN COUNCIL MEETING

AGENDA

February 22, 2016

**Westlake Town Hall
1301 Solana Boulevard
Building 4, Suite 4202
2ND FLOOR, COUNCIL CHAMBER
WESTLAKE, TX 76262**

Workshop Session: 5:00 p.m.

Regular Session: 6:30 p.m.

Mission Statement

Westlake is a unique community blending preservation of our natural environment and viewsapes, while serving our residents and businesses with superior municipal and academic services that are accessible, efficient, cost-effective, and transparent.

Westlake, Texas – "One-of-a-kind community; natural oasis – providing an exceptional level of service."

Work Session

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. REVIEW OF CONSENT AGENDA ITEMS FOR THE TOWN COUNCIL REGULAR MEETING AGENDA. (10 min)

4. REPORTS

Reports are prepared for informational purposes and will be accepted as presented. (There will no presentations associated with the report items.) There will be no separate discussion unless a Council Member requests that report be removed and considered separately.

- a. Annual reports from the Keller Police Department relative to police services and Racial Profiling.

5. DISCUSSION ITEMS

- a. Presentation and Discussion of the annual Comprehensive Annual Financial Report (CAFR) presented by Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015. (15 min)
- b. Presentation and update regarding upcoming construction on State Highway 114 and State Highway 170. (15 min)
- c. Discussion of items to be placed on future agendas, updates on development trends and progress of past development projects. (15 min)
- d. **Standing Item:** Update and discussion regarding the Granada Development, including items posted on the regular session agenda and the Covenants Conditions Restrictions (CCR's) and Design Standards.
- e. **Standing Item:** Update and discussion regarding the Entrada Development, including items posted on the regular session agenda and public art.

6. EXECUTIVE SESSION

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 767
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting

economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada

- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx
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- f. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- g. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

7. RECONVENE MEETING

8. COUNCIL RECAP / STAFF DIRECTION

9. ADJOURNMENT

Regular Session

1. CALL TO ORDER

- 2. ITEMS OF COMMUNITY INTEREST:** Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4)

reminders about upcoming Town Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

3. **CITIZEN COMMENTS:** This is an opportunity for citizens to address the Council on any matter whether or not it is posted on the agenda. The Council cannot by law take action nor have any discussion or deliberations on any presentation made to the Council at this time concerning an item not listed on the agenda. The Council will receive the information, ask staff to review the matter, or an item may be noticed on a future agenda for deliberation or action.

4. **CONSENT AGENDA:** All items listed below are considered routine by the Town Council and will be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.
 - a. Consider approval of the minutes from the January 25, 2016, meeting.
 - b. Consider approval of **Resolution 16-03**, to enter into an Inter Local Agreement with the City of North Richland Hills for cooperative purchasing.
 - c. Consider approval of **Resolution 16-04**, Authorizing execute a contract with Intermountain Slurry Seal, Inc. in the amount of \$56,267.65 for Stagecoach Hills Pavement resurface.
 - d. Consider approval of **Resolution 16-05**, Accepting the Annual Comprehensive Annual Financial Report (CAFR) presented by Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015.
 - e. Consider approval of **Resolution 16-06**, Budget amendment (look at language from AM) agreement with Hardin & Associates Consulting, LLC (HAC) for TCEQ Regulatory Compliance Consultation in the amount of approximately \$44,060, and authorizing the Town Manager to execute the agreement.

5. **EXECUTIVE SESSION**

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- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 767
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6. RECONVENE MEETING

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

8. CONTINUE THE PUBLIC HEARING AND CONSIDERATION ORDINANCE 774, APPROVING AN AMENDMENT OF ORDINANCE 691, AMENDING THE DEVELOPMENT REGULATIONS APPLICABLE TO THE PD 1 ZONING DISTRICT, PLANNING AREA 1 (PD 1-1), PROVIDING FOR A 500 FOOT SETBACK IN THE AREA ADJACENT TO A RESIDENTIAL SUBDIVISION IN PD1-3 (GRANADA).

9. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING:

A. ORDINANCE 768, AMENDING PLANNED DEVELOPMENT ORDINANCE SUPPLEMENT 1, CHAPTER 3, SECTION 3-61 "DENSITY," PROVIDING FOR INTERPRETATION, ESTABLISHING DEVELOPMENT REGULATIONS, PERMITTED USES, AND ALLOWABLE DENSITIES FOR BOTH PLANNING AREAS. ADDITIONALLY, 336,000 SQUARE FEET OF ALLOWED DENSITY IS PROPOSED TO BE TRANSFERRED FROM PD 3-3 TO THE PD 3-5 PLANNING AREA. PD 3-3 IS GENERALLY LOCATED NORTH OF DOVE ROAD AND EAST AND WEST OF OTTINGER ROAD.

- B. ORDINANCE 769, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND AMENDING "PLANNING AREA 5," A PORTION OF PLANNED DEVELOPMENT DISTRICT 3 (PD 3-5), BY CREATING AND DEFINING THE PD 3-5A PLANNING AREA, SETTING ITS BOUNDARIES, ESTABLISHING DEVELOPMENT REGULATIONS, PERMITTED USES, AND ALLOWABLE DENSITIES FOR PD3-5A. THE SUBJECT TRACT IS GENERALLY LOCATED SOUTH OF THE INTERSECTION OF STATE HIGHWAY 170 AND STATE HIGHWAY 114.**
- C. ORDINANCE 770, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND AMENDING "PLANNING AREA 5," A PORTION OF PLANNED DEVELOPMENT DISTRICT 3 (PD 3-5), BY CREATING AND DEFINING THE PD 3-5B PLANNING AREA, SETTING ITS BOUNDARIES, ESTABLISHING DEVELOPMENT REGULATIONS, PERMITTED USES, AND ALLOWABLE DENSITIES FOR PD3-5B. THE SUBJECT TRACT IS GENERALLY LOCATED SOUTH OF THE INTERSECTION OF STATE HIGHWAY 170 AND STATE HIGHWAY 114.**
- 10. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 771, APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT (PD) SITE PLAN FOR THE "PLANNING AREA 2" PORTION OF PLANNED DEVELOPMENT DISTRICT 1 (PD 1-2), ESTABLISHED BY ORDINANCE 703 FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 114, EAST OF DAVIS BOULEVARD AND NORTH OF SOLANA BOULEVARD.**
- 11. DISCUSSION AND CONSIDERATION OF ORDINANCE 772, AMENDING CHAPTER 26 "COMMUNITY DEVELOPMENT," OF THE CODE OF ORDINANCES OF THE TOWN OF WESTLAKE, TEXAS BY AMENDING CHAPTER 26, SECTION 26-67(B)(6) CONCERNING THE POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION BY PROVIDING FOR THE SELECTION OF A CHAIR, VICE-CHAIR AND PRESIDING MEMBER .**
- 12. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 773, AMENDING CHAPTER 102 "ZONING," OF THE CODE OF ORDINANCES OF THE TOWN OF WESTLAKE, TEXAS BY AMENDING CHAPTER 102, SECTION 102-31(A) "ZONING MAP" ; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT.**
- 13. FUTURE AGENDA ITEMS:** Any Council member may request at a workshop and / or Council meeting, under "Future Agenda Item Requests", an agenda item for a future Council meeting. The Council Member making the request will contact the Town Manager with the requested item and the Town Manager will list it on the agenda. At the meeting, the requesting Council Member will explain the item, the need for Council discussion of the item, the item's relationship to the Council's strategic priorities, and the amount of estimated staff time necessary to prepare for Council discussion. If the requesting Council Member receives a second, the Town Manager will place the item on the Council agenda calendar allowing for adequate time for staff preparation on the agenda item.

14. ADJOURNMENT

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

CERTIFICATION

I certify that the above notice was posted at the Town Hall of the Town of Westlake, 3 Village Circle, February 18, 2016, by 5:00 p.m. under the Open Meetings Act, Chapter 551 of the Texas Government Code.

Kelly Edwards, TRMC, Town Secretary

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

Town Council

Item # 2 – Pledge of
Allegiance

Texas Pledge:

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

Town Council

Item # 3 – Review of Consent Items

REVIEW OF CONSENT AGENDA ITEMS FOR THE TOWN COUNCIL REGULAR MEETING AGENDA.

- a. Consider approval of the minutes from the January 25, 2016, meeting.
- b. Consider approval of **Resolution 16-03**, to enter into an Inter Local Agreement with the City of North Richland Hills for cooperative purchasing.
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Town Council

Item # 4 – Reports

REPORTS

Reports are prepared for informational purposes and will be accepted as presented. (there will no presentations associated with the report items) There will be no separate discussion unless a Council Member requests that report be removed and considered separately.

- a. Annual reports from the Keller Police Department relative to police services and Racial Profiling.



TYPE OF ACTION

Workshop - Report

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Annual report from the Keller Police Department relative to police services and the racial profiling report for the Town of Westlake

STAFF CONTACT: Amanda DeGan, Assistant Town Manager

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Transparent / Integrity-driven Government	Municipal & Academic Operations	Exemplary Service & Governance - We set the standard by delivering unparalleled municipal and educational services at the lowest cost.	Increase Transparency, Accessibility & Communications
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: January 1, 2015 **Completion Date:** December 31, 2015

Funding Amount: \$0.00 **Status -** N/A **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

Each year, the police department provides the Town Council with an update and/or report regarding the enforcement activities and levels of service for the community as well as the required racial profiling report. The current information has been compiled by Chief Mike Wilson and contains the yearly information as well as a chart outlining the historical data for our contractual period with the agency.

RECOMMENDATION / ATTACHMENTS

Keller Police Department Annual Activity and Racial Profiling Report



POLICE DEPARTMENT

January 27, 2016

Mayor Laura Wheat and members of the Westlake Town Council
3 Village Circle Suite #202
Westlake, TX. 76262

Dear Mayor Wheat and Westlake Town Council,

I am pleased to provide the Westlake Service Report for the calendar year ending 2015.

As you view the data you can see that our officers were active delivering service to your community. We stopped over 10,400 vehicles, arrested 211 people for criminal violations, issued 7,524 traffic citations, and removed 62 intoxicated drivers from the roadways in Westlake. We investigated 398 motor vehicle collisions on the roadways within the Town of Westlake and regional animal services handled 60 calls for service. During our routine patrols we checked businesses and residences on the vacation watch list over 6,500 times and we were pleased to deploy our Mounted Patrol in Westlake on Halloween.

The Regional Communications Center which Westlake is a member by virtue of the Police Services Agreement dispatched your Fire/EMS Department 463 times which represented 5.3% of the fire calls among the four communities.

The 20 Part 1 Crimes reported in 2015 met our stated goal and was our 3rd lowest annual amount since we started our partnership over a decade ago.

Besides the statistical information in this report we have spent many hours working with Homeowners Associations, Fidelity Investments, Deloitte University, and Westlake Academy on security issues.

When you total the number of calls for service (19,866) and divide it by the price of the police services agreement (\$888,486) it costs the Town of Westlake \$44.72 per call for service. This continues to be a very efficient cost when you compare it to the \$98.94 cost per call for service in Keller.

We are committed to delivering the highest quality of police services to the Town of Westlake and continuing to work to enhance our partnership relationship in 2016. Our partnership has worked out extremely well for both cities and has been a model for the effectiveness of municipal partnerships. Westlake receives the services of an 88 person nationally and state accredited police agency fully staffed and equipped to handle all types of incidents for a fraction of the cost. In turn Keller receives additional patrol coverage in the north section of their city and an administrative charge for the program. A true win-win for both communities.

As always, I am here for your questions and concerns.

Michael Wilson
Chief of Police

cc: Tom Brymer, Westlake Town Manager

TOWN OF WESTLAKE POLICE SERVICE REPORT FOR 2015

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Motor Vehicle Stops	3,968	9,993	9,237	9,586	8,992	10,045	10,357	9,249	9,763	9,829	12,221	9,993	9,579	10,432
Investigative Motor Vehicle Stops	288	677	835	938	947	1,387	1,324	1,110	1,320	1,456	1,483	1,331	1,348	1,248
Miscellaneous Service Calls	301	608	693	646	683	532	433	609	792	793	741	1,066	1,088	992
Traffic Accident Investigations	86	91	180	163	164	225	208	266	273	348	343	322	341	398
Building Checks	282	2,640	4,133	4,628	4,440	5,394	6,217	5,602	4,587	5,092	6,595	6,916	6,927	6,506
Alarm Responses	33	45	80	70	78	142	107	73	105	133	235	273	266	230
Animal Control Calls for Service	27	47	40	47	54	47	85	83	82	91	85	114	99	60
Citizen Initiated Calls for Service	702	1,238	1,698	1,867	1,669	1,729	1,884	1,984	1,965	2,748	2,959	3,125	2,528	2,693
Total Calls for Service	4,985	14,101	15,198	16,078	15,358	17,772	18,731	16,992	16,902	17,742	21,703	20,002	19,944	19,866
Part 1 Crimes	16	46	19	26	23	25	26	23	19	30	39	9	15	20
Traffic Violations on Citations	3,121	8,818	9,123	10,552	9,300	8,231	8,014	6,464	8,364	6,409	6,464	7,527	7,164	7,524
Westlake Prisoners Booked-In	118	263	214	252	199	295	349	238	252	252	248	262	254	211
DWI Arrests	55	117	70	86	56	53	45	24	32	80	50	69	55	62
Case Reports	139	234	129	168	144	124	110	71	65	140	108	116	113	119
Fire/EMS Calls Dispatched	104	211	270	310	348	386	346	315	316	459	445	529	495	463



City of **KELLER**
POLICE DEPARTMENT

February 9, 2016

Mayor Laura Wheat and Town Council
3 Village Circle Suite #202
Westlake, TX 76262

Dear Mayor Wheat and Westlake Town Council,

Since we assumed the responsibility of police services in the Town of Westlake, the Keller Police Department in accordance with the Texas Racial Profiling Law has been collecting police contact data for the purpose of identifying and responding (if necessary) to concerns regarding racial profiling practices.

The Texas Racial Profiling Law requires that we provide a copy of the annual racial profiling report to you as well as the State of Texas. Attached you will find the Racial Profiling Report for Calendar Year 2015.

During 2015, there were no complaints made to our department alleging incidents of biased based policing actions by our officers. The data for 2015 does not reveal any significant representation of issuing citations, searching, or arresting any particular race.

Our goal has and will remain to be responsive to your community by implementing and monitoring proper practices, training, and other applicable safeguards to prevent racial profiling practices.

Sincerely,



Michael Wilson
Chief of Police

Cc: Tom Brymer, Town Manager



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Department Name	<u>Keller Police Department (Town of Westlake)</u>
Agency Number	<u>439220</u>
Chief Administrator Name	<u>Chief Michael Wilson</u>
Reporting Name	<u>Chief Michael Wilson</u>
Contact Number	<u>817-743-4501</u>
E-mail Address	<u>mwilson@cityofkeller.com</u>

Certification to Report 2.132 (Tier 1) – Partial Exemption

Policy Requirements (2.132(b) CCP):

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

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement Officer Standards and Education; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in effect

Chief Administrator

02-09-16

Date



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Video and Audio Equipment Exemption

Partial Exemption Claimed by (2.135(a) CCP):

all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

OR

In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this exemption

Michelle D. ...

Chief Administrator

02-09-16

Date



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

(This is the TCLEOSE recommended form. The form is not mandatory. The information contained in this form, however, is mandatory. You may use your form, but all information must be provided.)

If you claim a partial exemption you must submit a report that contains the following data or use this format to report the data.

Instructions: Please fill out all boxes. If zero, use 0.

- 1. Total on lines 4, 11, 14, and 17 Must be equal
- 2. Total on line 20 Must equal line 15

Number of motor vehicle stops:

- Mark only 1 category per vehicle stop
- 1. 6272 citation only
 - 2. 0 arrest only
 - 3. 11 both

4. 6283 Total

Race or Ethnicity:

- 5. 694 African
- 6. 155 Asian
- 7. 4609 Caucasian
- 8. 654 Hispanic
- 9. 0 Middle Eastern
- 10. 84 Native American
- 11. 87 OTHER

11. 6283 Total

Race or Ethnicity known prior to stop?

- 12. 3 Yes
- 13. 6280 No

14. 6283 Total

Search conducted?

- 15. 28 Yes
- 16. 6255 No

17. 6283 Total

Was search consented?

- 18. 3 Yes
- 19. 25 No

20. 28 Total Must equal #15



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Option to submit required data by utilizing agency report

You must submit your report in PDF format

Electronic Submission of data required by 2.132(b)(6) CCP

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

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

This report meets the above requirements

Chief Administrator

02-09-16

Date

Send entire documents electronically to this website

www.tcleose.state.tx.us

KELLER, TEXAS POLICE DEPARTMENT
 Police Citation Data Collection by Race
 Calendar Year 2015
 Town of Westlake, TX

	Citations issued to individuals	Percentage of total issued	Searched	Consent	Arrested	Race Known before stop	ZIP 76262 Residents	Percentage of total citations issued to Zip Code 76262	Searched	Consent	Arrested	Race known before stop
All races	6,283	100.00%	28	3	11	3	1069	100%	9	4	6	0
White	4,609	73.36%					914	85.50%				
Black	694	11.04%					50	4.68%				
Indian	84	1.34%					12	1.13%				
Asian	155	2.47%					27	2.52%				
Hispanic	654	10.40%					42	3.93%				
Middle E.	0	0.00%					0	0%				
Other	87	1.39%					24	2.24%				
2010 Census Information - Race by Percentage of Population												
Location	Population	White	Black	Indian	Hispanic							
Westlake	992	82.40%	2.50%	0.50%	4.80%							
Tarrant	1,809,034	51.80%	14.90%	0.70%	26.70%							
Denton	662,614	64.40%	8.40%	0.70%	18.20%							
DFW	6,539,950	50.40%	14.80%	0.70%	27.30%							
2015 Data for Licensed Drivers by Race												
Location	Licensed Drivers	White	Black	Indian	Other	Hispanic	Asian					
ZIP 76262	34,035	87.13%	3.94%	0.30%	1.23%	3.00%	4.40%					

Town Council

Item # 5 – Discussion Items

DISCUSSION ITEMS

- a. Presentation and Discussion of the annual Comprehensive Annual Financial Report (CAFR) presented by Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015. (15 min)
- b. Presentation and update regarding upcoming construction on State Highway 114 and State Highway 170. (15 min)
- c. Discussion of items to be placed on future agendas, updates on development trends and progress of past development projects. (15 min)
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- e. ***Standing Item:*** Update and discussion regarding the Entrada Development, including items posted on the regular session agenda and public art.



TYPE OF ACTION

Workshop - Discussion Item

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Presentation and Discussion of the annual Comprehensive Annual Financial Report (CAFR) presented by Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015.

STAFF CONTACT: Debbie Piper, Finance Director

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Fiscal Responsibility	Fiscal Stewardship	Exemplary Service & Governance - We set the standard by delivering unparalleled municipal and educational services at the lowest cost.	Increase Transparency, Accessibility & Communications
<u>Strategic Initiative</u>			
Maintain Receipt of Various Financial Awards for both Municipal and Academic Services			

Time Line - Start Date: February 22, 2016 **Completion Date:** February 22, 2016

Funding Amount: \$27,500 **Status -** **Funded** **Source - Multiple Sources - see comments below**

Allocated to General Fund, Utility Fund and Visitors Association Fund.

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

The Town’s Fiscal and Budgetary Policies along with State law require that the Town be audited annually by outside independent accountants. The result of this independent audit is the receipt of an unmodified opinion or “clean” opinion again this year. This means the auditors have found that these financial statements present fairly, in all material respects, the financial position of the Town of Westlake at September 30, 2015.

Again this year, we have included the Texas Student Housing (TSH) audited information in our report. Because the Town Council may appoint and/or remove a director of the Texas Student Housing Board, it was determined that TSH should be considered a component unit of the Town. As in previous years, their audits have been prepared assuming they will continue as “going concerns.” The opinion states, “The discretely presented component units are in default on their bonds due to failure to meet certain bond covenants. This gives bond holders the right to accelerate and demand payment on the bonds in full. This condition raises substantial doubt about the discretely presented component units’ ability to continue as going concerns.”

The footnotes clearly indicate that the debt of TSH is not a liability of the Town. The inclusion of this information in the Town’s audit will not affect any future bond ratings nor have a negative impact on the Town’s overall debt ratio for the purpose of securing additional financing in the future.

This year’s audit also includes the Public Improvement District Capital Project Fund and Fiduciary Fund. The basis for including is Statement No. 6 of the Governmental Accounting Standards Board, “Accounting and Financial Reporting for Special Assessments”. Section 19 refers to Capital Improvements Financed by Special Assessment Debt for which the Government is not obligated in any manner. Below is an excerpt from the Statement:

The construction phase should be reported like other capital improvements; in a capital project fund, or other appropriate fund. The source of funds in the capital project fund should be identified by a description than bond proceeds, such as contributions. Displaying the transactions in this way recognized that the construction or acquisition is a governmental activity and results in the addition of a governmental asset but is not financed by governmental debt.

On February 5, 2015, the Town Council approved issuance of \$26,175,000 of Special Assessment Revenue Bonds, Series 2015 related to the District. As stated in the POS, the Public Improvement District Bonds (“The Bonds”) are *special and limited obligations* of the Town payable solely from the pledged revenues and other funds comprising the Trust Estate, as and to the extent provided in the indenture. **The bonds do not give rise to a charge against the general credit or taxing power of the Town and are payable solely from the sources identified in the indenture.** The owners of the bonds shall never have the right to demand payment thereof out of money raised or to be raised by taxation, or out of any funds of the Town other than the Trust Estate, as and to the extent provided in the indenture; and, no owner of the bonds shall have the right to demand any exercise of the Town’s taxing power to pay the principal of the bonds or the interest or redemption premium, if any, thereon. The Town shall have no legal or moral obligation to pay the bonds out of any funds of the Town other than the Trust Estate.

Along with the annual budget, the Comprehensive Annual Financial Report (CAFR) is one of the most important financial activities of the Town. This report represents and reflects upon the Town’s financial operations and condition to the Town’s residents, elected officials, management personnel, financial institutions, rating agencies, and all other parties interested in the financial affairs of the Town.

Additionally, the Town began participating in the Government Finance Officer Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting program for the fiscal year 2007. This award is highly regarded as the "Good Housekeeping Seal of Approval" for governmental financial reporting. Therefore, we are pleased to announce that the Town has recently received this award for our seventh submission.

This award is presented based on the required contents of the CAFR document, and ensures that certain required financial disclosures are presented in the document. All governmental entities that participate in the program must include these disclosures in their CAFR. We believe the September 30, 2015 CAFR is in compliance with these disclosure requirements, and the Town will be awarded our 9th consecutive certificate.

RECOMMENDATION AND ATTACHMENTS

Acceptance of the annual CAFR

ATTACHMENTS

Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2015



THE TOWN OF
ESTLAKE



COMPREHENSIVE ANNUAL FINANCIAL REPORT

COMMUNITY GROWTH
on the Horizon

GOALS

VALUES

VISION

MISSION

STRATEGY

For the
Fiscal Year Ended
September 30, 2015



TOWN OF WESTLAKE

TOWN OF WESTLAKE, TEXAS
COMPREHENSIVE ANNUAL FINANCIAL REPORT
FISCAL YEAR ENDED SEPTEMBER 30, 2015

Prepared by:
Town of Westlake
Finance Department

3 Village Circle, Suite 202
Westlake, Texas 76262



TOWN OF WESTLAKE

**TOWN OF WESTLAKE, TEXAS
 COMPREHENSIVE ANNUAL FINANCIAL REPORT
 FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015**

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Town of Westlake

February 22, 2016

Honorable Mayor, Council Members and the Citizens of the Town of Westlake,

The Town of Westlake (the "Town") Fiscal and Budgetary Policies require that the Town's Finance Department prepare a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants. Accordingly, the Comprehensive Annual Financial Report (CAFR) for the Town of Westlake, Texas for the fiscal year ended September 30, 2015, is hereby issued.

This report consists of management's representations concerning the finances of the Town. Consequently, management assumes full responsibility for the completeness and reliability of all the information presented in this report. To provide a reasonable basis for making representations, the Town established a comprehensive internal control framework that was designed both to protect the Town's assets from loss, theft or misuse and to compile sufficient reliable information for the preparation of the Town's financial statements in conformity with GAAP. Because the cost of internal controls should not outweigh their benefits, the Town's comprehensive framework of internal controls has been designed to provide reasonable, rather than absolute, assurance that the financial statements will be free from material misstatements. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

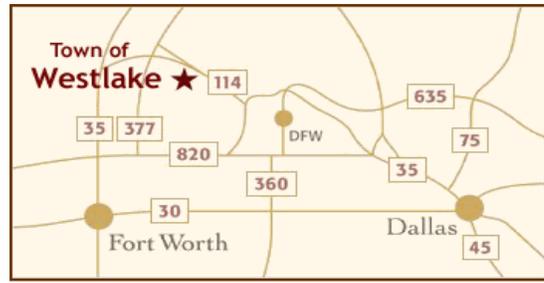
The Town's financial statements have been audited by Weaver and Tidwell, L.L.P. The goal of the independent audit was to provide reasonable assurance that the financial statements of the Town for the fiscal year ended September 30, 2015, were free of material misstatements. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that there was a reasonable basis for rendering an unmodified opinion that the Town's financial statements for the fiscal year ended September 30, 2015, were fairly presented in conformity with GAAP. The independent auditors' report is presented as the first component of the financial section of this report.

This report is presented in three sections: Introductory, Financial and Statistical. The Introductory Section includes this transmittal letter, a listing of Town Officials, and an organizational chart of the Town. The Financial Section includes the independent auditor's report on the basic financial statements, Management's Discussion and Analysis (MD&A), basic financial statements, the notes to

the basic financial statements, and combining and individual fund statements and schedules. The MD&A is a narrative introduction, containing overview and analysis to accompany the basic financial statements. This letter of transmittal is designed to complement, and should be read in conjunction with the MD&A. The Town of Westlake's MD&A can be found immediately following the independent auditor's report. The Statistical Section includes financial and demographic information relevant to readers of the Town's financial statements. The statistical data is generally presented on a multi-year basis.

Profile of the Town

Minutes from downtown Fort Worth, Texas and DFW International Airport, the Town of Westlake is home to several upscale residential communities and Fortune 500 companies, all of which share a unique character and charm, along with a commitment to excellence. The Town is located in northeast Tarrant County and may be conveniently accessed by several major thoroughfares, including SH 114 and US 377. The Town occupies approximately 7 square miles and serves a population of approximately 1,184. In 2015, the average size of new home construction was 9,693 square feet with an average estimated construction cost of \$1.68 million.



The Town, incorporated in 1956, is considered a Type A general-law municipality. The Town operates under the Council-Manager form of government. The Council is comprised of a mayor and five (5) council members and is responsible for, among other things, passing ordinances, adopting the budget, appointing committees, and hiring the Town Manager. The Town Manager is responsible for carrying out the policies and ordinances of the Council, for overseeing the day-to-day operations of the Town and appointing and supervising heads of various departments. The Mayor and Town Council members serve two (2) year terms. All elected officials are elected at-large.

The financial reporting entity (the government) includes all funds of the primary government (i.e. the Town of Westlake), as well as all of its component units. Component units are legally separate entities for which the primary government is financially accountable. The following entities are considered blended component units:

Lone Star Public Facilities Corporation is a Texas nonprofit corporation that acts on behalf of the Town to further the public purposes under the Public Facilities Corporation Act, as it's duly constituted authority and instrumentality. The board of directors, appointed by the Town's governing body, is comprised of seven members, of whom five must be members of the Town's governing body.

4B Economic Development Corporation is a Texas nonprofit industrial corporation under the Development Corporation Act of 1979 formed to promote economic development within the Town and the State of Texas in order to eliminate unemployment and underemployment, and to promote and encourage employment and the public welfare of, for, and on behalf of the Town by developing, implementing, financing, and providing one or more projects defined and permitted under Section 4B of the Act. The board of directors is composed of seven persons appointed by the members of the Town's governing board. Four of the members of the board of directors are members of the Town's governing board.

Westlake Academy (Academy) is an open-enrollment charter school, as provided by Subchapter D, Chapter 12, of the Texas Education Code. The Town of Westlake (“Charter Holder”) applied for and became the first municipality in Texas to ever receive this special charter designation. The Academy had 658 students in FY 12-13 and serves Kindergarten thru 12th grade. The Academy graduated their first class in FY 09-10. The Board consists of six (6) trustees and is appointed by the Town’s governing body. Currently, all members of the board of trustees are members of the Town’s governing body. The Academy’s year-end is August 31.

Discretely presented component units are legally separate entities and not part of the primary government’s operations. These component units are as follows: Texas Student Housing Corporation-Denton Project, Texas Student Housing Authority-Jefferson Commons at Town Lake Austin Project, Texas Student Housing Corporation-College Station Project, and Texas Student Housing Authority.

Services Provided

The Town provides to its citizens those services that have proven to be necessary and meaningful and which the Town can provide for the least amount of cost. Major services provided under the general government and enterprise functions are: Fire and emergency medical services, police, water and sewer utility services, park and recreational facilities, street improvements, education and administrative services. The Town utilizes a combination of direct service delivery along with out-sourced services in its service delivery mix. The decision as to which service to deliver directly versus out-sourcing is based on analysis of cost-effectiveness, citizen responsiveness, and customer service quality.

Economic Conditions and Outlook

The information presented in the financial statements is perhaps best understood when it is considered from the broader perspective of the environment within which the Town operates.

Local Economy

The Town staff is aware that the Town of Westlake does not create wealth, but instead, is entrusted with public dollars collected on behalf of our citizens. We are stewards who are fully vested in the success of the Town of Westlake and Westlake Academy. We exist as a municipal corporation for one reason and one reason only: to prioritize and deliver the best services possible with the resources provided to achieve an exceptional quality of life. This is a challenge the Staff takes very seriously, one that we pursue with vigor every day. Over the previous fiscal year, the Town has achieved and/or is continuing to work toward important initiatives and projects that will allow us to balance our “distinctive development, trails, and quality of life amenities amidst an ever expanding urban landscape.” These include:

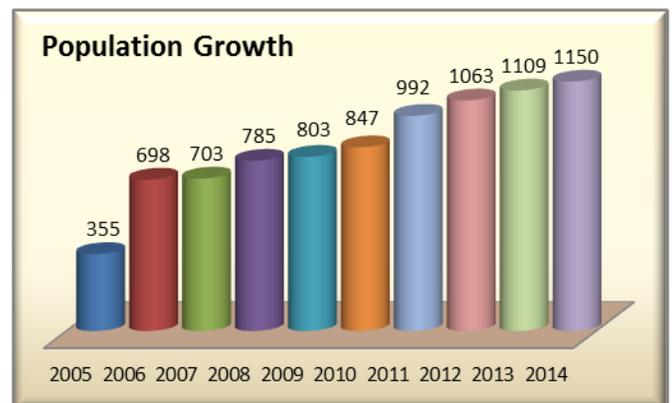
- ◆ Achievement and recognition for our transparency efforts and our fiscal stewardship through receipt of the following:
 - Distinguished Budget Presentation Award from the Governmental Finance Officers Association (GFOA) marking the 8th year in a row that we have received this honor for our municipal budget and the 6th year for our educational services budget (Westlake Academy).

- International Award for Budget Excellence from the Association of School Business Officials International for the past six years.
- Certificate of Achievement for Excellence in Financial Reporting for our Comprehensive Annual Financial Report (CAFR), also known as the annual audit which has also been recognized through GFOA for the last six years.
- Award for Outstanding Achievement in Popular Annual Financial Reporting (PAFR), by converting much of the CAFR document into an easy-to-read format for our residents. This was the Town's second year to achieve this award.
- ◆ Invested in an update of our existing Comprehensive Planning document as we worked with the Town Council, residents, and the appointed steering committee members to memorialize our community vision in the new document. Our current version was compiled in 1992 and many changes have occurred since that time. Progress continues through the facilitation efforts of an outside consultant as we move into the final phases with the updating of the associated ordinances that support the Plan.
- ◆ Invested in the third iteration of our strategic plan through the use of the Balanced Scorecard system. Council members worked with an outside consultant to create strategic themes and updated our vision, mission, and values statements for Westlake. Staff then identified outcome objectives, created a Tier One Strategy Map, and developed performance measures for Council adoption. We also began reporting the approved performance measures to the governing board this fiscal year.
- ◆ Invested in the Town's open enrollment charter school as Westlake Academy, completed its 12th year of operation and graduated our 6th class of seniors with 54 students.
 - Westlake Academy continues to have excellent academic and extra-curricular results and is ranked among the best high schools in America: Washington Post ranked us as 42nd out of 2,300 schools across the nation.
- ◆ Invested in the Town's CIP (\$1.7M) mainly through the continued progress of Phase 3 of the FM 1938/Davis Blvd. Streetscaping improvements.
 - Invested approximately \$100K in trail and park improvements; \$100K in an outdoor warning siren for emergency weather related events
 - Invested a total of \$316K in the Town's infrastructure through reconstruction and drainage improvements on Sam School Rd. and Dove Rd.

Short Term Trends, Challenges and Planning

Over the history of our Town, municipal budgets have been prepared with an eye toward being fiscally conservative, while providing the high quality customer service that our residents have come to expect in Westlake. As a component of our budgets, we also identify current trends to be stewards of our community. Some of these factors can be found below:

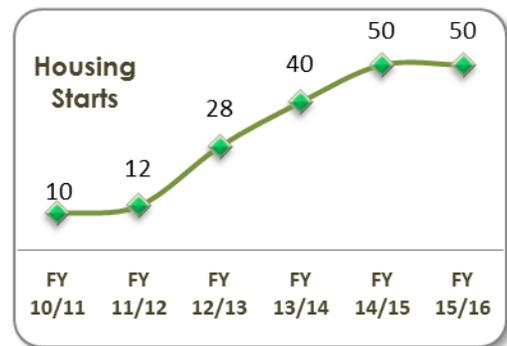
- ◆ **Westlake's Permanent Population Growth:**
This is the portion of our population considered to be our permanent residents. An increase in population of 185 in 1990 to the present 1,150 represents a 522% increase for a net gain of 965 residents. We will need to monitor and plan for the continued increase in these numbers in light of Forging Westlake's forecast of 7.12% population growth between now and 2040.



- ◆ **Traffic Demands Due to Growth in Westlake and Surrounding Cities’:** The 4 cities that surround Westlake are also projected to have a combined population of 215,000 people by 2040. As stated earlier, Westlake is estimated to grow to 7,000 by that same time. Internally current zoning entitlements, if executed, would create an estimated 300,000 vehicle trips per day. Local impacts associated with this level of growth affects the Town’s street infrastructure, water and sewer system capital investment requirements, as well as demand for daily municipal services

- ◆ **Balanced Growth to Impact Cost of Municipal Services:** Likewise, the ability to pay for municipal services utilizing a cost effective revenue format requires balanced growth that provides for commercial development and a diversified tax base, while maintaining the community’s bucolic atmosphere. At the same time, we must continue to ensure the policy direction of the Town is focused on growth paying for the infrastructure for which it creates the demand.

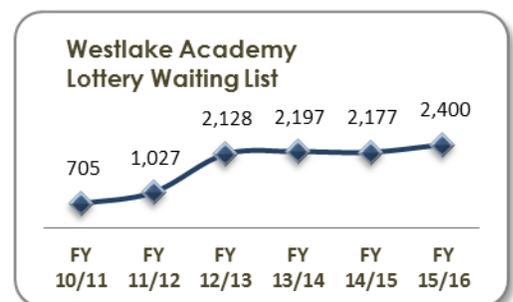
- ◆ **Housing Start Increases:** This past year, we continued to see single family residential construction as a result of Granada Phase 1 receiving a final plat. Existing subdivisions such as Vaquero and Terra Bella also had strong home construction activity. This is depicted in the side-chart – prerecession starts were at 38 per year and we are estimating 50 for the coming fiscal year. Housing starts in Westlake, due to the high value, adds taxable value, but impacts the demand for our municipal services, especially the Town’s charter school.



- ◆ **Management of Development:** As the economy and the surrounding cities in the Metroplex experience commercial development and individuals continue to make the North Texas Region their home, we will need to manage our distinctive housing developments to ensure we maintain our community as an ‘oasis of natural beauty’ as outlined in our Vision statement.

- ◆ **Daytime Population:** Because Westlake is the home of many major corporate office campuses, its Monday-Friday daytime population swells to approximately 10,000 - 12,000 individuals. These office complexes are comprised of notable corporate clients that include Deloitte LLP, Core Logic and Fidelity Investments. Staff will continue to monitor our corporate stakeholders and attempt to identify avenues to strengthen these relationships and assist in drawing new corporations to Westlake.

- ◆ **Continued Impact of Westlake Academy on Residential Growth:** The number of Westlake residents who are selecting Westlake Academy as the educational choice for their students has doubled in the past five years. Resident surveys continually indicate that the Academy is one of the main reasons they moved to Westlake, and why they plan to remain in our community. For example, the 2015 survey results indicate that 96% of the parents say that enrollment at Westlake Academy was very/somewhat important to their decision to live in the community.



- ◆ **Increase in Westlake Academy Overall Enrollment and Opening of New School Buildings:** The Academy has experienced steady enrollment growth from 491 in SY 2009-10 to a projected 832 in SY 2015-16. The current increase of student population is a result of the Phase I expansion efforts on the Academy campus and our community growth. It will require that we carefully manage our student enrollment processes to provide adequate space for children of Westlake residents. Approximately 39,000 sq. ft. of new facilities spaces was opened in SY 14/15, which was comprised of a secondary classroom building, field house, and a primary years' multi-use building. All of these buildings increased our capacity and allowed for decompression of our current facilities. The lottery waiting list for admissions continues to grow from 705 in 2011 to 2,400 students for this coming school year.
- ◆ **Public Education Funding Shortfall:** State funding of public education was decreased by the State Legislature in 2011. While it has increased somewhat since then, the allocation has not kept pace with basic cost increases. This negatively impacts Westlake since it owns and operates a public charter school, Westlake Academy, which receives 79% of its operational funding from the State.
- ◆ **Implementation of the Comprehensive Plan:** With adoption of the Town's new Comp Plan, Forging Westlake, a number of our ordinances need to be rewritten and new ones drafted so that the Plan's recommendations can be implemented. The task of implementing the changes to the ordinances will require additional staff time and oversight to ensure we reflect the direction of the Council and the Comp Plan.
- ◆ **Pursuit of Infrastructure and Services Reinvestment While Combating Certain Cost Increases:** With growth comes the need for reinvestment through capital spending for infrastructure, equipment, as well as work force attraction/retention. This must be facilitated in concert with the consideration of additional staffing needs to maintain our service levels. We have balanced all these components in light of maximizing staff efficiencies and processes to help contain large expenditure drivers such as employee health insurance.
- ◆ **Continued emphasis on long-range financial planning:** The FY15-16 budget contains an updated Long-Range Financial Forecast which identifies key revenue and expenditure drivers while assessing historical financial trends and their potential impact upon the town's financial stability. The forecast must be monitored and updated during the budget formulation process as well as reviewed with the Town Council as the budget is being prepared. Staff will also continue to produce a quarterly financial report for the Council that monitors and analyzes trends in the General Fund, Utility Fund, and Visitor Association Fund. The report serves as a valuable tool to assist in developing a proactive, rather than reactive, approach to our changing financial trends.

Users of this document, as well as others interested in the programs and services offered by the Town of Westlake, are encouraged to read the Town's Fiscal Year 2015-16 Budget. The budget details the Town's long-term goals and financial policies, and describes program accomplishments and initiatives.

Other Information

The Government Finance Officers Association of the United States of America and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Town of Westlake for its comprehensive annual financial report (CAFR) for the fiscal year ended September 30, 2014. This was the eighth year the Town has received this prestigious award. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report (CAFR) continues to meet the Certificate of Achievement Program's requirements and we are submitting it to GFOA to determine its eligibility for another certificate.

In addition, we also received our eighth GFOA Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2014 for our municipal budget and the 6th year for our educational services budget for Westlake Academy, a component unit of the Town. In order to qualify for the Distinguished Budget Presentation Award, the Town and Academy budget documents had to be judged proficient as a policy document, a financial plan, an operations guide, and a communications device.

Westlake Academy has also received recognition from the Association of School Business Officials International as a recipient of the International Award for Budget Excellence for the past six years.

The Finance Department received its third Popular Annual Financial Report (PAFR) converting much of the FY 2013-2014 audit document into an easy-to-read format for our residents. The goal is to encourage resident awareness as it relates to Town finances through the condensed version of the budget. The report provides an “overview of our financial position and policies, and conveys our commitment to delivering responsive services and programs in a fiscally responsible manner.”

Acknowledgements

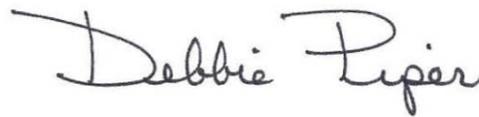
The preparation of this report could not be accomplished without the efficient and dedicated services of the entire staff of the Finance Department. Appreciation is expressed to Town employees throughout the organization, especially those employees who were instrumental in the successful completion of this report.

The staff would also like to thank the Mayor and Town Council for their conservative leadership and their support in planning and conducting the financial operations of the Town in a responsible and progressive manner.

Respectfully Submitted,



Tom Brymer
Town Manager



Debbie Piper, CPA
Finance Director



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

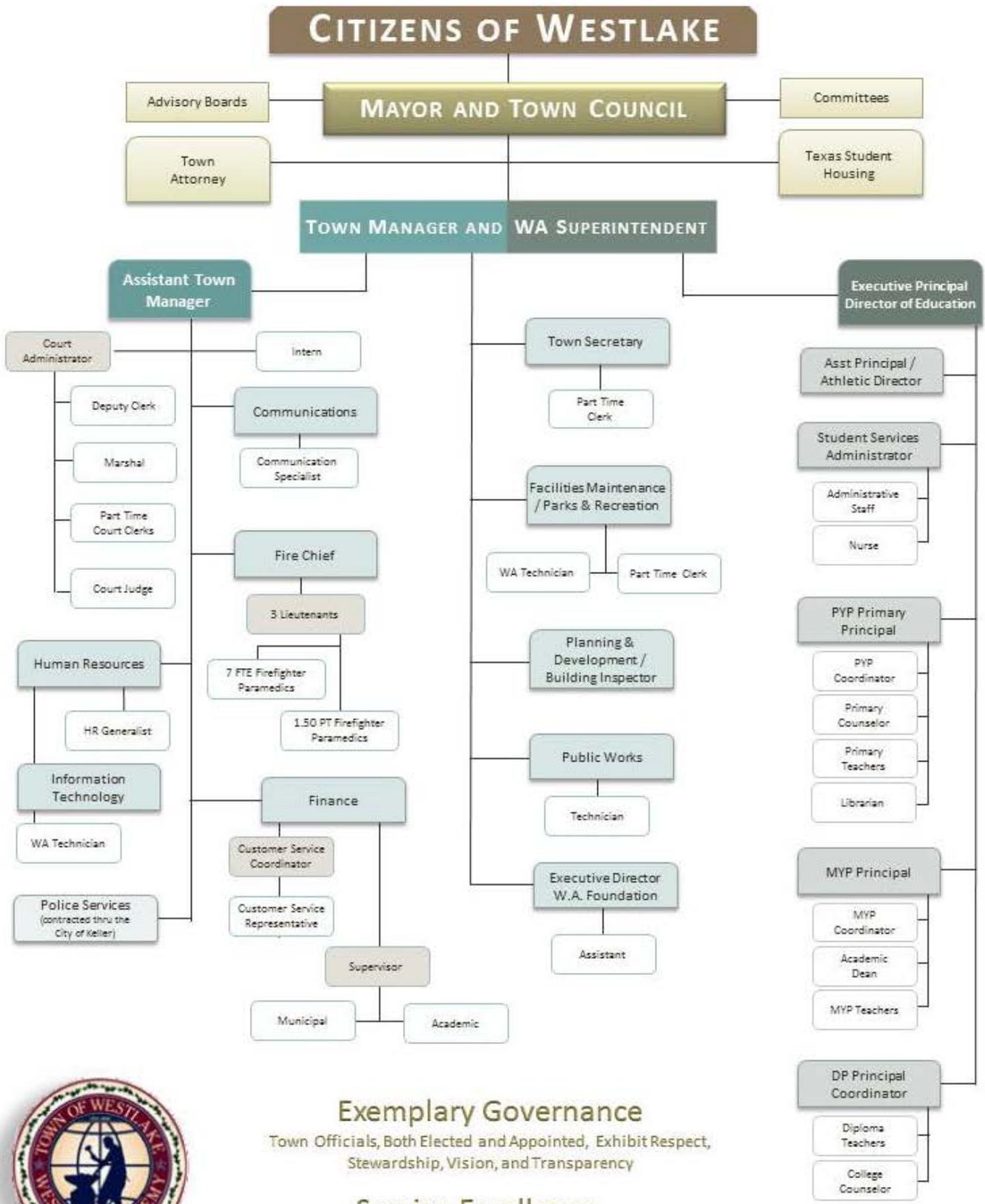
Presented to

**Town of Westlake
Texas**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2014

Executive Director/CEO



Exemplary Governance

Town Officials, Both Elected and Appointed, Exhibit Respect, Stewardship, Vision, and Transparency

Service Excellence

Public Service that is Responsive and Professional, while balancing Efficiency, Effectiveness and Financial Stewardship

TOWN OF WESTLAKE

ELECTED AND APPOINTED OFFICIALS

September 30, 2015



**Laura
Wheat**



**Alesa
Belvedere**



**Michael
Barrett**



**Rick
Rennhack**



**Carol
Langdon**



**Wayne
Stoltenberg**

ELECTED OFFICIALS

Mayor Laura Wheat

Mayor Pro-Tem Carol Langdon

Council Member Ales Belvedere

Council Member Michael Barrett

Council Member Rich Rennhack

Council Member Wayne Stoltenberg

APPOINTED OFFICIALS

TOM BRYMER

Town Manager

AMANDA DEGAN

Assistant Town Manager

GINGER AWTRY

Director of Communications
and Community Affairs

DEBBIE PIPER

Director of Finance

KELLY EDWARDS

Town Secretary

EDDIE EDWARDS

Director of Planning and
Development

TODD WOOD

Director of Human Resources
and Administrative Services

JARROD GREENWOOD

Director of Public Works

RICHARD WHITTEN

Fire Chief

TROY MEYER

Director of Facilities Maintenance
and Parks and Recreation

JASON POWER

Director of Information
Technology

FINANCIAL SECTION



TOWN OF WESTLAKE



INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor
and Members of Town Council
Town of Westlake, Texas

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Town of Westlake (the Town) as of and for the year ended September 30, 2015, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Town, as of September 30, 2015, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Emphasis of Matter Regarding Going Concern

The accompanying financial statements have been prepared assuming the discretely presented component units will continue as going concerns. As discussed in Note 17 to the financial statements, the discretely presented component units are in default on their bonds due to failure to meet certain bond covenants. This gives bond holders the right to accelerate and demand payment on the bonds in full. This condition raises substantial doubt about the discretely presented component units' ability to continue as going concerns. Management's plans regarding these matters are also described in Note 17. The financial statements do not include any adjustments that might result from the outcome of this uncertainty. Our opinion is not modified with respect to this matter.

Change in Accounting Principle

As discussed in Note 16 to the financial statements, in 2015 the Town adopted new accounting guidance, GASB Statement No. 68, "Accounting and Financial Reporting for Pensions – an amendment of GASB Statement No. 27" and GASB Statement No. 71, "Pension Transition for Contributions Made Subsequent to the Measurement Date". Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4 through 15 and budgetary comparison information and pension schedules on pages 77 through 84 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an

opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

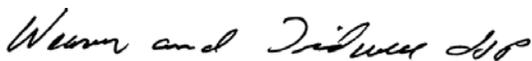
Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town's basic financial statements. The introductory section, combining and individual fund financial statements and schedules, and statistical section, are presented for purposes of additional analysis and are not a required part of the financial statements.

The combining and individual fund statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund statements and schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated February 15, 2016 on our consideration of the Town's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town's internal control over financial reporting and compliance.



WEAVER AND TIDWELL, L.L.P.

Dallas, Texas
February 15, 2016



TOWN OF WESTLAKE

MANAGEMENT'S DISCUSSION AND ANALYSIS



TOWN OF WESTLAKE

MANAGEMENT'S DISCUSSION AND ANALYSIS

Management of the Town of Westlake offers the readers of the Town's financial statements this narrative overview and analysis of the financial activities and financial position of the Town for the fiscal year ended September 30, 2015. Financial reporting is limited in its ability to provide the "big picture" but rather focuses on financial position and changes in financial position. In other words; are revenues and/or expenditures higher or lower than the previous year? Has the net position (containing both short- term and long-term assets and liabilities) or fund balances (the current "spendable" assets less current liabilities) of the government been maintained? Readers are encouraged to consider the information presented here in conjunction with the additional information furnished in the letter of transmittal (pages i-vii of this report) and the statistical section (pages 94-112 of this report) as well as information in the annual operating budget, along with other community information found on the town's website at www.westlake-tx.org. It should be noted that the Independent Auditor's Report describes the auditors' association with the various sections of this report and that all of the additional information from the website and other Town sources are unaudited.

FINANCIAL HIGHLIGHTS

- The assets and deferred outflows of resources of the Town exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$58,370,808 (Net position). This number must be viewed within the context that the vast majority of the Town's net position of \$36,043,845 (61.7%) are capital assets and that most capital assets in a government entity do not directly generate revenue nor can they be sold to generate liquid capital. The net position restricted for specific purposes totaled \$17,827,177 (30.5%). The remaining amount, \$4,499,786 (7.8%), represents unrestricted net position.
- As of the close of the current fiscal year, the Town of Westlake's governmental funds reported combined ending fund balances of \$28,185,481, which is a increase of \$16,297,841 in comparison with the prior year. Within this total, \$20,801,880 is non-spendable, restricted, committed or assigned by management or council.
- At the end of the current fiscal year, fund balance for the general fund was \$7,680,550, a decrease of \$272,968 in comparison with the prior year. Of this total fund balance, \$7,383,601 is unassigned. This represents 109% of the total general fund expenditures and is equivalent to 283 operating days.
- The Town's capital assets (net of accumulated depreciation) increased by \$3,824,916. This is primarily attributed to the completion of the Westlake Academy Expansion project which includes a multi-purpose building, three story secondary school building and a field house.
- The Town's long-term debt decreased by \$1,331,958 in total, due to the scheduled repayment of principal on outstanding bonded debt.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the Town's basic financial statements. The Town's basic financial statements are comprised of the following three components:

- 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private-sector business. The government-wide financial statements are prepared utilizing the economic resources measurement focus and the accrual basis of accounting.

The *statement of net position* presents information on all of the Town's assets and liabilities with the difference between the two reported as *net position*. Over time, increases or decreases in the Town's net position serves as a useful indicator of whether the financial position of the Town is improving or weakening.

The *statement of activities* presents information showing how the government's net position changed during the most recent fiscal year. All of the revenues and expenses are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

Both of the government-wide financial statements distinguish functions of the Town that are principally supported by sales taxes, property taxes, and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the Town include general government, public safety, culture and recreation, economic development, public works, visitor services and education. The business-type activities of the Town include water/sewer and cemetery.

The government-wide financial statements include not only the Town (known as the *primary government*), but also discretely presented component units including all of the Texas Student Housing entities. Financial information for these *component units* is reported separately from the financial information presented for the primary government itself. See pages 33- 34 of the "Financial Section" for detail on these entities. In addition, the Town has the following blended component units: Lone Star Public Facilities Corporation, 4B Economic Development Corporation, and Westlake Academy, an open enrollment charter school owned and operated by the Town of Westlake.

Fund Financial Statements

A *fund* is a grouping of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Below are the three types of funds.

Governmental funds - *Governmental funds* are used to account for essentially the same functions reported as *government activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financial requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, the reader may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The Town maintains ten individual governmental funds. Information is presented separately in the governmental funds balance sheet and in the governmental funds statement of revenues, expenditures, and changes in fund balances for the General, Westlake Academy, Debt Service, Capital Projects, Solana PID Capital Projects, and Westlake Academy Expansion funds, all of which are presented as major funds. Data from the other funds (Visitors Association, Economic Development, Lone Star Public Facilities Corporation and Westlake 4B Economic Development Corporation) are combined into a single, aggregate presentation. Individual fund data for each of these non-major governmental funds is provided in the form of combining statements elsewhere in this report.

The Town adopts an annual appropriated budget for all funds, except the Capital Projects, Solana PID Capital Projects, and Westlake Academy Expansion funds which are project-length based budgets. A budgetary comparison statement has been provided for all appropriate funds to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 19 -24 of this report.

Proprietary funds - There are two types of proprietary funds, Enterprise Funds and Internal Service Funds. An Enterprise Fund is the only proprietary fund currently maintained by the Town. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The Town uses enterprise funds to account for its water and sewer activities and its cemetery activities. All activities associated with providing such services are accounted for in this fund, including administration, operation, maintenance, debt service, capital improvements, billing and collection. The Town's intent is that costs of providing the services to the general public on a continuing basis is financed through user based charges in a manner similar to a private enterprise. The Town has no Internal Service Funds (fund to report activities that provide supplies and services for the Town's other programs and activities, i.e. self-insurance and fleet management).

The basic proprietary fund financial statements can be found on pages 25 -27 on this report.

Fiduciary funds - Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the Town's own programs. The accounting used for fiduciary funds is similar to the accounting used for proprietary funds. The Town of Westlake maintains one fiduciary fund, the PID Agency (debt service) Fund.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 33 – 76 of this report.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents schedules that further support the information in the financial statements.

The schedules are presented immediately following the notes to the financial statements and can be found on pages 77-92.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of the government's financial position. In the case of the Town, assets exceeded liabilities by \$58,370,808 at the close of the most recent fiscal year.

The Town's *combined* net position changed from a year ago, increasing \$19,485,447 from \$38,885,361 to \$58,370,808. Our analysis below focuses on the net position (Table 1) and changes in net position (Table 2) of the Town's governmental and business-type activities.

The largest portion of the Town's net position, \$36,043,845 (61.7%), reflects its investment in capital assets (e.g. land, buildings, equipment, improvements, construction in progress, and infrastructure), less any debt used to acquire capital assets still outstanding. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the Town's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the Town's net position, \$17,827,177 (30.5%), represents resources that are subject to external or internal restrictions on how they may be used. The remaining balance of \$4,499,786 (7.8%) represents unrestricted net position which is available for the town's ongoing expenses.

Table 1
Condensed Statement of Net Position
At September 30, 2015 and 2014

	Governmental Activities		Business-type Activities		Total	
	2015	2014	2015	2014	2015	2014
Assets						
Current and other assets	\$ 29,451,181	\$ 14,197,535	\$ 4,879,191	\$ 5,210,808	\$ 34,330,372	\$ 19,408,343
Capital assets	54,470,449	50,205,686	12,662,988	13,102,835	67,133,437	63,308,521
Total Assets	\$ 83,921,630	\$ 64,403,221	\$ 17,542,179	\$ 18,313,643	\$ 101,463,809	\$ 82,716,864
Deferred outflows of resources	1,549,467	1,194,749	42,985	-	1,592,452	1,194,749
Liabilities						
Noncurrent liabilities	29,466,305	29,866,622	6,357,349	6,389,337	\$ 35,823,654	\$ 36,255,959
Other liabilities	1,377,466	2,308,387	7,425,583	6,461,906	8,803,049	8,770,293
Total Liabilities	30,843,771	32,175,009	13,782,932	12,851,243	\$ 44,626,703	\$ 45,026,252
Deferred inflows of resources	58,750	-	-	-	58,750	-
Net Position						
Net investments in capital assets	29,633,298	32,048,991	6,410,547	6,734,414	\$ 36,043,845	\$ 38,783,405
Restricted	17,827,177	2,284,947	-	-	17,827,177	2,284,947
Unrestricted	7,108,101	(910,977)	(2,608,315)	(1,272,014)	4,499,786	(2,182,991)
Total Net Position	\$ 54,568,576	\$ 33,422,961	\$ 3,802,232	\$ 5,462,400	\$ 58,370,808	\$ 38,885,361

Table 2
Changes in Net Position
For the years ended September 30, 2015 and 2014

	Governmental Activities		Business-type Activities		Total	
	2015	2014	2015	2014	2015	2014
Revenues:						
Program revenues						
Fees, fines and charges for services	\$ 2,466,032	\$ 2,127,786	\$ 3,563,395	\$ 3,436,451	\$ 6,029,427	\$ 5,564,237
Operating grant and contributions	7,615,653	6,592,642	-	-	7,615,653	6,592,642
Capital grants and contributions	19,983,078	80,472	-	-	19,983,078	80,472
General revenues						
Taxes						
Sales taxes	4,925,428	4,725,845	-	-	4,925,428	4,725,845
Property taxes	1,438,969	1,367,069	-	-	1,438,969	1,367,069
Hotel occupancy taxes	872,179	796,481	-	-	872,179	796,481
Mixed beverage taxes	59,184	51,602	-	-	59,184	51,602
Franchise taxes	963,040	795,322	-	-	963,040	795,322
Interest on investments	28,904	26,713	7,083	7,114	35,987	33,827
Miscellaneous	198,199	246,633	-	-	198,199	246,633
Total revenues	<u>38,550,666</u>	<u>16,810,565</u>	<u>3,570,478</u>	<u>3,443,565</u>	<u>\$ 42,121,144</u>	<u>\$ 20,254,130</u>
Expenses:						
General governmental	3,145,716	2,784,587	-	-	3,145,716	2,784,587
Public safety	2,381,437	2,190,050	-	-	2,381,437	2,190,050
Culture and recreation	129,970	123,541	-	-	129,970	123,541
Economic development	171,757	147,680	-	-	171,757	147,680
Public works	1,081,996	955,794	-	-	1,081,996	955,794
Visitor services	665,936	493,087	-	-	665,936	493,087
Education	8,598,261	7,147,411	-	-	8,598,261	7,147,411
Interest on long-term debt	1,022,201	998,951	-	-	1,022,201	998,951
Water and sewer	-	-	4,861,529	3,690,137	4,861,529	3,690,137
Cemetery	-	-	7,297	7,121	7,297	7,121
Total expenses	<u>17,197,274</u>	<u>14,841,101</u>	<u>4,868,826</u>	<u>3,697,258</u>	<u>22,066,100</u>	<u>18,538,359</u>
Increase (decrease) in net position before transfers	21,353,392	1,969,464	(1,298,348)	(253,693)	20,055,044	1,715,771
Transfers	323,100	43,399	(323,100)	(43,399)	-	-
Change in net position	21,676,492	2,012,863	(1,621,448)	(297,092)	20,055,044	1,715,771
Net position, beginning as previously stated	33,422,961	32,057,541	5,462,400	5,759,492	38,885,361	37,817,033
Cumulative effect of a change in accounting principle	(530,877)	(647,443)	(38,720)	-	(569,597)	(647,443)
Net position, ending	<u>\$ 54,568,576</u>	<u>\$ 33,422,961</u>	<u>\$ 3,802,232</u>	<u>\$ 5,462,400</u>	<u>\$ 58,370,808</u>	<u>\$ 38,885,361</u>

Governmental activities: Governmental activities increased the Town's net position by \$21,145,615 (63.3%), increasing net position from \$33,422,961 to \$54,568,576. Unrestricted net position, the part of net position that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation, other legal requirements, and/or Council or management's decision, increased by \$8,019,078.

Total revenues for governmental activities increased by \$21,740,121 when compared to the prior year. General revenue had an increase of \$476,238, while program revenues had an increase of \$21,263,863.

Program revenues

- Fees, fines and charges for services increased by \$338,246 which was primarily due to an increase of building permits/fees related to Granada and Entrada as well as Terra Bella.
- Operating Grants and Contributions increased by \$1,323,011 primarily due to the increase of state funding as a result of increased enrollment at Westlake Academy due to the campus expansion as well as increased grant revenues from Westlake Academy Foundation and Hudson Foundation.
- Capital Grants and Contributions increased by \$19,902,606 with the major portion (\$18M) associated with the contribution of funds related to the Public Improvement District (PID).

General revenues

- Sales tax increased by \$199,583 which can be attributed to the continued improvement in the local economy as well as several new technology and professional related companies and several one-time payments related to purchases and/or construction.
- Hotel occupancy taxes increased by \$75,698 which now includes receipts from Deloitte University as well as Solana Marriott.
- Increase in property tax receipts of \$71,900 and franchise fees by \$167,718.
- Increase in Miscellaneous of \$361,566 is due to contributions by TxDot and Fidelity related to FM 1938.

Expenses

- Total expenses for governmental activities increased by \$2,356,173 or approximately 18%. The increase is made up of several components. The major portion of the total increase was due to capital outlay associated with the Solana PID and \$1,450,850 was related to the education expenditures because of staffing and supplies needed for the extra students and classroom supplies caused by the three additional buildings/classrooms. Additionally, the Executive Principal completed her first full year of employment and salary adjustments to other leadership positions during the fiscal year.

Business-type Activities: The net position of our business-type activities ended fiscal year 2015 at \$3,802,232 compared with \$5,462,400 in 2014. This represents a decrease in net position of \$1,660,168, or 30% less than the prior fiscal year.

Revenues of the Town's business-type activities were \$3,570,478 for the fiscal year ending September 30, 2015. Revenues (Charges for Services) increased by \$126,913 or 4% over the prior year. Operating expenses for the business-type activities were \$4,868,826 for the year, an increase of \$1,171,568 or 32%. This increase was primarily attributed to a payment to the City of Fort Worth for the Town's proportionate share of water system upgrades to provide Westlake with future capacity needs. Additional payments of approximately \$2M will be made in subsequent years until the completion of the project. The business-type activities also had net transfers out of \$323,100 in 2015 compared to net transfers out of \$43,399 in the prior year which represented an interfund repayment.

FINANCIAL ANALYSIS OF THE TOWN'S FUNDS

As noted earlier, the Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a town's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the Town's governmental funds reported combined ending fund balances of \$28,185,481; an increase of \$16,297,841 in comparison with the prior year. Approximately 26.2% of this total (\$7,383,601) constitutes unassigned fund balance, which is available for spending at the government's discretion. The remainder of fund balance is nonspendable, restricted, committed or assigned to indicate that it is not available for new spending because it has already been committed.

The following tables present a summary of general, special revenue, capital project, and debt service fund revenues and expenditures for the fiscal year ended September 30, 2015, and the amount and percentage of increases and decreases in relation to the prior year.

**Table 3
Summary of Governmental Funds Revenues**

<u>Revenues</u>	<u>2014-5 Amount</u>	<u>Percent Of Total</u>	<u>Increase (Decrease) From 2013-14</u>	<u>Percent Increase (Decrease)</u>
Taxes				
Sales taxes	\$ 4,925,428	13.1%	\$ 199,583	4.2%
Property taxes	1,432,917	3.8%	79,561	5.9%
Hotel occupancy taxes	59,184	0.2%	7,582	14.7%
Mixed beverage taxes	872,179	2.3%	75,698	9.5%
Franchise taxes	963,040	2.6%	167,718	21.1%
Subtotal - Taxes	<u>8,252,748</u>	<u>21.9%</u>	<u>530,142</u>	<u>6.9%</u>
State program	6,173,418	16.4%	903,777	17.2%
Federal program	87,797	0.2%	7,694	9.6%
Interest income	28,904	0.1%	2,191	8.2%
Building permits and fees	1,200,790	3.2%	25,715	2.2%
Fines and penalties	734,152	1.9%	3,711	0.5%
Intergovernmental	3,810	0.0%	270	7.6%
Contributions	18,785,953	49.8%	18,703,507	22685.8%
Miscellaneous	2,467,381	6.5%	805,918	48.5%
Total Revenues	<u>\$ 37,734,953</u>	<u>100.0%</u>	<u>\$ 20,982,925</u>	<u>125.3%</u>

**Table 4
Summary of Governmental Funds Expenditures**

<u>Expenditures</u>	<u>2014-15 Amount</u>	<u>Percent Of Total</u>	<u>Increase (Decrease) From 2013-14</u>	<u>Percent Increase (Decrease)</u>
General government	\$ 2,411,239	11.0%	\$ 174,879	7.8%
Public safety	2,490,551	11.4%	343,964	16.0%
Culture and recreation	130,322	0.6%	6,781	5.5%
Economic development	171,757	0.8%	24,072	16.3%
Public works	744,028	3.4%	128,247	20.8%
Visitor services	670,157	3.1%	177,075	35.9%
Education	7,938,501	36.2%	794,823	11.1%
Capital outlay	5,274,282	24.0%	(4,689,765)	-47.1%
Debt services	2,108,174	9.6%	(82,275)	-3.8%
Total Expenditures	<u>\$ 21,939,011</u>	<u>100.0%</u>	<u>\$ (3,122,199)</u>	<u>-12.5%</u>

Below are summaries and explanations of the changes in fund balances from fiscal year 2014 to fiscal year 2015 of the Governmental Funds that are contained in the above totals.

General Fund - Fund balance decreased \$272,968 (3%). Most General Fund revenue categories realized increases over the prior year and many surpassed budget estimates as well. Sales tax receipts, franchise and fines and penalties exceeded both budget and prior year. Sales taxes grew as a result of continued improvement in the local economy with several new technology and professional related companies and one-time payments related to purchases and/or construction. An additional \$485K was transferred from the General Fund with a large portion being contributed to building permits and fees related to Entrada and Granada which have been designated to be moved to the Capital Project Fund for future projects.

Visitors Association Fund- Fund balance decreased by \$27,455 (2%) primarily due to the additional funds paid to the Marriott based on an economic development agreement to bring more groups to Westlake.

Capital Projects Fund - Fund balance increased by \$831,893 (63%) largely due to the transfer in from the General Fund of Entrada and Granada fees which were designated for future projects and additional transfers for various capital projects.

Westlake Academy Expansion Fund- Fund balance decreased by \$28,941 (7%) with the final expenditures of the Phase I construction being offset by the transfer in of lot fees based on an economic development agreement related to Granada lot sales.

Solana Public Improvement District (PID) Capital Project Fund – This is a new fund created to detail the funds contributed based on bond proceeds for the construction of infrastructure for the Entrada development. All infrastructure will be conveyed to the Town upon completion. Fund balance increased by \$15,173,051 based on the contribution of \$18M offset by construction draws for the project and bond issuance costs.

Proprietary Funds. The Town's proprietary fund statements provide the same type of information found in the government-wide financial statements with greater detail. Total net position of the Proprietary Funds amounted to \$3,802,232, a decrease of \$1,660,168 which was primarily due to the payment to the City of Fort Worth for the Town's proportionate share of water system upgrades to provide Westlake with future capacity needs. Additional payments will be made in subsequent years.

General Fund Budgetary Highlights

The General Fund budget for fiscal year 2015 was amended in total to increase the net change in fund balance from \$(1,655,765) to \$(674,171), a total increase of \$981,594. The amended budget for net revenues was increased by \$591,736 (8%) based on anticipated increases in several categories and the amended budget for expenditures was increased by \$380,683 while other financing sources (uses) increased by \$976,540. This was primarily due to unanticipated insurance proceeds offset by a reduction of transfers out to Debt Service. Sales tax receipts in 4B Economic Development Fund are used for debt service and the General Fund transfers out the shortfall. More than anticipated sales tax revenues were received; therefore, a smaller amount of funds had to be transferred to the Debt Service Fund.

The General Fund actual revenue collections were less than the amended budget by \$187,265 which can be attributed to the additional receipt of taxes offset by the anticipated addition of building permits and fees which weren't received due to timing. The final expenditures were \$971,368 (12%) less than budgeted. Several of the larger expenditures under budget were due to timing. We had anticipated the implementation of permitting software and the amendment to the Code or Ordinances

to support the newly approved Comprehensive Plan. These large items were not able to be completed by year-end but will be expensed in the current fiscal year 2015-2016. There was also a savings on the budgeted attorney and consultant fees as a result of reimbursements regarding the Entrada/Granada developments. The remaining larger savings were due to savings in contracted services and training.

Capital Assets and Debt Administration

Capital Assets. The Town's investment in capital assets for its governmental and business-type activities as of September 30, 2015, totaled \$67,133,437 (net of accumulated depreciation). The investment in capital assets includes land, buildings, improvements, machinery and equipment, infrastructure, and construction in progress. The net increase in the Town's investment in capital assets for the current fiscal year was \$3,824,916 or 6%. Increase for governmental activities was 8.5% (\$4,264,763) and 3.3% (\$439,847) decrease in business-type activities.

Major capital asset events during the current fiscal year included the following:

- \$2.8M – Construction in Progress (Primarily PID)
- \$842K – FM 1938 Town Improvements
- \$723K – Fire Truck
- \$489K – WA expansion
- \$207K – Fire Station Complex
- \$131K – WA Playground equipment
- \$106K – Outdoor warning System
- \$ 92K – Technology
- \$ 56K - Open Space and Cemetery improvements
- \$ 26K – Glenwyck Farms Park Improvements
- \$ 11K – Facilities/Maintenance lawnmower

Table 5
Town's Capital Assets
(Net of Accumulated Depreciation)

	Governmental Activities		Business-type Activities		Total	
	2015	2014	2015	2014	2015	2014
Land	\$ 11,896,664	\$ 11,896,663	\$ -	\$ -	\$ 11,896,664	\$ 11,896,663
Capital improvements	10,539,908	7,814,722	10,461,290	10,809,857	21,001,198	18,624,579
Building	27,011,626	27,009,853			27,011,626	27,009,853
Machinery and equipment	1,914,727	1,016,010	1,802,085	1,861,591	3,716,812	2,877,601
W/W treatments rights			153,492	185,266	153,492	185,266
Construction in progress	3,107,524	2,468,438	246,121	246,121	3,353,645	2,714,559
Total capital assets	<u>\$ 54,470,449</u>	<u>\$ 50,205,686</u>	<u>\$ 12,662,988</u>	<u>\$ 13,102,835</u>	<u>\$ 67,133,437</u>	<u>\$ 63,308,521</u>

Additional information on the Town's capital assets can be found in Note 4 on pages 48- 51 of this report.

Long-term debt- At the end of the current fiscal year, the Town had total long-term debt outstanding of \$34,924,001. Of this amount, \$28,232,000 represents bonded indebtedness, \$33,814 economic development reimbursement, \$174,373 capital leases, \$323,227 in loans and \$5,226,294 contractual obligations. During the fiscal year 2014-2015, the Town's total debt payable decreased by \$1,331,958. This decrease was due to the scheduled repayment of principal and interest on outstanding bonded debt.

Standard & Poor's Ratings Services, a division of McGraw-Hill, Inc. has recently increased the Town's rate from AA to AA+/stable. Additional information about the rating agency or the significance of the rating provided may be obtained from Standard & Poor's web site. Additional information on the Town's long-term debt can be found in Note 5 on pages 51- 60.

**Table 6
Outstanding Debt at Year-End**

	Governmental Activities		Business-type Activities		Total	
	2015	2014	2015	2014	2015	2014
General obligation bonds	\$ 17,480,000	\$ 18,260,000	\$ -	\$ -	\$ 17,480,000	\$ 18,260,000
Certificates of obligation	9,759,250	10,029,800	992,750	1,014,200	10,752,000	11,044,000
Contractual obligations	33,814	65,789	5,226,294	5,320,824	5,260,108	5,386,613
Capital leases	174,373	237,378	-	-	174,373	237,378
Premium on bonds	701,120	744,328	33,397	33,397	734,517	777,725
Notes payable	323,227	371,464			323,227	371,464
Compensated absences	172,704	157,863	27,072	20,916	199,776	178,779
Total long-term debt	\$ 28,644,488	\$ 29,866,622	\$ 6,279,513	\$ 6,389,337	\$ 34,924,001	\$ 36,255,959

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS

In the FY 2015-16 adopted budget, the General Fund balance is anticipated to increase by \$398,987. General Fund revenues are budgeted to increase by 4% with sales tax making up 45% of the budgeted revenue. Ad valorem taxes are anticipated to increase by approximately 3% based on the certified roll of \$940,684,347 representing 15% of the budgeted revenues.

Expenditures are budgeted to increase \$455,731 a 6% increase. This includes an 11% increase in payroll which includes a full year of the increased payroll based on the survey performed in FY 14-15 to bring all personnel to market.

In this coming year, the Town's budget continues to be impacted by encouraging economic signs. Growth in Westlake, along the SH 114 corridor and with the progress of our new mixed-use development, Entrada, should continue to increase the commercial revenue sources. Additionally, increases are expected in residential-related revenues due to new housing developments on the horizon.

The Utility Fund FY 2015-16 adopted budget is estimated to decrease by \$1,658,588 primarily due to the payment to the City of Fort Worth for the Town's proportionate share of water system upgrades to provide Westlake with future capacity needs.

CONTACTING THE TOWN'S FINANCE DEPARTMENT

This financial report is designed to provide our citizens, customers, and investors and creditors with a general overview of the Town's finances and to demonstrate the Town's accountability for the money it receives. If you have questions about this report or need additional financial information, contact Debbie Piper, Town of Westlake Finance Director, at 817-490-5712 or email at dpiper@westlake-tx.org.

BASIC FINANCIAL STATEMENTS



TOWN OF WESTLAKE

**TOWN OF WESTLAKE
STATEMENT OF NET POSITION
SEPTEMBER 30, 2015**

	Primary Government			Discretely Presented Component Units
	Governmental Activities	Business-type Activities	Total	
ASSETS				
Cash and cash equivalents	\$ 12,120,035	\$ 3,538,226	\$ 15,658,261	\$ 6,478,370
Receivables (net of allowance)	1,488,435	1,025,216	2,513,651	238,775
Inventories	-	96,589	96,589	-
Other assets	96,693	-	96,693	80,961
Restricted cash and cash equivalents	15,746,018	219,160	15,965,178	4,188,806
Capital assets:				
Land and construction in progress	15,004,188	246,121	15,250,309	7,282,413
Buildings and improvements	46,780,027	14,899,416	61,679,443	69,554,153
Wastewater treatment rights	-	635,199	635,199	-
Machinery and equipment	4,516,302	3,566,595	8,082,897	5,902,065
Less accumulated depreciation	(11,830,068)	(6,684,343)	(18,514,411)	(34,184,668)
Total capital assets	<u>54,470,449</u>	<u>12,662,988</u>	<u>67,133,437</u>	<u>48,553,963</u>
Total Assets	<u>83,921,630</u>	<u>17,542,179</u>	<u>101,463,809</u>	<u>59,540,875</u>
DEFERRED OUTFLOWS OF RESOURCES				
Deferred outflows of resources - TRS pension	107,779	-	107,779	-
Deferred outflows of resources - TMRS pension	347,792	42,985	390,777	-
Deferred loss on refunding	1,093,896	-	1,093,896	-
Total Deferred Outflows of Resources	<u>1,549,467</u>	<u>42,985</u>	<u>1,592,452</u>	<u>-</u>
LIABILITIES				
Accounts payable	1,258,548	550,548	1,809,096	844,344
Customer deposit payable	-	219,160	219,160	-
Unearned revenue	1,100	284,535	285,635	2,137,931
Accrued interest payable	117,818	6,371,340	6,489,158	25,264,298
Noncurrent liabilities:				
Due within one year	1,252,914	123,493	1,376,407	74,661,851
Due in more than one year	28,213,391	6,233,856	34,447,247	-
Total Liabilities	<u>30,843,771</u>	<u>13,782,932</u>	<u>44,626,703</u>	<u>102,908,424</u>
DEFERRED INFLOWS OF RESOURCES				
Unavailable resources - TRS pension	58,750	-	58,750	-
Total Deferred Inflows of Resources	<u>58,750</u>	<u>-</u>	<u>58,750</u>	<u>-</u>
NET POSITION				
Net investment in capital assets	29,633,298	6,410,547	36,043,845	(26,107,888)
Restricted for:				
Tourism	1,081,009	-	1,081,009	-
Construction	15,173,051	-	15,173,051	-
Court security and technology	203,173	-	203,173	-
Future projects	13,632	-	13,632	-
Education	1,356,312	-	1,356,312	-
Unrestricted	7,108,101	(2,608,315)	4,499,786	(17,259,661)
Total net position	<u>\$ 54,568,576</u>	<u>\$ 3,802,232</u>	<u>\$ 58,370,808</u>	<u>\$ (43,367,549)</u>

The accompanying notes are an integral part of this statement.

**TOWN OF WESTLAKE
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

Functions/Programs	Expenses	Program Revenues		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Primary government:				
Governmental activities:				
General government	\$ 3,145,716	\$ 110,778	\$ -	\$ 18,119,637
Public safety	2,381,437	887,919	13,810	-
Cultural and recreation	129,970	-	6,750	-
Public works	1,081,996	936,245	-	649,566
Economic development	171,757	-	-	410,000
Visitor services	665,936	-	-	-
Education	8,598,261	531,090	7,595,093	803,875
Interest on long-term debt	1,022,201	-	-	-
Total governmental activities	<u>17,197,274</u>	<u>2,466,032</u>	<u>7,615,653</u>	<u>19,983,078</u>
Business-type activities:				
Water and sewer	4,861,529	3,549,775	-	-
Cemetery	7,297	13,620	-	-
Total business-type activities	<u>4,868,826</u>	<u>3,563,395</u>	<u>-</u>	<u>-</u>
Total primary government	<u>\$ 22,066,100</u>	<u>\$ 6,029,427</u>	<u>\$ 7,615,653</u>	<u>\$ 19,983,078</u>
Reported Discretely Presented Component Units	<u>\$ 17,995,200</u>	<u>\$ 14,488,825</u>	<u>\$ -</u>	<u>\$ -</u>

GENERAL REVENUES AND TRANSFERS:

Taxes:
Sales taxes
Property taxes
Hotel occupancy taxes
Mixed beverage taxes
Franchise taxes
Interest Income
Miscellaneous
Transfers

Total general revenues and transfers

Change in net position

NET POSITION, beginning of year as previously stated

Cumulative effect of change in accounting principle

NET POSITION, end of year

The accompanying notes are an integral part of this statement.

EXHIBIT A-2

Net (Expense) Revenue and Changes in Net Position			
Primary Government			Discretely Presented Component Units
Governmental Activities	Business - Type Activities	Total	
\$ 15,084,699	\$ -	\$ 15,084,699	\$ -
(1,479,708)	-	(1,479,708)	-
(123,220)	-	(123,220)	-
503,815	-	503,815	-
238,243	-	238,243	-
(665,936)	-	(665,936)	-
331,797	-	331,797	-
<u>(1,022,201)</u>	<u>-</u>	<u>(1,022,201)</u>	<u>-</u>
<u>12,867,489</u>	<u>-</u>	<u>12,867,489</u>	<u>-</u>
-	(1,311,754)	(1,311,754)	-
-	6,323	6,323	-
<u>-</u>	<u>(1,305,431)</u>	<u>(1,305,431)</u>	<u>-</u>
<u>12,867,489</u>	<u>(1,305,431)</u>	<u>11,562,058</u>	<u>-</u>
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (3,506,375)</u>
4,925,428	-	4,925,428	-
1,438,969	-	1,438,969	-
872,179	-	872,179	-
59,184	-	59,184	-
963,040	-	963,040	-
28,904	7,083	35,987	3,211
198,199	-	198,199	-
323,100	(323,100)	-	-
<u>8,809,003</u>	<u>(316,017)</u>	<u>8,492,986</u>	<u>3,211</u>
21,676,492	(1,621,448)	20,055,044	(3,503,164)
33,422,961	5,462,400	38,885,361	(39,864,385)
<u>(530,877)</u>	<u>(38,720)</u>	<u>(569,597)</u>	<u>-</u>
<u>\$ 54,568,576</u>	<u>\$ 3,802,232</u>	<u>\$ 58,370,808</u>	<u>\$ (43,367,549)</u>

**TOWN OF WESTLAKE
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2015**

	General	Westlake Academy	Debt Service Fund
ASSETS:			
Cash and cash equivalents	\$ 7,106,297	\$ 1,317,864	\$ 20,915
Receivables :			
Property taxes	5,379	-	674
Accounts receivable	824,725	366,320	-
Other	-	-	-
Due from other funds	164,147	-	-
Other assets	13,334	81,485	-
Restricted cash and cash equivalents	-	-	-
TOTAL ASSETS	<u>\$ 8,113,882</u>	<u>\$ 1,765,669</u>	<u>\$ 21,589</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCE:			
Liabilities:			
Accounts payable	\$ 427,953	\$ 91,957	\$ -
Unearned revenue	-	-	-
Due to other funds	-	-	-
Total liabilities	<u>427,953</u>	<u>91,957</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES:			
Unavailable resources - property taxes	5,379	-	673
Total deferred inflows of resources	<u>5,379</u>	<u>-</u>	<u>673</u>
Fund Balances:			
Nonspendable:			
Prepaid items	13,334	81,485	-
Restricted for:			
Tourism	-	-	-
Capital items	-	-	-
Court security and technology	203,173	-	-
Debt service	-	-	20,916
Education	-	1,592,227	-
Committed for:			
Street and tree improvements	80,442	-	-
Unassigned	7,383,601	-	-
Total fund balances	<u>7,680,550</u>	<u>1,673,712</u>	<u>20,916</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	<u>\$ 8,113,882</u>	<u>\$ 1,765,669</u>	<u>\$ 21,589</u>

The accompanying notes are
are an integral part of this statement.

EXHIBIT A-3

<u>Capital Projects</u>	<u>Westlake Academy Expansion</u>	<u>Solana PID Capital Projects</u>	<u>Nonmajor Governmental Funds</u>	<u>Total Governmental Funds</u>
\$ 2,208,871	\$ 395,932	\$ -	\$ 1,070,156	\$ 12,120,035
-	-	-	-	6,053
-	-	-	264,948	1,455,993
26,389	-	-	-	26,389
-	-	-	-	164,147
-	-	-	1,874	96,693
-	-	15,746,018	-	15,746,018
<u>\$ 2,235,260</u>	<u>\$ 395,932</u>	<u>\$ 15,746,018</u>	<u>\$ 1,336,978</u>	<u>\$ 29,615,328</u>
\$ 90,276	\$ 179	\$ 572,967	\$ 75,216	\$ 1,258,548
-	-	-	1,100	1,100
-	-	-	164,147	164,147
<u>90,276</u>	<u>179</u>	<u>572,967</u>	<u>240,463</u>	<u>1,423,795</u>
-	-	-	-	6,052
-	-	-	-	6,052
-	-	-	1,874	96,693
-	-	-	1,081,009	1,081,009
2,144,984	395,753	15,173,051	13,632	17,727,420
-	-	-	-	203,173
-	-	-	-	20,916
-	-	-	-	1,592,227
-	-	-	-	80,442
-	-	-	-	7,383,601
<u>2,144,984</u>	<u>395,753</u>	<u>15,173,051</u>	<u>1,096,515</u>	<u>28,185,481</u>
<u>\$ 2,235,260</u>	<u>\$ 395,932</u>	<u>\$ 15,746,018</u>	<u>\$ 1,336,978</u>	<u>\$ 29,615,328</u>

**TOWN OF WESTLAKE
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2015**

Total fund balance-governmental funds balance sheet	\$ 28,185,481
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not current financial resources and therefore are not reported in the governmental funds balance sheet.	54,470,449
Deferred losses on refunding are reported as deferred outflows of resources in the government-wide statement of net position.	1,093,896
Revenues earned but not available within sixty days of the fiscal year-end are not recognized as revenue in the fund financial statements.	6,052
Deferred outflows of resources related to the Town's and Academy's net pension liability increase net position by \$107,779 and \$347,792, respectively; while the Academy's deferred resource outflows related to the net pension liability decreases net position by \$58,750. This amount is the net effect.	396,821
Interest payable on long-term debt does not require current financial resources, therefore interest payable is not reported as a liability in the governmental funds balance sheet.	(117,818)
Long-term liabilities, including bonds payable, are not due and payable in the current period, and therefore are not reported in the fund financial statements.	<u>(29,466,305)</u>
NET POSITION OF GOVERNMENTAL ACTIVITIES - statement of net position	<u>\$ 54,568,576</u>



TOWN OF WESTLAKE

**TOWN OF WESTLAKE
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	<u>General</u>	<u>Westlake Academy</u>	<u>Debt Service Fund</u>
REVENUES:			
Taxes			
Sales	\$ 3,587,323	\$ -	\$ -
Property	1,256,796	-	176,121
Mixed beverage	59,184	-	-
Hotel occupancy	-	-	-
Franchise	963,040	-	-
State program revenues	-	6,173,418	-
Federal program revenues	-	87,797	-
Interest income	10,078	2,067	-
Building permits and fees	1,200,790	-	-
Fines and penalties	734,152	-	-
Intergovernmental	3,810	-	-
Contributions	10,000	-	-
Miscellaneous	81,539	1,971,097	-
Total revenues	<u>7,906,712</u>	<u>8,234,379</u>	<u>176,121</u>
EXPENDITURES:			
Current			
General government	2,411,239	-	-
Public safety	2,490,551	-	-
Cultural and recreation	130,322	-	-
Public works	744,028	-	-
Economic development	-	-	-
Visitor services	-	-	-
Education	-	7,938,501	-
Capital outlay	748,297	-	-
Debt service			
Principal retirement	48,237	-	1,050,550
Interest and other fiscal charges	-	10,204	963,425
Total expenditures	<u>6,572,674</u>	<u>7,948,705</u>	<u>2,013,975</u>
Excess (deficiency) of revenues Over (Under) Expenditures	<u>1,334,038</u>	<u>285,674</u>	<u>(1,837,854)</u>
OTHER FINANCING SOURCES (USES)			
Transfers in	521,320	300,000	1,857,689
Transfers out	(2,290,385)	-	-
Capital lease proceeds	-	16,740	-
Insurance proceeds	162,059	-	-
Net other financing sources (uses)	<u>(1,607,006)</u>	<u>316,740</u>	<u>1,857,689</u>
NET CHANGE IN FUND BALANCES	(272,968)	602,414	19,835
FUND BALANCES, AT BEGINNING OF YEAR	<u>7,953,518</u>	<u>1,071,298</u>	<u>1,081</u>
FUND BALANCES AT END OF YEAR	<u>\$ 7,680,550</u>	<u>\$ 1,673,712</u>	<u>\$ 20,916</u>

The accompanying notes are
are an integral part of this statement.

EXHIBIT A-5

Capital Projects	Westlake Academy Expansion	Solana PID Capital Projects	Nonmajor Governmental Funds	Total Governmental Funds
\$ -	\$ -	\$ -	\$ 1,338,105	\$ 4,925,428
-	-	-	-	1,432,917
-	-	-	-	59,184
-	-	-	872,179	872,179
-	-	-	-	963,040
-	-	-	-	6,173,418
-	-	-	-	87,797
3,544	1,401	9,711	2,103	28,904
-	-	-	-	1,200,790
-	-	-	-	734,152
-	-	-	-	3,810
649,566	-	18,119,637	6,750	18,785,953
-	-	-	414,745	2,467,381
<u>653,110</u>	<u>1,401</u>	<u>18,129,348</u>	<u>2,633,882</u>	<u>37,734,953</u>
-	-	-	-	2,411,239
-	-	-	-	2,490,551
-	-	-	-	130,322
-	-	-	-	744,028
-	-	-	171,757	171,757
-	-	-	670,157	670,157
-	-	-	-	7,938,501
1,260,018	494,670	2,771,297	-	5,274,282
-	-	-	31,975	1,130,762
-	-	-	3,783	977,412
<u>1,260,018</u>	<u>494,670</u>	<u>2,771,297</u>	<u>877,672</u>	<u>21,939,011</u>
<u>(606,908)</u>	<u>(493,269)</u>	<u>15,358,051</u>	<u>1,756,210</u>	<u>15,795,942</u>
1,438,801	464,328	-	35,758	4,617,896
-	-	(185,000)	(1,819,411)	(4,294,796)
-	-	-	-	16,740
-	-	-	-	162,059
<u>1,438,801</u>	<u>464,328</u>	<u>(185,000)</u>	<u>(1,783,653)</u>	<u>501,899</u>
831,893	(28,941)	15,173,051	(27,443)	16,297,841
<u>1,313,091</u>	<u>424,694</u>	<u>-</u>	<u>1,123,958</u>	<u>11,887,640</u>
<u>\$ 2,144,984</u>	<u>\$ 395,753</u>	<u>\$ 15,173,051</u>	<u>\$ 1,096,515</u>	<u>\$ 28,185,481</u>

**TOWN OF WESTLAKE
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

Net change in fund balances- total governmental funds.	\$ 16,297,841
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.	5,431,666
Depreciation expense on capital assets is reported in the statement of activities but does not require the use of current financial resources. Therefore, depreciation expense is not reported as expenditures in the governmental funds.	(1,246,759)
Governmental funds do not recognize assets contributed by developers. However, in the statement of activities, the fair market value of those assets is recognized as revenue, then allocated over the useful life of the assets and reported as depreciation expense.	130,000
The repayment of the principal of long term debt consumes the current financial resources of governmental funds, but has no effect on net position. The amortization of bond premiums and deferred gain/loss on refunding of long term debt is reported in the statement of activities but does not require the use of current financial resources. Therefore, the effect of the amortization of these various items are not reported in the statement of revenues, expenditures, and changes in fund balance. This amount represents the net effect of the following items:	
Repayments	1,130,762
Amortization of premium on bonds	43,208
Amortization of deferred loss on refunding	<u>(100,852)</u>
	1,073,118
Governmental funds reflect the proceeds of capital leases as other financing sources and payments as expenditures. However, in the government-wide statements, the proceeds and payments are reflected as changes in liabilities. This amount represents the net effect of proceeds (\$16,740) and payments, \$79,745.	63,005
Current year changes in accrued interest payable does not require the use of current financial resources; and therefore, are not reported as expenditures in governmental funds.	2,642
Implementation of GASB 68 requires certain expenditures to be de-expended and recorded as deferred outflows of resources. The following is the net effect of current year TMRs pension expense, (\$196,848), and contributions made after the measurement date, \$228,154.	31,306
Implementation of GASB 68 also affected the Academy. Contributions made to TRS after the measurement date caused the change in net position to increase by \$92,325. Contributions made before the measurement period also caused an increase in the change in net position of \$12,082. The net share of the Academy's amount of deferred inflows and outflows of resources decreased the change in net position by \$29,833. This amount is the net effect.	74,574
Insurance recoveries are recorded as other financing source in the governmental funds financial statements, while in the governmentwide statement of activities, the gain on disposal increases net position. The difference is the carrying amount of the assets disposed of.	(50,144)
Current year changes in the long-term liability for compensated absences do not require the use of current financial resources; and therefore, are not reported as expenditures in governmental funds.	(14,841)
Certain revenues in the government-wide statement of activities that do not provide current financial resources are not reported as revenue in the governmental funds.	<u>(115,916)</u>
CHANGE IN NET POSITION OF GOVERNMENTAL ACTIVITIES - statement of activities	<u>\$ 21,676,492</u>

The accompanying notes are
are an integral part of this statement.

**TOWN OF WESTLAKE
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
SEPTEMBER 30, 2015**

	Utility Fund	Cemetery Fund	Total
ASSETS:			
Current Assets			
Cash and cash equivalents	\$ 3,478,452	\$ 59,774	\$ 3,538,226
Accounts receivable	1,025,216	-	1,025,216
Inventories	-	96,589	96,589
Restricted cash and investments	219,160	-	219,160
Total current assets	<u>4,722,828</u>	<u>156,363</u>	<u>4,879,191</u>
Noncurrent assets			
Capital assets:			
Construction in progress	246,121	-	246,121
Buildings and improvements	14,899,416	-	14,899,416
Wastewater treatment rights	635,199	-	635,199
Machinery and equipment	3,566,595	-	3,566,595
Less: accumulated depreciation	<u>(6,684,343)</u>	<u>-</u>	<u>(6,684,343)</u>
Total capital assets	<u>12,662,988</u>	<u>-</u>	<u>12,662,988</u>
Total noncurrent assets	<u>12,662,988</u>	<u>-</u>	<u>12,662,988</u>
TOTAL ASSETS	<u>17,385,816</u>	<u>156,363</u>	<u>17,542,179</u>
DEFERRED OUTFLOWS OF RESOURCES:			
Unavailable resources - TMRS pension	42,985	-	42,985
TOTAL DEFERRED OUTFLOWS OF RESOURCES	<u>42,985</u>	<u>-</u>	<u>42,985</u>
LIABILITIES			
Current liabilities:			
Accounts payable	548,923	1,625	550,548
Customer deposits payable	219,160	-	219,160
Accrued interest payable	6,371,340	-	6,371,340
Unearned revenue	284,535	-	284,535
Compensated absences - current portion	2,707	-	2,707
Current portion of bonds payable	21,450	-	21,450
Contractual obligations	99,336	-	99,336
Total current liabilities	<u>7,547,451</u>	<u>1,625</u>	<u>7,549,076</u>
Long-term liabilities:			
Bonds payable	971,300	-	971,300
Compensated absences	24,365	-	24,365
Contractual obligations	5,160,355	-	5,160,355
Net pension liability	77,836	-	77,836
Total long-term liabilities	<u>6,233,856</u>	<u>-</u>	<u>6,233,856</u>
TOTAL LIABILITIES	<u>13,781,307</u>	<u>1,625</u>	<u>13,782,932</u>
NET POSITION			
Net investment in capital assets	6,410,547	-	6,410,547
Unrestricted	<u>(2,763,053)</u>	<u>154,738</u>	<u>(2,608,315)</u>
TOTAL NET POSITION	<u>\$ 3,647,494</u>	<u>\$ 154,738</u>	<u>\$ 3,802,232</u>

The accompanying notes are
are an integral part of this statement.

**TOWN OF WESTLAKE
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Utility Fund	Cemetery Fund	Total
OPERATING REVENUES:			
Charges for services	\$ 3,352,471	\$ 13,620	\$ 3,366,091
Miscellaneous revenue	197,304	-	197,304
Total operating revenues	<u>3,549,775</u>	<u>13,620</u>	<u>3,563,395</u>
OPERATING EXPENSES:			
Payroll costs	358,353	-	358,353
Professional and contract services	1,129,962	6,443	1,136,405
Depreciation	493,101	-	493,101
Amortization of wastewater treatment rights	31,774	-	31,774
Water purchases	1,223,393	-	1,223,393
Cost of cemetery lots sold	-	397	397
Other operating costs	829,343	457	829,800
Total operating expenses	<u>4,065,926</u>	<u>7,297</u>	<u>4,073,223</u>
Net operating income	<u>(516,151)</u>	<u>6,323</u>	<u>(509,828)</u>
NON-OPERATING REVENUES(EXPENSES):			
Interest income	6,996	87	7,083
Interest expense	(795,603)	-	(795,603)
Total non-operating revenues (expenses)	<u>(788,607)</u>	<u>87</u>	<u>(788,520)</u>
INCOME (LOSS) BEFORE TRANSFERS AND CAPITAL CONTRIBUTIONS			
	<u>(1,304,758)</u>	<u>6,410</u>	<u>(1,298,348)</u>
Transfer out	<u>(323,100)</u>	<u>-</u>	<u>(323,100)</u>
Total transfers and capital contributions	<u>(323,100)</u>	<u>-</u>	<u>(323,100)</u>
Change in net position	(1,627,858)	6,410	(1,621,448)
Total net position, beginning of year	5,314,072	148,328	5,462,400
Cumulative effect of change in accounting principle	<u>(38,720)</u>	<u>-</u>	<u>(38,720)</u>
Total net position, end of year	<u>\$ 3,647,494</u>	<u>\$ 154,738</u>	<u>\$ 3,802,232</u>

The accompanying notes are
are an integral part of this statement.

EXHIBIT A-9

**TOWN OF WESTLAKE
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	<u>Utility Fund</u>	<u>Cemetery Fund</u>	<u>Total</u>
CASH FLOWS FROM OPERATING ACTIVITIES:			
Receipts from customers	\$ 3,350,495	\$ 13,678	\$ 3,364,173
Payments to employees	(372,908)	-	(372,908)
Payments to suppliers	<u>(2,851,473)</u>	<u>(5,630)</u>	<u>(2,857,103)</u>
Net cash provided by operating activities	<u>126,114</u>	<u>8,048</u>	<u>134,162</u>
CASH FLOW FROM NONCAPITAL FINANCING ACTIVITIES:			
Transfer to other funds	<u>(323,100)</u>	<u>-</u>	<u>(323,100)</u>
Net cash used in noncapital financing activities	<u>(323,100)</u>	<u>-</u>	<u>(323,100)</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:			
Principal paid on debt	(114,808)	-	(114,808)
Interest paid on debt	(139,384)	-	(139,384)
Investment earnings	6,996	87	7,083
Purchase of property and equipment	<u>(85,028)</u>	<u>-</u>	<u>(85,028)</u>
Net cash provided by (used in) capital and related financing activities	<u>(332,224)</u>	<u>87</u>	<u>(332,137)</u>
Net increase (decrease) in cash	(529,210)	8,135	(521,075)
Cash and cash equivalents at the beginning of the year	<u>4,226,822</u>	<u>51,639</u>	<u>4,278,461</u>
Cash and cash equivalents at the end of the year	<u>\$ 3,697,612</u>	<u>\$ 59,774</u>	<u>\$ 3,757,386</u>
RECONCILIATION OF TOTAL CASH AND CASH EQUIVALENTS:			
Cash and cash equivalents	\$ 3,478,452	\$ 59,774	\$ 3,538,226
Restricted cash and cash equivalents	<u>219,160</u>	<u>-</u>	<u>219,160</u>
Total cash and cash equivalents	<u>3,697,612</u>	<u>59,774</u>	<u>3,757,386</u>
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED BY OPERATING ACTIVITIES:			
Operating income (loss)	(516,151)	6,323	(509,828)
Adjustments to reconcile operating income to net cash provided by operating activities:			
Depreciation and amortization	524,875	-	524,875
Pension expense	24,329	-	24,329
Changes in operating assets and liabilities:			
Receivables	(189,913)	58	(189,855)
Prepaid Items			
Inventory	-	397	397
Compensated absences	6,156	-	6,156
Deferred outflows of resource	(28,198)	-	(28,198)
Accounts payable	314,383	1,270	315,653
Customer deposits payable	24,450	-	24,450
Deferred revenue	<u>(33,817)</u>	<u>-</u>	<u>(33,817)</u>
Net cash provided by operating activities	<u>\$ 126,114</u>	<u>\$ 8,048</u>	<u>\$ 134,162</u>

The accompanying notes are
are an integral part of this statement.



TOWN OF WESTLAKE

**TOWN OF WESTLAKE
STATEMENT OF FIDUCIARY NET POSITION
AGENCY FUND
SEPTEMBER 30, 2015**

	<u>PID Agency Fund</u>
ASSETS	
Restricted cash and cash equivalents	\$ 4,372,587
Total Assets	<u>\$ 4,372,587</u>
LIABILITIES	
Liability to bond holders	\$ 4,372,587
Total Liabilities	<u>\$ 4,372,587</u>

The accompanying notes are
are an integral part of this statement.

**TOWN OF WESTLAKE
DISCRETELY PRESENTED COMPONENT UNITS
COMBINING STATEMENT OF NET POSITION
SEPTEMBER 30, 2015**

	Texas Student Housing Corporation Denton Project	Texas Student Housing Authority Jefferson Commons at Town Lake Project
ASSETS		
Cash and cash equivalents	\$ 367,085	\$ 256,209
Accounts receivable (net of allowance)	21,644	17,694
Prepaid rent	27,965	-
Restricted assets:		
Cash and cash equivalents	1,933,280	232,333
Capital assets:		
Land	2,200,000	2,182,816
Buildings and improvements	25,705,000	16,963,841
Machinery and equipment	1,253,841	1,211,085
Less: accumulated depreciation	<u>(13,542,440)</u>	<u>(7,948,001)</u>
Total assets	<u>17,966,375</u>	<u>12,915,977</u>
LIABILITIES AND NET POSITION		
LIABILITIES:		
Accounts payable and accrued expenses	287,802	340,452
Unearned revenue	187,524	145,275
Accrued interest payable	7,289,475	4,182,603
Bonds payable	<u>25,605,131</u>	<u>19,627,520</u>
Total liabilities	<u>33,369,932</u>	<u>24,295,850</u>
NET POSITION:		
Net investment in capital assets	(9,988,730)	(7,217,779)
Unrestricted	<u>(5,414,827)</u>	<u>(4,162,094)</u>
Total net position	<u>\$ (15,403,557)</u>	<u>\$ (11,379,873)</u>

The accompanying notes are
are an integral part of this statement.

EXHIBIT A-11

Texas Student Housing Corporation College Station Project	Texas Student Housing Authority	Total
\$ 5,174,458	\$ 680,618	\$ 6,478,370
198,464	973	238,775
52,996	-	80,961
2,023,193	-	4,188,806
2,899,597	-	7,282,413
26,885,312	-	69,554,153
3,437,139	-	5,902,065
<u>(12,694,227)</u>	<u>-</u>	<u>(34,184,668)</u>
<u>27,976,932</u>	<u>681,591</u>	<u>59,540,875</u>
215,235	855	844,344
1,770,049	35,083	2,137,931
13,792,220	-	25,264,298
<u>29,429,200</u>	<u>-</u>	<u>74,661,851</u>
<u>45,206,704</u>	<u>35,938</u>	<u>102,908,424</u>
(8,901,379)	-	(26,107,888)
<u>(8,328,393)</u>	<u>645,653</u>	<u>(17,259,661)</u>
<u>\$ (17,229,772)</u>	<u>\$ 645,653</u>	<u>\$ (43,367,549)</u>

**TOWN OF WESTLAKE
DISCRETELY PRESENTED COMPONENT UNITS
COMBINING STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015**

Functions/Programs	Program Revenues			
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Business-type activities:				
Texas Student Housing Authority	\$ 248,967	\$ 359,193	\$ -	\$ -
Texas Student Housing Authority:				
College Station Project	8,054,674	6,006,756	-	-
Jefferson Commons at Town Lake	4,138,075	3,208,107	-	-
Denton Project	5,553,484	4,914,769	-	-
Total business-type activities	<u>17,995,200</u>	<u>14,488,825</u>	<u>-</u>	<u>-</u>
Total primary government	<u>\$ 17,995,200</u>	<u>\$ 14,488,825</u>	<u>\$ -</u>	<u>\$ -</u>

GENERAL REVENUES:

Interest Income

Total general revenues

Change in Net Position

NET POSITION, beginning of year

NET POSITION, end of year

The accompanying notes are an integral part of this statement.

EXHIBIT A-12

Texas Student Housing Corporation Denton Project	Texas Student Housing Authority Jefferson Commons at Town Lake Project	Texas Student Housing Corporation College Station Project	Texas Student Housing Authority	Total
\$ -	\$ -	\$ -	\$ 110,226	\$ 110,226
-	-	(2,047,918)	-	(2,047,918)
-	(929,968)	-	-	(929,968)
<u>(638,715)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(638,715)</u>
<u>(638,715)</u>	<u>(929,968)</u>	<u>(2,047,918)</u>	<u>110,226</u>	<u>(3,506,375)</u>
<u>\$ (638,715)</u>	<u>\$ (929,968)</u>	<u>\$ (2,047,918)</u>	<u>\$ 110,226</u>	<u>\$ (3,506,375)</u>
<u>1,895</u>	<u>100</u>	<u>818</u>	<u>398</u>	<u>3,211</u>
<u>1,895</u>	<u>100</u>	<u>818</u>	<u>398</u>	<u>3,211</u>
(636,820)	(929,868)	(2,047,100)	110,624	(3,503,164)
<u>(14,766,737)</u>	<u>(10,450,005)</u>	<u>(15,182,672)</u>	<u>535,029</u>	<u>(39,864,385)</u>
<u>\$ (15,403,557)</u>	<u>\$ (11,379,873)</u>	<u>\$ (17,229,772)</u>	<u>\$ 645,653</u>	<u>\$ (43,367,549)</u>



TOWN OF WESTLAKE

TOWN OF WESTLAKE NOTES TO THE FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Town of Westlake, Texas (the Town) was incorporated under the provisions of the laws of the State of Texas on December 26, 1956. The Town operates under a Council- Manager form of government and provides the following services as authorized by the laws of the State of Texas: public safety; cultural and recreation; and economic development.

The accounting and reporting policies of the Town conform to accounting principles generally accepted in the United States of America for local governments. Generally accepted accounting principles (GAAP) for local governments include those principles prescribed by the Governmental Accounting Standards Board (GASB). The following is a summary of the more significant accounting and reporting policies:

Financial Reporting Entity

The accompanying financial statements present the government and its component units, entities for which the government is considered to be financially accountable. Blended component units, although legally separate entities, are, in substance, part of the Town's operations and are appropriately presented as funds of the primary government. Discretely presented component units, on the other hand, are reported in a separate column in the government-wide financial statements to emphasize it is legally separate from the Town.

Based on these criteria, the financial information of the following entities have been blended or discretely presented within the financial statements: Lone Star Public Facilities Corporation, 4B Economic Development Corporation, Westlake Academy, Texas Student Housing Authority, Texas Student Housing Authority – Jefferson Commons at Town Lake Project, Texas Student Housing Corporation – College Station Project and Texas Student Housing Corporation – Denton Project.

The Texas Student Housing Authority, Texas Student Housing Authority – Jefferson Commons at Town Lake Project, Texas Student Housing Corporation – College Station Project, and Texas Student Housing Corporation – Denton Project (collectively, Texas Student Housing Entities) are Texas nonprofit organizations as a duly constituted authority of the Town pursuant to Section 53.35(b) of the Texas Education Code, as amended (Act). Texas Student Housing Entities' primary purpose is to construct, own, and operate student housing facilities on college campuses in Texas. The board consists of seven directors which are appointed by the Town's governing body and has the ability to remove at will the appointed members; thus, the governing body can impose its will on the organizations. However, the board is not substantively the same as the Town's governing body; therefore, the Texas Student Housing Entities are reported as discretely presented component units (enterprise funds). The Town is not responsible for the long-term debt of the Texas Student Housing Entities. The Texas Student Housing Entities' year-end is August 31.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Component Units – Continued

Discretely Presented – Continued

Separately issued financial reports are available for the all the Texas Student Housing Entities. These reports may be obtained by contacting the following office.

Texas Student Housing Authority
99 Trophy Club Drive
Trophy Club, Texas 76262

Blended

Lone Star Public Facilities Corporation is a Texas nonprofit corporation that acts on behalf of the Town to further the public purposes under the Public Facilities Corporation Act, as it's duly constituted authority and instrumentality. The board of directors, appointed by the Town's governing body, is comprised of seven members, of whom five must be members of the Town's governing body. Since the board of directors is substantively the same as the Town's governing body, and a financial benefit relationship exists, the entity has been reported as a blended component unit of the Town.

4B Economic Development Corporation is a Texas nonprofit industrial corporation under the Development Corporation Act of 1979 formed to promote economic development within the Town and the State of Texas in order to eliminate unemployment and underemployment, and to promote and encourage employment and the public welfare of, for, and on behalf of the Town by developing, implementing, financing, and providing one or more projects defined and permitted under Section 4B of the Act. The board of directors is composed of seven persons appointed by the members of the Town's governing board. Four of the members of the board of directors are members of the Town's governing board. Since the board of directors is substantively the same as the Town's governing body, and a financial benefit relationship exists, the entity has been reported as a blended component unit of the Town.

Westlake Academy (Academy) is an open-enrollment charter school, as provided by Subchapter D, Chapter 12, of the Texas Education Code. The Town of Westlake (Charter Holder) applied for and became the first municipality in Texas to ever receive this special charter designation. The board consists of six trustees and is appointed by the Town's governing body. Currently, all the members of the board of trustees are members of the Town's governing body. Since the board of directors is substantively the same as the Town's governing body, and a financial benefit relationship exists, the entity has been reported as a blended component unit of the Town. The Academy's year-end is August 31.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the Town. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. Likewise, the primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual Governmental Funds and major individual Enterprise Funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and *the modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Town considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Measurement Focus, Basis of Accounting, and Financial Statement Presentation – Continued

Sales taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the Town.

The Town uses funds to report on its financial position and the results of its operations. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities. A fund is a separate accounting entity with a self-balancing set of accounts.

Governmental Funds are those through which most governmental functions of the Town are financed. The acquisition, use, and balances of the Town's expendable financial resources and the related liabilities (except those accounted for in the proprietary fund type) are accounted for through governmental funds. The measurement focus is upon determination of changes in financial position, rather than upon income determination.

The Town reports the following major governmental funds:

General Fund - to account for all financial resources except those required to be accounted for in another fund. The General Fund balance is available for any purpose, provided it is expended or transferred in accordance with the legally adopted budget of the Town.

Westlake Academy Fund - to account for all local, state and federal revenue and related educational expenditures of the Academy.

Debt Service Fund - to account for resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

Capital Projects Fund - to account for proceeds from long-term financing and revenue and expenditures related to authorized construction and other capital asset acquisitions other than those related to the expansion of Westlake Academy facilities.

Westlake Academy Expansion Fund – to account for proceeds from long-term financing and revenue and expenditures related to authorized construction related to the expansion of Westlake Academy facilities.

Solana Public Improvement District (PID) Capital Projects Fund – to account for the acquisition or construction of capital facilities and improvements relating to the Solana public improvement district.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Measurement Focus, Basis of Accounting, and Financial Statement Presentation – Continued

In addition, the Town reports the following nonmajor governmental funds:

Visitors Association Fund - to account for municipal hotel occupancy taxes collected and expenditures to promote tourism and the convention and hotel industry.

Lone Star Public Facilities Corporation - to account for investment activity relating to the Lone Star Public Facilities Corporation.

4B Economic Development Corporation - to account for sales tax collected to fund the activities of the 4B Economic Development Corporation.

Economic Development Fund - to account for sales tax and hotel occupancy tax collected to fund activity relating to Economic Development agreements.

The Town adopts an annual appropriated budget for all governmental funds except capital projects, Solana PID capital projects, and Westlake Academy Expansion funds, which are project-length based budgets. A budgetary comparison schedule has been provided for all appropriate funds to demonstrate compliance with the budget.

Proprietary Funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Town's Enterprise Fund are charges to customers for sales and services. Operating expenses for the Enterprise Fund include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenue and expenses not meeting this definition are reported as nonoperating revenue and expenses.

The Town reports the following major proprietary funds:

Utility Fund - to account for revenues and expenses related to providing water and sewer services to the general public on a continuing basis.

Cemetery Fund- to account for the operations of the Town's cemetery.

The Town reports the following fiduciary fund:

Solana PID Agency Fund – to account for bond proceeds, assessments, and related debt associated with bonds issued by the Town as an agent for the Solana public improvement district.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the Town's water and wastewater function and various other functions of the government. Elimination of these charges would distort the direct costs and program revenue reported for the various functions concerned.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Measurement Focus, Basis of Accounting, and Financial Statement Presentation – Continued

Amounts reported as program revenues include: 1) charges to customer or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenue. Likewise, general revenue includes all taxes.

Assets, Liabilities, and Net Position or Equity

Cash and Cash Equivalents

Cash and investments of all funds, including restricted cash, are available upon demand and are considered to be "cash equivalents."

For purposes of the statement of cash flows, the Town considers highly-liquid investments (including restricted assets) with an original maturity of three months or less when purchased to be cash equivalents.

State statutes authorize the Town to invest in (1) obligations of the United States or its agencies and instrumentalities; (2) direct obligations of the State of Texas or its agencies; (3) other obligations, the principal of, and interest on, which are unconditionally guaranteed or insured by the State of Texas or the United States; (4) obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than "A" or its equivalent; (5) certificates of deposit by state or national banks domiciled in this state that are (a) guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor; or, (b) secured by obligations that are described by (1) - (4); or (6) fully collateralized direct repurchase agreements having a defined termination date, secured by obligations described by (1) pledged with third-party selected or (2) approved by the Town, and placed through a primary government securities dealer. All investments are recorded at fair value based on quoted market prices. Fair value is the amount at which a financial instrument could be exchanged in a current transaction between willing parties.

Receivables and Payables

Transactions between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Assets, Liabilities, and Net Position or Equity – Continued

Receivables and Payables – Continued

Advances between funds, as reported in the fund financial statements, are offset by nonspendable fund balance in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

The Town's property taxes are levied on October 1 on the assessed value listed as of the prior January 1 for all real and business personal property located in the Town. Assessed values are established at 100% of estimated market value. Property taxes attach as an enforceable lien on property as of January 1. Taxes are due by January 31 following the October 1 levy date and are considered delinquent after January 31 of each year.

All property tax receivables are shown net of an allowance for uncollectibles. The net property tax receivable allowance is equal to management's estimate of uncollectible outstanding property taxes at September 30, 2015.

Restricted Assets

Certain bond proceeds, as well as certain resources set aside for their repayment, are classified as restricted assets on the balance sheet because their use is limited by applicable bond covenants.

Inventories and prepaid items

Inventories, which are expended as they are consumed, are stated at the lower of cost or market on a first-in, first-out basis.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements.

Fund Changes and Transactions Between Funds

Legally authorized transfers are treated as transfers in and out and are included as other financing sources (uses) of both governmental and proprietary funds.

The Town allocates an indirect cost percentage of the salaries, wages and related costs of personnel who perform administrative services as well as other indirect costs necessary for the operation of various funds. Expenses are budgeted and paid from the appropriate fund.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Assets, Liabilities, and Net Position or Equity – Continued

Capital Assets

All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. The cost of nominal maintenance and repairs that do not add value to the asset or materially extend assets' lives are not capitalized. Donated assets are valued at their fair market value on the date donated. Assets capitalized have an original cost of \$5,000 or more and three years or more of life. All infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), regardless of the acquisition date or amount, have been included. Estimated historical cost for initial reporting of infrastructure assets (those reported by governmental activities) was valued by estimating the current replacement cost of the infrastructure and using an index to deflate the cost to the estimated acquisition/construction year. As the Town constructs or acquires additional capital assets, including infrastructure assets, they are capitalized and reported at historical cost.

Depreciation has been calculated on each class of depreciable property using the straight-line method. Estimated useful lives are as follows:

<u>Assets</u>	<u>Years</u>
Water and sewer system	10-50
Buildings	20-50
Machinery and equipment	3-30
Improvements	5-30
Information systems and software	3

Compensated Absences

The Town's policy allows employees to earn 5 days of vacation and 5 days of sick leave between six months and one year of service, and 10 days of vacation and 10 days of sick leave between one year and two years of service and each successive year through five years of service. After completion of 5 years of service, 15 days of vacation and 15 days of sick leave per year are earned. After completion of 10 years of service, 20 days of vacation and 20 days of sick leave per year are earned. The Town makes sick and vacation time available in full at the beginning of each year, and hours are actually earned throughout the year. Unused, earned vacation hours are paid upon termination or retirement at the employee's normal hourly rate; accumulated, unused sick time is only payable upon retirement, death of the employee, or other circumstances when authorized by the Town Manager.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Assets, Liabilities, and Net Position or Equity – Continued

Long-term Obligations

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method, which approximates the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as issuance costs during the current period. The face amount of the debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts are reported as other financing uses. Issuance costs, even if withheld from the actual proceeds, are reported as expenditures.

Fund Equity and Net Position

The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the Town is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent.

The classifications used in the governmental fund financial statements are as follows:

- **Nonspendable**: This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) are legally or contractually required to be maintained intact. Nonspendable items are not expected to be converted to cash or are not expected to be converted to cash within the next year.
- **Restricted**: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.
- **Committed**: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by board resolution of the Town council, the Town's highest level of decision making authority. These amounts cannot be used for any other purpose unless the Town council removes or changes the specified use by taking the same type of action that was employed when the funds were initially committed. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Assets, Liabilities, and Net Position or Equity – Continued

Fund Equity and Net Position – Continued

- Assigned: This classification includes amounts that are constrained by the Town's intent to be used for a specific purpose but are neither restricted nor committed. In the General Fund, assigned amounts represent intended uses established by the Town Council or a Town official delegated that authority by Town Charter or ordinance.
- Unassigned: This classification includes the residual fund balance for the General Fund. The unassigned classification also includes negative residual fund balance of any other governmental fund that cannot be eliminated by offsetting of assigned fund balance amounts.

In the government-wide financial statements, net position represents the difference between assets and liabilities. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. Net position is reported as restricted when there are limitations imposed on its use either through the enabling legislations adopted by the Town or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

The government-wide and fund level financial statements report restricted fund balances for amounts not available for appropriation or legally restricted for specific uses. When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, it is the Town's policy to use restricted resources first, then unrestricted resources as needed. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the Town considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds.

Summary of Significant Accounting Policies

Pensions - For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Estimates

The preparation of financial statements, in conformity with U.S. generally accepted accounting principles, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual amounts could differ from those estimates.

Subsequent Events

The Town has evaluated all events or transactions that occurred after September 30, 2015 up through February 15, 2016, the date the financial statements were issued.

NOTE 2. CASH AND INVESTMENTS

Legal provisions generally permit the Town to invest in certificates of deposit, repurchase agreements, public funds investment pools, direct obligations of the United States of America or its subdivisions and state and local government securities.

The Public Funds Investment Act (Government Code Chapter 2256) contains specific provisions in the areas of investment practices, management reports and establishment of appropriate policies. Among other things, it requires the Town to adopt, implement, and publicize its investment policy.

That policy must address the following areas: (1) safety of principal and liquidity, (2) portfolio diversification, (3) allowable investments, (4) acceptable risk levels, (5) expected rates of return, (6) maximum allowable stated maturity of portfolio investments, (7) maximum average dollar - weighted maturity allowed based on the stated maturity date for the portfolio, (8) investment staff quality and capabilities, and (9) bid solicitation preferences for certificates of deposit.

Statutes and the Town's investment policy authorized the Town to invest in the following investments as summarized in the table below:

<u>Authorized Investment Type</u>	<u>Maximum Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Investment In One Issuer</u>
Obligations of the U.S. Government, its agencies and instrumentalities	2 years	None	None
Certificates of deposit	1 year	None	None
Mutual funds	2 years	80%	None
Investment pools	-	None	None

TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS

NOTE 2. CASH AND INVESTMENTS – CONTINUED

The Town did not engage in repurchase or reverse repurchase agreement transactions during the current year.

At year end, the carrying amount of the Town's deposits was \$16,077,071 and the bank balance was \$17,597,039. The bank balance was completely covered by federal deposit insurance and collateral held by the pledging financial institution in the Town's name.

At year end, the carrying amount of the component units' deposits was \$10,667,176 and the bank balance was \$10,742,156. The bank balance was completely covered by federal deposit insurance and collateral held by the pledging financial institution in the component units' names. The carrying amount consists of \$6,478,370 in cash and cash equivalents and \$4,188,806 in restricted cash and cash equivalents.

At September 30, 2015, the Town's cash and cash equivalents consist of and are classified in the accompanying financial statements are follows:

Primary government:	
Cash and cash equivalents	\$ 15,658,261
Restricted cash and investments	<u>15,965,178</u>
Total primary government	31,623,439
Fiduciary funds:	
Restricted cash and cash equivalents	<u>4,372,587</u>
Total cash and investments	<u><u>\$ 35,996,026</u></u>
Deposits with financial institutions	\$ 16,077,071
Investments	<u>19,918,955</u>
Total cash and investments	<u><u>\$ 35,996,026</u></u>

Disclosures Relating to Interest Rate Risk

This is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment the greater the sensitivity of its fair value to changes in market interest rates. In order to limit interest and market rate risk from changes in interest rates, the Town's investment policy sets a maximum stated maturity limit of two years for obligations of the United States Government, its agencies and instrumentalities (excluding mortgage backed securities) and one year for fully insured or collateralized certificates of deposit. No more than 80% of the Town's monthly average balance may be invested in money market funds. Additionally, the Town invests in an investment pool that purchases a combination of shorter term investments with an average maturity of 48 days thus reducing the interest rate risk. Information about the sensitivity of the fair values of the Town's investments to market interest rate fluctuations is provided by the following table that shows the distribution of the Town's Investments.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 2. DEPOSITS AND INVESTMENTS – CONTINUED

Disclosures Relating to Interest Rate Risk – Continued

As of September 30, 2015, the Town's investments were as follows:

<u>Investment Type</u>	<u>Carrying Amount</u>	<u>Fair Value</u>	<u>Weighted Average Maturity (days)</u>
TexPool	\$ 350	\$ 350	48 days
Commerical Paper	19,918,605	19,918,605	1 day
Total	<u>\$ 19,918,955</u>	<u>\$ 19,918,955</u>	

Disclosures Relating to Credit Risk

This is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Presented below is the minimum rating required by (where applicable) the Public Funds Investment Act, the Town's investment policy, or debt agreements, and the actual rating as of year-end for each investment type.

<u>Primary government</u>	<u>Carrying Amount</u>	<u>Fair Value</u>	<u>Minimum Legal Rating</u>	<u>Rating as of Year-end</u>
Investments:				
TexPool	\$ 350	\$ 350	N/A	AAA-m
Commercial Paper	19,918,605	19,918,605	N/A	A-1
Total	<u>\$ 19,918,955</u>	<u>\$ 19,918,955</u>		

Disclosures Relating to Concentration of Credit Risk

The Town's investment policy is to avoid a concentration of assets in a specific maturity, a specific issue, or a specific class of investments.

Disclosures Relating to Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The Public Funds Investment Act does not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments, other than the following provision for deposits: The Public Funds Investment Act requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least the bank balance less the FDIC insurance at all times.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 2. DEPOSITS AND INVESTMENTS – CONTINUED

Disclosures Relating to Custodial Credit Risk – Continued

The Town requires all deposits to be covered by Federal Depository Insurance Corporation (FDIC) insurance and/or collateralized by qualified securities pledged by the Town's depository in the Town's name and held by the depository's agent.

As of September 30, 2015, the Town's entire cash deposits with financial institutions in excess of federal depository insurance were fully collateralized.

Investment in State Investment Pools

On September 1, 1989, local government investment pools became authorized investments for the majority of public entities in Texas. The Interlocal Cooperation Act was amended by the 71st Texas Legislature to facilitate the creation of local government investment pools in Texas. This act permits the creation of investment pools to which a majority of political subdivisions (local governments) may delegate, by contract, the authority to make investments purchased with local investment funds and to hold legal title as custodian of the investments. TexPool was organized to conform with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, and the Public Funds Investment Act, Chapter 2256 of the Texas Government Code.

During the year ended September 30, 2015, the Town had investments with TexPool. TexPool, a public funds investment pool created by the Treasurer of the State of Texas acting by and through the Texas Treasury Safekeeping Trust Company, which is empowered to invest funds and acts as custodian of investments purchased with local investment funds. These investments are not required to be categorized because the investor is not issued securities, but rather it owns an undivided beneficial interest in the assets of the respective funds. The fair value of the position in TexPool is the same as the value of the pool shares.

Restricted Cash

Proprietary Fund

Within the proprietary funds, the \$219,160 of restricted cash represents customer deposits received for water and sewer usage that are refundable upon termination of service.

Discretely Presented Component Units

Within the discretely presented component units, the \$4,188,806 in restricted cash and cash equivalents represents funds held for debt service.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 3. RECEIVABLES

Governmental activities receivable balance consists of the following as of September 30, 2015:

	Governmental Funds					Total Governmental Funds
	General	Westlake Academy	Debt Service Fund	Capital Projects	Nonmajor Fund	
Receivables:						
Sales tax	\$ 464,485	\$ -	\$ -	\$ -	\$ 192,103	\$ 656,588
Property tax	7,172	-	898	-	-	8,070
Other taxes	15,875	-	-	-	72,845	88,720
Franchise tax	228,280	-	-	-	-	228,280
Accounts	46,115	-	-	-	-	46,115
Other	94,244	366,320	-	26,389	-	486,953
Gross receivables	856,171	366,320	898	26,389	264,948	1,514,726
Less: allowance for uncollectibles	(26,067)	-	(224)	-	-	(26,291)
Net total receivables	<u>\$ 830,104</u>	<u>\$ 366,320</u>	<u>\$ 674</u>	<u>\$ 26,389</u>	<u>\$ 264,948</u>	<u>\$ 1,488,435</u>

Business-type receivables balance consists of the following as of September 30, 2015:

	Business-Type Activities		
	Utility Fund	Cemetery Fund	Total
Receivables:			
Sales tax	\$ -	\$ -	\$ -
Property tax	-	-	-
Other taxes	-	-	-
Franchise tax	-	-	-
Accounts	1,025,216	-	1,025,216
Other	-	-	-
Gross receivables	1,025,216	-	1,025,216
Less: allowance for uncollectibles	-	-	-
Net total receivables	<u>\$ 1,025,216</u>	<u>\$ -</u>	<u>\$ 1,025,216</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 4. CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2015, was as follows:

Primary Government

	Beginning Balance	Increases	Decreases	Transfers	Ending Balance
Governmental activities:					
Capital assets, not being depreciated:					
Land	\$ 11,896,663	\$ 1	\$ -	\$ -	\$ 11,896,664
Construction in progress	2,468,438	2,877,036	-	(2,237,950)	3,107,524
Total assets not being depreciated	14,365,101	2,877,037	-	(2,237,950)	15,004,188
Capital assets, being depreciated:					
Capital improvements	11,374,376	905,115	-	2,237,950	14,517,441
Buildings	31,625,654	696,832	(59,900)	-	32,262,586
Machinery and equipment	3,336,556	990,758	(8,500)	-	4,318,814
Information systems and software	105,564	91,924	-	-	197,488
Total capital assets being depreciated	46,442,150	2,684,629	(68,400)	2,237,950	51,296,329
Less accumulated depreciation:					
Capital improvements	(3,559,654)	(417,879)	-	-	(3,977,533)
Buildings	(4,615,801)	(644,915)	9,756	-	(5,250,960)
Machinery and equipments	(2,367,539)	(165,555)	8,500	-	(2,524,594)
Information systems and software	(58,571)	(18,410)	-	-	(76,981)
Total accumulated depreciation	(10,601,565)	(1,246,759)	18,256	-	(11,830,068)
Total capital assets being depreciated	35,840,585	1,437,870	(50,144)	2,237,950	39,466,261
Governmental activities capital assets, net	\$ 50,205,686	\$ 4,314,907	\$ (50,144)	\$ -	\$ 54,470,449
Business-type activities:					
Capital assets, not being depreciated:					
Construction in progress	\$ 246,121	\$ -	\$ -	\$ -	\$ 246,121
Total assets not being depreciated	246,121	-	-	-	246,121
Capital assets, being depreciated:					
Capital improvements	14,882,835	16,581	-	-	14,899,416
Wastewater treatment rights	635,199	-	-	-	635,199
Machinery and equipment	3,498,148	68,447	-	-	3,566,595
Total capital assets being depreciated	19,016,182	85,028	-	-	19,101,210
Less accumulated depreciation:					
Capital improvements	(4,072,978)	(365,149)	-	-	(4,438,127)
Wastewater treatment rights	(449,933)	(31,774)	-	-	(481,707)
Machinery and equipment	(1,636,557)	(127,952)	-	-	(1,764,509)
Total accumulated depreciation	(6,159,468)	(524,875)	-	-	(6,684,343)
Total capital assets being depreciated	12,856,714	(439,847)	-	-	12,416,867
Business-type activities capital assets, net	\$ 13,102,835	\$ (439,847)	\$ -	\$ -	\$ 12,662,988

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 4. CAPITAL ASSETS – CONTINUED

Depreciation was charged to departments of the primary government as follows:

Governmental activities:

General government	\$ 827,326
Public safety	79,419
Public works	<u>340,014</u>
Total depreciation expense - governmental activities	<u>\$ 1,246,759</u>

Business-type activities:

Water and sewer	<u>\$ 524,875</u>
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A summary of discretely presented component units' capital assets at September 30, 2015 follows:

Texas Student Housing Corporation – Denton Project

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Capital assets, not being depreciated:				
Land	\$ 2,200,000	\$ -	\$ -	\$ 2,200,000
Total assets not being depreciated	<u>2,200,000</u>	<u>-</u>	<u>-</u>	<u>2,200,000</u>
Capital assets, being depreciated:				
Buildings	25,705,000	-	-	25,705,000
Furniture and fixtures	<u>1,253,841</u>	<u>-</u>	<u>-</u>	<u>1,253,841</u>
Total capital assets being depreciated	<u>26,958,841</u>	<u>-</u>	<u>-</u>	<u>26,958,841</u>
Less accumulated depreciation:				
Buildings	(11,495,847)	(856,833)	-	(12,352,680)
Furniture and fixtures	<u>(1,181,310)</u>	<u>(8,450)</u>	<u>-</u>	<u>(1,189,760)</u>
Total accumulated depreciation	<u>(12,677,157)</u>	<u>(865,283)</u>	<u>-</u>	<u>(13,542,440)</u>
Total capital assets being depreciated	<u>14,281,684</u>	<u>(865,283)</u>	<u>-</u>	<u>13,416,401</u>
Capital assets, net	<u>\$ 16,481,684</u>	<u>\$ (865,283)</u>	<u>\$ -</u>	<u>\$ 15,616,401</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 4. CAPITAL ASSETS – CONTINUED

Texas Student Housing Authority – Jefferson Commons at Town Lake Project

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	\$ 2,182,816	\$ -	\$ -	\$ 2,182,816
Total assets not being depreciated	<u>2,182,816</u>	<u>-</u>	<u>-</u>	<u>2,182,816</u>
Capital assets, being depreciated:				
Building and improvements	13,270,150	-	-	13,270,150
Capitalized purchase price	887,095	-	-	887,095
Land improvements	2,806,596	-	-	2,806,596
Unit appliances	295,134	-	-	295,134
Furniture and fixtures	915,951	-	-	915,951
Total capital assets being depreciated	<u>18,174,926</u>	<u>-</u>	<u>-</u>	<u>18,174,926</u>
Less accumulated depreciation:				
Building and improvements	(4,976,306)	(442,338)	-	(5,418,644)
Capitalized purchase price	(313,325)	(28,485)	-	(341,810)
Land improvements	(882,909)	(93,553)	-	(976,462)
Unit appliances	(295,134)	-	-	(295,134)
Furniture and fixtures	(915,951)	-	-	(915,951)
Total accumulated depreciation	<u>(7,383,625)</u>	<u>(564,376)</u>	<u>-</u>	<u>(7,948,001)</u>
Total capital assets being depreciated	<u>10,791,301</u>	<u>(564,376)</u>	<u>-</u>	<u>10,226,925</u>
Capital assets, net	<u>\$ 12,974,117</u>	<u>\$ (564,376)</u>	<u>\$ -</u>	<u>\$ 12,409,741</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 4. CAPITAL ASSETS – CONTINUED

Texas Student Housing Corporation –College Station Project

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	\$ 2,899,597	\$ -	\$ -	\$ 2,899,597
Total assets not being depreciated	2,899,597	-	-	2,899,597
Capital assets, being depreciated:				
Buildings	26,885,312	-	-	26,885,312
Furniture and fixtures	3,437,138	-	-	3,437,138
Total capital assets being depreciated	30,322,450	-	-	30,322,450
Less accumulated depreciation:				
Buildings	(8,853,174)	(896,177)	-	(9,749,351)
Furniture and fixtures	(2,859,802)	(85,073)	-	(2,944,875)
Total accumulated depreciation	(11,712,976)	(981,250)	-	(12,694,226)
Total capital assets being depreciated	18,609,474	(981,250)	-	17,628,224
Capital assets, net	<u>\$ 21,509,071</u>	<u>\$ (981,250)</u>	<u>\$ -</u>	<u>\$ 20,527,821</u>

NOTE 5. LONG-TERM DEBT

A summary of long-term debt transactions for the year ended September 30, 2015, was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Amount Due within One year
Governmental activities:					
General obligation bonds and certificates of obligation	\$ 28,289,800	\$ -	\$ (1,050,550)	\$ 27,239,250	\$ 1,068,550
Unamortized bond premium	744,328	-	(43,208)	701,120	-
Notes payable	371,464	-	(48,237)	323,227	48,126
Capital leases	237,378	16,740	(79,745)	174,373	85,154
Fidelity tax reimbursement	65,789	-	(31,975)	33,814	33,814
Compensated absences	157,863	145,940	(131,099)	172,704	17,270
Net pension liability- TMRS	428,290	201,471	-	629,761	-
Net pension liability - TRS	235,829	45,287	(89,060)	192,056	-
Total governmental activities	<u>\$ 30,530,741</u>	<u>\$ 409,438</u>	<u>\$ (1,473,874)</u>	<u>\$ 29,466,305</u>	<u>\$ 1,252,914</u>

	Beginning Balance	Additions	Reductions	Ending Balance	Amount Due within One year
Business-type activities:					
Certificates of obligation	\$ 1,014,200	\$ -	\$ (21,450)	\$ 992,750	\$ 21,450
Contractual obligations	5,320,824	-	(94,530)	5,226,294	99,336
Unamortized bond premium	33,397	-	-	33,397	-
Compensated absences	20,916	19,497	(13,341)	27,072	2,707
Net pension liability - TMRS	52,935	24,901	-	77,836	-
Total business-type activities	<u>\$ 6,442,272</u>	<u>\$ 44,398</u>	<u>\$ (129,321)</u>	<u>\$ 6,357,349</u>	<u>\$ 123,493</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

General Obligation Bonds and Certificates of Obligation

General obligation bonds and certificates of obligation are as follows as of September 30, 2015:

General Obligations Bonds and Certificates of Obligation	Final Maturity	Interest Rates	Governmental	Business- Type
\$7,465,000 General Obligation Refunding Bonds, Series 2007	2032	3.75-4.20%	\$ 7,165,000	\$ -
\$2,095,000 Combination Tax and Revenue Certificates of Obligation, Series 2011	2031	3.25%	1,727,000	-
\$7,375,000 General Obligation Refunding Bonds, Series 2011	2028	2.0-4.0%	6,735,000	-
\$9,320,000 Certificates of Obligation, Series 2013	2043	2.0-4.0%	8,032,250	992,750
\$2,200,000 General Obligation Refunding Bonds, Series 2013	2028	2.0-2.5%	1,855,000	-
\$1,910,000 General Obligation Refunding Bonds, Series 2014	2032	2.0-5.0%	1,725,000	-
			<u>\$ 27,239,250</u>	<u>\$ 992,750</u>

Debt service requirements of certificates of obligation and general obligations to be retired from governmental funds are as follows:

Year Ending September 30,	Principal	Interest	Total Requirements
2016	\$ 1,068,550	\$ 942,543	\$ 2,011,093
2017	1,088,000	939,260	2,027,260
2018	1,127,000	897,495	2,024,495
2019	1,160,450	863,898	2,024,348
2020	1,198,350	829,017	2,027,367
2021-2025	6,558,500	3,566,912	10,125,412
2026-2030	7,739,200	2,338,317	10,077,517
2031-2035	4,380,000	874,569	5,254,569
2036-2040	1,717,700	407,317	2,125,017
2041-2043	1,201,500	73,514	1,275,014
	<u>\$ 27,239,250</u>	<u>\$ 11,732,842</u>	<u>\$ 38,972,092</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

General Obligation Bonds and Certificates of Obligation – Continued

Debt service requirements of certificates of obligation to be retired from proprietary funds are as follows:

<u>Year Ending September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
2016	\$ 21,450	\$ 33,896	\$ 55,346
2017	22,000	33,461	55,461
2018	22,000	33,021	55,021
2019	22,550	32,576	55,126
2020	23,650	32,114	55,764
2021-2025	126,500	151,079	277,579
2026-2030	173,800	129,137	302,937
2031-2035	220,000	89,882	309,882
2036-2040	212,300	50,343	262,643
2041-2044	148,500	9,086	157,586
Total	<u>\$ 992,750</u>	<u>\$ 594,595</u>	<u>\$ 1,587,345</u>

Notes Payable

In March 2014, the Town received a \$366,774 loan from Bennett Benner Pettit, the proceeds of which were used to fund a portion of the Westlake Academy expansion project. The terms of the note call for ten annual payments at 0% interest.

In August 2014, the Town entered into a purchase agreement to acquire technology equipment secured by a 3-year interest-free note in the amount of \$34,710.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Notes Payable – Continued

Debt service requirements for the notes payable to be retired from governmental funds are as follows:

<u>Year Ending September 30,</u>	
2016	\$ 48,126
2017	36,677
2018	36,677
2019	36,677
2020	36,677
2021-2024	<u>128,393</u>
Total	<u>\$ 323,227</u>

Capital Leases

The Westlake Academy has entered into lease agreements as lessee for financing the acquisition of computer equipment and software. The lease agreements qualify capital leases for accounting purposes, and therefore, have been recorded at the present value of its future minimum lease payments as of the inception date.

Equipment and software with a historical cost of \$255,749 was under capital lease at September 30, 2015. Because the cost of the individual items was below the Town's capitalization threshold, the entire cost was recorded as expense during the year ended September 30, 2015.

The following schedule shows the future minimum lease payments under the capitalized lease together with the present value of the net minimum lease payments as of September 30, 2015:

<u>Year Ending August 31,</u>	<u>Annual Lease Payments</u>
2016	\$ 90,561
2017	90,550
2018	<u>648</u>
Total minimum lease payments	181,759
Less: Amounts representing interest	<u>(7,386)</u>
Present value of net minimum lease payments	<u>\$ 174,373</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Fidelity Tax Reimbursement

On August 10, 1998, the Town entered into an economic development agreement with Fidelity Texas Limited Partnership (Fidelity) which provided that Fidelity will receive a rebate of one percent of local sales taxes collected by the Town and paid by Fidelity. The agreement provided that the rebate will be paid to Fidelity within 30 days of each calendar quarter from the sales taxes received by the Town. On November 13, 2000, the agreement was amended to allow for a payment schedule of fifteen annual equal installments for sales tax rebate due and payable to Fidelity. The amount due will not bear interest. The loan is discounted to present value and amortized over the life of the loan using the effective interest method.

Debt service requirements for deferred rebates to be retired from governmental funds are as follows:

<u>Year Ending September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
2016	\$ 33,814	\$ 1,944	\$ 35,758
Total	<u>\$ 33,814</u>	<u>\$ 1,944</u>	<u>\$ 35,758</u>

Contractual Obligations

Proprietary funds contractual obligations as of September 30, 2015 are as follows:

<u>Contractual Obligations</u>	<u>Maturity</u>	<u>Interest Rate</u>	<u>Business- Type</u>
Elevated Water Storage Facility	2020	5.0-5.65%	\$ 546,350
Limited pledge contractual obligation: Dove Road Water Line and West Pump Station	<u>2028</u>	<u>6.75%</u>	<u>4,679,944</u>
			<u>\$ 5,226,294</u>

Elevated Water Storage Facility - On October 9, 2000, the Town approved an interlocal agreement with the City of Keller, which provided for the joint construction, operation, maintenance and use of an elevated water storage facility and appurtenances. The Town recorded a contractual obligation of \$1,466,000 based on the terms of the interlocal agreement, which requires 20 annual principal and interest payments to the City of Keller, with payments due each September 30 at interest rates ranging from 5.0% to 5.65%.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Contractual Obligations – Continued

Dove Road Water Line and West Pump Station - In April 2000, the Town approved an agreement with the Hillwood Development Corporation (Hillwood). In the agreement, Hillwood agreed to bear all initial costs for the design, engineering and constructions of the Dove Road Water Line and the West Pump Station that will service the residents of the Town. The Town agreed to reimburse Hillwood for the cost of the project upon completion and the Town's acceptance of the project, which occurred in June 2001, solely from a \$.25 charge per 1,000 gallons of usage. The Town further agreed to deposit debt service revenue of \$.25 per 1,000 gallons of usage collected from Town residents to fund its repayment to Hillwood. Debt service revenue will be allocated between Hillwood service area and Town service area by 52% and 48%, respectively and deposited into two separate debt service funds that will result in debt service revenue to pay the respective share of the construction cost. The Town recorded a limited pledge contractual obligation of \$4,679,944 for the project cost based upon the terms of the agreement, which requires 239 monthly principal and interest payments to Hillwood, at an interest rate of 6.75%. If the Town collects insufficient funds to pay current interest on the debt, the interest payment may be deferred. No portion of debt payments will be applied to the principal component, until all current and deferred interest is fully paid. The obligation of the Town to pay the purchase price and interest thereon is not a general obligation of the Town but is a limited recourse obligation payable solely from debt service revenue.

The schedule of future payments by the Town under these agreements is as follows:

Year Ending September 30,	Principal	Interest	Total Requirements
Past Due	\$ -	\$ 6,362,260	\$ 6,362,260
2016	99,336	985,500	1,084,836
2017	104,143	849,799	953,942
2018	108,950	904,224	1,013,174
2019	113,756	962,616	1,076,372
2020	120,165	1,028,071	1,148,236
2021-2025	4,679,944	724,066	5,404,010
Total	<u>\$ 5,226,294</u>	<u>\$ 11,816,536</u>	<u>\$ 17,042,830</u>

Prior Year Defeasance of Debt

In prior years, the government defeased general obligations bonds by placing proceeds of the new bonds in an irrevocable trust account to provide for all future debt service payments on the old bonds. Accordingly, the trust account assets and the liability for the defeased bonds are not included in the government's financial statements. At September 30, 2015, there were no prior year defeased bonds outstanding.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Compensated Absences

Although compensated absences are liquidated by the fund to which they relate, the significant portion of the governmental activities compensated absences has typically been liquidated by the general fund.

Discretely Presented Component Units – Long-term Debt

Texas Student Housing Corporation –Denton Project

The long-term debt activity of the Denton Project is as follows:

	Beginning Balance	Increases	Decreases	Ending Balance	Amounts Due Within One Year
Revenue Bonds:					
2001 A Bonds	\$ 23,710,000	\$ -	\$ (785,000)	\$ 22,925,000	\$ 2,075,000
2001 B Bonds	3,240,000	-	-	3,240,000	-
Less discount on bonds	<u>(597,354)</u>	<u>-</u>	<u>37,485</u>	<u>(559,869)</u>	<u>-</u>
Total	<u>\$ 26,352,646</u>	<u>\$ -</u>	<u>\$ (747,515)</u>	<u>\$ 25,605,131</u>	<u>\$ 2,075,000</u>

The Bonds are payable solely from the revenues generated by the Denton Property and are secured by the revenues pledged and assigned under the terms of the Trust Indenture. The Town of Westlake does not have any liability for the payment of the bonds as the bonds are non-recourse to both the Town of Westlake and Texas Student Housing Authority. Interest rates on the bonds range from 5.00% to 11.00% and are payable semi-annually on July 1 and January 1 of each year thereafter.

At September 30, 2015, the Project was not in compliance with certain covenants of the Indenture including insufficient funds in some of the required funds discussed in Note 2 and a fixed charges ratio less than 1.0. In addition, all required principal payments on the Series B bonds had not been made as of September 30, 2015. Upon certain events of default either the trustee, or owners of not less than 25% in aggregate principal of the bonds then outstanding, may declare the principal and all interest then due to be immediately due and payable.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Discretely Presented Component Units – Long-term Debt – Continued

Texas Student Housing Corporation – Denton Project – Continued

The debt service requirements of the bonds are as follows:

<u>Year Ending September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
Past Due	\$ 1,240,000	\$ 6,992,072	\$ 8,232,072
2016	835,000	1,784,418	2,619,418
2017	950,000	1,728,055	2,678,055
2018	1,020,000	1,661,593	2,681,593
2019	1,085,000	1,589,980	2,674,980
2020	1,165,000	1,513,768	2,678,768
2021-2025	7,190,000	6,205,540	13,395,540
2026-2030	10,185,000	3,220,028	13,405,028
2031-2035	2,495,000	181,283	2,676,283
	<u>\$ 26,165,000</u>	<u>\$ 24,876,737</u>	<u>\$ 51,041,737</u>

Texas Student Housing Authority – Jefferson Commons at Town Lake Project

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>	<u>Amounts Due Within One Year</u>
Revenue Bonds:					
2002 A-1 Bonds	\$ 14,890,492	\$ -	\$ (352,213)	\$ 14,538,279	\$ 382,998
2002 A-2 Bonds	5,089,241	-	-	5,089,241	-
Total	<u>\$ 19,979,733</u>	<u>\$ -</u>	<u>\$ (352,213)</u>	<u>\$ 19,627,520</u>	<u>\$ 382,998</u>

The bonds are payable solely from the revenues generated by the Project and are secured by the revenues pledged and assigned under the terms of the Trust Indenture. Interest rates on the bonds range from 7.76% to 8.69% at present and principal and interest payments are made monthly.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Discretely Presented Component Units – Long-term Debt – Continued

Texas Student Housing Authority – Jefferson Commons at Town Lake Project – Continued

The future debt service requirements of the bonds are as follows:

<u>Year Ending September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
Past Due	\$ -	\$ 3,931,163	\$ 3,931,163
2016	382,998	1,508,639	1,891,637
2017	413,797	1,477,840	1,891,637
2018	447,074	1,444,563	1,891,637
2019	483,026	1,408,611	1,891,637
2020	521,870	1,369,767	1,891,637
2021-2025	3,310,558	6,147,627	9,458,185
2026-2030	4,873,699	4,584,486	9,458,185
2031-2035	6,737,498	1,707,029	8,444,527
2036-2038	2,457,000	-	2,457,000
Total	<u>\$ 19,627,520</u>	<u>\$ 23,579,725</u>	<u>\$ 43,207,245</u>

Texas Student Housing Corporation – College Station Project

The Project's installment note payable is summarized as follows:

<u>Lender/Security/Due/Date</u>	<u>Rate</u>	<u>Balance</u>
Cambridge Student Housing Financing Company, L.P.; substantially all assets and assignment of rents: due November 1, 2039	8.00%	<u>\$ 29,429,200</u>

The following is a summary of long-term debt transactions of the Project for the year ended August 31, 2015:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>	<u>Amounts Due Within One Year</u>
Revenue Certificates	<u>\$ 29,885,000</u>	<u>\$ -</u>	<u>\$ (455,800)</u>	<u>\$ 29,429,200</u>	<u>\$ 870,000</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 5. LONG-TERM DEBT – CONTINUED

Discretely Presented Component Units – Long-term Debt – Continued

Texas Student Housing Corporation – College Station Project – Continued

The debt is to be amortized through 2040 with varying payments. The annual requirements to amortize the Project's outstanding installment notes payable as of September 30, 2015 are as follows:

Year Ending September 30,	Governmental Activities		
	Principal	Interest	Total
Past Due	\$ 315,000	\$ 13,101,973	\$ 13,416,973
2016	555,000	1,795,820	2,350,820
2017	600,000	1,751,328	2,351,328
2018	645,000	1,703,325	2,348,325
2019	720,000	1,650,637	2,370,637
2020	775,000	1,592,890	2,367,890
2021-2025	3,320,000	7,109,570	10,429,570
2026-2030	3,575,000	5,912,733	9,487,733
2031-2035	5,155,000	4,275,367	9,430,367
2036-2040	13,769,200	1,854,218	15,623,418
Total	<u>\$ 29,429,200</u>	<u>\$ 40,747,861</u>	<u>\$ 70,177,061</u>

Class C and D bonds are in default and the property does not generate enough revenue to pay the debt obligations. All of the Class C and D bonds issued remain outstanding as of September 30, 2015.

Each class has certain rights and privileges, as contained in the private placement memorandum. As a part of the offering, the Project entered into a trust agreement with J. P. Morgan Trust Company, N.A. (the Trustee) for the purpose of determining that each class is paid in accordance with the private placement memorandum.

At September 30, 2015, the Project was not in compliance with the fixed charge coverage ratio. As a result, the lender may accelerate the maturity of the unpaid portion of the principal payable under the installment sale agreement. However, the Authority does not anticipate this event will occur, since foreclosure by private interests would result in the loss of tax-exempt status for the Project.

The Town of Westlake does not have any liability for the payment of debt of the discretely presented component units as the bonds are non-recourse to both the Town and Texas Student Housing Authority.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 6. UNEARNED REVENUE / DEFERRED INFLOWS OF RESOURCES

Unearned revenue in the proprietary fund of \$284,535 relates to the collection of the entire amount due on eight Ductbank leases as follows: one 25-year lease with AT&T local network services; five leases with Verizon Southwest ranging from 20 to 30 years; one 5-year lease with MCI Metro; and one 5-year lease with L3 Communications for use of the Town's Ductbank. Unearned revenue of \$1,100 in the non-major governmental funds represents sponsorship and registration fees received in advance of an event held in October 2015.

Governmental funds report *deferred inflows of resources* in connection with receivables for revenue that is not considered to be available to liquidate liabilities of the current period. At the end of the current fiscal year, deferred inflows of resources reported in the governmental funds consist of \$5,379 and \$673 of unavailable property taxes in the general fund and debt service fund, respectively.

NOTE 7. INTERLOCAL AGREEMENT WITH THE CITY OF SOUTHLAKE

In August 1995, the Town entered into an agreement with the City of Southlake to allow the Town to utilize capacity in a sewer line and to set forth their respective rights and obligations with respect to the sewer line owned by the City of Southlake. The Town is obligated to share in the cost of construction, operation and maintenance of the water sewer line. The sewer line was constructed in 2000. Additionally, the Town must pay the City of Southlake all transportation, treatment and related costs allocable to the metered flow of sewage from the Town into the sewer line.

NOTE 8. FEDERAL AND STATE PROGRAM REVENUES

The Town received financial assistance from various federal and state governmental agencies in the form of grants for Westlake Academy. The disbursement of funds received under these programs generally requires compliance with terms and conditions specified in the grant agreements and are subject to audit by the grantor agencies. Any unallowed disbursement resulting from such audits becomes a liability of the Town. In the opinion of the Town management, no material refunds will be required as a result of unallowed disbursements (if any) by the grantor agencies. Sources of federal and state program revenues for the year ended September 30, 2015, were as follows:

<u>Source</u>	<u>Westlake Academy</u>
Federal program revenues:	
U.S. Department of Education - Passed through State Department of Education	
Total federal program revenues:	<u>\$ 87,797</u>
State program revenues:	
State Department of Education	<u>\$ 6,173,418</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 9. INTERFUND BALANCES AND TRANSACTIONS

Interfund receivables and payables at September 30, 2015, were as follows:

	<u>Due from Other Funds</u>	<u>Due to Other Funds</u>
General fund	\$ 164,147	\$ -
Nonmajor governmental funds:		
4B Economic Development Fund	<u>-</u>	<u>164,147</u>
	<u>\$ 164,147</u>	<u>\$ 164,147</u>

The 4B Economic Development Corporation Fund amount of \$164,147 payable to the General Fund is related to debt service payment reimbursement.

Inter-fund transfers are reported in the governmental funds and proprietary fund financial statements. In the government-wide statements, inter-fund transfers are eliminated within the governmental activities column and business-type column, as appropriate.

Transfers are used to (1) move revenues collected in the special revenue funds to finance various programs in accordance with budgetary authorizations, (2) move receipts restricted for debt service from the funds collecting the receipts to the Debt Service fund as debt service payments become due, (3) reimburse one fund for services provided to another fund, (4) move unrestricted General fund revenues to Capital Project fund as determined by the Council for capital projects, and (5) transfer payment for economic development agreements to the Economic Development fund.

Individual fund transfers for fiscal year 2015 were as follows:

<u>Transfer out</u>	<u>Transfer in</u>	<u>Amount</u>	<u>Purpose</u>
General Fund	Nonmajor Governmental	\$ 35,758	Payment to Fidelity (Phase I)
General Fund	Debt Service Fund	461,498	Debt service payments
General Fund	Westlake Academy Expansion	54,328	Payment for the expansion project
General Fund	Capital Projects	1,438,801	Payment for the capital project
Utility Fund	General Fund	323,100	Collection of Ft. Worth Impact Fees and interfund payment
			Operating expenditures for Communications & Community
Nonmajor Governmental	General Fund	13,220	Affairs Department.
Nonmajor Governmental	Debt Service	164,450	Debt service payments
Nonmajor Governmental	Debt Service	1,231,741	Debt service payments
Nonmajor Governmental	Westlake Academy Expansion	410,000	Lot payment per economic development agreement
General Fund	Westlake Academy	300,000	Student reserve funds
PID Capital Projects	General Fund	185,000	Payment to General Fund for PID creation expenses
		<u>\$ 4,617,896</u>	

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 10. WATER PURCHASE AND WASTEWATER TREATMENT CONTRACTS

The Town has a contract with the City of Fort Worth, Texas, to purchase water. Under the contract, the Town may obtain from the City of Fort Worth, a supply of potable water at a reasonable rate based on water usage. The rate charges are subject to minimum annual contract payments. Water expense for the year ended September 30, 2015 was \$1,223,393.

NOTE 11. DEFINED BENEFIT PENSION PLAN - TMRS

Plan Description

The Town participates as one of 860 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the System with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401 (a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report (CAFR) that can be obtained at www.tmr.com.

All eligible employees of the city are required to participate in TMRS.

Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the city, within the options available in the state statutes governing TMRS.

At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and the city-financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payments options. Members may also choose to receive a portion of their benefit as a Partial Lump Sum Distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75% of the member's deposits and interest.

Employees Covered By Benefit Terms

At the December 31, 2014 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees of beneficiaries currently receiving benefits	8
Inactive employees entitled to but not yet receiving benefits	17
Active employees	<u>30</u>
	<u><u>55</u></u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 11. DEFINED BENEFIT PENSION PLAN – TMRS - CONTINUED

Contributions

The contribution rates for employees in TMRS are either 5%, 6%, or 7% of employee gross earnings, and the city matching percentages are either 100%, 150%, or 200%, both as adopted by the governing body of the city. Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the Town were required to contribute 7% of their annual gross earnings during the fiscal year. The contribution rates for the Town were 8.05% and 10.92% in calendar years 2014 and 2015, respectively. The Town's contributions to TMRS for the year ended September 30, 2015, were \$277,651, and were equal to the required contributions.

Net Pension Liability

The Town's Net Pension Liability (NPL) was measured as of December 31, 2014, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

Actuarial Assumptions

The Total Pension Liability in the December 31, 2014 actuarial valuation was determined using the following actuarial assumptions:

- Inflation 3.0% per year
- Overall payroll growth 3.0% per year
- Investment Rate of Return 7.0%, net of pension plan investment expense, including inflation

Salary increases were based on a service-related table. Mortality rates for active members, retirees, and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Table, with male rates multiplied by 109% and female rates multiplied by 103%. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements. For disabled annuitants, the gender-distinct RP2000 Disabled Retiree Mortality Table is used, with slight adjustments.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 11. DEFINED BENEFIT PENSION PLAN - TMRS – CONTINUED

Actuarial Assumptions – Continued

Actuarial assumptions used in the December 31, 2014, valuation were based on the results of actuarial experience studies. The experience study in TMRS was for the period January 1, 2006 through December 31, 2009, first used in the December 31, 2010 valuation. Healthy post-retirement mortality rates and annuity purchase rates were updated based on a Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2013. These assumptions were first used in the December 31, 2013 valuation, along with a change to the Entry Age Normal (EAN) actuarial cost method. Assumptions are reviewed annually. No additional changes were made for the 2014 valuation.

The long-term expected rate of return on pension plan investments is 7.0%. The pension plan's policy in regard to the allocation of invested assets is established and may be amended by the TMRS Board of Trustees. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

This rate was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return (Arithmetic)
Domestic Equity	17.5%	4.80%
International Equity	17.5%	6.05%
Core Fixed Income	30.0%	1.50%
Non-Core Fixed Income	10.0%	3.50%
Real Return	5.0%	1.75%
Real Estate	10.0%	5.25%
Absolute Return	5.0%	4.25%
Private Equity	5.0%	8.50%
Total	100.0%	

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 11. DEFINED BENEFIT PENSION PLAN – TMRS – CONTINUED

Discount Rate

The discount rate used to measure the Total Pension Liability was 7.0%. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

Allocations

The Town's net pension liability, pension expense, and deferred outflows of resources related to TMRS have been allocated between governmental activities and business-type activities using a contribution-based method.

Changes in the Net Pension Liability

	Total Pension Liability (a)	Increase (Decrease) Plan Fiduciary Net Position (b)	Net Pension Liability (a) - (b)
Balance at 12/31/2013	\$ 3,669,053	\$ 3,187,798	\$ 481,255
Changes for the year:			
Service Cost	288,923	-	288,923
Interest	264,994	-	264,994
Change of benefit terms	-	-	-
Difference between expected and actual experience	176,965	-	176,965
Changes of assumptions	-	-	-
Contributions - employer	-	172,064	(172,064)
Contributions - employee	-	152,077	(152,077)
Net investment income	-	182,430	(182,430)
Benefit payments, including refunds of employee contributions	(55,762)	(55,762)	-
Administrative expense	-	(1,904)	1,904
Other changes	-	(127)	127
Net Changes	<u>675,120</u>	<u>448,778</u>	<u>226,342</u>
Balance at 12/31/14	<u>\$ 4,344,173</u>	<u>\$ 3,636,576</u>	<u>\$ 707,597</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 11. DEFINED BENEFIT PENSION PLAN – TMRS – CONTINUED

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the Town, calculated using the discount rate of 7.0%, as well as what the Town’s net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.0%) or 1-percentage-point higher (8.0%) than the current rate:

	<u>1% Decrease in Discount Rate (6.0%)</u>	<u>Discount Rate (7.0%)</u>	<u>1% Increase in Discount Rate (8.0%)</u>
Net pension liability	\$ 1,420,650	\$ 707,597	\$ 123,093

Pension Plan Fiduciary Net Position

Detailed information about the pension plan’s Fiduciary Net Position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at www.tmr.com.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2015, the Town recognized pension expense of \$221,177.

At September 30, 2015, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Difference between expected and actual economic experience	\$ 144,686	\$ -
Changes in actuarial assumptions	-	-
Difference between projected and actual investment earnings	32,573	-
Contributions subsequent to the measurement date	<u>213,518</u>	<u>-</u>
Total	<u>\$ 390,777</u>	<u>\$ -</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 11. DEFINED BENEFIT PENSION PLAN – TMRS – CONTINUED

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – Continued

\$213,518 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability for the year ending September 30, 2015. Amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended Sept. 30,		
2016	\$	253,940
2017		40,422
2018		40,422
2019		40,422
2020		15,571
Total	\$	<u>390,777</u>

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS

Plan Description

The Academy participates in a cost-sharing multiple-employer defined benefit pension that has a special funding situation. The plan is administered by the Teacher Retirement System of Texas (TRS). TRS's defined benefit pension plan is established and administered in accordance with the Texas Constitution, Article XVI, Section 67 and Texas Government Code, Title 8, Subtitle C. The pension trust fund is a qualified pension trust under Section 401(a) of the Internal Revenue Code. The Texas Legislature establishes benefits and contribution rates within the guidelines of the Texas Constitution. The pension's Board of Trustees does not have the authority to establish or amend benefit terms.

All employees of public, state-supported educational institutions in Texas who are employed for one-half or more of the standard work load and who are not exempted from membership under Texas Government Code, Title 8, Section 822.002 are covered by the system.

Pension Plan Fiduciary Net Position

Detailed information about the Teacher Retirement System's fiduciary net position is available in a separately-issued Comprehensive Annual Financial Report that includes financial statements and required supplementary information. That report may be obtained on the Internet at <http://www.trs.state.tx.us/about/documents/cafr.pdf#CAFR>; by writing to TRS at 1000 Red River Street, Austin, TX, 78701-2698; or by calling (512) 542-6592.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS – CONTINUED

Benefits Provided

TRS provides service and disability retirement, as well as death and survivor benefits, to eligible employees (and their beneficiaries) of public and higher education in Texas. The pension formula is calculated using 2.3 percent (multiplier) times the average of the five highest annual creditable salaries times years of credited service to arrive at the annual standard annuity except for members who are grandfathered, the three highest annual salaries are used. The normal service retirement is at age 65 with 5 years of credited service or when the sum of the member's age and years of credited service equals 80 or more years.

Early retirement is at age 55 with 5 years of service credit or earlier than 55 with 30 years of service credit. There are additional provisions for early retirement if the sum of the member's age and years of service credit total at least 80, but the member is less than age 60 or 62 depending on date of employment, or if the member was grandfathered in under a previous rule. There are no automatic post-employment benefit changes; including automatic COLAs. Ad hoc post-employment benefit changes, including ad hoc COLAs can be granted by the Texas Legislature as noted in the Plan description in (A) above.

Contributions

Contribution requirements are established or amended pursuant to Article 16, section 67 of the Texas Constitution which requires the Texas legislature to establish a member contribution rate of not less than 6% of the member's annual compensation and a state contribution rate of not less than 6% and not more than 10% of the aggregate annual compensation paid to members of the system during the fiscal year. Texas Government Code section 821.006 prohibits benefit improvements, if as a result of the particular action, the time required to amortize TRS' unfunded actuarial liabilities would be increased to a period that exceeds 31 years, or, if the amortization period already exceeds 31 years, the period would be increased by such action.

Employee contribution rates are set in state statute, Texas Government Code 825.402. Senate Bill 1458 of the 83rd Texas Legislature amended Texas Government Code 825.402 for member contributions and established employee contribution rates for fiscal years 2014 thru 2017. It also added a 1.5% contribution for employers not paying Old Age Survivor and Disability Insurance (OASDI) on certain employees effective for fiscal year 2015 as discussed in Note 1 of the TRS 2014 CAFR. The 83rd Texas Legislature, General Appropriations Act (GAA) established the employer contribution rates for fiscal years 2014 and 2015.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS – CONTINUED

Contributions – Continued

Contribution Rates

	<u>2014</u>	<u>2015</u>
Member	6.4%	6.7%
Non-Employer Contributing Entity (State)	6.8%	6.8%
Employers	6.8%	6.8%
2014 Employer Contributions	\$ 18,228	
2014 Member Contributions	\$ 320,575	
2014 NECE On-behalf Contributions	\$ 280,876	

Contributors to the plan include members, employers and the State of Texas as the only non-employer contributing entity. The State is the employer for senior colleges, medical schools and state agencies including TRS. In each respective role, the State contributes to the plan in accordance with state statutes and the General Appropriations Act (GAA).

As the non-employer contributing entity for public education and junior colleges, the State of Texas contributes to the retirement system an amount equal to the current employer contribution rate times the aggregate annual compensation of all participating members of the pension trust fund during that fiscal year reduced by the amounts described below which are paid by the employers. Employers (public school, junior college, other entities or the State of Texas as the employer for senior universities and medical schools) are required to pay the employer contribution rate in the following instances:

- On the portion of the member's salary that exceeds the statutory minimum for members entitled to the statutory minimum under Section 21.402 of the Texas Education Code.
- During a new member's first 90 days of employment.
- When any part or all of an employee's salary is paid by federal funding sources, a privately sponsored source, from non-educational and general, or local funds.
- When the employing district is a public junior college or junior college district, the employer shall contribute to the retirement system an amount equal to 50% of the state contribution rate for certain instructional or administrative employees; and 100% of the state contribution rate for all other employees.

In addition to the employer contributions listed above, when employing a retiree of the Teacher Retirement System the employer shall pay both the member contribution and the state contribution as an employment after retirement surcharge.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS – CONTINUED

Actuarial Assumptions

The total pension liability in the August 31, 2014 actuarial valuation was determined using the following actuarial assumptions:

Valuation Date	August 31, 2014
Actuarial Cost Method	Individual Entry Age Normal
Amortization Method	Level Percentage of Payroll, Open
Remaining Amortization Period	30 years
Asset Valuation Method	5 year Market Value
Discount Rate	8.00%
Long-term expected Investment Rate of Return*	8.00%
Salary Increases*	4.25% to 7.25%
Weighted-Average at Valuation Date	5.55%
Payroll Growth Rate	3.50%

*Includes Inflation of 3%

The actuarial methods and assumptions are primarily based on a study of actual experience for the four year period ending August 31, 2010 and adopted on April 8, 2011. With the exception of the post-retirement mortality rates for healthy lives and a minor change to the expected retirement age for inactive vested members stemming from the actuarial audit performed in the summer of 2014, the assumptions and methods are the same as used in the prior valuation. When the mortality assumptions were adopted in 2011 they contained a significant margin for possible future mortality improvement. As of the date of the valuation there has been a significant erosion of this margin to the point that the margin has been eliminated. Therefore, the post-retirement mortality rates for current and future retirees was decreased to add additional margin for future improvement in mortality in accordance with the Actuarial Standards of Practice No. 35.

Discount Rate

The discount rate used to measure the total pension liability was 8.0%. There was no change in the discount rate since the previous year. The projection of cash flows used to determine the discount rate assumed that contributions from plan members and those of the contributing employers and the non-employer contributing entity are made at the statutorily required rates. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all future benefit payments of current plan members.

Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The long-term rate of return on pension plan investments is 8%. The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimates ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS – CONTINUED

Discount Rate – Continued

These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of geometric real rates of return for each major asset class included in the Systems target asset allocation as of August 31, 2014 are summarized below:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Real Return Geometric Basis</u>	<u>Long-term Expected Portfolio Real Rate of Return*</u>
Global Equity			
U.S.	18%	7.0%	1.4%
Non-U.S. Developed	13%	7.3%	1.1%
Emerging Markets	9%	8.1%	0.9%
Directional Hedge Funds	4%	5.4%	0.2%
Private Equity	13%	9.2%	1.4%
Stable Value			
U.S. Treasuries	11%	2.9%	0.3%
Absolute Return	0%	4.0%	0.0%
Stable Value Hedge Funds	4%	5.2%	0.2%
Cash	1%	2.0%	0.0%
Real Return			
Global Inflation Linked Bonds	3%	3.1%	0.0%
Real Assets	16%	7.3%	1.5%
Energy and Natural Resources	3%	8.8%	0.3%
Commodities	0%	3.4%	0.0%
Risk Parity			
Risk Parity	5%	8.9%	0.4%
Alpha			1.0%
Total	<u>100.0%</u>		<u>8.7%</u>

* The Expected Contribution to Returns incorporates the volatility drag resulting from the conversion between Arithmetic and Geometric mean returns.

Discount Rate Sensitivity Analysis

The following schedule shows the impact of the Net Pension Liability if the discount rate used was 1% less than and 1% greater than the discount rate that was used (8%) in measuring the 2014 Net Pension Liability.

	<u>1% Decrease in Discount Rate (7.0%)</u>	<u>Discount Rate (8.0%)</u>	<u>1% Increase in Discount Rate (9.0%)</u>
Academy's proportionate share of the TRS net pension liability	\$ 343,191	\$ 192,056	\$ 79,034

TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS – CONTINUED

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At August 31, 2014, the Academy reported a liability of \$192,056 for its proportionate share of the TRS's net pension liability. This liability reflects a reduction for State pension support provided to the Academy. The amount recognized by the Academy as its proportionate share of the net pension liability, the related State support, and the total portion of the net pension liability that was associated with the Academy were as follows:

Academy's Proportionate share of the collective net pension liability	\$	192,056
State's proportionate share that is associated with Academy		<u>2,965,583</u>
Total	\$	<u>3,157,639</u>

The net pension liability was measured as of August 31, 2014 and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The employer's proportion of the net pension liability was based on the employer's contributions to the pension plan relative to the contributions of all employers to the plan for the period September 1, 2013 thru August 31, 2014.

At August 31, 2014 the employer's proportion of the collective net pension liability was 0.0007190%. Since this is the first year of implementation, the Academy does not have the proportion measured as of August 31, 2013. The Notes to the Financial Statements for August 31, 2014 for TRS stated that the change in proportion was immaterial and, therefore, disregarded this year.

There were no changes of assumptions or other inputs that affected measurement of the total pension liability during the measurement period.

There were no changes of benefit terms that affected measurement of the total pension liability during the measurement period.

There was a change in employer contribution requirements that occurred after the measurement date of the net pension liability and the employer's reporting date. A 1.5% contribution for employers not paying Old Age Survivor and Disability Insurance (OASDI) on certain employees went into law effective 09/01/2013. The amount of the expected resultant change in the employer's proportion cannot be determined at this time.

For the year ended August 31, 2014, the Academy recognized pension expense of \$274,163 and revenue of \$274,163 for support provided by the State.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 12. DEFINED BENEFIT PENSION PLAN – TRS – CONTINUED

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – Continued

At August 31, 2014, the Academy reported its proportionate share of the TRS’s deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Difference between expected and actual economic experience	\$ 2,970	\$ -
Changes in actuarial assumptions	12,484	-
Changes in proportionate share		(50)
Difference between projected and actual investment earnings	-	(58,700)
Contributions paid to TRS subsequent to the measurement date	<u>92,325</u>	
Total	<u>\$ 107,779</u>	<u>\$ (58,750)</u>

The net amounts of the employer’s balances of deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year ended Aug. 31,</u>	
2016	\$ 80,249
2017	(12,076)
2018	(12,076)
2019	(12,076)
2020	2,599
Thereafter	<u>2,409</u>
Total	<u>\$ 49,029</u>

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 13. RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts, theft of, damage to, and destruction of assets; errors and omissions; injuries to employees, and natural disasters. The Town's general liability, workers' compensation liability, law enforcement liability, errors and omissions liability, and automobile liability coverage is insured by the Texas Municipal League, a public entity risk pool. The Town's only responsibility to the Texas Municipal League is to pay premiums for insurance and related deductible amounts of these policies. Other risk of loss is covered by commercial insurance. Settlements of claims have not exceeded coverage in the past three years.

NOTE 14. CONTINGENT LIABILITIES

Litigation

Various claims and lawsuits are pending against the Town. In the opinion of Town management, after consultation with legal counsel, the potential loss on these claims and lawsuits will not materially affect the Town's financial position.

Circle T Municipal Utility Districts

The Town and Hillwood are currently in discussions regarding the debt for Municipal Utility District's (MUDs) #1 and #3 on the Circle T property in Westlake which is controlled by AIL Investments, L.P. As this property develops, Hillwood agreed to de-annex developed property from the MUDs in exchange for pro-rata payments on water and sewer infrastructure installed by the MUDs at their inception.

To date, two projects, Chrysler Financial and Deloitte University, have been or are being developed within these MUDs. Discussions regarding the Town's payment to AIL Investments, L.P. in exchange for de-annexation of these two tracks from the Circle T MUDs have taken place but have not come to a conclusion as to the settlement amounts. These discussions are ongoing until the Town receives full documentation that it determines is adequate to support the requested payments. The Town of Westlake holds full rights and privileges under the State granted Certificate of Convenience and Necessity (CCN) and can serve all water and sewer customers within these MUD boundaries regardless of the status of these negotiations.

NOTE 15. SOLANA PUBLIC IMPROVEMENT DISTRICT

On February 24, 2014, the Town Council granted a petition by Maguire Partners-Solana Land, LP in resolution 14-07 to authorize and provide for the creation of a public improvement district, The Solana Public Improvement District ("the District"). The District encompasses approximately 85 acres currently being developed as a master-planned mixed-use development known as "Westlake Entrada" that is expected to include, among other things, condominiums, residential villas, hotels, office, retail, commercial, institutional and hospitality uses, and a wedding event center. The District was created in accordance with Chapter 372 of the Texas Local Government Code.

**TOWN OF WESTLAKE
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 15. SOLANA PUBLIC IMPROVEMENT DISTRICT – CONTINUED

On February 5, 2015, the Town Council approved issuance of \$26,175,000 of Special Assessment Revenue Bonds, Series 2015 related to the District. The Public Improvement District Bonds (“The Bonds”) are *special and limited* obligations of the Town payable solely from the pledged revenues and other funds comprising the Trust Estate, as and to the extent provided in the indenture. The bonds do not give rise to a charge against the general credit or taxing power of the Town and are payable solely from the sources identified in the indenture. The owners of the bonds shall never have the right to demand payment thereof out of money raised or to be raised by taxation, or out of any funds of the Town other than the Trust Estate, as and to the extent provided in the indenture; and, no owner of the bonds shall have the right to demand any exercise of the Town’s taxing power to pay the principal of the bonds or the interest or redemption premium, if any, thereon. The Town shall have no legal or moral obligation to pay the bonds out of any funds of the Town other than the Trust Estate in accordance with the Texas Local Government Code.

The proceeds from the bond issue are to be used as follows: payment of a portion of the costs of construction, acquisition, or purchase of certain water, wastewater and roadway public improvements for the special benefit of the District; funding a reserve fund; funding capitalized interest; payment of a portion of the costs incidental to the organization of the District; and payment of the cost of issuance of the bonds. The Town is not, and will not be obligated to provide any funds to finance construction of authorized improvements. All design and construction costs of the District’s authorized public improvements will be paid from the District assessments and from other sources of funds, if any, to the extent provided in the Trust Indenture.

NOTE 16. CUMULATIVE EFFECT OF ADOPTION OF GASB STATEMENTS

As a result of implementation of GASB Statement No. 68, “Accounting and Financial Reporting for Pensions – an amendment of GASB Statement No. 27”, and GASB Statement No. 71, “Pension Transition for Contributions Made Subsequent to the Measurement Date”, an adjustment has been made to record the Town’s net pension liability associated with TRS as of August 31, 2014 and the Academy’s net pension liability associated with TMRS as of December 31, 2014. As a result, beginning net position of the governmental activities has been decreased by \$530,877, the net effect of the beginning net pension liability and deferred outflows of resources of TMRS (\$313,276) and TRS (\$217,601); and the beginning net position of the utility fund has been decreased by \$38,720.

NOTE 17. GOING CONCERN

The 2015 financial statements were prepared assuming the Texas Student Housing entities will continue as going concerns. The Texas Student Housing entities’ bonds payable are considered to be in default due to not making full principal and interest payments and, therefore, are reported as current liabilities. This is considered an event of default by the Trustees, which gives the bondholders the right to accelerate and demand payment of the bonds in full. Management and the property managers are in the process of developing and implementing plans to increase occupancy and rental rates at the properties to improve their financial performance.

REQUIRED SUPPLEMENTARY INFORMATION

**TOWN OF WESTLAKE
SCHEDULE OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	General Fund			Variance Favorable (Unfavorable)
	Budgeted Amounts		Actual	
	Original	Amended		
REVENUES:				
Taxes				
Sales	\$ 3,376,250	\$ 3,575,000	\$ 3,587,323	\$ 12,323
Property	1,209,094	1,248,094	1,256,796	8,702
Mixed beverages	50,500	50,500	59,184	8,684
Franchise	795,383	809,270	963,040	153,770
Interest income	10,420	10,420	10,078	(342)
Building permits and fees	1,460,500	1,561,350	1,200,790	(360,560)
Fines and penalties	670,000	690,000	734,152	44,152
Intergovernmental	-	-	3,810	3,810
Contributions	-	167,541	10,000	(157,541)
Miscellaneous	60,094	73,344	81,539	8,195
Total revenues	<u>7,632,241</u>	<u>8,185,519</u>	<u>7,906,712</u>	<u>(278,807)</u>
EXPENDITURES:				
Current				
General government	3,054,661	3,147,116	2,411,239	735,877
Public safety	2,456,719	2,648,274	2,490,551	157,723
Cultural and recreation	224,602	213,415	130,322	83,093
Public works	794,038	751,018	744,028	6,990
Capital outlay	745,000	877,541	748,297	129,244
Debt service				
Principal retirement	18,339	36,678	48,237	(11,559)
Total expenditures	<u>7,293,359</u>	<u>7,674,042</u>	<u>6,572,674</u>	<u>1,101,368</u>
Excess of revenues over expenditures	<u>338,882</u>	<u>511,477</u>	<u>1,334,038</u>	<u>822,561</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	306,965	700,298	521,320	(178,978)
Transfers out	(2,301,612)	(2,009,410)	(2,290,385)	(280,975)
Insurance proceeds	-	291,005	162,059	(128,946)
Net other financing sources (uses)	<u>(1,994,647)</u>	<u>(1,018,107)</u>	<u>(1,607,006)</u>	<u>(588,899)</u>
NET CHANGE IN FUND BALANCE	(1,655,765)	(506,629)	(272,968)	233,661
FUND BALANCE AT BEGINNING OF YEAR	<u>7,953,518</u>	<u>7,953,518</u>	<u>7,953,518</u>	-
FUND BALANCE AT END OF YEAR	<u>\$ 6,297,753</u>	<u>\$ 7,446,889</u>	<u>\$ 7,680,550</u>	<u>\$ 233,661</u>

**TOWN OF WESTLAKE
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – WESTLAKE ACADEMY
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Westlake Academy			Variance Favorable (Unfavorable)
	Budgeted Amounts		Actual	
	Original	Final		
REVENUES:				
State program revenues	\$ 5,782,092	\$ 6,070,659	\$ 6,173,418	\$ 102,759
Federal program revenues	73,896	162,270	87,797	(74,473)
Interest income	1,515	1,575	2,067	492
Miscellaneous	1,409,790	1,536,215	1,971,097	434,882
Total revenues	<u>7,267,293</u>	<u>7,770,719</u>	<u>8,234,379</u>	<u>463,660</u>
EXPENDITURES:				
Education	7,756,046	7,948,314	7,938,501	9,813
Interest and other fiscal charges	90,565	90,565	10,204	80,361
Total expenditures	<u>7,846,611</u>	<u>8,038,879</u>	<u>7,948,705</u>	<u>90,174</u>
Excess (deficiency) of revenues over expenditures	<u>(579,318)</u>	<u>(268,160)</u>	<u>285,674</u>	<u>553,834</u>
OTHER FINANCING SOURCES				
Transfers in	300,000	300,000	300,000	-
Capital lease proceeds	-	-	16,740	16,740
Total other financing sources	<u>300,000</u>	<u>300,000</u>	<u>316,740</u>	<u>16,740</u>
NET CHANGE IN FUND BALANCE	<u>(279,318)</u>	<u>31,840</u>	<u>602,414</u>	<u>570,574</u>
FUND BALANCE AT BEGINNING OF YEAR	<u>1,071,298</u>	<u>1,071,298</u>	<u>1,071,298</u>	<u>-</u>
FUND BALANCE AT END OF YEAR	<u>\$ 791,980</u>	<u>\$ 1,103,138</u>	<u>\$ 1,673,712</u>	<u>\$ 570,574</u>

TOWN OF WESTLAKE
NOTES TO BUDGETARY COMPARISON SCHEDULES

Budgetary Information -The Town follows these procedures annually in establishing the budgetary data reflected in the budgetary comparison schedules:

1. The Town Manager submits to the Town Council a proposed budget for the fiscal year commencing the following October 1. The budget includes proposed expenditures and the means of financing them.
2. Prior to October 1, the budget is legally adopted through passage of an ordinance. This budget is reported as the Original Budget in the budgetary comparison schedules.
3. During the fiscal year, changes to the adopted budget may be authorized, as follows:
 - a. Items requiring Town Council action - appropriation of fund balance reserves; transfers of appropriations between funds; new inter-fund loans or advances; and creation of new capital projects or increases to existing capital projects.
 - b. Items delegated to the Town Manager - appropriation balances from an expenditure account to another within a single fund.
4. Annual budgets are legally adopted and amended as required for the general, special revenue and debt service funds. Project length budgets are adopted for the capital projects funds. All budgets are adopted on a basis consistent with generally accepting accounting principles. Budgets are adopted for the proprietary funds annually only as a management tool. There are no legally mandated budgetary constraints for the proprietary funds.
5. Budget amounts are reflected after all authorized amendments and revisions. This budget is reported as the Final Budget in the budgetary comparison schedules.
6. The appropriated budget is prepared by fund, function and department. The Town's management may make transfers of appropriations within a fund. Transfers of appropriations between funds require the approval of the Town Council. The legal level of budgetary control is the fund level. The Town Council made several supplementary budget appropriations during the year.
7. Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting under which purchase orders, contracts and other commitments for the expenditure of resources are recorded to reserve that portion of the applicable appropriation is utilized in the governmental funds. Encumbrances lapse at year-end and do not constitute expenditures or liabilities because the commitments must be re-appropriated and honored during the subsequent year.
8. Expenditures exceeded appropriations in debt service of the General Fund.

**TOWN OF WESTLAKE
SCHEDULE OF NET PENSION LIABILITY AND RELATED RATIOS
TEXAS MUNICIPAL RETIREMENT SYSTEM
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	<u>2015</u>
Total Pension Liability:	
Service cost	\$ 288,923
Interest	264,994
Change in benefit terms	-
Difference between expected and actual experience	176,965
Change in assumptions	-
Benefit payments	<u>(55,762)</u>
Net change in total pension liability	675,120
Total Pension Liability-beginning	<u>3,669,053</u>
Total Pension Liability-ending	<u>4,344,173</u>
 Plan Fiduciary Net Position	
Contributions - employer	172,064
Contributions - nonemployer	152,077
Net investment income	182,430
Benefit payments	(55,762)
Administrative income	(1,904)
Other	<u>(127)</u>
Net change in plan fiduciary net position	448,778
Plan fiduciary net position -beginning	<u>3,187,798</u>
Plan fiduciary net position - ending	<u>3,636,576</u>
 Town's net pension liability -ending	 <u><u>\$ 707,597</u></u>
 Plan fiduciary net position as a % of total pension liability	 83.71%
 Covered payroll	 \$ 2,172,525
 Town's net pension liability as a % of employee payroll	 32.57%

**TOWN OF WESTLAKE
SCHEDULE OF CONTRIBUTIONS
TEXAS MUNICIPAL RETIREMENT SYSTEM
FOR THE YEAR ENDED SEPTEMBER 30, 2014**

	<u>2015</u>
Actuarially Determined Contributions	\$ 277,651
Contributions in relation to the actuarially determined contributions	<u>(277,651)</u>
Contribution deficiency (excess)	<u>\$ -</u>
Covered employee payroll	2,778,776
Contributions as a percentage of covered employee payroll	9.99%

**TOWN OF WESTLAKE
 NOTES TO TEXAS MUNICIPAL RETIREMENT SYSTEM REQUIRED SUPPLEMENTARY
 INFORMATION
 FOR THE YEAR ENDED SEPTEMBER 30, 2015**

VALUATION DATE:

Actuarial determined contribution rates are calculated as of December 31 each year and become effective in January, 12 months and one day later.

METHODS AND ASSUMPTIONS USED TO DETERMINE CONTRIBUTION RATES:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	30 years
Asset Valuation Method	10 Year smoothed market; 15% soft corridor
Inflation	3.00%
Salary Increases	3.50% to 12.00% including inflation
Investment Rate of Return	7.00%
Retirement Age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2010 valuation pursuant to an experience study of the period 2005 - 2009
Mortality	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB

**TOWN OF WESTLAKE
SCHEDULE OF ACADEMY'S PROPORTIONATE SHARE
OF NET PENSION LIABILITY – TEACHER RETIREMENT SYSTEM
FOR THE YEAR ENDED AUGUST 31, 2015**

EXHIBIT B-5

	<u>2015</u>
Academy's proportion of the net pension liability	0.0007190%
Academy's proportionate share of net pension liability	\$ 192,056
State's proportionate share of net pension liability associated with the Westlake Academy	<u>2,965,583</u>
Total	<u>\$ 3,157,639</u>
Academy's covered payroll	<u>\$ 4,300,931</u>
Academy's proportionate share of net pension liability as a percentage of its covered payroll	4.47%
Plan fiduciary net position as a percentage of total pension liability	83.25%

**TOWN OF WESTLAKE
 SCHEDULE OF CONTRIBUTIONS
 TEACHER RETIREMENT SYSTEM
 FOR THE YEAR ENDED AUGUST 31, 2015
 (UNAUDITED)**

	<u>2015</u>
Statutorially required contributions	\$ 92,325
Actual contributions in relation to statutorially required contributions	<u>92,325</u>
Contribution deficiency (excess)	<u>\$ -</u>
Academy's covered payroll	\$ 4,784,694
Contributions as a percentage of Academy's covered payroll	1.93%



TOWN OF WESTLAKE

**COMBINING AND INDIVIDUAL FUND
STATEMENTS AND SCHEDULES**

**TOWN OF WESTLAKE
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – DEBT SERVICE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

EXHIBIT C-1

	Debt Service Fund			Variance Favorable (Unfavorable)
	Budgeted Amounts		Actual	
	Original	Amended		
REVENUES:				
Taxes				
Property	\$ 166,969	\$ 176,500	\$ 176,121	\$ (379)
Total revenues	166,969	176,500	176,121	(379)
EXPENDITURES:				
Debt service				
Principal retirement	1,245,550	1,050,550	1,050,550	-
Interest and other fiscal charges	1,049,108	963,828	963,425	403
Total expenditures	2,294,658	2,014,378	2,013,975	403
Deficiency of revenues under expenditures	(2,127,689)	(1,837,878)	(1,837,854)	24
OTHER FINANCING SOURCES (USES)				
Transfers in	2,139,554	1,859,274	1,857,689	(1,585)
Net other financing sources (uses)	2,139,554	1,859,274	1,857,689	(1,585)
NET CHANGE IN FUND BALANCE	11,865	21,396	19,835	(1,561)
FUND BALANCE AT BEGINNING OF YEAR	1,081	1,081	1,081	-
FUND BALANCE AT END OF YEAR	\$ 12,946	\$ 22,477	\$ 20,916	\$ (1,561)

**TOWN OF WESTLAKE
NONMAJOR GOVERNMENTAL FUNDS**

Visitors Association Fund

To account for municipal hotel occupancy taxes collected and expenditures to promote tourism and the convention and hotel industry.

Lone Star Public Facilities Corporation

To account for investment activity relating to the Lone Star Public Facilities Corporation.

Economic Development Fund

To account for sales tax and hotel occupancy tax collected to fund activity relating to Economic Development agreements.

4B Economic Development Corporation

To account for sales tax collected to fund the activities of the 4B Economic Development Corporation.

**TOWN OF WESTLAKE
COMBINING BALANCE SHEET
NON MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Visitors Association	Lone Star Public Facilities Corporation Fund	Economic Development Fund	4B Economic Development Corporation Fund	Total Nonmajor Governmental Funds
ASSETS					
Cash and cash equivalents	\$ 1,050,718	\$ 13,632	\$ 5,806	\$ -	\$ 1,070,156
Receivables: (net of allowances for uncollectibles)					
Accounts receivable	68,127	-	32,674	164,147	264,948
Other assets	1,874	-	-	-	1,874
Total assets	\$ 1,120,719	\$ 13,632	\$ 38,480	\$ 164,147	\$ 1,336,978
LIABILITIES AND FUND BALANCES					
Accounts payable	\$ 36,736	\$ -	\$ 38,480	\$ -	\$ 75,216
Unearned revenue	1,100	-	-	-	1,100
Due to other funds	-	-	-	164,147	164,147
Total liabilities	37,836	-	38,480	164,147	240,463
FUND BALANCES					
Nonspendable:					
Prepaid items	1,874	-	-	-	1,874
Restricted for:					
Tourism	1,081,009	-	-	-	1,081,009
Future projects	-	13,632	-	-	13,632
Total fund balances	1,082,883	13,632	-	-	1,096,515
Total liabilities and fund balances	\$ 1,120,719	\$ 13,632	\$ 38,480	\$ 164,147	\$ 1,336,978

**TOWN OF WESTLAKE
 COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
 IN FUND BALANCES
 NON MAJOR GOVERNMENTAL FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Visitors Association	Lone Star Public Facilities Corporation Fund	Economic Development Fund	4B Economic Development Corporation Fund	Total Nonmajor Governmental Funds
REVENUES					
Sales	\$ -	\$ -	\$ 106,748	\$ 1,231,357	\$ 1,338,105
Hotel occupancy	807,179	-	65,000	-	872,179
Interest income	1,698	21	-	384	2,103
Contributions	6,750	-	-	-	6,750
Miscellaneous	4,745	-	410,000	-	414,745
Total revenues	820,372	21	581,748	1,231,741	2,633,882
EXPENDITURES					
Current:					
Economic development	-	9	171,748	-	171,757
Visitor services	670,157	-	-	-	670,157
Debt service					
Principal retirement	-	-	31,975	-	31,975
Interest and other fiscal charges	-	-	3,783	-	3,783
Total expenditures	670,157	9	207,506	-	877,672
Excess of revenues over expenditures	150,215	12	374,242	1,231,741	1,756,210
OTHER FINANCING SOURCES (USES)					
Transfers in	-	-	35,758	-	35,758
Transfers out	(177,670)	-	(410,000)	(1,231,741)	(1,819,411)
Total other financing sources (uses)	(177,670)	-	(374,242)	(1,231,741)	(1,783,653)
Net change in fund balances	(27,455)	12	-	-	(27,443)
Fund balances, October 1	1,110,338	13,620	-	-	1,123,958
Fund balances, September 30	\$ 1,082,883	\$ 13,632	\$ -	\$ -	\$ 1,096,515

**TOWN OF WESTLAKE
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – VISITORS ASSOCIATION FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Visitors Association Fund			Variance Favorable (Unfavorable)
	Budgeted Amounts		Actual	
	Original	Amended		
REVENUES:				
Taxes				
Hotel occupancy	\$ 707,000	\$ 805,000	\$ 807,179	\$ 2,179
Interest income	2,900	2,900	1,698	(1,202)
Contributions	6,810	8,110	6,750	(1,360)
Miscellaneous	11,840	12,490	4,745	(7,745)
Total revenues	<u>728,550</u>	<u>828,500</u>	<u>820,372</u>	<u>(8,128)</u>
EXPENDITURES:				
Visitor services	<u>706,924</u>	<u>666,804</u>	<u>670,157</u>	<u>(3,353)</u>
Total expenditures	<u>706,924</u>	<u>666,804</u>	<u>670,157</u>	<u>(3,353)</u>
Excess of revenues over expenditures	<u>21,626</u>	<u>161,696</u>	<u>150,215</u>	<u>(11,481)</u>
OTHER FINANCING USES				
Transfers out	<u>(177,670)</u>	<u>(177,670)</u>	<u>(177,670)</u>	<u>-</u>
Total other financing uses	<u>(177,670)</u>	<u>(177,670)</u>	<u>(177,670)</u>	<u>-</u>
NET CHANGE IN FUND BALANCE	(156,044)	(15,974)	(27,455)	(11,481)
FUND BALANCE AT BEGINNING OF YEAR	<u>1,110,338</u>	<u>1,110,338</u>	<u>1,110,338</u>	<u>-</u>
FUND BALANCE AT END OF YEAR	<u>\$ 954,294</u>	<u>\$ 1,094,364</u>	<u>\$ 1,082,883</u>	<u>\$ (11,481)</u>

**TOWN OF WESTLAKE
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – LONE STAR PUBLIC FACILITIES CORPORATION FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Lone Star Public Facilities Corporation			
	Budgeted Amounts		Actual	Variance Favorable (Unfavorable)
	Original	Amended		
REVENUES:				
Interest income	\$ 45	\$ 45	\$ 21	\$ (24)
Total revenues	45	45	21	(24)
EXPENDITURES:				
Economic development	-	-	9	9
Total expenditures	-	-	9	9
NET CHANGE IN FUND BALANCE	45	45	12	(33)
FUND BALANCE AT BEGINNING OF YEAR	13,620	13,620	13,620	-
FUND BALANCE AT END OF YEAR	<u>\$ 13,665</u>	<u>\$ 13,665</u>	<u>\$ 13,632</u>	<u>\$ (33)</u>

**TOWN OF WESTLAKE
 SCHEDULE OF REVENUES, EXPENDITURES
 AND CHANGES IN FUND BALANCES
 BUDGET AND ACTUAL – ECONOMIC DEVELOPMENT FUND
 FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	Economic Development Fund			Variance Favorable (Unfavorable)
	Budgeted Amounts		Actual	
	Original	Amended		
REVENUES:				
Taxes				
Sales	\$ 100,000	\$ 100,000	\$ 106,748	\$ 6,748
Hotel occupancy	70,000	85,000	65,000	(20,000)
Miscellaneous	440,000	410,000	410,000	-
Total revenues	<u>610,000</u>	<u>595,000</u>	<u>581,748</u>	<u>(13,252)</u>
EXPENDITURES:				
Economic development	170,000	185,000	171,748	13,252
Debt service				
Principal retirement	5,521	5,521	31,975	(26,454)
Interest and other fiscal charges	30,237	30,237	3,783	26,454
Total expenditures	<u>205,758</u>	<u>220,758</u>	<u>207,506</u>	<u>13,252</u>
Excess of revenues over expenditures	<u>404,242</u>	<u>374,242</u>	<u>374,242</u>	<u>-</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	35,758	35,758	35,758	-
Transfers out	(440,000)	(410,000)	(410,000)	-
Total other financing sources (uses)	<u>(404,242)</u>	<u>(374,242)</u>	<u>(374,242)</u>	<u>-</u>
NET CHANGE IN FUND BALANCE	-	-	-	-
FUND BALANCE AT BEGINNING OF YEAR	-	-	-	-
FUND BALANCE AT END OF YEAR	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**TOWN OF WESTLAKE
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – 4B ECONOMIC DEVELOPMENT CORPORATION FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2015**

	4B Economic Development Corporation			Variance Favorable (Unfavorable)
	Budgeted Amounts		Actual	
	Original	Amended		
REVENUES:				
Taxes				
Sales	\$ 1,158,750	\$ 1,225,000	\$ 1,231,357	\$ 6,357
Interest income	500	500	384	(116)
Total revenues	<u>1,159,250</u>	<u>1,225,500</u>	<u>1,231,741</u>	<u>6,241</u>
EXPENDITURES:				
Economic development	-	-	-	-
Total expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Excess of revenues over expenditures	<u>1,159,250</u>	<u>1,225,500</u>	<u>1,231,741</u>	<u>6,241</u>
OTHER FINANCING USES				
Transfers out	<u>(1,159,250)</u>	<u>(1,225,500)</u>	<u>(1,231,741)</u>	<u>(6,241)</u>
Total other financing uses	<u>(1,159,250)</u>	<u>(1,225,500)</u>	<u>(1,231,741)</u>	<u>(6,241)</u>
NET CHANGE IN FUND BALANCE	-	-	-	-
FUND BALANCE AT BEGINNING OF YEAR	-	-	-	-
FUND BALANCE AT END OF YEAR	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>



TOWN OF WESTLAKE

STATISTICAL SECTION

**STATISTICAL SECTION
(UNAUDITED)**

This part of the Town of Westlake, Texas' comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures and required supplementary information says about the Town's overall financial health.

Contents	Page
Financial Trends	
These schedules contain trend information to help the reader understand how the Town's financial performance and well-being have changed over time.	94-99
Revenue Capacity	
These schedules contain information to help the reader assess the Town's most significant local revenue sources. Although sales taxes are the Town's most significant local revenue source, information about principal revenue payers is confidential under Texas statutes, and; therefore, not disclosed. Trend information about sales tax revenue is provided in Exhibit S-9.	100-104
Debt Capacity	
These schedules present information to help the reader assess the affordability of the Town's current levels of outstanding debt and the Town's ability to issue additional debt in the future.	105-107
Demographic and Economic Information	
These schedules offer demographic and economic indicators to help the reader understand the environment within which the Town's financial activities take place.	108-109
Operating Information	
These schedules contain service and infrastructure data to help the reader understand how the information in the Town's financial report relates to the services the Town provides and the activities it performs.	110-112
Sources: Unless otherwise noted, the information in these schedules is derived from annual financial reports for the relevant year.	

**TOWN OF WESTLAKE
NET POSITION BY COMPONENT
LAST TEN YEARS
(ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

	Fiscal Year									
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Governmental activities:										
Invested in capital assets, net of related debt	\$ 9,171,657	\$ 9,646,644	\$ 10,313,743	\$ 13,244,690	\$ 13,633,485	\$ 12,658,921	\$ 14,866,299	\$ 21,177,426	\$ 32,048,991	\$ 29,633,298
Restricted	1,406,756	1,719,771	2,004,763	1,761,067	1,564,868	7,137,362	4,726,376	4,243,239	2,284,947	17,827,177
Unrestricted	<u>3,023,875</u>	<u>3,305,542</u>	<u>3,835,751</u>	<u>4,122,185</u>	<u>5,866,046</u>	<u>3,448,100</u>	<u>5,023,731</u>	<u>6,636,876</u>	<u>(910,977)</u>	<u>7,108,101</u>
Total governmental activities net position	<u>\$ 13,602,288</u>	<u>\$ 14,671,957</u>	<u>\$ 16,154,257</u>	<u>\$ 19,127,942</u>	<u>\$ 21,064,399</u>	<u>\$ 23,244,383</u>	<u>\$ 24,616,406</u>	<u>\$ 32,057,541</u>	<u>\$ 33,422,961</u>	<u>\$ 54,568,576</u>
Business-type activities:										
Invested in capital assets, net of related debt	\$ 8,436,729	\$ 8,097,807	\$ 7,726,576	\$ 7,349,032	\$ 7,033,831	\$ 6,875,031	\$ 6,877,555	\$ 6,601,949	\$ 6,734,414	\$ 6,410,547
Unrestricted	<u>(1,846,851)</u>	<u>(2,008,243)</u>	<u>(1,997,281)</u>	<u>(1,945,578)</u>	<u>(2,003,600)</u>	<u>(1,542,092)</u>	<u>(1,636,249)</u>	<u>(842,457)</u>	<u>(1,272,014)</u>	<u>(2,608,315)</u>
Total business-type activities net position	<u>\$ 6,589,878</u>	<u>\$ 6,089,564</u>	<u>\$ 5,729,295</u>	<u>\$ 5,403,454</u>	<u>\$ 5,030,231</u>	<u>\$ 5,332,939</u>	<u>\$ 5,241,306</u>	<u>\$ 5,759,492</u>	<u>\$ 5,462,400</u>	<u>\$ 3,802,232</u>
Primary government:										
Invested in capital assets, net of related debt	\$ 17,608,386	\$ 17,744,451	\$ 18,040,319	\$ 20,593,722	\$ 20,667,316	\$ 19,533,952	\$ 21,743,854	\$ 27,779,375	\$ 38,783,405	\$ 36,043,845
Restricted	1,406,756	1,719,771	2,004,763	1,761,067	1,564,868	7,137,362	4,726,376	4,243,239	2,284,947	17,827,177
Unrestricted	<u>1,177,024</u>	<u>1,297,299</u>	<u>1,838,470</u>	<u>2,176,607</u>	<u>3,862,446</u>	<u>1,906,008</u>	<u>3,387,482</u>	<u>5,794,419</u>	<u>(2,182,991)</u>	<u>4,499,786</u>
Total primary government net position	<u>\$ 20,192,166</u>	<u>\$ 20,761,521</u>	<u>\$ 21,883,552</u>	<u>\$ 24,531,396</u>	<u>\$ 26,094,630</u>	<u>\$ 28,577,322</u>	<u>\$ 29,857,712</u>	<u>\$ 37,817,033</u>	<u>\$ 38,885,361</u>	<u>\$ 58,370,808</u>

Source: Annual financial reports

EXHIBIT S-2 (CONTINUED)

**TOWN OF WESTLAKE
CHANGES IN NET POSITION
LAST TEN YEARS
(ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

	<i>Fiscal Year</i>									
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
EXPENSES										
Governmental activities:										
General government	\$ 1,811,281	\$ 1,941,289	\$ 2,031,460	\$ 2,203,882	\$ 2,272,127	\$ 2,478,826	\$ 2,518,490	\$ 2,606,785	\$ 2,784,587	\$ 3,145,716
Public Safety	1,705,528	1,738,080	1,795,782	1,939,441	1,698,164	1,801,585	1,883,424	1,978,803	2,190,050	2,381,437
Cultural and Recreation	91,444	86,560	129,641	115,770	105,997	122,400	111,765	113,924	123,541	129,970
Public Works	613,956	455,481	1,013,804	1,028,934	594,705	470,054	216,901	267,973	955,794	1,081,996
Economic Development	35,759	120,753	473,451	207,044	309,653	680,823	546,039	626,423	147,680	171,757
Visitor Services	393,115	217,992	312,777	341,270	420,270	356,365	475,719	521,521	493,087	665,936
Education	2,249,998	2,672,698	3,305,220	3,722,705	4,138,875	4,884,985	6,193,560	5,803,611	7,147,411	8,598,261
Interest on long-term debt	1,021,779	869,327	991,184	1,068,935	1,026,026	1,127,913	897,573	1,031,328	998,951	1,022,201
Total governmental activities expenses	<u>7,922,860</u>	<u>8,102,180</u>	<u>10,053,319</u>	<u>10,627,981</u>	<u>10,565,817</u>	<u>11,922,951</u>	<u>12,843,471</u>	<u>12,950,368</u>	<u>14,841,101</u>	<u>17,197,274</u>
Business-type activities:										
Water and Sewer	2,137,831	2,206,618	2,410,765	2,694,407	2,567,675	2,794,235	3,098,466	3,356,466	3,690,137	4,861,529
Cemetery	-	-	13,299	473	27,822	5,604	6,282	5,328	7,121	7,297
Total business-type activities expenses	<u>2,137,831</u>	<u>2,206,618</u>	<u>2,424,064</u>	<u>2,694,880</u>	<u>2,595,497</u>	<u>2,799,839</u>	<u>3,104,748</u>	<u>3,361,794</u>	<u>3,697,258</u>	<u>4,868,826</u>
Total primary government program expense	<u>\$ 10,060,691</u>	<u>\$ 10,308,798</u>	<u>\$ 12,477,383</u>	<u>\$ 13,322,861</u>	<u>\$ 13,161,314</u>	<u>\$ 14,722,790</u>	<u>\$ 15,948,219</u>	<u>\$ 16,312,162</u>	<u>\$ 18,538,359</u>	<u>\$ 22,066,100</u>
PROGRAM REVENUES										
Governmental activities:										
Fees, fines, and charges for services:										
General Government	\$ 742,176	\$ 785,771	\$ 522,215	\$ 677,948	\$ 716,624	\$ 721,157	\$ 673,090	\$ 774,909	\$ 33,975	\$ 110,778
Public Safety	136,870	165,255	113,755	107,634	80,665	140,600	142,402	182,154	848,772	887,919
Public Works	699,753	625,340	902,875	594,338	1,597,655	292,572	407,328	659,246	1,022,769	936,245
Education	98,357	85,925	42,839	98,314	102,406	99,638	195,059	182,220	222,270	531,090
Operating grants and contributions	3,686,964	1,257,058	1,296,378	1,522,935	853,151	728,242	5,269,841	4,907,472	6,592,642	7,615,653
Capital grants and contributions	1,455,626	-	-	2,059,624	83,250	425,900	-	5,897,456	80,472	19,983,078
Total governmental activities program revenue	<u>6,819,746</u>	<u>2,919,349</u>	<u>2,878,062</u>	<u>5,060,793</u>	<u>3,433,751</u>	<u>2,408,109</u>	<u>6,687,720</u>	<u>12,603,457</u>	<u>8,800,900</u>	<u>30,064,763</u>
Business-type activities:										
Charges for services:										
Water and Sewer	1,842,238	1,657,186	2,037,306	2,345,236	2,101,510	3,078,868	2,934,842	3,157,332	3,428,702	3,549,775
Cemetery	-	-	2,100	-	5,550	13,300	4,500	5,510	7,749	13,620
Operating grants and contributions	19,653	-	-	-	46,810	-	24,423	-	-	-
Capital grants and contributions	-	-	169,034	-	-	-	-	-	-	-
Total business-type activities program revenue	<u>1,861,891</u>	<u>1,657,186</u>	<u>2,208,440</u>	<u>2,345,236</u>	<u>2,153,870</u>	<u>3,092,168</u>	<u>2,963,765</u>	<u>3,162,842</u>	<u>3,436,451</u>	<u>3,563,395</u>
Total primary government program revenue	<u>\$ 8,681,637</u>	<u>\$ 4,576,535</u>	<u>\$ 5,086,502</u>	<u>\$ 7,406,029</u>	<u>\$ 5,587,621</u>	<u>\$ 5,500,277</u>	<u>\$ 9,651,485</u>	<u>\$ 15,766,299</u>	<u>\$ 12,237,351</u>	<u>\$ 33,628,158</u>

**TOWN OF WESTLAKE
CHANGES IN NET POSITION
LAST TEN YEARS
(ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

	Fiscal Year									
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
NET (EXPENSE) REVENUES										
Governmental activities	\$(1,103,114)	\$(5,182,831)	\$(7,175,257)	\$(5,567,188)	\$(7,132,066)	\$(9,514,842)	\$(6,155,751)	\$(346,911)	\$(6,040,201)	\$ 12,867,489
Business-type activities	(275,940)	(549,432)	(215,624)	(349,644)	(441,627)	292,329	(140,983)	(198,952)	(260,807)	(1,305,431)
Total primary government net expense	(1,379,054)	(5,732,263)	(7,390,881)	(5,916,832)	(7,573,693)	(9,222,513)	(6,296,734)	(545,863)	(6,301,008)	11,562,058
GENERAL REVENUES AND OTHER CHANGES IN NET POSITION										
Governmental activities:										
Taxes										
Sales	\$ 1,810,706	\$ 2,197,756	\$ 3,590,575	\$ 3,664,409	\$ 3,790,533	\$ 4,609,626	\$ 3,657,274	\$ 4,375,397	\$ 4,725,845	\$ 4,925,428
Property						1,260,112	1,441,238	1,366,633	1,367,069	1,438,969
Hotel Occupancy	415,544	458,471	527,662	497,769	457,693	527,261	590,853	709,578	796,481	872,179
Mixed Beverage	13,674	14,066	16,177	17,869	17,902	19,721	38,286	39,727	51,602	59,184
Franchise	457,004	560,312	649,108	624,401	603,233	586,836	664,991	734,935	795,322	963,040
Unrestricted grants and contributions	1,822,200	2,259,643	2,500,817	2,960,590	3,484,141	3,744,757	-	-	-	-
Investment earnings	98,824	261,622	188,459	61,224	38,383	46,248	33,353	24,218	26,713	28,904
Miscellaneous	448,827	466,654	564,973	568,782	676,638	691,345	1,112,858	1,023,149	246,633	198,199
Transfers	45,319	33,976	220,819	61,321	-	145,216	45,507	(485,591)	43,399	323,100
Extraordinary item						56,704	(124,346)	-	-	-
Special item						-	67,760	-	-	-
Gain on sale of capital assets	-	-	-	-	-	7,000	-	-	-	-
Total governmental activities	5,112,098	6,252,500	8,258,590	8,456,365	9,068,523	11,694,826	7,527,774	7,788,046	8,053,064	8,809,003
Business-type activities:										
Investment earnings	25,604	46,158	32,103	7,858	8,334	9,929	10,077	6,552	7,114	7,083
Miscellaneous	56,025	36,936	44,071	77,266	60,070	145,666	84,780	224,995	-	-
Transfers	(45,319)	(33,976)	(220,819)	(61,321)	-	(145,216)	(45,507)	485,591	(43,399)	(323,100)
Total business-type activities	36,310	49,118	(144,645)	23,803	68,404	10,379	49,350	717,138	(36,285)	(316,017)
Total primary government	5,148,408	6,301,618	8,113,945	8,480,168	9,136,927	11,705,205	7,577,124	8,505,184	8,016,779	8,492,986
CHANGE IN NET POSITION										
Governmental activities	4,008,984	1,069,669	1,083,333	2,889,177	1,936,457	2,179,984	1,372,023	7,441,135	2,012,863	21,676,492
Business-type activities	(239,630)	(500,314)	(360,269)	(325,841)	(373,223)	302,708	(91,633)	518,186	(297,092)	(1,621,448)
Total primary government	\$ 3,769,354	\$ 569,355	\$ 723,064	\$ 2,563,336	\$ 1,563,234	\$ 2,482,692	\$ 1,280,390	\$ 7,959,321	\$ 1,715,771	\$ 20,055,044

Source: Annual financial reports

EXHIBIT S-3

**TOWN OF WESTLAKE
FUND BALANCES
GOVERNMENTAL FUNDS
LAST TEN YEARS
(MODIFIED ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
General fund										
Reserved	\$ 434,375	\$ 563,176	\$ 303,639	\$ 193,105	\$ 214,750	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved	2,850,789	2,533,123	2,503,099	2,532,207	3,578,235	-	-	-	-	-
Nonspendable:										
Prepaid items						62,020	6,856	6,906	8,821	13,334
Restricted for:										
Court security and technology						186,776	192,768	194,422	193,082	203,173
Committed for:										
Future projects						219,687	49,941	74,941	80,442	80,442
Assigned for:										
Future equipment						22,000	22,000	24,000	-	-
Unassigned	-	-	-	-	-	3,524,911	4,992,240	6,751,362	7,671,173	7,383,601
Total general fund	<u>\$ 3,285,164</u>	<u>\$ 3,096,299</u>	<u>\$ 2,806,738</u>	<u>\$ 2,725,312</u>	<u>\$ 3,792,985</u>	<u>\$ 4,015,394</u>	<u>\$ 5,263,805</u>	<u>\$ 7,051,631</u>	<u>\$ 7,953,518</u>	<u>\$ 7,680,550</u>
All other governmental funds										
Reserved										
Special revenue funds	\$ 869,694	\$ 1,183,020	\$ 1,527,724	\$ 1,256,954	\$ 1,112,941	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved, reported in:										
Special revenue funds	427,720	846,214	1,666,371	1,933,564	2,693,846	-	-	-	-	-
Nonspendable:										
Prepaid items						33,511	60,963	62,635	80,118	83,359
Restricted for:										
Tourism						1,109,365	1,052,546	1,025,891	1,107,520	1,081,009
Future projects						4,647,863	3,594,379	10,370,914	1,751,405	13,632
Debt service						7,505	22,657	1,482	1,081	20,916
Education						885,365	758,127	931,094	993,998	1,592,227
Economic development						267,577	178,384	-	-	-
Capital projects funds	102,687	102,376	3,233,471	323,009	237,177	-	-	-	-	17,713,788
Unassigned	-	-	-	-	-	-	-	-	-	-
Total all other governmental funds	<u>\$ 1,400,101</u>	<u>\$ 2,131,610</u>	<u>\$ 6,427,566</u>	<u>\$ 3,513,527</u>	<u>\$ 4,043,964</u>	<u>\$ 6,951,186</u>	<u>\$ 5,667,056</u>	<u>\$ 12,392,016</u>	<u>\$ 3,934,122</u>	<u>\$ 20,504,931</u>

Note: Economic Development Funds were classified as special revenue funds through FY 2002 and considered discretely presented component units through FY 2007. Upon further consideration, the 4B Economic Development Corporation and Lone Star Public Facility Corporation funds are now classified as blended component units.

The Town implemented GASB Statement No. 54 in fiscal year 2011.

Source: Annual financial reports

EXHIBIT S-4 (CONTINUED)

**TOWN OF WESTLAKE
CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
LAST TEN YEARS
(MODIFIED ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
REVENUES										
Taxes	\$ 2,696,928	\$ 3,230,605	\$ 4,783,522	\$ 4,804,448	\$ 4,869,361	\$ 7,000,690	\$ 6,393,472	\$ 7,226,180	7,722,606	8,252,748
Licenses, fees and permits	748,016	900,121	1,108,083	860,697	1,746,954	530,646	598,394	944,735	1,175,075	1,200,790
Fines and penalties	751,036	651,090	554,376	523,515	647,170	605,705	622,338	695,167	730,441	734,152
State program revenues	1,925,043	2,387,733	2,673,680	3,163,129	3,687,706	3,945,658	4,369,635	4,696,540	5,269,641	6,173,418
Federal program revenues	75,662	49,200	75,207	56,134	199,436	337,508	152,351	81,958	80,103	87,797
Investment earnings	98,824	261,622	188,459	61,224	38,383	46,248	33,353	24,218	26,713	28,904
Contributions	4,964,085	1,079,768	1,048,308	1,264,262	533,400	-	732,535	5,916,014	82,446	18,785,953
Other revenues	547,184	552,579	607,812	673,400	779,044	980,816	1,323,237	1,274,826	1,665,003	2,471,191
Total revenues	<u>11,806,778</u>	<u>9,112,718</u>	<u>11,039,447</u>	<u>11,406,809</u>	<u>12,501,454</u>	<u>13,447,271</u>	<u>14,225,315</u>	<u>20,859,638</u>	<u>16,752,028</u>	<u>37,734,953</u>
EXPENDITURES										
General government	2,542,295	1,385,492	1,516,346	1,519,600	1,644,587	1,733,324	1,878,885	1,910,545	2,236,360	2,411,239
Public safety	1,627,641	1,665,879	1,731,317	1,890,469	1,634,936	1,842,751	2,224,469	1,967,584	2,146,587	2,490,551
Cultural and recreation	91,444	86,560	129,641	115,770	105,997	122,400	111,765	113,924	123,541	130,322
Public works	434,716	276,789	846,604	841,822	333,831	326,749	391,115	532,675	615,781	744,028
Economic development	35,759	141,197	495,071	229,907	401,879	706,391	243,939	296,565	147,685	171,757
Visitor services	393,115	226,992	312,777	341,270	420,270	356,365	475,719	521,521	493,082	670,157
Education	2,249,998	2,672,698	3,305,220	3,722,705	4,138,875	4,884,985	6,193,560	5,762,652	7,143,678	7,938,501
Capital Outlay	371,860	836,787	463,918	4,335,114	682,103	1,023,772	1,110,476	7,601,631	9,964,047	5,274,282
Capital Project										
Debt service										
Principal	350,000	470,000	395,000	593,937	563,703	555,000	668,000	2,955,000	1,004,677	1,130,762
Interest and other fiscal charges	1,028,634	1,240,950	923,944	990,641	977,163	1,083,377	952,027	830,425	1,116,489	977,412
Bond issuance cost	-	-	33,000	-	-	36,446	148,891	185,699	69,283	-
Total expenditures	<u>9,125,462</u>	<u>9,003,344</u>	<u>10,152,838</u>	<u>14,581,235</u>	<u>10,903,344</u>	<u>12,671,560</u>	<u>14,398,846</u>	<u>22,678,221</u>	<u>25,061,210</u>	<u>21,939,011</u>
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES										
	\$ 2,681,316	\$ 109,374	\$ 886,609	\$(3,174,426)	\$ 1,598,110	\$ 775,711	\$(173,531)	\$(1,818,583)	\$(8,309,182)	\$ 15,795,942

**TOWN OF WESTLAKE
CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
LAST TEN YEARS
(MODIFIED ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
OTHER FINANCING										
SOURCES (USES):										
Proceeds from sale of land	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sale of assets						7,000	-	-	-	-
Issuance of debt	-	-	2,500,000	117,640	-	2,095,000	-	8,294,800	-	-
Premium on CO issued								284,437	-	-
Refunding bonds issued		7,465,000	-	-	-	-	7,799,196	2,200,000	1,910,000.00	-
Premium on refunding bonds issued								37,723	84,598.00	-
Payments to bond escrow agent		(7,088,706)	-	-	-	-	(7,650,305)	-	(1,925,315)	-
Proceeds from capital lease		23,000	-	-	-	-	-	-	239,009	16,740
Notes payable issued						50,000	-	-	401,484	162,059
Special item						-	67,760	40,959	-	-
Extraordinary item						56,704	(124,346)	(40,959)	-	-
Transfers in	704,577	1,212,558	2,160,174	2,435,486	1,804,577	7,082,163	2,121,099	2,104,929	3,094,211	4,617,896
Transfers out	(659,258)	(1,178,582)	(1,939,355)	(2,374,165)	(1,804,577)	(6,936,947)	(2,075,592)	(2,590,520)	(3,050,812)	(4,294,796)
Total other financing sources (uses)	45,319	433,270	2,720,819	178,961	-	2,353,920	137,812	10,331,369	753,175	501,899
Prior period adjustment	60,000	-	-	-	-	-	-	-	-	-
NET CHANGES IN FUND BALANCES	\$ 2,786,635	\$ 542,644	\$ 3,607,428	\$(2,995,465)	\$ 1,598,110	\$ 3,129,631	\$(35,719)	\$ 8,512,786	\$(7,556,007)	\$ 16,297,841
DEBT SERVICE AS A PERCENTAGE OF NONCAPITAL EXPENDITURES	15.7%	20.9%	13.6%	15.4%	15.0%	14.1%	12.5%	25.3%	14.4%	12.9%

Note: Economic Development Funds were classified as special revenue funds through FY 2002 and considered discretely presented component units through FY 2007. Upon further consideration, the 4B Economic Development Corporation and Lone Star Public Facility Corporation funds are now classified as blended component units.

Source: Annual Financial Reports

**TOWN OF WESTLAKE
 ASSESSED VALUE AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY
 LAST FIVE FISCAL YEARS
 (MODIFIED ACCRUAL BASIS OF ACCOUNTING – UNAUDITED)**

Fiscal Year	Appraised Value		Less: Tax-Exempt Property	Total Taxable Assessed Value	Total Direct Tax Rate
	Real Property	Personal Property			
2011	\$ 951,070,355	\$ 70,569,170	\$ 143,856,142	\$ 877,783,383	0.1601
2012	1,016,474,604	85,329,823	156,315,552	945,488,875	0.15684
2013	1,099,249,031	122,792,343	335,814,215	886,227,159	0.15684
2014	1,091,142,760	151,927,427	346,730,543	896,339,644	0.15634
2015	1,123,354,430	139,936,507	342,248,275	921,042,662	0.15634

Note: Prior to fiscal year ended September 30, 2011, the Town of Westlake did not assess an ad valorem tax.

Source: Tarrant County Appraisal District
 Denton Central Appraisal District

**TOWN OF WESTLAKE
PRINCIPAL PROPERTY TAX PAYERS
CURRENT AND FOUR YEARS AGO
(UNAUDITED)**

2015			
Taxpayer	Taxable Assessed Value	Rank	Percentage of Total Town Taxable Assessed Value
5 Village Circle Holdings LP	\$ 140,613,560	1	15.27%
FMR Texas, LLC/LTD Partnership	71,938,529	2	7.81%
DCLI, LLC	52,633,131	3	5.71%
Fidelity Investments Inc.	26,383,422	4	2.86%
Marsh USA Inc	21,098,171	5	2.29%
Lexington TNI Westlake LP	14,700,000	6	1.60%
Corelogic Solutions LLC	14,473,635	7	1.57%
Prince Whipple Trust	6,850,000	8	0.74%
Levi Strauss & CO	5,903,735	9	0.64%
Vaquero Club, Inc.	5,383,416	10	0.58%
Total	\$ 359,977,599		39.08%

2011			
Taxpayer	Taxable Assessed Value	Rank	Percentage of Total Town Taxable Assessed Value
Maguire Thomas Partners, etal	\$ 116,839,380	1	13.31%
FMR Texas, LLC/LTD Partnership	148,569,643	2	16.93%
Maguire Partners	39,117,985	3	4.46%
Lexington TNI Westlake LP	18,249,200	4	2.08%
First American Leasing/Real Estate	17,636,457	5	2.01%
DCLI, LLC	13,234,691	6	1.51%
Fidelity Investments	12,277,810	7	1.40%
Levi Strauss & Co.	8,215,271	8	0.94%
Westlake Terra, LLC	7,400,002	9	0.84%
EMC Corp	6,418,484	10	0.73%
Total	\$ 387,958,923		44.20%

Source: Tarrant County Appraisal District

- Note: (1) Prior to fiscal year ended September 30, 2011, the Town of Westlake did not assess an ad valorem tax.
 (2) Total Taxable Assessed Value including real and personal property for tax year 2010 (fiscal year 2011) is \$877,783,383.
 (3) Total Taxable Assessed Value including real and personal property for tax year 2014 (fiscal year 2015) is \$921,042,662.

**TOWN OF WESTLAKE
PROPERTY TAX LEVIES AND COLLECTIONS
LAST FIVE FISCAL YEARS
(UNAUDITED)**

Fiscal Year	Taxes Levied for the Fiscal Year	Adjustments to Levy	Adjusted Taxes Levied for Fiscal Year	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
				Amount	Percent of Levy		Amount	Percentage of Levy
2011	\$ 1,409,956	\$ 47,560	\$ 1,362,396	\$ 1,356,050	99.53%	5,556	\$ 1,361,606	99.94%
2012	1,486,968	47,220	1,439,748	1,437,908	99.87%		1,437,908	99.87%
2013	1,398,777	45,297	1,353,480	1,352,097	99.90%		1,352,097	99.90%
2014	1,405,819	44,761	1,361,058	1,350,639	99.23%	(451)	1,350,188	99.20%
2015	1,450,674	43,948	1,406,726	1,405,148	99.89%	-	1,405,148	99.89%

Note: Prior to fiscal year ended September 30, 2011, the Town of Westlake did not assess an ad valorem tax.

Source: Tarrant County Appraisal District
Denton Central Appraisal District

**TOWN OF WESTLAKE
 DIRECT AND OVERLAPPING PROPERTY TAX RATES
 (PER \$100 OF ASSESSED VALUE)
 LAST FIVE FISCAL YEARS
 (UNAUDITED)**

Fiscal Year	City Direct Rates			Overlapping Rates								
	Operating/ General Fund	Debt Service Fund	Total (A) Direct	School Districts			Counties		Tarrant County	Tarrant County	Trophy Club	Total Direct and Overlapping
				Carroll ISD	Northwest ISD	Keller ISD	Denton County	Tarrant County	College Dist	Hospital Dist.	MUD #1	
2011	0.15620	0.00390	0.16010	1.41500	1.37500	1.53060	0.27736	0.26400	0.13764	0.22790	0.19500	5.58259
2012	0.13835	0.01849	0.15684	1.41500	1.37500	1.54000	0.28287	0.26400	0.14897	0.22790	0.17500	5.58557
2013	0.14197	0.01487	0.15684	1.40000	1.37500	1.54000	0.28287	0.26400	0.14897	0.22790	0.13339	5.52896
2014	0.13710	0.01924	0.15634	1.40000	1.45250	1.54000	0.27220	0.26400	0.14950	0.22790	0.13339	5.59583
2015	0.13710	0.01924	0.15634	1.40000	1.45250	1.54000	0.27220	0.26400	0.14950	0.22790	0.13339	5.59583

Notes: Prior to fiscal year ended September 30, 2011, the Town of Westlake did not assess an advalorem tax.

Overlapping rates are those of local and county governments that apply to property owners within the Town of Westlake. Not all overlapping rates apply to all Town's property owners (e.g., the rates for the counties and school districts apply only to the proportion of the Town's property owners whose property is located within the geographic boundaries of the county and school district)

Source: Tarrant County Appraisal District
 Denton Central Appraisal District

**TOWN OF WESTLAKE
TAXABLE SALES BY INDUSTRY TYPE
LAST TEN FISCAL YEARS
(UNAUDITED)**

NAICS	Industry Type	Fiscal Year									
		2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
11	Agriculture, Forestry, Fishing and Hunting	\$ 31	\$ 67	\$ 182	\$ 210	\$ -	\$ 60	\$ 38	\$ 163	\$ 731	\$ 775
21	Mining	2,321	-	2,109	20	400	4,260	3,050	335	15	714
22	Utilities	463,222	212,336	230,072	186,773	178,693	180,032	171,131	176,622	204,280	191,031
23	Construction	81,542	200,791	998,867	1,043,752	68,306	132,780	139,000	365,049	239,888	216,546
31-33	Manufacturing	1,120,328	360,010	371,193	430,515	386,492	402,062	526,755	295,660	375,905	234,651
42	Wholesale Trade	248,702	284,082	142,999	138,456	105,557	145,631	134,466	59,571	421,371	515,602
44-45	Retail	408,556	253,293	610,119	648,597	1,097,007	707,553	1,106,427	1,132,811	962,244	1,332,659
48-49	Transportation and Warehousing	63	491		791	556	316	1,156	3,662	1,962	3,550
51	Information	538,210	223,672	320,848	377,828	423,834	508,609	367,298	378,221	623,828	567,685
52	Financial and Insurance	10,162	343,446	107,319	68,936	87,188	73,455	27,857	75,529	505,585	295,622
53	Real Estate and Rental and Leasing	178,047	204,398	138,879	154,315	327,207	210,158	215,754	457,693	493,570	708,747
54	Professional, Scientific, and Technical Services	111,746	452,018	199,700	192,008	202,263	231,526	221,331	536,971	242,069	193,145
56	Admin and Support and Waste Mgmt & Rem Srv	245,562	45,809	127,779	22,319	39,539	65,045	39,027	110,686	103,340	50,264
61	Education Services	895	317	282	2,980	619,228	1,675,351	356,689	373,117	153,279	201,761
62	Health Care and Social Assistance	10	-	238		-	170	106	251	11,018	2,887
71	Arts, Entertainment and Recreation	49,474	224,101	199,876	174,485	158,996	206,050	204,456	184,687	191,343	189,027
72	Accommodation and Food Services	34,021	57,084	130,923	140,344	140,996	175,938	93,123	204,044	221,061	246,755
81	Other Services (except Public Administration)	130,476	130,392	18,576	1,756	4,462	4,632	9,805	13,156	17,412	8,965
92	Public Administration	170	-	-	-	11	1	135	295	27,243	-
		<u>\$ 3,623,538</u>	<u>\$ 2,992,307</u>	<u>\$ 3,599,960</u>	<u>\$ 3,584,084</u>	<u>\$ 3,840,735</u>	<u>\$ 4,723,628</u>	<u>\$ 3,617,604</u>	<u>\$ 4,368,521</u>	<u>\$ 4,796,144</u>	<u>\$ 4,960,386</u>
	Town direct sales tax rate	<u>2.00%</u>									

Note: Information on sales tax by NAICS was not available prior to 2006. Comparison will be made to the prior year until ten-year prior comparison can be made.

Due to confidentiality issues, the names of the ten largest revenue payers are not available. The categories presented are intended to provide alternative information regarding the sources of the Town's sales tax revenue

Source: Texas State Comptroller reports

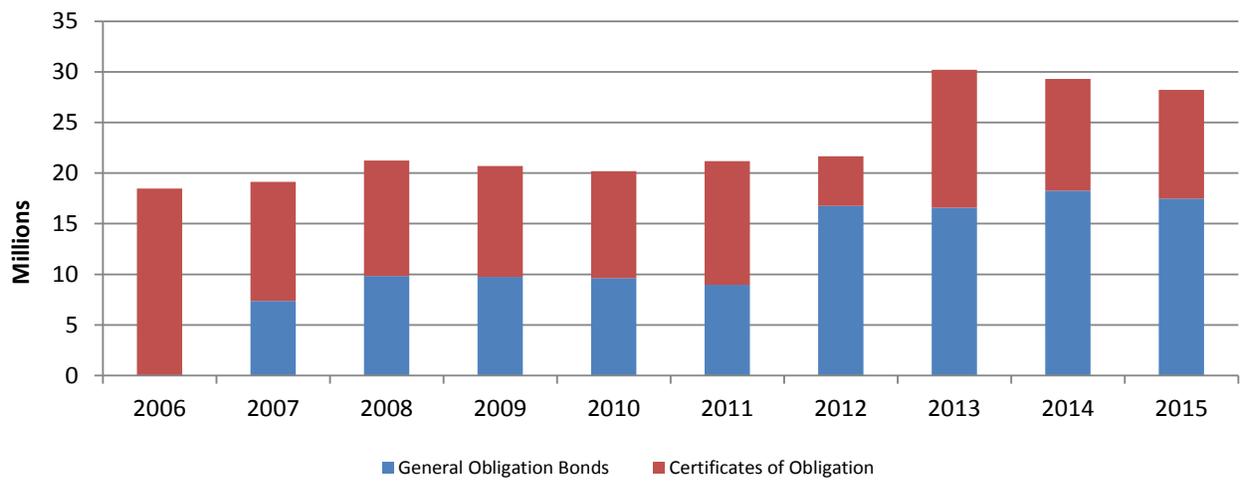
**TOWN OF WESTLAKE
RATIOS OF GENERAL BONDED DEBT OUSTANDING
LAST TEN FISCAL YEARS**

Fiscal Year	General Bonded Debt Outstanding			Percentage of Actual Taxable Sales	Per Capita
	General Obligation Bonds	Certificates of Obligation	Total		
2006	-	18,460,000	18,460,000	10.19%	26,447
2007	7,365,000	11,755,000	19,120,000	13.05%	27,198
2008	9,850,000	11,375,000	21,225,000	11.82%	27,038
2009	9,735,000	10,975,000	20,710,000	11.30%	25,791
2010	9,630,000	10,555,000	20,185,000	10.65%	23,831
2011	8,962,656	12,210,000	21,172,656	9.19%	21,343
2012	16,770,000	4,877,000	21,647,000	11.84%	20,369
2013	16,590,000	13,622,000	30,212,000	13.81%	27,251
2014	18,260,000	11,044,000	29,304,000	12.40%	24,748
2015	17,480,000	10,752,000	28,232,000	11.46%	23,527

Notes: Details regarding the Town's outstanding debt can be found in the notes to the financial statements.

There was no debt issued until fiscal year 2002.

See Table 13 for personal income and population data.



**TOWN OF WESTLAKE
RATIOS OF OUTSTANDING DEBT BY TYPE
LAST TEN FISCAL YEARS
(UNAUDITED)**

Fiscal Year	Governmental Activities				Business-Type Activities		Total Primary Government	Percentage of Personal Income	Per Capita
	General Obligation Bonds	Certificates of Obligation	Capital Leases	Loans	Other Contractual Obligations	Certificates of Obligation			
2004	\$ -	\$ 12,400,000	\$ -	\$ -	\$ 6,027,387		\$ 18,427,387	45%	\$ 56,181
2005	-	18,810,000	-	-	5,980,921		24,790,921	55%	69,834
2006	-	18,460,000	-	-	5,878,381		24,338,381	27%	34,869
2007	7,365,000	11,755,000	23,000	-	5,822,299		24,965,299	27%	35,513
2008	9,850,000	11,375,000	15,264	-	5,763,022		27,003,286	23%	34,399
2009	9,735,000	10,975,000	46,559	-	5,734,191		26,490,750	22%	32,990
2010	9,630,000	10,555,000	-	-	5,658,888		25,843,888	25%	30,512
2011	8,962,656	12,210,000	-	50,000	5,580,380		26,803,036	21%	27,019
2012	16,770,000	4,877,000	-	34,075	5,498,668		27,179,743	20%	25,576
2013	16,590,000	13,622,000	-	18,150	5,412,149		35,642,299	24%	32,150
2014	18,260,000	10,029,800	237,378	437,253	5,320,824	1,014,200	35,299,455	22%	29,812
2015	17,480,000	9,759,250	154,347	357,041	5,226,294	992,750	33,969,682	20%	28,308

Note:
 Details regarding the Town's outstanding debt can be found in the notes to the financial statements. No debt was issued until fiscal year 2000.
 See Table 13 for personal income and population data.

**TOWN OF WESTLAKE
DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT
AS OF SEPTEMBER 30, 2015
(UNAUDITED)**

<u>Taxing Body</u>	<u>Amount of Debt Outstanding</u>	<u>As of</u>	<u>Overlapping</u>	
			<u>Percent (1)</u>	<u>Amount</u>
Carroll ISD	\$ 216,607,746	9/30/2015	5.67%	\$ 12,281,659
Denton County	634,275,000	9/30/2015	0.02%	126,855
Keller ISD	771,227,959	9/30/2015	4.56%	35,167,995
Northwest ISD	765,546,815	9/30/2015	1.37%	10,487,991
Tarrant County	333,795,000	9/30/2015	0.78%	2,603,601
Tarrant County College District	-	9/30/2015	0.78%	-
Tarrant County Hospital District	23,440,000	9/30/2015	0.78%	182,832
Trophy Club MUD#1	10,845,000	9/30/2015	18.76%	<u>2,034,522</u>
Total Overlapping Debt				62,885,455
Town of Westlake Outstanding Debt				<u>35,299,475</u>
Total Direct & Overlapping Debt				<u>\$ 98,184,930</u>

Source: Texas Municipal Report prepared by employees of the Municipal Advisory Council of Texas ("MAC")

Note:

Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the Town. This schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the residents and businesses of the Town of Westlake. This process recognized that, when considering the Town's ability to issue and repay long-term debt, the entire debt burden borne by the resident and businesses should be taken into account. However, this does not imply that every taxpayer is a resident, and therefore responsible for repaying the debt, of each overlapping government.

- (1) The percentage of overlapping debt applicable is estimated using taxable assessed property values. Applicable percentages were estimated by determining the portion of the entity's taxable assessed value that is within the Town's boundaries and dividing it by the entities' total taxable assessed value.

**TOWN OF WESTLAKE
DEMOGRAPHIC AND ECONOMIC STATISTICS
LAST TEN FISCAL YEARS
(UNAUDITED)**

<u>Calendar Year</u>	<u>Estimated Population</u>	<u>Personal Income</u>	<u>Per Capita Personal Income</u>	<u>Tarrant County Unemployment Rate</u>
2005	355	45,292,916	127,586	5.1%
2006	698	90,835,901	130,137	4.6%
2007	703	93,316,319	132,740	4.3%
2008	785	115,891,905	147,633	5.1%
2009	803	120,920,285	150,586	8.1%
2010	847	102,852,057	121,431	8.1%
2011	992	126,678,400	127,700	7.9%
2012	1,063	138,423,531	130,254	6.2%
2013	1,109	147,292,890	132,859	6.0%
2014	1,184	160,462,095	135,516	5.0%
2015	1,200	165,871,904	138,227	4.0%

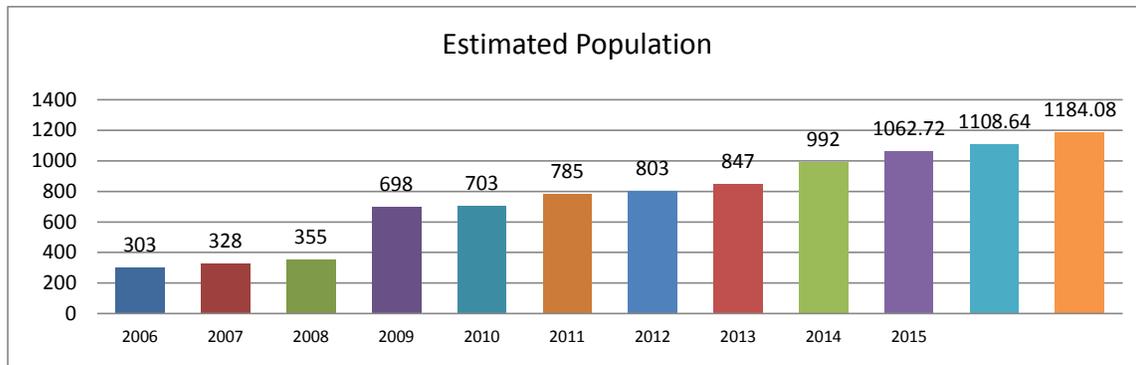
Sources: Population for 2000 is from the 2000 census. Fiscal Years 2001 through 2003 are estimated. The Town took over the utility billing in 2004 and estimated the population by using number of residential water accounts and assuming a 2.5 average household size. 2010 Census shows median household income at \$250,000. Due to the influx of residents coming to Westlake Academy, surveys have shown that there are approximately 1.28 school-age children in each household; therefore, we will use a 3.23 average household size to calculate population.

Tarrant County Unemployment Rate information taken from Texas Workforce Commission.

American Community Survey (ACS)

USA.com - Per Capita Income source

North Central Texas Council of Governments/US Census 2010



**TOWN OF WESTLAKE
PRINCIPAL EMPLOYERS
CURRENT AND EIGHT YEARS AGO
(UNAUDITED)**

2015			2007		
Employer	Employees	Percentage of Estimated Total Town Employment	Employer	Employees	Percentage of Estimated Total Town Employment
Fidelity Investments	5,843	51.51%	Fidelity Investments	3,100	37.15%
Core Logic	1,790	15.78%	First American/Core Logic	3,000	35.95%
Wells Fargo	617	5.44%	Chrysler Financial/TD Auto Finance	325	3.89%
Deloitte	460	4.06%	Wells Fargo	790	9.47%
TD Auto Finance	390	3.44%	McKesson Corporation	215	2.58%
Sabre JLL Facilities	317	2.79%	Sonitrol/World Factory	165	1.98%
First American Title	262	2.31%	Walco	150	1.80%
Verizon Wireless	412	3.63%	Vaquero Club	140	1.68%
Travelocity	200	1.76%	Marriott Solana Hotel	120	1.44%
Sount Physicians	170	1.50%	Pfizer, Inc.	115	1.38%
Vaquero Country Club	123	1.08%	Town of Westlake/Westlake Academy	73	0.87%
Marriott Solana Hotel	108	0.95%	Premier Academy	34	0.41%
Westlake Academy	94	0.83%	Solara Healthcare	28	0.34%
Total	10,786	95%	Total	8,255	99%

Note: Information on the Principal Employers from 1999 is not available. Information will be accumulated over the next ten years.

Comparisons will be made to the first available data until ten years can be compared.

Source: Cushman & Wakefield tenant records and contact with employers of the Town

**TOWN OF WESTLAKE
FULL-TIME EQUIVALENT CITY GOVERNMENT EMPLOYEES
BY FUNCTION/PROGRAM
LAST TEN FISCAL YEARS
(UNAUDITED)**

Function/Program	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
General government										
Town manager	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Town Manager								0.75	0.90	1.00
Assistant to Town Manager	1.00	1.00	1.00	1.00	1.00	1.00	0.75	0.00	0.00	0.00
Administrative	0.50	0.00	0.00	0.75	0.50	0.75	0.75	1.00	0.50	0.50
Building official	1.00	1.00	1.00	1.33	1.33	1.33	1.33	1.50	1.66	1.66
Town secretary	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.25
Facilities/Grounds maintenance	0.50	0.50	0.75	1.08	1.08	1.08	0.83	1.00	1.09	1.34
Municipal	3.75	4.00	4.00	4.25	4.50	4.50	3.75	4.75	5.10	5.00
Finance	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	4.00	4.00
Payroll/Human Resources	0.00	0.00	1.00	1.33	1.33	1.33	1.33	2.00	2.00	2.00
Information Technology									1.00	1.00
Public safety (EMS)	11.00	11.00	11.00	9.00	9.00	9.00	9.00	10.00	13.25	14.25
Culture and recreation	0.50	0.50	0.75	0.75	0.75	0.75	0.50	0.75	0.84	0.84
Public works	1.00	1.00	1.50	1.50	1.50	1.50	2.00	3.00	2.66	2.66
Marketing and public affairs	1.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	2.00	2.00
Education	32.40	36.40	43.00	48.10	55.62	59.44	67.48	76.18	91.18	93.65
Total	<u>57.65</u>	<u>60.40</u>	<u>69.00</u>	<u>74.09</u>	<u>81.61</u>	<u>85.68</u>	<u>93.72</u>	<u>106.93</u>	<u>128.18</u>	<u>132.15</u>

Source: Prior Town budgets and Academy personnel records

Note: A full time municipal employee is scheduled to work 2,080 hours per year (including vacation and sick leave). Fulltime equivalent employment is calculated by dividing total labor hours by 2,080. A full time education employee is scheduled to work 1,122 hours per year.

**TOWN OF WESTLAKE
OPERATING INDICATORS
BY FUNCTION/PROGRAM
LAST TEN FISCAL YEARS
(UNAUDITED)**

Function/Program	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
General government										
Permits issued	194	162	93	61	44	70	85	132	144	159
Permit values	\$ 47,464,851	\$ 67,101,543	\$ 188,578,581	\$ 21,051,297	\$ 190,388,737	\$ 21,173,592	\$ 29,481,047	\$ 50,544,048	\$ 59,358,904	\$ 80,011,354
Police (Contract with Keller PD)										
Motor vehicle stops	8,992	10,045	10,357	9,247	9,763	9,829	12,221	9,993	9,579	10,432
Traffic accident investigations	164	225	208	266	273	348	343	322	341	398
Part I crimes	30	25	26	23	19	30	39	9	15	20
DWI arrests	56	53	45	24	32	80	50	69	55	62
Fire/EMS										
Fire runs	136	153	169	118	172	191	181	238	211	211
Ambulance runs	207	251	159	184	187	264	266	286	240	253
Inspections	161	96	132	15	71	71	54	96	286	261
Public Works - General										
Street resurfacing (LF)	7,128	5,333	-	-	-	3,800	30,000	-	-	-
Potholes repaired	20.00	0.00	20.00	10.00	5.00	36.00	6.00	2.00	6.00	20.00
Public Works - Utility										
Number of water accounts	338	386	419	437	478	500	568	614	651	713
Water main breaks	3	2	4	5	6	4	4	3	1	1
Avg daily consumption MG (water)	1.031	0.729	0.999	1.020	0.889	1.200	1.100	1.090	1.045	1.021
Peak daily consumption MG (water)	2.677	1.978	2.060	2.740	2.460	2.540	2.600	2.480	2.690	2.770
System capacity - MG (water)	1.685	1.685	1.685	1.685	1.685	1.685	1.685	1.685	2.685	2.685
Water purchased (in gallons x 000)	376,264	266,158	364,764	372,933	324,843	443,222	407,305	401,457	381,482	372,838
Water sold (in gallons x 1000)	338,085	246,280	340,743	313,495	290,000	385,320	376,496	357,297	347,148	360,000
Wastewater										
Number of new sewer connections	211	235	240	251	254	245	292	325	350	384
Avg daily sewage treatment (thousands of gallons)	0.1320	0.1370	0.124	0.101	0.063	0.163	0.136	0.151	0.208	0.166

Source: Various Town departments

Notes: N/A represents information that is unavailable.

**TOWN OF WESTLAKE
CAPITAL ASSET STATISTICS
BY FUNCTION/PROGRAM
LAST TEN FISCAL YEARS
(UNAUDITED)**

Function/Program	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Fire Stations	1	1	1	1	1	1	1	1	1	1
Public Works - Utility										
Pump station	1	1	1	1	1	1	1	1	1	1
Lift station	2	2	2	2	3	3	3	3	3	3
Telecommunications Duct Bank (LF)	38,303	38,303	43,703	49,103	51,803	57,783	57,783	57,783	59,936	66,084
Telecommunications Duct Bank Manholes	95	95	104	113	122	122	122	122	122	140
Water										
Water mains (LF)	58,300	59,200	64,600	70,000	79,000	130,000	137,891	137,891	142,694	148,117
Fire hydrants	119	119	130	130	154	188	191	191	201	214
Storage capacity MG	1,685	1,685	1,685	1,685	1,685	1,685	1,685	1,685	2,685	2,685
Wastewater										
Sanitary sewers (LF)	35,000	35,000	39,300	39,300	49,900	94,000	94,000	94,000	98,964	104,373
Manholes	250	250	267	284	304	304	304	304	326	355
Public Works - Utility										
Streets (miles)	10.80	10.80	10.80	10.80	10.80	10.80	10.25	10.25	10.25	10.50
Highways (miles)	-	-	-	-	-	-	-	-	-	-
Streetlights	-	-	-	-	-	-	-	-	-	-
Traffic signals (school zone flashers)	2	2	2	2	2	2	2	2	2	2.0
Parks and recreation										
Acreage	19	19	25	25	25	25	25	25	27	27.0
Playgrounds	2	2	2	2	2	2	2	2	2	2.0
Softball/soccer field	1	1	1	1	1	1	1	1	1	1.0
Football field	-	-	1	1	1	1	1	1	1	1.0
Public trails (miles)	2.5	3.5	3.5	3.5	3.5	5.0	5.0	5.0	7.0	8.5

Source: Various Town departments

Note: No capital asset indicators are available for the general government.
The amount of roads decreased in FY 2011-2012 due to a portion of road being dedicated to TxDot



TYPE OF ACTION

Workshop - Discussion Item

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Presentation and update regarding construction on SH 114 and SH 170.

STAFF CONTACT: Jarrod Greenwood, Public Works Director/Assistant to the Town Manager

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Transparent / Integrity-driven Government	Citizen, Student & Stakeholder	High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards.	Increase Transparency, Accessibility & Communications
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 22, 2016 **Completion Date:** February 22, 2016

Funding Amount: N/A **Status -** N/A **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

Staff previously updated Council at the February 24, 2014 and August 24, 2015 regular Council Meetings regarding issues created by the SH114/SH 170 interchange reconstruction. Since our last update to Council staff have met with TxDOT, reviewed construction plans, and provided comments.

SH 170, as it was originally planned, was to be a “managed lane” roadway (toll road) with the North Texas Tollway Authority (NTTA) from SH 114 west to I-35. However, the NTTA is not expected to complete SH 170 anytime in the near future.

We continue to work with TxDOT to look for landscape/streetscape opportunities and also to

stress that the Town's adopted Thoroughfare and Comp Plan, must be incorporated in order to mitigate any long term detrimental impact to mobility within our community. The SH 114 eastbound and westbound additional lane construction and the proposed construction of SH 170 from SH 114 to Roanoke are expected to start Summer 2016 and take approximately 24 months to complete. This is important because we may need to amend the Town's CIP to include some new projects to provide for the appropriate streetscape enhancements related to the SH 170 construction.

RECOMMENDATION AND ATTACHMENTS

TxDOT Public Notice

Schematics



NOTICE OF PUBLIC MEETING

SH 114 and SH 170 Freeway Widening
SH 114 from Trophy Lake Drive to Kirkwood Boulevard
SH 170 from Roanoke Road to west of SH 114 Interchange
Denton and Tarrant County
CSJs: 0353-02-074, 0353-03-093, 03559-01-005, and 3559-01-008

The Texas Department of Transportation (TxDOT) will conduct a Public Meeting for the purpose of soliciting public comment on the proposed widening of State Highway (SH) 114 from Trophy Lake Drive to Kirkwood Boulevard, and SH 170 from East of Roanoke Road to West of SH 114 Interchange, in Denton and Tarrant County, Texas.

The SH 114 project proposes the reconstruction and widen of existing SH 114 from a four-lane roadway to a six-lane roadway within the limits extending from Trophy Lake Drive in Trophy Club to the Kirkwood Blvd, in Denton County, Texas. The proposed roadway for this section would consist of constructing one additional inside 12-foot travel lane (three 12-foot lanes in each direction) within the existing 150 to 180-foot ROW. Constructed main lane configuration would be six travel lanes (three in each direction) with a 10-foot outside shoulder and 12-foot inside shoulder. Total project length of SH 114 from Trophy Lake Drive in Trophy Club to the Kirkwood Blvd is 2.360 miles.

The proposed improvements of SH 170 would include constructing a grade separated interchange at the Parrish Lane Intersection-frontage road bypass, in Denton and Tarrant Counties, Texas. The proposed interchange and Parrish Lane will consist of six travel lanes three 12-foot lanes in each direction with a 12-foot outside auxiliary lane in each direction, 12-foot barrier inside shoulders and 10-foot outside shoulder. The existing frontage roads will be restriped to include one 12-foot travel lane, one 14-foot outside travel lane to accommodate bicycles in each direction. All changes proposed for this project are included within the existing 380 to 680-foot ROW. Total project length of SH 170 East of Roanoke Road to West of SH 114 Interchange is 1.068 miles.

The proposed project would require approximately 5.31 acres of additional right-of-way from existing roadside easements. No residential or commercial property displacements or relocations would be required. The meeting will be held at the **Medlin Middle School, 601 Parkview Drive, Trophy Club, TX 76262 on Tuesday, March 1, 2016**. The Public Meeting will be an Open House format between the hours of 5:30 pm and 7:30 pm with no formal presentation.

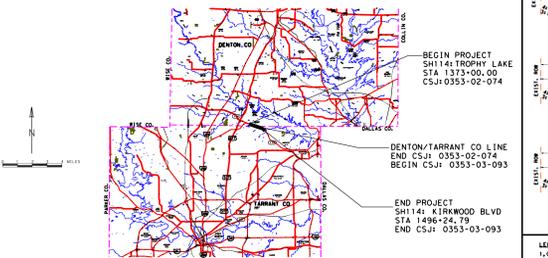
Maps showing the proposed project's location and geometric design will be available for viewing at the public hearing. This and other public information is also on file and available for public inspection at the TxDOT Dallas District Office located at 4777 East Highway 80, Mesquite, TX 75150 and the TxDOT Denton County Area Office located at 2624 W Prairie Road, Denton, TX 76201. This information will also be available online at www.keepitmovingdallas.com under Upcoming Public Hearing/Meeting.

All interested persons are invited to attend this Public Meeting and express their views on this proposed project. Written comments from the public regarding this project are requested and will be accepted for a period of 10 calendar days following the meeting. Written comments may be submitted either in person, or by mail to: Mr. Jim Dobbins, Texas Department of Transportation, Dallas District Office, 4777 East US Highway 80, Mesquite, TX 75150.

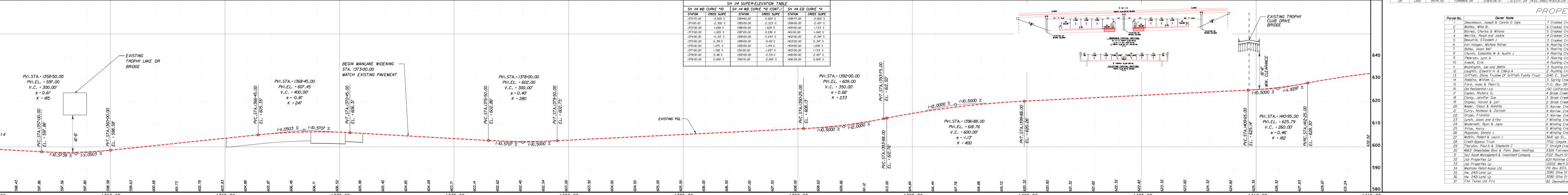
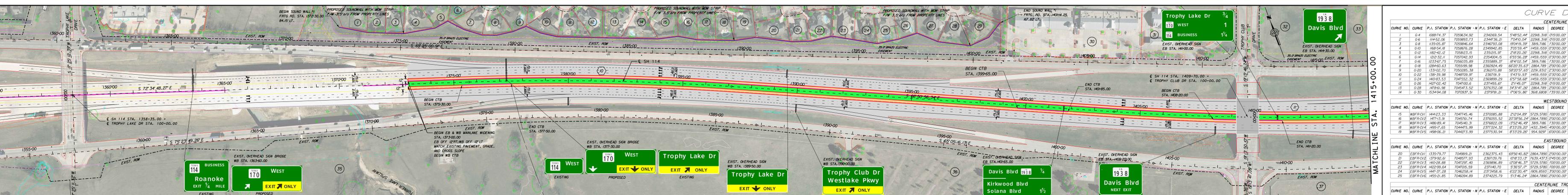
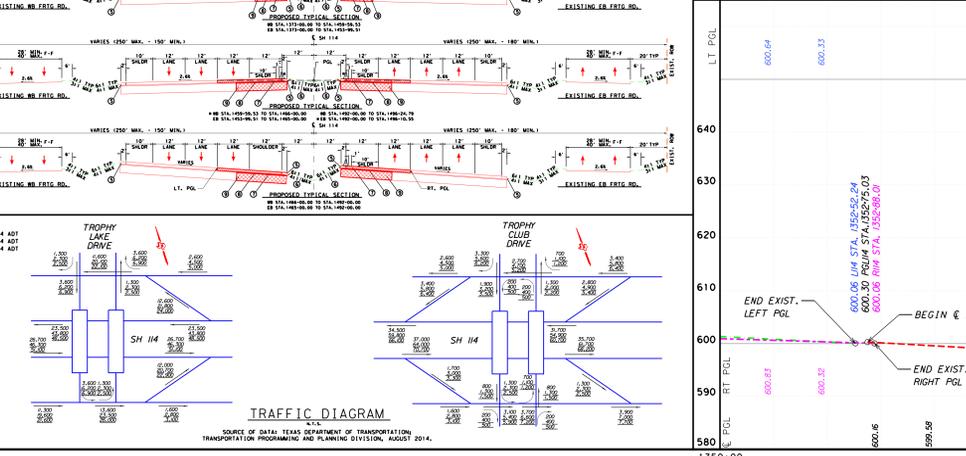
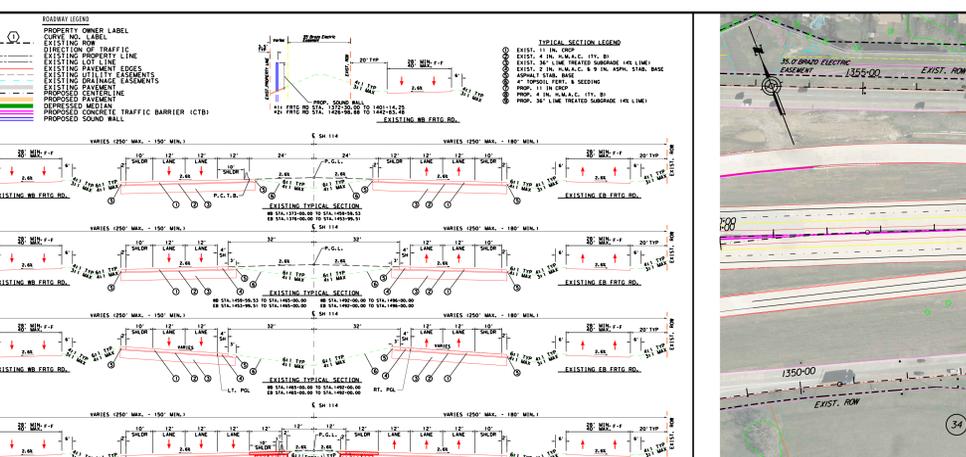
Written comments must be postmarked by Wednesday, March 11, 2016 to be included in the Public Meeting Summary. Persons interested in attending this meeting who have special communication or accommodation needs are encouraged to contact the TxDOT Dallas District Public Information Office at (214) 320-6100 at least two working days prior to the meeting. Because the Public Meeting will be conducted in English, any requests for language interpreters or other special communication needs should also be made at least two (2) days prior to the Public Meeting. Every reasonable effort will be made to accommodate these needs.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

DALLAS DISTRICT
DESIGN SCHEMATIC
JAMES K. SELMAN, P.E., DISTRICT ENGINEER
DENTON & TARRANT COUNTIES
STATE HIGHWAY 114
PROJECT LIMIT: TROPHY LAKE DRIVE
TO: KIRKWOOD BLVD
CONTROL: 0353-02-074 (DENTON)
0353-03-093 (TARRANT)
SH 114 FUNCTIONAL CLASS: URBAN FREEWAY
DESIGN SPEED: 70 mph
PROJECT LENGTH = 2.360 MI.

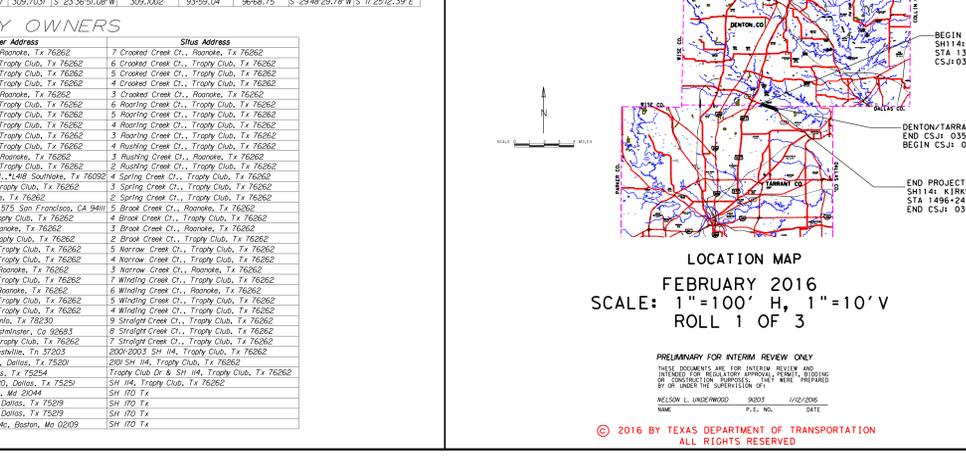


PRELIMINARY FOR INTERIM REVIEW ONLY
THESE DRAWINGS ARE FOR INTERIM REVIEW ONLY. THEY DO NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL INFORMATION AND DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION AND DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEYING INFORMATION AND DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LEGAL OPINIONS AND COUNSEL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS AND FINANCING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION AND DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEYING INFORMATION AND DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LEGAL OPINIONS AND COUNSEL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS AND FINANCING.
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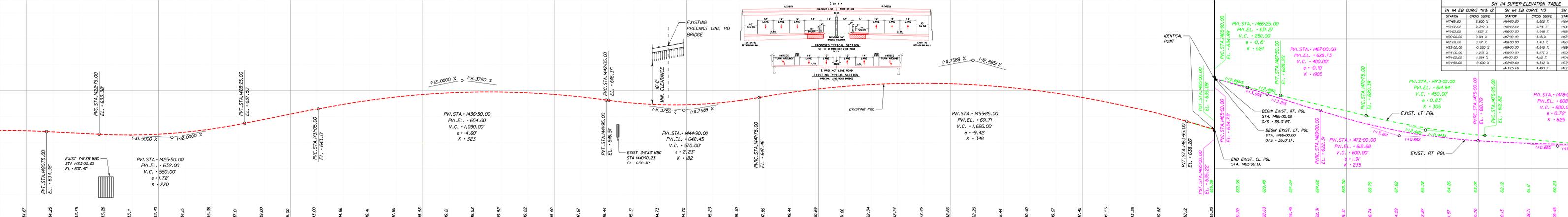
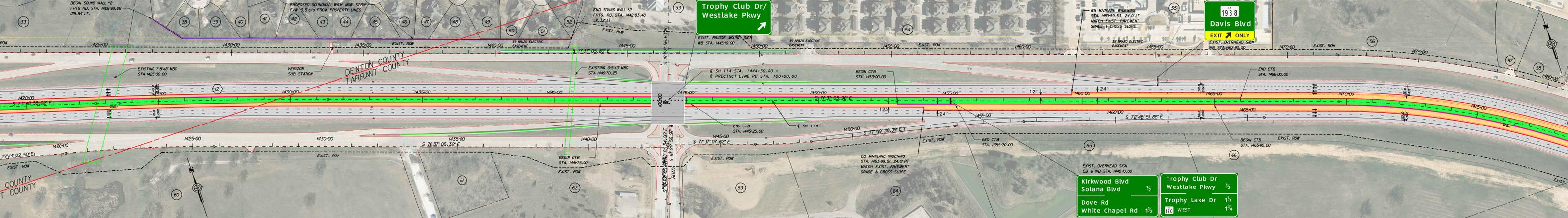
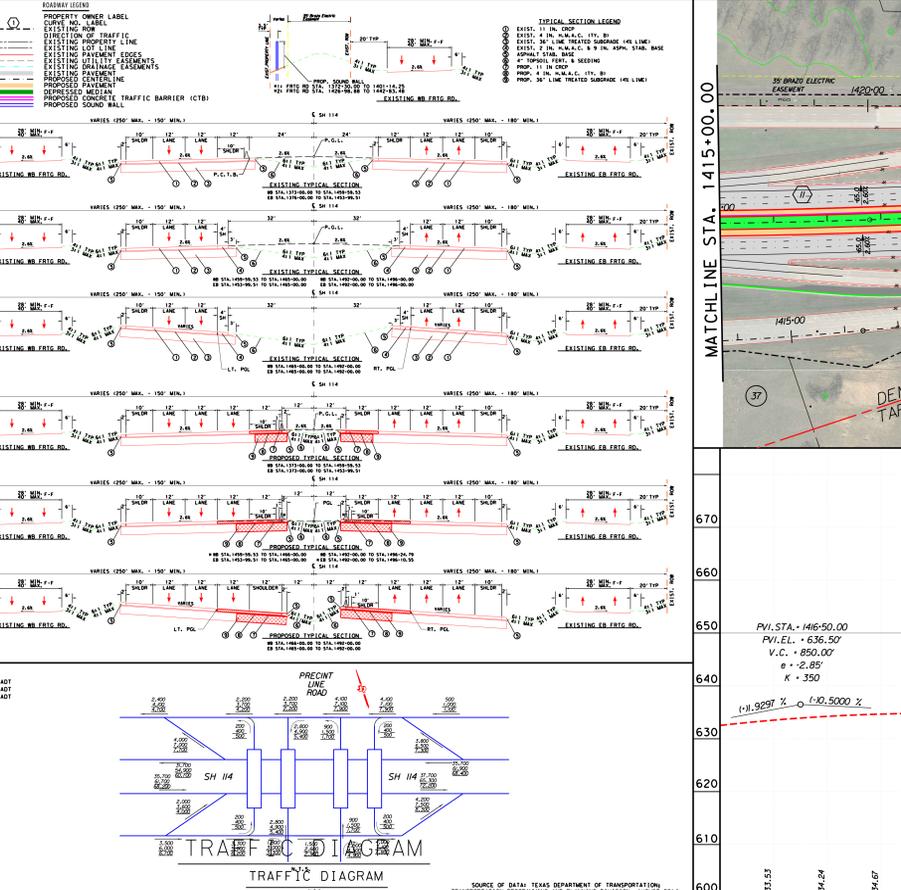
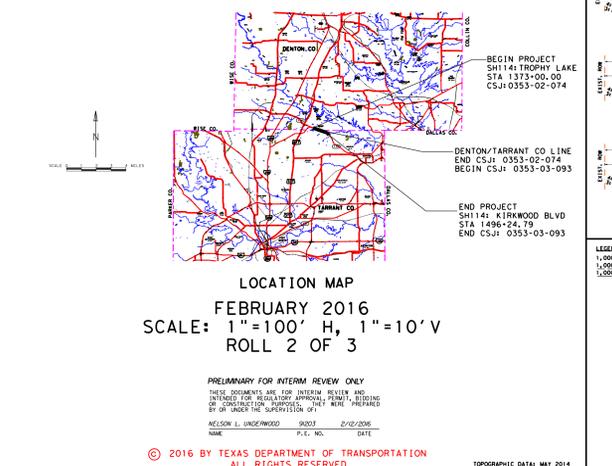
CURVE DATA TABLE

CURVE NO.	CURVE	P.I. STATION	P.T. STATION	N	P.I. STATION	E	DELTA	RADIUS	DEGREE	TANGENT	LENGTH	CHORD BEARING	CHORD LENGTH	P.C. STATION	P.T. STATION	BACK TANGENT	AHEAD TANGENT
1	G-4	10874.37	70594.50	234060.54	5482.54	2208.38	07100.00	163.924	2356.806	07100.00	2304.008	1077+00.46	1007+36.28	S 89°56'36.00" E	N 81°43'31.37" E	89°56'36.00"	81°43'31.37"
2	G-6	1144-02.06	7059891.73	23440.54	2298.38	07100.00	165.684	2827.789	07100.00	2825.985	1009+36.37	1028+44.00	N 84°43'37.00" E	S 88°48'00.00" E	84°43'37.00"	88°48'00.00"	
3	G-8	1335-05.87	7059846.64	234673.08	19049.39	1386.786	17300.00	64.671	1271.470	17300.00	1265.683	1289+44.00	144+35.67	S 88°41'00.00" E	S 69°30'59.73" E	88°41'00.00"	69°30'59.73"
4	G-10	1850-04.18	7059876.28	234942.83	17053.49	1450.444	18500.00	145.044	1850.444	18500.00	1850.444	1850+00.00	1850+00.00	S 89°30'59.73" E	S 69°30'59.73" E	89°30'59.73"	69°30'59.73"
5	G-12	1850-02.12	7059823.15	234920.82	21820.20	2298.38	07100.00	161.877	922.209	07100.00	922.209	1850+00.00	1850+00.00	S 69°30'59.73" E	S 69°30'59.73" E	69°30'59.73"	69°30'59.73"
6	G-14	1262-32.11	7059742.93	233400.45	65956.28	1459.559	13000.00	654.079	1386.459	13000.00	1386.459	1262+32.11	1262+32.11	S 69°30'59.73" E	S 69°30'59.73" E	69°30'59.73"	69°30'59.73"
7	G-16	1234-07.75	7059635.98	233580.75	23580.75	1240.000	07100.00	124.000	1240.000	07100.00	1240.000	1234+07.75	1234+07.75	S 69°30'59.73" E	S 69°30'59.73" E	69°30'59.73"	69°30'59.73"
8	G-18	1294-00.63	7059599.98	236024.49	66702.55	637.159	1300.00	2864.789	2000.00	1872.639	337.105	1300+00.00	1300+00.00	S 87°34'26.26" E	S 47°34'26.26" E	87°34'26.26"	47°34'26.26"
9	G-20	1330-00.70	7059385.38	236207.88	58757.57	1296.832	12000.00	1296.832	1296.832	12000.00	1296.832	1330+00.70	1330+00.70	S 72°34'48.87" E	S 72°34'48.87" E	72°34'48.87"	72°34'48.87"
10	G-22	1350-59.98	7059370.98	236270.98	58479.98	1459.559	1300.00	1459.559	1300.00	1459.559	1300.00	1350+59.98	1350+59.98	S 72°34'48.87" E	S 66°50'56.34" E	72°34'48.87"	66°50'56.34"
11	G-24	1400-00.00	7059552.52	236899.29	679.899	1393.26	1300.00	699.899	1393.26	1300.00	1393.26	1400+00.00	1400+00.00	S 66°50'56.34" E	S 73°48'55.00" E	66°50'56.34"	73°48'55.00"
12	G-26	1420-02.42	704700.62	237455.67	21949.67	2298.38	07100.00	149.444	874.789	07100.00	874.789	1420+02.42	1420+02.42	S 73°48'55.00" E	S 73°48'55.00" E	73°48'55.00"	73°48'55.00"
13	G-28	1420-02.42	704700.62	237455.67	14744.67	2298.38	07100.00	147.446	1474.46	07100.00	1474.46	1420+02.42	1420+02.42	S 73°48'55.00" E	S 73°48'55.00" E	73°48'55.00"	73°48'55.00"
14	G-30	1534-04.08	707097.51	237979.21	170651.86	3618.608	13500.00	544.509	6080.907	13500.00	6080.907	1534+04.08	1534+04.08	S 37°05'18.70" E	S 19°58'26.69" E	37°05'18.70"	19°58'26.69"





DALLAS DISTRICT
DESIGN SCHEMATIC
JAMES K. SELMAN, P.E., DISTRICT ENGINEER
DENTON & TARRANT COUNTIES
STATE HIGHWAY 114
PROJECT LIMIT: TROPHY LAKE DRIVE
TO: KIRKWOOD BLVD
CONTROL: 0353-02-074 (DENTON)
0353-03-093 (TARRANT)
SH 114 FUNCTIONAL CLASS: URBAN FREEWAY
DESIGN SPEED: 70 mph
PROJECT LENGTH = 2.360 MI.



CURVE DATA TABLE

CENTERLINE SH 114 CURVE DATA

CURVE NO.	CURVE	P.I. STATION	P.I. STATION - W	P.I. STATION - E	DELTA	RADIUS	DEGREE	TANGENT LENGTH	CHORD BEARING	CHORD LENGTH	P.C. STATION	P.T. STATION	BACK TANGENT	AHEAD TANGENT	
1	0-4	108974.37	105983.92	234029.54	21482.54	2208.338	12050.00	163.2024	2326.861	670197.57	234029.54	107740.46	100336.28	S 69°56'36.19" E	N 84°43'15.67" E
2	0-6	115525.07	105989.73	234473.21	70704.04	2298.318	17100.00	145.6874	2827.789	874633.38	234473.21	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
3	0-8	135505.07	105986.64	234673.08	97079.37	3889.786	21000.00	141.6271	1071.473	1790198.90	234673.08	102853.63	102853.63	S 68°41'46.60" E	S 69°56'36.19" E
4	0-10	168544.18	105984.85	235042.85	107559.47	14584.442	27000.00	69.7553	1054.442	3105444.12	168544.18	102854.09	102854.09	S 67°59'59.20" E	S 68°41'46.60" E
5	0-12	18242.12	105982.15	235025.97	22998.308	17100.00	2298.318	145.6874	2827.789	874633.38	235025.97	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
6	0-14	125347.57	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	125347.57	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
7	0-16	125347.57	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	125347.57	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
8	0-18	125347.57	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	125347.57	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
9	0-20	133002.70	105985.38	235070.88	58707.65	2298.318	17100.00	145.6874	2827.789	874633.38	235070.88	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
10	0-22	138928.88	105989.89	235686.89	107046.37	14584.442	27000.00	69.7553	1054.442	3105444.12	138928.88	102854.09	102854.09	S 67°59'59.20" E	S 68°43'37.8" E
11	0-24	140833.53	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	140833.53	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
12	0-26	142702.42	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	142702.42	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
13	0-28	142702.42	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	142702.42	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E
14	0-30	153494.08	105982.15	235025.97	65956.28	2154004.15	65956.28	1829.079	1386.459	6521401.89	153494.08	102843.37	102843.37	S 68°43'37.8" E	S 68°43'37.8" E

WESTBOUND FBTRG RD CURVE DATA

CURVE NO.	CURVE	P.I. STATION	P.I. STATION - W	P.I. STATION - E	DELTA	RADIUS	DEGREE	TANGENT LENGTH	CHORD BEARING	CHORD LENGTH	P.C. STATION	P.T. STATION	BACK TANGENT	AHEAD TANGENT	
15	WB-FR-CV1	144233.33	104715.46	237009.88	100124.49	10.0815	220135.49	57293.57	2201.224	14313.25	144233.33	145333.33	S 69°25'09.9" E	S 71°30'18.8" E	
16	WB-FR-CV2	147133.91	104715.46	237009.88	207362.44	50.8848	1032.4478	6717.66	1026.805	14702.03	147133.91	148224.48	S 73°37'05.8" E	S 69°25'09.9" E	
17	WB-FR-CV3	148649.41	104715.46	237009.88	175046.47	1808.1308	12000.00	145.6874	2827.789	874633.38	148649.41	148224.48	148224.48	S 69°25'09.9" E	S 73°37'05.8" E
18	WB-FR-CV4	149547.65	104715.46	237009.88	107134.32	23329.207	1432.392	143.292	2332.920	1432.392	149547.65	149624.43	149624.43	S 67°59'59.20" E	S 69°25'09.9" E
19	WB-FR-CV5	149624.43	104715.46	237009.88	107134.32	23329.207	1432.392	143.292	2332.920	1432.392	149624.43	149624.43	149624.43	S 67°59'59.20" E	S 67°59'59.20" E

EASTBOUND FBTRG RD CURVE DATA

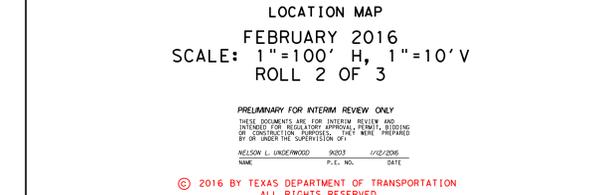
CURVE NO.	CURVE	P.I. STATION	P.I. STATION - W	P.I. STATION - E	DELTA	RADIUS	DEGREE	TANGENT LENGTH	CHORD BEARING	CHORD LENGTH	P.C. STATION	P.T. STATION	BACK TANGENT	AHEAD TANGENT	
20	EB-FR-CV1	133579.77	104715.46	237009.88	28647.880	2003.8862	13497.2337	69374.33	3284.0485	13575.89	133579.77	134392.92	S 75°23'48.26" E	S 75°23'48.26" E	
21	EB-FR-CV2	137932.61	104715.46	237009.88	107833.17	1639.4371	10490.00	145.6874	2827.789	874633.38	137932.61	138702.03	138702.03	S 69°25'09.9" E	S 75°23'48.26" E
22	EB-FR-CV3	140228.88	104715.46	237009.88	107833.17	1639.4371	10490.00	145.6874	2827.789	874633.38	140228.88	140228.88	140228.88	S 69°25'09.9" E	S 69°25'09.9" E
23	EB-FR-CV4	142299.64	104715.46	237009.88	107833.17	1639.4371	10490.00	145.6874	2827.789	874633.38	142299.64	142299.64	142299.64	S 69°25'09.9" E	S 69°25'09.9" E
24	EB-FR-CV5	144737.28	104715.46	237009.88	107833.17	1639.4371	10490.00	145.6874	2827.789	874633.38	144737.28	144737.28	144737.28	S 69°25'09.9" E	S 69°25'09.9" E
25	EB-FR-CV6	145545.85	104715.46	237009.88	107833.17	1639.4371	10490.00	145.6874	2827.789	874633.38	145545.85	145545.85	145545.85	S 69°25'09.9" E	S 69°25'09.9" E

CENTERLINE TROPHY LAKE DR CURVE DATA

CURVE NO.	CURVE	P.I. STATION	P.I. STATION - W	P.I. STATION - E	DELTA	RADIUS	DEGREE	TANGENT LENGTH	CHORD BEARING	CHORD LENGTH	P.C. STATION	P.T. STATION	BACK TANGENT	AHEAD TANGENT	
26	160	9514.50	704984.34	236538.57	12217.37	1432.990	47000.00	155.4577	309.703	5233691.08	309.002	9349.04	9668.75	S 29°48'28.78" W	S 17°25'23.39" E

PROPERTY OWNERS

Parcel No.	Owner Name	Owner Address	Situs Address
38	Allsup, Robert A II	14 Brook Hollow Ln., Rowan, TX 76262	14 Brook Hollow Ln., Rowan, TX 76262
39	Worley, Mary & Corey	14 Brook Hollow Ln., Rowan, TX 76262	14 Brook Hollow Ln., Rowan, TX 76262
40	Anderson, Steven E. & Kathleen M	13 Brook Hollow Ln., Trophy Club, TX 76262	13 Brook Hollow Ln., Trophy Club, TX 76262
41	Rivers, Trophy Best	8 Soft Address Ct., Trophy Club, TX 76262	8 Soft Address Ct., Trophy Club, TX 76262
42	Worley, Trophy	7 Soft Address Ct., Trophy Club, TX 76262	7 Soft Address Ct., Trophy Club, TX 76262
43	Simpson, Jerry C., Jr. & Nancy A	5 Soft Address Ct., Trophy Club, TX 76262	5 Soft Address Ct., Trophy Club, TX 76262
44	Lake, Robert & Kimberly	6 Lake Forest Ct., Trophy Club, TX 76262	6 Lake Forest Ct., Trophy Club, TX 76262
45	Lake, Robert & Kimberly	7 Lake Forest Ct., Trophy Club, TX 76262	7 Lake Forest Ct., Trophy Club, TX 76262
46	Adkinson, Debra J	5 Lake Forest Ct., Trophy Club, TX 76262	5 Lake Forest Ct., Trophy Club, TX 76262
47	Fluker, Robert Clay & Jo Ann	6 Turnbury Ct., Rowan, TX 76262	6 Turnbury Ct., Rowan, TX 76262
48	Furness, Sandra B. & David W	7 Turnbury Ct., Trophy Club, TX 76262	7 Turnbury Ct., Trophy Club, TX 76262
49	Patt, Brian & Jennifer	5 Turnbury Ct., Rowan, TX 76262	5 Turnbury Ct., Rowan, TX 76262
50	Perley, Earl F	6 Glen Eagles Ct., Trophy Club, TX 76262	6 Glen Eagles Ct., Trophy Club, TX 76262
51	Baker, Richard & Rodney	7 Glen Eagles Ct., Trophy Club, TX 76262	7 Glen Eagles Ct., Trophy Club, TX 76262
52	Van Der Westhuizen, Francis & Myers	5 Glen Eagles Ct., Trophy Club, TX 76262	5 Glen Eagles Ct., Trophy Club, TX 76262
53	Wade Cities Church of Christ	280 Indian Creek Ct., Rowan, TX 76262	280 Indian Creek Ct., Trophy Club, TX 76262
54	Harvey Property Club LLC	3000 Preston Oaks Dr., Los Angeles, CA 90001	3000 Preston Oaks Dr., Trophy Club, TX 76262
55	Cv Rental Crsl Trophy Ct Tx LP	3000 Meridian Blvd Ste 200, Franklin, TX 75007	2850 State Hwy 114, Trophy Club, TX 76262
56	Trophy Trophy Ltd	4000 Lindwood Ln., Irving, TX 75063	2850 State Hwy 114, Trophy Club, TX 76262
57	Highway 114 Prsssed Ltd	0000 Trophy Wood Dr., Trophy Club, TX 76262	0000 Trophy Wood Dr., Trophy Club, TX 76262
58	Highway 114 Prsssed Ltd	400 N. Mission Dr., Mission, TX 79707	0000 Trophy Wood Dr., Trophy Club, TX 76262
59	Compton, David 2053 Pk	300 Trophy Club Dr., Ste 300, Rowan, TX 76262	0000 Trophy Wood Dr., Trophy Club, TX 76262
60	Fair Texas Ltd Prntsp	582 DeWitt St., Westlake, TX 76262	0000 Trophy Wood Dr., Trophy Club, TX 76262
61	Chandler, Rhonda Decker	4935 Swiss Ave., Dallas, TX 75214	000000 W. State Hwy 114, Westlake, TX 76262
62	Quinn, State Hwy 114, Westlake, TX 76262	000000 W. State Hwy 114, Westlake, TX 76262	000000 W. State Hwy 114, Westlake, TX 76262
63	Maguire Pntsp-Solano Land LP	1221 Interstate 35E Ste 200, Carrollton, TX 75006	W. State Hwy 114, Westlake, TX 76262
64	Maguire Pntsp-Solano Land LP	1221 Interstate 35E Ste 200, Carrollton, TX 75006	W. State Hwy 114, Westlake, TX 76262
65	Maguire Pntsp-Solano Land LP	1221 Interstate 35E Ste 200, Carrollton, TX 75006	W. State Hwy 114, Westlake, TX 76262
66	Maguire Pntsp-Solano Land LP	1221 Interstate 35E Ste 200, Carrollton, TX 75006	W. State Hwy 114, Westlake, TX 76262
67	Maguire Pntsp-Solano Land LP	1221 Interstate 35E Ste 200, Carrollton, TX 75006	1396 W. State Hwy 114, Westlake, TX 76262



Town Council

Item # 5c

5.c Discussion of items to be placed on future agendas, updates on development trends and progress of past development projects. (15 min)

Town Council

Item # 5d – Granada
Development

Standing Item: Update and discussion regarding the Granada Development, including items posted on the regular session agenda and the Covenants Conditions Restrictions (CCR's) and Design Standards.

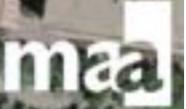
Town Council

Item # 5e – Entrada
Development

Standing Item: Update and discussion regarding the Entrada Development, including items posted on the regular session agenda and public art.



WESTLAKE ENTRADA



WESTLAKE PUBLIC ART PROGRAM PROPOSAL

INTRODUCTION:

Not since the great depression has the role of civic, state and national government been so important to the advancement of the arts. Although the media touts record prices for works of art at auction, and private museums are the new status symbol of the ultra-wealthy, the artists represented throughout these venues comprise less than 1/10 of 1% of all artists. Excessive costs are forcing galleries to close and others to show only well-known and more profitable artists. The public's voice in art is greatly diminished if not eliminated. Aspiring artists are forced to relinquish their creative freedom and just try to survive.

It is these conditions that make the roll of public art initiatives so critical to our culture. When done properly, these programs provide competitive opportunities for aspiring artists and architects, as well as benefitting the community. Art and design initiatives can also engage the public, challenging them to take part in determining "what is art". Throughout history, it has been the public that ultimately determined what art is.

The city of Westlake has a unique opportunity to create a stunning cultural and architectural landscape throughout the city. This could be accomplished by integrating public and private "life" spaces into a master plan which defines the parameters of each area yet ensures there is congruence with the city's goals and objectives. Ironically, this also benefits the artist because it provides them scale, scope and direction which they can use to create their visions for a particular space.

Therefore, MESA-Planning and Russell Tether Fine Art (hereinafter the Consultant Team) have prepared the following proposal which seeks to establish Westlake as a Local/State/National example demonstrating the extent to which a well-established, well-managed, and inclusive Public Art Program can enrich Westlake's quality of life and quality of the physical city as well as make a significant contribution for advancement of the arts in the larger Dallas/ Ft. Worth Metroplex.

Part One: Public Art in Westlake: At the outset, it is important to establish target objectives regarding what the Town is seeking through its Public Arts Program. There is a continued tendency for an art program to drift toward personal preference and popular notions of aesthetic. Therefore, a clear mission needs to be set in place at the beginning. This mission must be powerful and clearly stated so that it can be used to refresh the collective mind of those advancing this program. The following tasks explain how to formulate a Nission Statement and Goals/ Objectives for the Program.

Task 1.1: Council/ Commission Work Session

The Consultant Team will conduct a work session with the Westlake Town Council and Town Planning Commission (in a joint session) that addresses the following:

- a. A case study review of better Public Art programs, nationally
- b. A discussion of the various components of Public Art and how these would manifest in Westlake. Components include Art in Place, Art in Architecture, Public Monument, Art in Education, Art in the everyday experience, etc.
- c. Dialogue about the various components and case examples.

Task 1.2: Westlake Public art Program Goals and Objectives

Based on the outcomes of Task 1.1 (above) the Consultant Team will draft a set of Art Program goals and objectives for Westlake. These Goals and Objectives will be arranged according to the program components,

also identified in the Task 1.1 Work Session. The Goals and Objectives will be distributed to Commission and Council for comment.

Task 1.3: Mission Statement for the Westlake Public Art Program

Based on the outcomes of Task 1.1 and Task 1.2, the Consultant Team will draft a Mission Statement for the Westlake Public Art Program which will serve to define its core purpose, the overarching outcome to which all other aspects of the program are subservient. The mission Statement will be distributed to the Town Commission and Council for review and comment.

Task 1.4: Meetings with Major Land Owners and Developers:

The Consultant Team firmly believes that the development community of Westlake will view a disciplined and targeted Public Art Program as a Town asset having broad respect in the market place. The partnership commitment of the land owners and developers is essential to a successful program. Therefore, the Consultant Team will meet with key land owners and active developers to share the Program Goals/ Objectives and Mission Statement as well as examples of how it is expected to work and gather their comment and inputs. Where the goals and objectives or mission statement needs to be refined or expanded, the Consultant will recommend appropriate amendments. Further the Consultant Team will make recommended modifications to the program concepts where the expectations of the program are a cause of concern or where the program expectations fall short of what can be accomplished.

Part Two: The Public Art Framework Plan: Public Art in Westlake will occupy and define space as well as influence the form of development, depending on which aspect of the Public Art Program is being pursued. Therefore, it is important to identify where various program aspects will be promoted. For example, locations of monumental art needs to be targeted. The following Tasks seek to give spatial structure to the program, thereby creating a connection between Public Art and development of the Town.

Task 2.1: Allocation of Art type and Program component thrust within the various Plan Elements of the Comprehensive Plan

Art placement by type and program component focus will vary according to the Character Communities, the Street Types, the Open Space and Park types, and the Urban Design Structure as specified in the Westlake Comprehensive Plan (Forging Westlake, 2015). Therefore, each Plan Element of the 2015 Westlake Comprehensive Plan will be analyzed to identify opportunities for Public Art (consistent with the program Mission and Goals and Objectives). A summation of these "Public Art Opportunities" will be prepared by the Consultant Team. Further, the "Public Art Opportunities" will be prioritized according to the extent to which each opportunity contributes to accomplishing the stated goals and mission.

Task 2.2: A Public Art Framework Plan

Based on the products of Task 2.1, above, the Consultant Team will prepare a Public Art Framework Plan which assigns Art (by type) and program aspect (by type) to a base map showing the Land Use Character Communities, the Thoroughfares, and Parks/Open Space as presented in the Comprehensive Plan. This spatial allocation of the Public Art initiative will facilitate incorporation of the program into the development review/ site plan review processes of the Town. It will also make Public Art a Transactional consideration in the forthcoming Westlake TDSF Program.

Part Three: The Public Art Program: The Public Art Program is broad undertaking which consist of Art (the works), Funding, and Program/Works Management. Promoting, Selecting, Acquiring, Placing, Maintaining, and Interpreting are all important activities conducted within a coherent management structure. Therefore, the

Westlake Public Art Program must be built around the Mission it serves, the Goals and Objectives which guide it, and the opportunities for Art in the Town. The following tasks establish the various elements of the program which collectively comprise an effective approach to Public Art in Westlake.

Task 3.1: Works

The Consultant Team will prepare a recommended action agenda and/ or program structure for the various aspects of gathering, selecting, and implementing the Art works. These include:

- a. **Public Art Competition:** The Consultant Team will layout an organizational structure, action agenda, operational guide, governance, and procedures for a Westlake Public Art Competition. This competition will place Westlake at the center of art activity in the Metroplex (perhaps the State) and create an interface between artists (established and establishing), art interests/ institutions, and the Competition leadership that will avail a broad choice of work options to the Town and give Westlake's Public Art Program the credibility it needs to effectively fulfill its mission.
- b. **Art in Architecture:** The Consultant Team will layout an organizational structure, action agenda, operational guide, governance, and procedures for a Westlake Public "Art-in-Architecture" Program. This program will seek to include artists in the design of the Town's built fabric so that art becomes more integral and more a part of one's everyday experience. An example of this is what DART has done with the design of its Transit Stations.
- c. **Donations:** The Consultant Team will layout an organizational structure, action agenda, operational guide, governance, and procedures for seeking work donations at appropriate places within the Framework plan.
- d. **Acquisitions:** The Consultant Team will layout an organizational structure, action agenda, operational guide, governance, and procedures for on-going Art Acquisitions.

Task 3.3: Funding

The Consultant Team will identify funding opportunities for various types of Art and develop a funding strategy which considers:

- a. Public Funding Mechanisms, including TIF or PID.
- b. Corporate Sponsorship, including how to manage an on-going corporate sponsorship effort.
- c. Endowment, including how to manage an on-going endowment effort.
- d. Grants, identifying available grant opportunities
- e. Program generated fees and income, identifying opportunities to generate revenue within the program (such as special events, interpretation, etc.)
- f. A Public Art Fund, the setting up of a fund repository serving the Westlake Public Art Program.
- g. Assumption of Private exposure, includes private land owner contribution to the public fund equal to a "normal" private investment in project art that limits the land owner's exposure to further cost associated with the Public Art Program.

Task 3.4: Works Management

The Consultant Team will prepare a program management manual that considers the following:

- a. **Placement:** identifies procedures and criteria by which selected works are placed within the City
- b. **On-going Maintenance:** identifies maintenance procedures associated with works by type and the responsible maintaining party.

- c. Curator: identifies management and operation responsibilities of Westlake's overall Public Art Collection when such collection is established at an appropriate level.
- d. Interpretation: identifies various means by which the Artworks of Westlake can be accessed and appreciated by full time residents, day time residents, and visitors to the Town.

Task 3.4: On-going Support

A structure for the on-going assistance and advise of the certain members of the Consultant Team in order to facilitate launch and operation of the Program in its early stages.

Town Council

Item # 6 – Executive Session

EXECUTIVE SESSION

- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 767
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx

- e. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). BRE Solana, LLC
- f. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- g. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

Town Council

Item # 7 – Reconvene
Council Meeting

Town Council

Item # 8 – Council Recap /
Staff Direction

COUNCIL RECAP / STAFF DIRECTION

Town Council

Item # 9 – Adjournment
Work Session

Town Council

Item # 2 – Items of Community Interest

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

- ✓ *Simply Westlake's* Neighbors Night Out (for Westlake and Southlake Timarron residents)
- an evening of food & wine tastings, chef demonstrations, and prize drawings
Thursday, February 25, 2016; 5:30-7:30pm
Expressions Home Gallery in Southlake; RSVP required to Connie at connie.chase@n2pub.com.
- ✓ WA Foundation's [13th Annual Gallery Night – Colors of Rio](#)
Saturday, March 5, 2016; Fun begins at 6:00 pm
Texas Motor Speedway – Need sponsorship, donor or [ticket info](#)? Contact WAF Executive Director Dr. Shelly Myers via [email](#) or at 817-490-5722.
- ✓ Coffee & Conversation with the Mayor
Monday, March 7, 2016; 8-9:30 am
Marriott Solana – Great Room (new renovation)
- ✓ Board of Trustees Workshop/Meeting
Monday, March 7, 2016; 5:00 pm
- ✓ Westlake Academy (WA) Spring Break
March 14-18, 2016
- ✓ Planning & Zoning Commission Workshop/Meeting
Monday, March 21, 2016; 5:00 pm
- ✓ Municipal Office Closed for Good Friday
& Bad Weather Make-Up Day for WA (if needed)
Friday, March 25, 2016
- ✓ Town Council Workshop/Meeting
Monday, March 28, 2016; 5:00 pm

Town Council

Item # 3 – Citizen Comments

CITIZEN COMMENTS: This is an opportunity for citizens to address the Council on any matter whether or not it is posted on the agenda. The Council cannot by law take action nor have any discussion or deliberations on any presentation made to the Council at this time concerning an item not listed on the agenda. The Council will receive the information, ask staff to review the matter, or an item may be noticed on a future agenda for deliberation or action.

Town Council

Item # 4 – Consent Agenda

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

- a. Consider approval of the minutes from the January 25, 2016, meeting.
- b. Consider approval of **Resolution 16-03**, to enter into an Inter Local Agreement with the City of North Richland Hills for cooperative purchasing.
- c. Consider approval of **Resolution 16-04**, Authorizing execute a contract with Intermountain Slurry Seal, Inc. in the amount of \$56,267.65 for Stagecoach Hills Pavement resurface.
- d. Consider approval of **Resolution 16-05**, Accepting the Annual Comprehensive Annual Financial Report (CAFR) presented by Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015.
- e. Consider approval of **Resolution 16-06**, Budget amendment (look at language from AM) agreement with Hardin & Associates Consulting, LLC (HAC) for TCEQ Regulatory Compliance Consultation in the amount of approximately \$44,060, and authorizing the Town Manager to execute the agreement.



**MINUTES OF THE
TOWN OF WESTLAKE, TEXAS
TOWN COUNCIL MEETING**

January 25, 2016

PRESENT: Mayor Laura Wheat, Council Members, Michael Barrett, Alesa Belvedere, Carol Langdon, Rick Rennhack and Wayne Stoltenberg.

ABSENT:

OTHERS PRESENT: Town Manager Thomas Brymer, Town Secretary Kelly Edwards, Town Attorneys Stan Lowry and Cathy Cunningham, Fire Chief Richard Whitten, Director of Public Works Jarrod Greenwood, Finance Director Debbie Piper, Planning and Development Director Eddie Edwards, Director of Human Resources & Administrative Services Todd Wood, Director of Facilities and Parks & Recreation Troy Meyer, Director of Information Technology Jason Power, Communications Specialist Susan McFarland and Intern Joel Enders.

Work Session

1. CALL TO ORDER

Mayor Wheat called the work session to order at 5:28 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Wheat led the pledge of allegiance to the United States and Texas flags.

3. REVIEW OF CONSENT AGENDA ITEMS FOR THE TOWN COUNCIL REGULAR MEETING AGENDA.

Town Secretary Edwards provided an overview of the Early Voting times provided by Denton County as listed in the ordinance.

Mayor Wheat asked for clarification regarding the Interlocal Agreement with the City of Frisco for purchasing.

4. REPORTS

- a. Report of Quarterly Financial Dashboard and Analysis as well as Capital Projects for the Quarter ended December 31, 2015.

5. DISCUSSION ITEMS

- a. Presentation and Discussion Regarding Status of Developing a Transfer of Development Square Footage Ordinance.

Town Manager Brymer provided an overview of the item.

Mr. Robin McCaffrey, Mesa Planning, provided a presentation and overview of the proposed ordinance.

Discussion ensued regarding the implementation timeframe, collecting additional property data, meetings with property owners, density, and previous development negotiations.

- b. ***Standing Item:*** Update and discussion regarding the Granada Development, including items posted on the regular session agenda.
- c. ***Standing Item:*** Update and discussion regarding the Entrada Development, including items posted on the regular session agenda.

Town Manager Brymer provided an update regarding the installation of infrastructure in Phase I.

Director Edwards provided architect renderings of the Commercial Corner.

Discussion ensued regarding the Northwest 'Commercial Corner', the area proposed for restaurants, bell tower location, gas well pad site, off-site sewer, commercial to residential development ratio, and a construction schedule.

6. EXECUTIVE SESSION

The Council convened into executive session at 6:16 p.m.

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071. Consultation with Attorney (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 691
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx
- e. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- f. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

7. RECONVENE MEETING

Mayor Wheat reconvened the meeting at 7:16 p.m.

8. COUNCIL RECAP / STAFF DIRECTION

No additional discussion.

9. ADJOURNMENT

Mayor Wheat adjourned the work session at 7:16 p.m.

Regular Session

1. CALL TO ORDER

Mayor called the regular session to order at 7:16 p.m.

2. ITEMS OF COMMUNITY INTEREST

Fire Department Badge Pinning Ceremony – Marcus Lopez. Chief Whitten stated this item would be postponed until the February meeting.

3. CITIZEN COMMENTS

No one addressed the Council.

4. CONSENT AGENDA

- a. Consider approval of the minutes from the December 14, 2015, meeting.
- b. Consider approval of **Ordinance 764**, Calling the May 7, 2016, General Election to elect a Mayor and two Council Members for two (2) year terms.
- c. Consider approval of **Resolution 16-01**, Approving an Interlocal Agreement with the City of Frisco for Fire Department Purchasing.
- d. Consider approval of **Resolution 16-02**, Authorizing the Town Manager to execute a contract with RJN, Inc. in the amount of \$39,271.00 for flow monitoring of sanitary sewer lines.

MOTION: Council Member Rennhack made a motion to approve the consent agenda. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat moved to item 10 of the agenda.

5. EXECUTIVE SESSION

The Council convened into executive session at 8:57 p.m.

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071. Consultation with Attorney (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 691
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx
- e. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- f. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

6. RECONVENE MEETING

Mayor Wheat reconvened the meeting at 9:40 p.m.

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

The Council took no action.

8. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 765, APPROVING A ZONING CHANGE FROM NON-ZONED TO R-5 "COUNTRY RESIDENTIAL DISTRICT" FOR TWO NEWLY ANNEXED TRACTS OF LAND COMMONLY KNOWN AS 2205 AND 2217 PEARSON LANE, 5.28 ACRES IN TOTAL FROM NON-ZONED TO R-5 "ESTATE RESIDENTIAL" FOR TWO NEWLY ANNEXED

TRACTS OF LAND COMMONLY KNOWN AS 2205 AND 2217 N. PEARSON LANE, WESTLAKE TEXAS.

Management Intern Enders provided a presentation and overview of the item and proposed property use.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 765**. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

9. CONDUCT A PUBLIC HEARING AND CONSIDERATION ORDINANCE 766, APPROVING SPECIFIC USE PERMIT TO ALLOW THE SALE OF BEER, LIQUOR, AND WINE PACKAGE SALES AT THE CVS PHARMACY STORE TO BE LOCATED AT 35 ARTA DRIVE, BEING LOT 3, BLOCK N, OF THE WESTLAKE ENTRADA SUBDIVISION.

Director Edwards provided a presentation and overview of the item and proposed property use.

Discussion ensued regarding the ability to purchase alcohol from other CVS locations.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 766**. Council Member Barrett seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat moved to item 5 of the agenda.

10. CONDUCT A PUBLIC HEARING AND CONSIDERATION ORDINANCE 767, AMENDING ORDINANCE 691, THE ORDINANCE THAT AMENDED THE PD1 PLANNED DEVELOPMENT ZONING DISTRICT, CREATING AND REGULATING PD 1-1 PLANNING AREA. THE PROPERTY IS PARTIALLY DEVELOPED AND INCLUDES MULTIPLE PARCELS OF LAND INCLUDING THE PROPERTY COMMONLY KNOWN AS SOLANA. THE PROPERTY IS GENERALLY LOCATED SOUTH OF HWY 114 EXTENDING FROM DAVIS BLVD. EASTWARD TO THE TOWN

BORDER, AND IS BOUNDED BY THE GRANADA SUBDIVISION TO THE WEST, AND GLENWYCK FARMS, CARLYLE, AND TERRA BELLA SUBDIVISIONS TO THE SOUTH. THIS IS A TOWN INITIATED AMENDMENT AND THE PROPOSED AMENDMENTS ARE LIMITED TO THE DEVELOPMENT REGULATIONS AND DO NOT CHANGE THE PERMITTED USES OR ALLOWED DENSITY WITHIN THE DEVELOPMENT.

Director Edwards provided a presentation and overview of the item and proposed property use.

Discussion ensued regarding the comp plan, buildable area restoring the 500 foot setback as set in the 1992 ordinance, tree preservation ordinance, and entitlements reinstated as it was prior to the error.

Mayor Wheat opened the public hearing.

Brian Driesse, 2311 Cedar Springs Road, Ste. 300, Dallas, Equity Office, spoke in favor of correcting the typographical error but spoke against approval of the ordinance as presented in the packet.

Neal McNabney, 1815 Broken Bend Drive, spoke in favor of correcting the typographical error and stated that he believes the intent for the property was to be a buffer or greenspace.

Michael Grandfield, 1827 Broken Bend Drive, spoke in favor of correcting the typographical error and restoring what he believes is a greenbelt.

Baiju Jacob, 1801 Copperfield Court, spoke in favor to retain the verbiage and to be consistent with the Town's vision.

Yair Lotan, 1809 Broken Bend Drive, spoke in favor of correcting the typographical error, stating that he was told by Realtor it was a greenspace/buffer.

Roberto Arandia, 1819 Broken Bend Drive, spoke in favor of correcting the typographical error stating that he was told that there would be a greenspace behind his home.

Biswajit Dasgupta, 1811 Broken Bend Drive, spoke in favor of correcting the typographical error and commented on the lack of privacy should the property be developed.

Pat Cockrum, 1825 Broken Ben Drive, spoke in favor of correcting the typographical error, thanked the Council and that he believes it was greenspace.

Ken Kraska, 1812 Broken Bend Drive, spoke in favor of correcting the typographical error providing clarity for residents and stated that he believes this to be open greenspace.

Colin Stevenson, 1823 Broken Bend Drive, spoke in favor of correcting the typographical error but believes that the property to be a greenbelt and spoke about the lot coverage ratio regarding PD1-1.

Mayor Wheat closed the public hearing.

Mayor Wheat recessed the meeting 8:18 p.m.

Mayor Wheat reconvened the meeting at 8:35 p.m.

Attorney Cunningham clarified that there was no change to the 10% maximum building footprint rule.

Discussion ensued regarding the intent for the property based on the Comprehensive Plan.

Town Manager Brymer stated that staff recommends bifurcating the zoning case by taking action on the 500 foot setback adjacent to Glenwyck and Terra Bella and continuing the discussion regarding the setbacks of Granada until the February 22, 2016, meeting allowing time for additional discussions.

MOTION: Council Member Langdon made a motion to separate this case in regard to the property adjacent to Glenwyck Farms and Terra Bella in PD 1-1 and property adjacent to Granada and Entrada: 1) First, that we amend ordinance 691, to clarify and establish that there is a 500 foot building setback for principal and accessory buildings for the southern area of PD 1-1 adjacent to residential property near or adjoining Glenwyck Farms and Terra Bella; and 2) Second, that we re-open and continue the public hearing as it relates to setbacks in PD 1-1 adjacent to Granada and Entrada to the Town Council meeting on February 22, 2016, in order to allow for continued discussions for those areas near Granada and Entrada. Council Member Stoltenberg seconded the motion approving and amending **Ordinance 767**. The motion carried by a vote of 5-0.

Mayor Wheat moved to items 8 and 9 of the agenda.

11. FUTURE AGENDA ITEMS

Council Member Rennhack - Discuss public/private partnership to attract retail, restaurants etc. to Entrada and other Westlake developments.

Council Member Langdon seconded the request.

Council Member Langdon – Discuss pet registrations and pet safety.

Council Member Stoltenberg seconded the request.

12. ADJOURNMENT

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

MOTION: Council Member Rennhack made a motion to adjourn the meeting. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat adjourned the meeting at 9:41 p.m.

APPROVED BY THE TOWN COUNCIL ON FEBRUARY 22, 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary



TYPE OF ACTION

Regular Meeting - Consent

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Consider a resolution to enter into an Inter Local Agreement with the City of North Richland Hills for cooperative purchasing.

STAFF CONTACT: Jarrod Greenwood, Public Works Director/Assistant to the Town Manager

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Fiscal Responsibility	Fiscal Stewardship	Exemplary Service & Governance - We set the standard by delivering unparalleled municipal and educational services at the lowest cost.	Maximize Efficiencies & Effectiveness
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 22, 2016 **Completion Date:** February 22, 2016

Funding Amount: N/A **Status -** **Funded** **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

The proposed ILA with the City of North Richland Hills will provide Westlake with cooperative purchasing that leverages favorable pricing for products and services that were secured through the competitive bidding process. Any contracts secured through the ILA will still be brought to Council for consideration.

RECOMMENDATION

Staff recommends approval of the Westlake-North Richland Hills ILA.

ATTACHMENTS

Resolution with Attachment A - Proposed ILA with North Richland Hills

TOWN OF WESTLAKE

RESOLUTION NO. 16-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF NORTH RICHLAND HILLS, TEXAS FOR COOPERATIVE PURCHASING.

WHEREAS, the City of North Richland Hills and Westlake are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function; and,

WHEREAS, the City of North Richland Hills and Westlake wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which City of North Richland Hills and Westlake may purchase various goods and services commonly utilized by each party; and,

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

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

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

SECTION 2: That the Town of Westlake Town Council does hereby authorize the Town Manager to enter into the interlocal agreement, attached as *Exhibit "A"*.

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

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

PASSED AND APPROVED ON THIS 22ND DAY OF FEBRUARY 2016.

ATTEST:

Laura L. Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

INTERLOCAL AGREEMENT
BETWEEN
CITY OF NORTH RICHLAND HILLS AND TOWN OF WESTLAKE

This Agreement made and entered into by and between the City of North Richland Hills, hereinafter referred to as "NRH", and the Town of Westlake, hereinafter referred to as "Westlake".

Pursuant to the authority granted by the Texas Interlocal Cooperation Act {Article 4413 (32c) Vernon's Annotated Texas Statutes} providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the premises and mutual promises contained herein, agree as follows:

NRH and Westlake desire to enter into an Agreement for the purchase of goods and services from vendors selected through the competitive bidding process. Specifications for said items should be determined in cooperation with the final approval of the entity processing the bid.

The responsibility of each entity shall be as follows:

I.

NORTH RICHLAND HILLS

1. NRH shall be allowed to purchase goods and services from vendors who have been selected by Westlake through the competitive bidding process. NRH will place orders directly with and pay directly to the selected vendor for goods and services purchased through a contract.
2. All purchases will be within the specifications that have been agreed to. NRH shall be responsible for the Vendors compliance with all conditions of delivery, price and quality of the purchased goods or services.
3. NRH shall give a 30-day written notification to all participating agencies of any change or cancellation of participation.
4. The Purchasing Agent, shall be designated as the official representative to act for NRH all matters relating to this cooperative purchasing agreement.

II.

Town of Westlake, TX

1. Westlake shall be allowed to purchase goods and services from vendors who have been selected by NRH through the competitive bidding process of NRH. Westlake will place orders directly with and pay directly to the selected vendor for goods and services purchased through a contract.

2. All purchases will be within the specifications that have been agreed to. Westlake shall be responsible for the Vendors compliance with all conditions of delivery, price and quality of the purchased goods or services.
3. Westlake shall give a 30-day written notification to a participating agency of any change or cancellation of participation.
4. Purchasing Manager, shall be designated as the official representative to act for Westlake in all matters relating to this cooperative purchasing agreement.

This Agreement shall take effect upon execution by the signatories and shall be in effect from date of execution until terminated by either party with thirty (30) written notice.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers.

CITY OF NORTH RICHLAND HILLS

TOWN OF WESTLAKE

BY: _____
City Manager

BY: _____
Town Manager

DATE: _____

DATE: _____

ATTEST:

ATTEST:

City Secretary

Town Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Attorney for the City

Town Attorney



TYPE OF ACTION

Regular Meeting - Consent

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Consider a resolution authorizing the Town Manager to execute a contract with Intermountain Slurry Seal, Inc. in the amount of \$56,267.65 for Stagecoach Hills Pavement resurface.

STAFF CONTACT: Jarrod Greenwood, Public Works Director/Asst. to the Town Manager

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Fiscal Responsibility	Fiscal Stewardship	Exemplary Service & Governance - We set the standard by delivering unparalleled municipal and educational services at the lowest cost.	Improve Technology, Facilities & Equipment
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 22, 2016 **Completion Date:** June 1, 2016

Funding Amount: \$56,267.65 **Status -** **Funded** **Source -** **General Fund**

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

After the streets in Stagecoach Hills were reconstructed in May 2012, several large cracks developed that extended over 10' below the grade. Since then staff has sealed the small reflective cracks and worked with the Town's engineer to stop the deep cracks from opening up (expanding and contracting).

After providing all of the crack repair work, we received complaints regarding the material's texture and street's appearance. The proposed contract will provide a resurfacing method that is used by neighboring communities to extend the life of their pavement, as well as, improving the overall aesthetics.

The proposed contract is contingent upon Council approving the North Richland Hills ILA for cooperative purchasing, which allows us to utilize their bids.

RECOMMENDATION

Staff recommends approval

ATTACHMENTS

Resolution with Attachment A - contract with Intermountain Slurry Seal, Inc.

TOWN OF WESTLAKE

RESOLUTION NO. 16-04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, ENTERING INTO AN AGREEMENT WITH INTERMOUNTAIN SLURRY SEAL, INC., IN THE AMOUNT OF \$56,267.65 FOR STAGECOACH HILLS PAVEMENT RESURFACING; AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT OF BEHALF OF THE TOWN OF WESTLAKE, TEXAS.

WHEREAS, Westlake desires to provide residents and commuters with safe streets; and

WHEREAS, the streets within Stagecoach Hills were reconstructed in 2012 and developed severe cracking that required extensive crack sealing; and

WHEREAS, the repair work has left the streets in a condition that requires resurfacing; and

WHEREAS, the Town Council finds that the proposed maintenance provides sound infrastructure planning consistent with goals and objectives within the adopted strategic plan;

WHEREAS, the Town Council finds that the proposed pavement resurfacing provides sound infrastructure maintenance and planning; and

WHEREAS, the cost for the pavement resurfacing is included in the adopted FY 2015/2016 budget; and

WHEREAS, the Town Council finds that the proposed additional analysis benefits the public and is in the best interest of the public.

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

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

SECTION 2: The Town Council of the Town of Westlake hereby approves the contract with Intermountain Slurry Seal, Inc. for Stagecoach Hills pavement resurfacing, attached as **Exhibit "A"**, and further authorizes the Town Manager to execute the agreement on behalf of the Town of Westlake, Texas.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid

by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

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

PASSED AND APPROVED ON THIS 22ND DAY OF FEBRUARY, 2016.

Laura Wheat, Mayor

ATTEST:

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



520 North 400 West, North Salt Lake, UT 84054
 Phone (801) 532-8200 | Fax (801) 526-6198

ESTIMATE

Agency: Town of Westlake
Project Number: N/A
Project Name: Stagecoach Area
Date: 2.12.16
Contact: Jarod Greenwood

Contractor: Intermountain Slurry Seal
Contact: Kevin Harris
Phone: 682.229.0843
Fax:
Email: kevin.harris@gcinc.com

Item #	Description	Quantity	Unit	Unit Price	Total
1	Furnish & Install Type II Micro-surf. (surface crse)	9,347	SY	\$ 3.50	\$ 32,714.50
2	Fog seal with Terra Fog	9,347	SY	\$ 1.45	\$ 13,553.15
3	Mobilization	1	LS	\$ 10,000.00	\$ 10,000.00
				\$	-
	* Work is being structured through an Interlocal Agreement with City of North Richland Hills and in accordance with NRH Contract 15-020			\$	-
				\$	56,267.65

Quote is for Labor, Equipment, and Materials for Micro-surfacing Only

NOTES:

- * Micro-surfacing to be placed in one (1) lift Ty II at 21#/SY (Dry Aggregate)
Fog seal to be TerraFog at 0.08gal/SY. Completed in 1 shift.
- * Micro-surfacing to be performed using truck mount pavers or continuous paver.
- * Low limbs to be trimmed by owner or others prior to micro-surfacing operations.
- * Estimated to complete micro-surfacing in 2 shifts.
- * Staging area to be provided by owner or others at no cost to Intermountain Slurry Seal.
- * This project to be billed by the area of streets actually covered as directed by owner.
- * Traffic control for Micro-Surfacing and Fog sealing only.
- * ISS will need 3 week notice prior to starting work, and must have a mutually agreed upon schedule.
- * Thermo-plastic markings at the Stagecoach Cul-de-sac to be removed by others.
- * Edges of streets should have grass bladed back to expose pavement.
- * It is recommended that the Town spray herbicide along edges approximately 2 weeks prior to micro-surfacing.

EXCLUSIONS:

- * Pavement Markings, Temporary Pavement Markings, Striping Layout, Trimming of trees, Crack Sealing, Patching, Heavy Debris Removal, Noise Permits,

Estimate valid for 30 days.

Please review, sign and return VIA fax to (972)353.6275 or e-mail to kevin.harris@gcinc.com

 Authorized Signature

 Date

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Intermountain Slurry Seal, Inc.
Lewisville, TX United States

Certificate Number:
2016-13139

Date Filed:
02/12/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Westlake, Texas

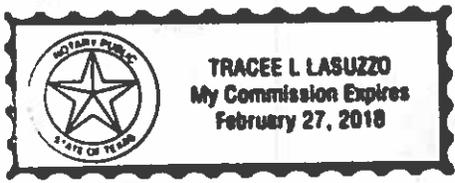
Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.
NA
Micro-surfacing and Terra Fog

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Josh Bowen
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Joshua Bowen this the 12th day of February, 2016, to certify which, witness my hand and seal of office.

Tracee L. Lasuzzo Tracee L Lasuzzo Texas Notary
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath



TYPE OF ACTION

Regular Meeting - Consent

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Acceptance of the annual Comprehensive Annual Financial Report (CAFR) presented by Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015.

STAFF CONTACT: Debbie Piper, Finance Director

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Fiscal Responsibility	Fiscal Stewardship	Exemplary Service & Governance - We set the standard by delivering unparalleled municipal and educational services at the lowest cost.	Increase Transparency, Accessibility & Communications
<u>Strategic Initiative</u>			
Maintain Receipt of Various Financial Awards for both Municipal and Academic Services			

Time Line - Start Date: February 22, 2016 **Completion Date:** February 22, 2016

Funding Amount: \$27,500 **Status -** **Funded** **Source - Multiple Sources - see comments below**

Allocated to General Fund, Utility Fund and Visitors Association Fund.

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

The Town’s Fiscal and Budgetary Policies along with State law require that the Town be audited annually by outside independent accountants. The result of this independent audit is the receipt of an unmodified opinion or “clean” opinion again this year. This means the auditors have found that these financial statements present fairly, in all material respects, the financial position of the Town of Westlake at September 30, 2015.

Again this year, we have included the Texas Student Housing (TSH) audited information in our report. Because the Town Council may appoint and/or remove a director of the Texas Student Housing Board, it was determined that TSH should be considered a component unit of the Town. As in previous years, their audits have been prepared assuming they will continue as “going concerns.” The opinion states, “The discretely presented component units are in default on their bonds due to failure to meet certain bond covenants. This gives bond holders the right to accelerate and demand payment on the bonds in full. This condition raises substantial doubt about the discretely presented component units’ ability to continue as going concerns.”

The footnotes clearly indicate that the debt of TSH is not a liability of the Town. The inclusion of this information in the Town’s audit will not affect any future bond ratings nor have a negative impact on the Town’s overall debt ratio for the purpose of securing additional financing in the future.

This year’s audit also includes the Public Improvement District Capital Project Fund and Fiduciary Fund. The basis for including is Statement No. 6 of the Governmental Accounting Standards Board, “Accounting and Financial Reporting for Special Assessments”. Section 19 refers to Capital Improvements Financed by Special Assessment Debt for which the Government is not obligated in any manner. Below is an excerpt from the Statement:

The construction phase should be reported like other capital improvements; in a capital project fund, or other appropriate fund. The source of funds in the capital project fund should be identified by a description than bond proceeds, such as contributions. Displaying the transactions in this way recognized that the construction or acquisition is a governmental activity and results in the addition of a governmental asset but is not financed by governmental debt.

On February 5, 2015, the Town Council approved issuance of \$26,175,000 of Special Assessment Revenue Bonds, Series 2015 related to the District. As stated in the POS, the Public Improvement District Bonds (“The Bonds”) are *special and limited obligations* of the Town payable solely from the pledged revenues and other funds comprising the Trust Estate, as and to the extent provided in the indenture. **The bonds do not give rise to a charge against the general credit or taxing power of the Town and are payable solely from the sources identified in the indenture.** The owners of the bonds shall never have the right to demand payment thereof out of money raised or to be raised by taxation, or out of any funds of the Town other than the Trust Estate, as and to the extent provided in the indenture; and, no owner of the bonds shall have the right to demand any exercise of the Town’s taxing power to pay the principal of the bonds or the interest or redemption premium, if any, thereon. The Town shall have no legal or moral obligation to pay the bonds out of any funds of the Town other than the Trust Estate.

Along with the annual budget, the Comprehensive Annual Financial Report (CAFR) is one of the most important financial activities of the Town. This report represents and reflects upon the Town’s financial operations and condition to the Town’s residents, elected officials, management personnel, financial institutions, rating agencies, and all other parties interested in the financial affairs of the Town.

Additionally, the Town began participating in the Government Finance Officer Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting program for the fiscal year 2007. This award is highly regarded as the "Good Housekeeping Seal of Approval" for governmental financial reporting. Therefore, we are pleased to announce that the Town has recently received this award for our seventh submission.

This award is presented based on the required contents of the CAFR document, and ensures that certain required financial disclosures are presented in the document. All governmental entities that participate in the program must include these disclosures in their CAFR. We believe the September 30, 2015 CAFR is in compliance with these disclosure requirements, and the Town will be awarded our 9th consecutive certificate.

RECOMMENDATION AND ATTACHMENTS

Acceptance of the annual CAFR

ATTACHMENTS

Resolution

Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2015 (attached to Workshop Memo)

TOWN OF WESTLAKE

RESOLUTION NO. 16-05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT PRESENTED BY WEAVER AND TIDWELL, L.L.P., FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015.

WHEREAS, Section 103.001 of the Local Government Code requires that a municipality shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit; and

WHEREAS, Section 103.002 of the Local Government Code requires that a municipality shall employ at its own expense a certified public accountant who is licensed in this state or a public accountant who holds a permit to practice from the Texas State Board of Public Accountancy to conduct the audit and to prepare the annual financial statements; and

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

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

SECTION 2: That the Town Council does hereby accept the Comprehensive Annual Financial Report from Weaver and Tidwell, L.L.P., for the fiscal year ended September 30, 2015, attached as *Exhibit "A"*.

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

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

PASSED AND APPROVED ON THIS 22nd DAY OF FEBRUARY, 2016.

Laura Wheat, Mayor

ATTEST:

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



TYPE OF ACTION

Regular Meeting - Consent

**Westlake Town Council Meeting
Monday, February 22, 2016**

TOPIC: Consider a resolution amending the budget to provide funding and entering into an agreement with Hardin & Associates Consulting, LLC (HAC) for TCEQ Regulatory Compliance Consultation in the amount of approximately \$44,060, and authorizing the Town Manager to execute the agreement.

STAFF CONTACT: Jarrod Greenwood, Public Works Director/Asst. to the Town Manager

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Fiscal Responsibility	Fiscal Stewardship	Exemplary Service & Governance - We set the standard by delivering unparalleled municipal and educational services at the lowest cost.	Improve Technology, Facilities & Equipment
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 22, 2016 **Completion Date:** June 1, 2016

Funding Amount: \$44,060 **Status -** **Funded** **Source - Utility Fund**

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

Public water systems (PWSs) in Texas are required to maintain minimum disinfectant levels throughout the distribution system to protect public health. In addition, a PWS should be careful not to exceed the maximum residual disinfectant levels (MRDLs).

Texas Commission on Environmental Quality (TCEQ) Chloramine Monitoring Plan Requirements, also referred to as the Nitrification Action Plan (NAP). This unfunded mandate that took effect on July 30, 2015 requires water systems to develop a Nitrification Action Plan

(NAP), include it as part of its Monitoring Plan, and maintain a copy on-site and made available to the TCEQ if requested.

The TCEQ also implemented a new requirement for bacteriological testing, Revised Total Coliform Rule (RTCR). This is another unfunded mandate that requires water systems to develop a written sample siting plan identifying sampling sites and a sample collection schedule that are representative of water throughout the distribution system, no later than March 31, 2016, and maintain a copy on-site and made to the TCEQ if requested.

In addition to the NAP and RTCR identified above, the Town is required to have a “cross connection control” program that includes an ordinance, inspections to identify potential risks to the water system, monitoring of protective devices, and enforcement. However, unlike the two mandates listed above, the cross connection control program has the potential to generate revenue that will offset expenditures through fees charged for inspections.

Hardin & Associates is currently working with our neighboring communities of Roanoke, Keller and Southlake to assist them with satisfying these state requirements. The proposed contract with Hardin Associates is separated into two task orders:

- Task Order 1 provides the necessary planning documents to satisfy the TCEQ Nitrification and Chloramine monitoring requirements. The total cost for the NAP and RTCR siting plan is based on the estimated number of hours to complete and will be a one-time budget item.
- Task Order 2 provides the necessary tools and administrative support to satisfy the TCEQ cross connection control requirements. The total costs for the cross connection control/customer service inspection task order is based on the total number yearly inspections that may fluctuate from year to year and will be a reoccurring (revenue neutral) budget item.

The approval of the proposed agreement with Hardin & Associates will require a budget amendment from Utility Fund Balance for the projected expenditures and for the associated off-setting revenue that is included in the attached resolution.

With the amount of attention that has been raised about the levels of lead in public drinking water, staff wants to make note that these mandates are not associated in any way with the testing of lead. Testing for lead and copper is done through the state testing laboratory based on each systems’ testing results. Westlake’s lead and copper testing is conducted every 3 years at 10 single family residences based on our historically low levels of lead and copper.

RECOMMENDATION

Staff recommends approval

ATTACHMENTS

Resolution with Attachment A – Master Service Agreement with Hardin & Associates Consulting, LLC and associated budget amendment.

TOWN OF WESTLAKE

RESOLUTION NO. 16-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, AMENDING THE BUDGET TO PROVIDE FUNDING AND ENTERING INTO AN AGREEMENT WITH HARDIN & ASSOCIATES CONSULTING, LLC (HAC) FOR TCEQ REGULATORY COMPLIANCE CONSULTATION IN THE AMOUNT OF \$44,060.00; AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN OF WESTLAKE, TEXAS.

WHEREAS, the state and federal government have established water quality standards to ensure water purveyors provide a safe and adequate supply of water to citizens and water customers within their geographic service area; and

WHEREAS, the Town Council of the Town of Westlake desires to provide safe drinking water to its citizens and customers; and

WHEREAS, the development and implementation of a Nitrification Action Plan, Sample Siting Plan, and Cross Connection Control Program are regulatory mandates that are necessary to protect the life, safety, and welfare of Westlake citizens and customers and is sound infrastructure planning consistent with goals and objectives within the adopted strategic plan; and

WHEREAS, the Town Council finds the proposed agreement with Hardin & Associates provides the necessary capacity to satisfy the state and federal regulatory requirements; and

WHEREAS, the costs associated with the proposed contract is not included in the adopted FY 2015/2016 budget; and

WHEREAS, the Town Council finds that funding is necessary to successfully implement the mandates and that funding is appropriate and further amends the adopted FY 15/16 budget to include funding of \$44,060; and.

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

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

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

SECTION 2: The Town Council of the Town of Westlake hereby approves the budget amendment of \$44,060 to the adopted FY 15/16 budget.

SECTION 3: The Town Council of the Town of Westlake hereby approves the agreement with Hardin & Associates consulting, LLC for TCEQ Regulatory Compliance Consultation, attached as **Exhibit “A”**, and further authorizes the Town Manager to execute the agreement on behalf of the Town of Westlake, Texas.

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

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

PASSED AND APPROVED ON THIS 22ND DAY OF FEBRUARY, 2016.

Laura Wheat, Mayor

ATTEST:

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



**HARDIN &
ASSOCIATES
CONSULTING, LLC**

January 28, 2016

Town of Westlake
Public Works Department
Attn: Jarrod Greenwood, Public Works Director
3 Village Cir.
Westlake, Texas 76262

Subject: Master Service Agreement for TCEQ Regulatory Compliance Assistance

Per our discussion, please see the enclosed Master Service Agreement (MSA) between the Town of Westlake and Hardin & Associates Consulting LLC (HAC) for providing professional consulting services for TCEQ required public water system compliance projects as requested.

We value our business relationship with the Town of Westlake and are pleased to have the opportunity to assist you as needed. I have enclosed an original MSA for your review and approval. If acceptable, please send back a signed copy of the executed MSA to my attention to the following address:

**Hardin & Associates Consulting, LLC
5005 W. Royal Lane, Suite 170
Irving, TX 75063
Attn: Byron Hardin, President, CPM**

If you have any questions, please do not hesitate to contact me at (972) 823-8800.

Sincerely,

Byron R. Hardin, President
Hardin & Associates Consulting, LLC



**MASTER SERVICE AGREEMENT
FOR ONGOING CONSULTING SERVICES FOR
AS NEEDED ENVIRONMENTAL SUPPORT
BETWEEN TOWN OF WESTLAKE
AND HARDIN AND ASSOCIATES CONSULTING, LLC
FOR PROFESSIONAL CONSULTING SERVICES**

THIS MASTER SERVICE AGREEMENT (MSA) is made and entered into on this _____ day of _____ by and between the Town of Westlake, hereinafter referred to as "Client," and Hardin & Associates Consulting, LLC, a Texas company, its affiliates and subsidiaries, hereinafter referred to as "Consultant."

RECITALS:

WHEREAS, Client desires that from time to time Consultant furnish Client certain consulting services;

WHEREAS, Consultant has available and offers to provide personnel and facilities necessary to perform the services desired under this Agreement;

NOW, THEREFORE, Client and Consultant agree as follows:

I. DESCRIPTION OF PROJECT

Services to be provided shall be as described in written task orders made pursuant to and referencing this Agreement.

II. SCOPE OF CONSULTANT SERVICES

The primary service(s) to be provided by the Consultant are As-Needed Environmental Support for the Client's water/wastewater systems and may include, but are not limited to the following:

- Customer Service Inspections
- Backflow Cross-connection Ordinance development and review
- Preparation of reports, plans and other regulatory compliance documents
- Training
- Nitrification Action Plan Development
- TCEQ PWS Monitoring Plan Development
- Other Client requested environmental support tasks

Consultant agrees to perform those basic services described in separate written task or purchase orders signed by Client and Consultant (the "Services"). This Agreement provides the terms, obligations and conditions which shall control all work. The printed terms and conditions, if any, contained on the reverse sides of an accepted task or purchase order shall not apply to services provided under this Agreement. Unless modified in writing by both parties, duties of Consultant shall not be construed to



exceed those services specifically described in each task order. In the event work is authorized prior to the issuance of a written task order, any services performed by Consultant will be presumed to have been completed under the terms of this Agreement.

III. RESPONSIBILITIES OF CLIENT

In addition to payment for the Services performed under this Agreement, Client shall:

1. Assist and cooperate with Consultant in any manner necessary and within its ability to facilitate Consultant's performance under this Agreement.
2. Designate in writing a person to act as Client's representative with respect to this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define Client's policies, make decisions and execute documents on Client's behalf.
3. Furnish Consultant with all technical data in Client's possession including, but not limited to, maps, surveys, drawings, soils or geotechnical reports, and any other information required by or useful to, Consultant in performance of its Services under this Agreement. Consultant shall be entitled to rely upon the information supplied by Client.
4. Notify Consultant of any known or potential health or safety hazards existing at or near the project site.
5. Provide access to and/or obtain permission for Consultant to enter upon all property, whether or not owned by Client, as required to perform and complete the Services.

IV. AMERICANS WITH DISABILITIES ACT

Any other provision of this Agreement to the contrary notwithstanding, unless otherwise specified in the Scope of Services, Client shall have sole responsibility as between Client and Consultant for compliance with the Americans With Disabilities Act ("ADA") 42 U.S.C. 12101 et. Seq. and the related regulations.

V. AUTHORIZATION AND COMPLETION

In signing this Agreement, Client grants Consultant specific authorization to proceed with work as directed in executed task orders.

VI. COMPENSATION

This agreement will not exceed \$_____.00 without prior written approval by both parties. For the Services described in each task order, Client agrees to pay, and Consultant agrees to accept the total compensation in accordance with compensation terms included in the task order. Where Consultant has provided Client with a breakdown of the total compensation into subtasks, such breakdowns are estimates only. Consultant may re-allocate compensation between tasks, provided total compensation is not exceeded without the approval of Client. Time charges shall be in accordance with the Hourly Rate Table contained in **Exhibit A**. The rate schedule shall be revised annually. Annual revisions to



the Hourly Rate Table shall be submitted prior to the date that they take effect. The revised Hourly Rate Table shall take effect unless written notice is received from the Client that the revised rates are not accepted. Compensation shall be billed monthly in summary form. Payment to Consultant is due upon presentation of invoice to Client.

As long as Consultant has not defaulted under this Agreement, Client shall pay Consultant within 30 days of the date of Consultant's invoices for services performed and reimbursable expenses incurred under this Agreement. If Client has reason to question or contest any portion of any such invoice, amounts questioned or contested shall be identified and notice given to Consultant within 15 days of the date of the invoice. Any portion of any invoice not contested shall be deemed to be accepted and approved for payment and shall be paid to Consultant within 30 days of the date of the invoice. The Client agrees to cooperate with Consultant in a mutual effort to resolve promptly any contested portions of the Consultant's invoices.

In the event any uncontested portions of any invoice are not paid within 30 days of the date of Consultant's invoice, interest on the unpaid balance shall accrue beginning with the 31st day at the maximum interest rate permitted by law, and Consultant shall have the right to suspend work per Article XV, Suspension of Work.

VII. RESPONSIBILITY OF CONSULTANT

A. Standard of Care Professional Services

Subject to the limitations inherent in the agreed scope of work as to the degree of care, amount of time and expenses to be incurred, and subject to any other limitations contained in this Agreement, Consultant shall perform its Services in accordance with generally accepted standards and practices customarily utilized by competent engineering firms in effect at the time Consultant's Services are rendered. Consultant does not expressly or impliedly warrant or guarantee its Services.

B. Reliance upon Information Provided by Others

If Consultant's performance of services hereunder requires Consultant to rely on information provided by other parties (excepting Consultant's subcontractors), Consultant shall not independently verify the validity, completeness, or accuracy of such information unless otherwise expressly engaged to do so in writing by Client.

C. Consultant's Opinion of Costs

Client acknowledges that construction cost estimates, financial analyses and feasibility projections are subject to many influences including, but not limited to, price of labor and materials, unknown or latent conditions of existing equipment or structures, and time or quality of performance by third parties. Client acknowledges that such influences may not be precisely forecasted and are beyond the control of Consultant and that actual costs incurred may vary substantially from the estimates prepared by Consultant. Consultant does not warrant or guarantee the accuracy of construction or development cost estimates.



VIII. HAZARDOUS MATERIALS

Consultant and Consultant's subcontractors shall have no responsibility for the discovery, handling, removal, or disposal of or exposure of persons to asbestos or hazardous or toxic materials that are present in any form at the Project site. Professional services related to or in any way connected with the investigation, detection, abatement, replacement, use, specification, or removal of products, materials, or processes containing asbestos or hazardous or toxic materials are beyond the scope of this Agreement. Client shall be solely responsible for notifying all appropriate governmental agencies, including the potentially effected public, of the existence of any hazardous or toxic materials located on or at the project site at any time.

In the event Consultant encounters asbestos or hazardous materials at the jobsite, Consultant may, at its option and without liability for damages, suspend the performance of services on the Project until such time as Client and Consultant mutually agree on an amendment to this Agreement to address the issue, or Client retains another specialist consultant or contractor to identify, classify, abate and/or remove the asbestos and/or hazardous materials.

IX. CONSULTANT'S WORK PRODUCT

A. Scope

Consultant's work product, which is prepared solely for the purposes of this Agreement, including, but not limited to, drawings, test results, recommendations and technical specifications, whether in hard copy or electronic form, shall become the property of Client when Consultant has been fully compensated as set forth herein. Consultant may keep copies of all work products for its records.

Consultant and Client recognize that Consultant's work product submitted in performance of this Agreement is intended only for the project described in this Agreement. Client's alteration of Consultant's work product or its use by Client for any other purpose shall be at Client's sole risk, and Client shall hold harmless and indemnify Consultant against all losses, damages, costs and expense, including attorneys' fees, arising out of or related to any such alteration or unauthorized use.

B. Electronic Copies

If requested, solely as an aid and accommodation to Client, Consultant may provide copies of its work product documents in computer-readable media ("electronic copies"). These documents will duplicate the documents provided as work product, but will not bear the signature and professional seals of the registered professionals responsible for the work. Client is cautioned that the accuracy of electronic document copies may be compromised by electronic media degradation, errors in format translation, file corruption, printing errors, and incompatibilities, operator inexperience, and file modification. Consultant will maintain the original copy, which shall serve as the official, archived record of the electronic documents. Client agrees to hold harmless, indemnify and defend Consultant from any claims arising out of or relating to any unauthorized change or alteration of electronic copies of documents.



X. INDEMNIFICATION

A. Indemnification of Client

Consultant agrees to indemnify and hold Client harmless from and against any liability to the extent arising out of the negligent errors or negligent omissions of Consultant, its agents, employees, or representatives, in the performance of Consultant's duties under this Agreement.

B. Consequential Damages

Regardless of any other term of this Agreement, in no event shall either party be responsible or liable to the other for any incidental, consequential, or other indirect damages.

XI. CONSULTANT'S INSURANCE

Consultant shall procure and maintain the following minimum insurance:

1. Commercial general liability insurance, including personal injury liability, blanket contractual liability and broad-form property damage liability coverage. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
2. Automobile bodily injury and property damage liability insurance covering owned, non-owned, rented, and hired cars. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.

Client shall be named as additional insured on policies 1 and 2 above. Upon request, a certificate of insurance will be provided to Client with a 30-day written notice in the event the above policies are cancelled.

XII. CONFIDENTIALITY

Consultant agrees it will maintain the confidentiality of material it receives from Client which Client has clearly identified as "Confidential" and will not disclose, distribute, or publish to any third party such confidential information without the prior permission of Client. Notwithstanding the foregoing, Consultant shall have no confidentiality obligation with respect to information that:

- 1) becomes generally available to the public other than as a result of disclosure by Consultant or its agents or employees;
- 2) was available to Consultant on a non-confidential basis prior to its disclosure by Client;
- 3) becomes available to Consultant from a third party who is not, to the knowledge of Consultant, bound to retain such information in confidence.

In the event Consultant is compelled by subpoena, court order, or administrative order to disclose any confidential information, Consultant shall promptly notify Client and shall cooperate with Client prior to disclosure so that Client may take necessary actions to protect such confidential information from disclosure.



XIII. SUBCONTRACTS

Consultant shall be entitled, to the extent determined appropriate by Consultant, to subcontract any portion of the services to be performed under this Agreement. Any sub contracted services shall be noted in the written task orders issued under this agreement.

XIV. SUSPENSION OF WORK

Work under this Agreement may be suspended as follows:

1. By Client. By written notice to Consultant, Client may suspend all or a portion of the Work under this Agreement if unforeseen circumstances beyond Client's control make normal progress of the Work impracticable. Consultant shall be compensated for its reasonable expenses resulting from such suspension including mobilization and demobilization. If suspension is greater than 30 days, then Consultant shall have the right to terminate this Agreement in accordance with Article XV, Termination of Work.
2. By Consultant. By written notice to Client, Consultant may suspend the Work if Consultant reasonably determines that working conditions at the Site (outside Consultant's control) are unsafe, or in violation of applicable laws, or in the event Client has not made timely payment in accordance with Article VI, Compensation, or for other circumstances not caused by Consultant that are interfering with the normal progress of the Work. Consultant's suspension of Work hereunder shall be without prejudice to any other remedy of Consultant at law or equity.

XV. TERMINATION OF WORK

- A. This Agreement may be terminated by Client as follows: (1) for its convenience on 30 days' notice to Consultant, or (2) for cause, if Consultant materially breaches this Agreement through no fault of Client and Consultant neither cures such material breach nor makes reasonable progress toward cure within 15 days after Client has given written notice of the alleged breach to Consultant.
- B. This Agreement may be terminated by Consultant as follows: (1) for cause, if Client materially breaches this Agreement through no fault of Consultant and Client neither cures such material breach nor makes reasonable progress toward cure within 15 days after Consultant has given written notice of the alleged breach to Client, or (2) upon five days' notice if work under this Agreement has been suspended by either Client or Consultant for more than 30 days in the aggregate.
- C. Payment upon Termination
In the event of termination, Consultant shall perform such additional work as is reasonably necessary for the orderly closing of the Work. Consultant shall be compensated for all work performed prior to the effective date of termination, plus work required for the orderly closing of the Work, including: (1) authorized work performed up to the termination date plus termination expenses, including all labor and expenses, at Consultant's standard billing rates, directly attributable to



termination; (2) all efforts necessary to document the work completed or in progress; and (3) any termination reports requested by Client.

Except for termination of Consultant by Client for cause, Consultant shall also receive a termination fee equal to 15 percent of the total compensation yet to be earned under existing authorizations at the time of termination to account for Consultant's rescheduling adjustments, reassignment of personnel, and related costs incurred due to termination.

XVI. ASSIGNMENT

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. Except as otherwise set forth under Article VIII, Assignment of Tasks to Affiliates, this Agreement may not be assigned by Client or Consultant without prior, written consent of the other.

XVII. NO BENEFIT FOR THIRD PARTIES

The services to be performed by Consultant are intended solely for the benefit of Client, and no benefit is conferred on, nor contractual relationship established with any person or entity not a party to this Agreement. No such person or entity shall be entitled to rely on Consultant's services, opinions, recommendations, plans, or specifications without the express written consent of Consultant. No right to assert a claim against the Consultant, its officers, employees, agents, or consultants shall accrue to the construction Contractor or to any subcontractor, supplier, manufacturer, lender, insurer, surety, or any other third party as a result of this Agreement or the performance or nonperformance of the Consultant's services hereunder.

XIII. FORCE MAJEURE

Consultant shall not be responsible for delays caused by circumstances beyond its reasonable control, including, but not limited to (1) strikes, lockouts, work slowdowns or stoppages, or accidents, (2) acts of God, (3) failure of Client to furnish timely information or to approve or disapprove Consultant's instruments of service promptly, and (4) faulty performance or nonperformance by Client, Client's independent consultants or contractors, or governmental agencies. Consultant shall not be liable for damages arising out of any such delay, nor shall the Consultant be deemed to be in breach of this Agreement as a result thereof.

XIX. INTEGRATION

This Agreement represents the entire understanding of Client and Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. This Agreement may not be modified or altered except in writing signed by both parties. Any purchase order issued by Client, whether or not signed by Consultant, and any terms and conditions contained in such purchase order which are inconsistent with this Agreement shall be of no force and effect.



XX. SEVERABILITY

If any part of this Agreement is found unenforceable under applicable laws, such part shall be inoperative, null, and void insofar as it conflicts with said laws, but the remainder of this Agreement shall be in full force and effect.

XXI. CHOICE OF LAW/JURISDICTION

This Agreement shall be administered and interpreted under the laws of the state of Texas.

XXII. ATTORNEYS' FEES

In the event either party commences legal proceedings against the other, then the prevailing party shall, in addition to any other recovery, be entitled to recover its reasonable attorneys' fees and all other costs of such proceeding.

XXIII. NOTICES

All notices required under this Agreement shall be delivered by facsimile, personal delivery or mail and shall be addressed to the following persons:

Byron R. Hardin, CPM
Sr. Project Manager
Hardin & Associates Consulting, LLC
5005 W. Royal Lane, Suite 170
Irving, Texas 75063
e-mail: bhardin@hactexas.com
Office (972) 823-8800
Fax: (972) 823-8802

Jarrold Greenwood
Public Works Director
Town of Westlake
3 Village Cir.
Westlake, Texas 76262
e-mail: jgreenwood@westlake-tx.org
Office (817) 490-5717
Fax: (817) 430-1812

Notice shall be effective upon delivery to the above addresses. Either party may notify the other that a new person has been designated by it to receive notices, or that the address or Fax number for the delivery of such notices has been changed, provided that, until such time as the other party receives such notice in the manner provided for herein, any notice addressed to the previously-designated person and/or delivered to the previously-designated address or Fax number shall be effective.

XXIV. AUTHORIZATION

The persons executing this Agreement on behalf of the parties hereto represent and warrant that the parties have all legal authority and authorization necessary to enter into this Agreement, and that such persons have been duly authorized to execute this Agreement on their behalf.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.



**HARDIN &
ASSOCIATES
CONSULTING, LLC**

Hardin & Associates Consulting, LLC

Town of Westlake

Signature 

Signature _____

Printed Name Byron R. Hardin, CPM

Printed Name _____

Title President

Title _____

Federal Tax ID number: **26-4555939**



EXHIBIT A
HARDIN & ASSOCIATES CONSULTING, LLC
RATE SCHEDULE
(INCLUDES MILEAGE AND EXPENSES)

Classification	Labor Rate
Senior Engineer	\$150.00
Senior Project Manager	\$135.00
Senior Water Quality Specialists	\$125.00
Administrative	\$45.00

This agreement will not to exceed \$ _____.00 without prior approval by Town Council.



**HARDIN &
ASSOCIATES
CONSULTING, LLC**

January 28, 2016

Town of Westlake
Public Works Department
Attn: Jarrod Greenwood, Public Works Director
3 Village Cir.
Westlake, Texas 76262

Subject: Master Service Agreement for TCEQ Regulatory Compliance Assistance

Per our discussion, please see the enclosed Master Service Agreement (MSA) between the Town of Westlake and Hardin & Associates Consulting LLC (HAC) for providing professional consulting services for TCEQ required public water system compliance projects as requested.

We value our business relationship with the Town of Westlake and are pleased to have the opportunity to assist you as needed. I have enclosed an original MSA for your review and approval. If acceptable, please send back a signed copy of the executed MSA to my attention to the following address:

**Hardin & Associates Consulting, LLC
5005 W. Royal Lane, Suite 170
Irving, TX 75063
Attn: Byron Hardin, President, CPM**

If you have any questions, please do not hesitate to contact me at (972) 823-8800.

Sincerely,

Byron R. Hardin, President
Hardin & Associates Consulting, LLC



**MASTER SERVICE AGREEMENT
FOR ONGOING CONSULTING SERVICES FOR
AS NEEDED ENVIRONMENTAL SUPPORT
BETWEEN TOWN OF WESTLAKE
AND HARDIN AND ASSOCIATES CONSULTING, LLC
FOR PROFESSIONAL CONSULTING SERVICES**

THIS MASTER SERVICE AGREEMENT (MSA) is made and entered into on this _____ day of _____ by and between the Town of Westlake, hereinafter referred to as "Client," and Hardin & Associates Consulting, LLC, a Texas company, its affiliates and subsidiaries, hereinafter referred to as "Consultant."

RECITALS:

WHEREAS, Client desires that from time to time Consultant furnish Client certain consulting services;

WHEREAS, Consultant has available and offers to provide personnel and facilities necessary to perform the services desired under this Agreement;

NOW, THEREFORE, Client and Consultant agree as follows:

I. DESCRIPTION OF PROJECT

Services to be provided shall be as described in written task orders made pursuant to and referencing this Agreement.

II. SCOPE OF CONSULTANT SERVICES

The primary service(s) to be provided by the Consultant are As-Needed Environmental Support for the Client's water/wastewater systems and may include, but are not limited to the following:

- Customer Service Inspections
- Backflow Cross-connection Ordinance development and review
- Preparation of reports, plans and other regulatory compliance documents
- Training
- Nitrification Action Plan Development
- TCEQ PWS Monitoring Plan Development
- Other Client requested environmental support tasks

Consultant agrees to perform those basic services described in separate written task or purchase orders signed by Client and Consultant (the "Services"). This Agreement provides the terms, obligations and conditions which shall control all work. The printed terms and conditions, if any, contained on the reverse sides of an accepted task or purchase order shall not apply to services provided under this Agreement. Unless modified in writing by both parties, duties of Consultant shall not be construed to



exceed those services specifically described in each task order. In the event work is authorized prior to the issuance of a written task order, any services performed by Consultant will be presumed to have been completed under the terms of this Agreement.

III. RESPONSIBILITIES OF CLIENT

In addition to payment for the Services performed under this Agreement, Client shall:

1. Assist and cooperate with Consultant in any manner necessary and within its ability to facilitate Consultant's performance under this Agreement.
2. Designate in writing a person to act as Client's representative with respect to this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define Client's policies, make decisions and execute documents on Client's behalf.
3. Furnish Consultant with all technical data in Client's possession including, but not limited to, maps, surveys, drawings, soils or geotechnical reports, and any other information required by or useful to, Consultant in performance of its Services under this Agreement. Consultant shall be entitled to rely upon the information supplied by Client.
4. Notify Consultant of any known or potential health or safety hazards existing at or near the project site.
5. Provide access to and/or obtain permission for Consultant to enter upon all property, whether or not owned by Client, as required to perform and complete the Services.

IV. AMERICANS WITH DISABILITIES ACT

Any other provision of this Agreement to the contrary notwithstanding, unless otherwise specified in the Scope of Services, Client shall have sole responsibility as between Client and Consultant for compliance with the Americans With Disabilities Act ("ADA") 42 U.S.C. 12101 et. Seq. and the related regulations.

V. AUTHORIZATION AND COMPLETION

In signing this Agreement, Client grants Consultant specific authorization to proceed with work as directed in executed task orders.

VI. COMPENSATION

This agreement will not exceed \$ 44,060 .00 without prior written approval by both parties. For the Services described in each task order, Client agrees to pay, and Consultant agrees to accept the total compensation in accordance with compensation terms included in the task order. Where Consultant has provided Client with a breakdown of the total compensation into subtasks, such breakdowns are estimates only. Consultant may re-allocate compensation between tasks, provided total compensation is not exceeded without the approval of Client. Time charges shall be in accordance with the Hourly Rate Table contained in **Exhibit A**. The rate schedule shall be revised annually. Annual revisions to



the Hourly Rate Table shall be submitted prior to the date that they take effect. The revised Hourly Rate Table shall take effect unless written notice is received from the Client that the revised rates are not accepted. Compensation shall be billed monthly in summary form. Payment to Consultant is due upon presentation of invoice to Client.

As long as Consultant has not defaulted under this Agreement, Client shall pay Consultant within 30 days of the date of Consultant's invoices for services performed and reimbursable expenses incurred under this Agreement. If Client has reason to question or contest any portion of any such invoice, amounts questioned or contested shall be identified and notice given to Consultant within 15 days of the date of the invoice. Any portion of any invoice not contested shall be deemed to be accepted and approved for payment and shall be paid to Consultant within 30 days of the date of the invoice. The Client agrees to cooperate with Consultant in a mutual effort to resolve promptly any contested portions of the Consultant's invoices.

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Subject to the limitations inherent in the agreed scope of work as to the degree of care, amount of time and expenses to be incurred, and subject to any other limitations contained in this Agreement, Consultant shall perform its Services in accordance with generally accepted standards and practices customarily utilized by competent engineering firms in effect at the time Consultant's Services are rendered. Consultant does not expressly or impliedly warrant or guarantee its Services.

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C. Consultant's Opinion of Costs

Client acknowledges that construction cost estimates, financial analyses and feasibility projections are subject to many influences including, but not limited to, price of labor and materials, unknown or latent conditions of existing equipment or structures, and time or quality of performance by third parties. Client acknowledges that such influences may not be precisely forecasted and are beyond the control of Consultant and that actual costs incurred may vary substantially from the estimates prepared by Consultant. Consultant does not warrant or guarantee the accuracy of construction or development cost estimates.



VIII. HAZARDOUS MATERIALS

Consultant and Consultant's subcontractors shall have no responsibility for the discovery, handling, removal, or disposal of or exposure of persons to asbestos or hazardous or toxic materials that are present in any form at the Project site. Professional services related to or in any way connected with the investigation, detection, abatement, replacement, use, specification, or removal of products, materials, or processes containing asbestos or hazardous or toxic materials are beyond the scope of this Agreement. Client shall be solely responsible for notifying all appropriate governmental agencies, including the potentially effected public, of the existence of any hazardous or toxic materials located on or at the project site at any time.

In the event Consultant encounters asbestos or hazardous materials at the jobsite, Consultant may, at its option and without liability for damages, suspend the performance of services on the Project until such time as Client and Consultant mutually agree on an amendment to this Agreement to address the issue, or Client retains another specialist consultant or contractor to identify, classify, abate and/or remove the asbestos and/or hazardous materials.

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A. Scope

Consultant's work product, which is prepared solely for the purposes of this Agreement, including, but not limited to, drawings, test results, recommendations and technical specifications, whether in hard copy or electronic form, shall become the property of Client when Consultant has been fully compensated as set forth herein. Consultant may keep copies of all work products for its records.

Consultant and Client recognize that Consultant's work product submitted in performance of this Agreement is intended only for the project described in this Agreement. Client's alteration of Consultant's work product or its use by Client for any other purpose shall be at Client's sole risk, and Client shall hold harmless and indemnify Consultant against all losses, damages, costs and expense, including attorneys' fees, arising out of or related to any such alteration or unauthorized use.

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A. Indemnification of Client

Consultant agrees to indemnify and hold Client harmless from and against any liability to the extent arising out of the negligent errors or negligent omissions of Consultant, its agents, employees, or representatives, in the performance of Consultant's duties under this Agreement.

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Regardless of any other term of this Agreement, in no event shall either party be responsible or liable to the other for any incidental, consequential, or other indirect damages.

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Consultant shall procure and maintain the following minimum insurance:

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- 1) becomes generally available to the public other than as a result of disclosure by Consultant or its agents or employees;
- 2) was available to Consultant on a non-confidential basis prior to its disclosure by Client;
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Consultant shall be entitled, to the extent determined appropriate by Consultant, to subcontract any portion of the services to be performed under this Agreement. Any sub contracted services shall be noted in the written task orders issued under this agreement.

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Work under this Agreement may be suspended as follows:

1. By Client. By written notice to Consultant, Client may suspend all or a portion of the Work under this Agreement if unforeseen circumstances beyond Client's control make normal progress of the Work impracticable. Consultant shall be compensated for its reasonable expenses resulting from such suspension including mobilization and demobilization. If suspension is greater than 30 days, then Consultant shall have the right to terminate this Agreement in accordance with Article XV, Termination of Work.
2. By Consultant. By written notice to Client, Consultant may suspend the Work if Consultant reasonably determines that working conditions at the Site (outside Consultant's control) are unsafe, or in violation of applicable laws, or in the event Client has not made timely payment in accordance with Article VI, Compensation, or for other circumstances not caused by Consultant that are interfering with the normal progress of the Work. Consultant's suspension of Work hereunder shall be without prejudice to any other remedy of Consultant at law or equity.

XV. TERMINATION OF WORK

- A. This Agreement may be terminated by Client as follows: (1) for its convenience on 30 days' notice to Consultant, or (2) for cause, if Consultant materially breaches this Agreement through no fault of Client and Consultant neither cures such material breach nor makes reasonable progress toward cure within 15 days after Client has given written notice of the alleged breach to Consultant.
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- C. Payment upon Termination
In the event of termination, Consultant shall perform such additional work as is reasonably necessary for the orderly closing of the Work. Consultant shall be compensated for all work performed prior to the effective date of termination, plus work required for the orderly closing of the Work, including: (1) authorized work performed up to the termination date plus termination expenses, including all labor and expenses, at Consultant's standard billing rates, directly attributable to



termination; (2) all efforts necessary to document the work completed or in progress; and (3) any termination reports requested by Client.

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XVII. NO BENEFIT FOR THIRD PARTIES

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XIII. FORCE MAJEURE

Consultant shall not be responsible for delays caused by circumstances beyond its reasonable control, including, but not limited to (1) strikes, lockouts, work slowdowns or stoppages, or accidents, (2) acts of God, (3) failure of Client to furnish timely information or to approve or disapprove Consultant's instruments of service promptly, and (4) faulty performance or nonperformance by Client, Client's independent consultants or contractors, or governmental agencies. Consultant shall not be liable for damages arising out of any such delay, nor shall the Consultant be deemed to be in breach of this Agreement as a result thereof.

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This Agreement represents the entire understanding of Client and Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. This Agreement may not be modified or altered except in writing signed by both parties. Any purchase order issued by Client, whether or not signed by Consultant, and any terms and conditions contained in such purchase order which are inconsistent with this Agreement shall be of no force and effect.



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If any part of this Agreement is found unenforceable under applicable laws, such part shall be inoperative, null, and void insofar as it conflicts with said laws, but the remainder of this Agreement shall be in full force and effect.

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This Agreement shall be administered and interpreted under the laws of the state of Texas.

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In the event either party commences legal proceedings against the other, then the prevailing party shall, in addition to any other recovery, be entitled to recover its reasonable attorneys' fees and all other costs of such proceeding.

XXIII. NOTICES

All notices required under this Agreement shall be delivered by facsimile, personal delivery or mail and shall be addressed to the following persons:

Byron R. Hardin, CPM
Sr. Project Manager
Hardin & Associates Consulting, LLC
5005 W. Royal Lane, Suite 170
Irving, Texas 75063
e-mail: bhardin@hactexas.com
Office (972) 823-8800
Fax: (972) 823-8802

Jarrold Greenwood
Public Works Director
Town of Westlake
3 Village Cir.
Westlake, Texas 76262
e-mail: jgreenwood@westlake-tx.org
Office (817) 490-5717
Fax: (817) 430-1812

Notice shall be effective upon delivery to the above addresses. Either party may notify the other that a new person has been designated by it to receive notices, or that the address or Fax number for the delivery of such notices has been changed, provided that, until such time as the other party receives such notice in the manner provided for herein, any notice addressed to the previously-designated person and/or delivered to the previously-designated address or Fax number shall be effective.

XXIV. AUTHORIZATION

The persons executing this Agreement on behalf of the parties hereto represent and warrant that the parties have all legal authority and authorization necessary to enter into this Agreement, and that such persons have been duly authorized to execute this Agreement on their behalf.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.



**HARDIN &
ASSOCIATES
CONSULTING, LLC**

Hardin & Associates Consulting, LLC

Town of Westlake

Signature 

Signature _____

Printed Name Byron R. Hardin, CPM

Printed Name _____

Title President

Title _____

Federal Tax ID number: **26-4555939**



EXHIBIT A
HARDIN & ASSOCIATES CONSULTING, LLC
RATE SCHEDULE
(INCLUDES MILEAGE AND EXPENSES)

Classification	Labor Rate
Senior Engineer	\$150.00
Senior Project Manager	\$135.00
Senior Water Quality Specialists	\$125.00
Administrative	\$45.00

This agreement will not to exceed \$ _____.00 without prior approval by Town Council.



HARDIN &
ASSOCIATES
CONSULTING, LLC

HARDIN & ASSOCIATES CONSULTING, LLC

And

Client (Town of Westlake)

Task Order Authorization

Task Order No. 1

PWS Monitoring Plan Review / Nitrification Action Plan Development

HAC Project Description PWS Monitoring Plan / Nitrification Action Plan Development

Client Name Town of Westlake

Client Address 1301 Solana Boulevard, Building 4, Suite 4202.
Westlake, Texas 76262

Effective Date
of Authorization _____

Upon execution of this Task Order, and effective as of the date shown above, the parties agree that Hardin & Associates Consulting, LLC (HAC) shall perform the following services:

SCOPE OF SERVICES

General:

HAC will assist client with ensuring compliance with the Texas Commission on Environmental Quality (TCEQ) Chloramine Monitoring Plan Requirements, also referred to as the Nitrification Action Plan (NAP), that took effect on July 30, 2015. Public water systems (PWSs) in Texas are required to maintain minimum disinfectant levels throughout the distribution system to protect public health. In addition, a PWS should be careful not to exceed the maximum residual disinfectant levels (MRDLs). A PWS is required to develop a Nitrification Action Plan (NAP) and include this NAP as part of its Monitoring Plan. A copy of the PWS NAP must be located on-site and made available to the TCEQ if requested. HAC will also review and provide updated water utilities PWS Monitoring Plan for water utilities staff to work from to ensure continued TCEQ compliance.

Monitoring Plan §Section 290.121 A Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Systems, All community and nontransient no community (NTNC) public water systems are required to have a monitoring plan. This requirement was part of the federal Stage 1 Disinfectants and Disinfection Byproducts Rule, which became part of TCEQ regulations in October 2000.

If a system treats surface water (SW) or groundwater under the direct influence of surface water (GUI), a monitoring plan must be submitted to the TCEQ for review and approval. The deadline

for large systems (serving at least 10,000 people) that treat SW or GUI was January 1, 2001. The deadline for small systems (serving fewer than 10,000 people) that treat SW or GUI was January 1, 2003.

If a system treats groundwater or purchases treated water, it is not required to send in a monitoring plan. A TCEQ inspector will look at it as part of the comprehensive compliance investigation (sanitary survey), and the TCEQ's sampling contractor will look at it when they come to collect chemical samples.

If a system purchases water, careful coordination and development of a monitoring plan with your wholesaler may be necessary. A monitoring plan must also be available to other systems that provide or receive water from you, as needed. If you employ an operating company, you must give them a copy and be sure they are following it.

Monitoring Frequency §290.110(c). *A PWS is to monitor the monochloramine, total chlorine, free ammonia and nitrate/nitrite levels periodically at different locations. This ensures that an adequate disinfectant residual is being maintained, and that nitrification is not occurring in the distribution system. Ammonia, nitrate and nitrite must be sampled at least once in your source water(s).*

Record Keeping §290.46(f); §290.46(z) *A PWS is required to develop a Nitrification Action Plan (NAP) and include this NAP as part of your Monitoring Plan. A copy of your NAP must be located on-site and made available to the TCEQ if requested. All chloramination records including monitoring results will need to be kept for at least three years. One-time source water monitoring must be maintained as long as it is representative of the water quality of the source.*

Notification §290.47(h) *Notification of the use of chloramines must be provided to your system's retail and wholesale customers at least 14 days before the water is delivered. Also, the notification must continue to be provided to all new customers. Notification must be maintained on site and made available to TCEQ during on-site investigations.*

Design Requirements §290.42(e) *The design requirements for chemical injection, mixing and chemical containment for chloramine systems are now provided in §290.42(e). If you are planning to make any future changes or additions to your system, plans and specifications will be required to be sent to the TCEQ's Plan Review Team.*

Purpose:

Client desires to evaluate and review the expansion of the current potable water distribution conveyance system to evaluate efficiencies in operation to ensure continued compliance with TCEQ rules and regulations for public water systems.

Execution:

HAC will provide professional potable water distribution system review by assisting the client with the development of a TCEQ required Nitrification Action Plan (NAP). The following task will guide Hardin & Associates Consulting through the development of this project:

Actions:

Item 1 - PWS Monitoring Plan Review to include NAP water quality sample site map

- 1.1 Meet with Town staff to identify all required TCEQ water quality parameter distribution monitoring sites (including newly required NAP sites)

Item 2 – Develop documents for required water quality parameter samples and schedules

- 2.1 Identify and develop the required reporting document for required TCEQ NAP
- 2.2 Develop routine NAP sampling schedule for inclusion in TCEQ Required Monitoring Plan

Item 3 – Develop PWS Monitoring Plan to include provisions for the NAP to ensure continued TCEQ compliance

- 3.1 Develop draft NAP section for client review to include as part of client's Monitoring Plan
- 3.2 Provide completed NAP section for addition to clients existing PWS Monitoring Plan
- 3.3 Develop PWS Monitoring Plan. Items for inclusion include:
What chemicals / parameters are required for sampling
Four Sub-sections based on location
 - Raw water
 - In-plant
 - Entry point to distribution system
 - Distribution systemLists and Schematic(s) of all sample sites on one drawing
 - Coliform (and Disinfectant Residual)
 - Bacteriological sampling locations (BAC “T”)
 - NAP sites
 - Disinfection byproducts
 - THM and HAA
 - Lead / Copper locations
 - Asbestos - If any are identified in water distribution system (A/C pipe)
- 3.4 Update water distribution system map of where required water quality samples are collected
- 3.5 Provide a PWS Monitoring Plan for use by staff to ensure continued compliance with TCEQ

Schedule:

Following authorization to proceed, HAC's estimated time for completion and submittal of the NAP is a minimum of 120 days. This time line is dependent upon remittance of necessary report information from client and necessary official written response from TCEQ.

Compensation:

Total task costs for this scope of service will not exceed \$19,060.00 without prior written approval from the Town of Westlake. These costs include labor, travel, and other direct costs associated with this assignment.

General Terms and Conditions:

Hardin & Associates Consulting’s services shall be governed by the Master Agreement dated _____ together with this Task Order and any Exhibits attached hereto.

HARDIN & ASSOCIATES CONSULTING,
LLC
Signature _____

Printed Byron R. Hardin, CPM

Title President

Date _____

TOWN OF WESTLAKE, TEXAS

Signature _____

Printed _____

Title _____

Date _____

RATE SCHEDULE
CLIENT NITRIFICATION ACTION PLAN DEVELOPMENT
HARDIN & ASSOCIATES CONSULTING, LLC

COMPENSATION

Project Team Member	Labor Rate
Senior Engineer	\$150.00
Senior Project Manager	\$135.00
Senior Water Quality Analyst	\$125.00
Administrative	\$45.00

FEE TABLE
CLIENT NITRIFICATION ACTION PLAN DEVELOPMENT
HARDIN & ASSOCIATES CONSULTING, LLC

Items	Sub Items	Client NAP Development	Admin \$45 per hour	SR. Water Quality Analyst \$125 per hour	SR. PM \$135 per hour	SR. Engineer \$150 per hour	Cost
1		PWS Monitoring Plan Review to include NAP water quality sample site map					\$2,160
	1.1	Meet with Town staff to identify water distribution nitrification monitoring sites			16		\$2,160
2		Develop required documents for required water quality parameter samples and schedules					\$2,250
	2.1	Identify and develop the required reporting documents for required TCEQ NAP			8		\$1,080
	2.2	Develop routine NAP sampling schedule for inclusion in TCEQ Required Monitoring Plan	2		8		\$1,170
3		Provide a final PWS Monitoring Plan that includes TCEQ required NAP					14,650
	3.1	Develop draft NAP section for client review to include as part of client's Monitoring Plan	16	2	8	2	\$2,350
	3.2	Prepare final NAP section to include as part of client's PWS Monitoring Plan	8		6		\$1,170
	3.3	Develop TCEQ Required PWS Monitoring Plan			32	8	\$5,520
	3.4	Update water distribution system map of where required water samples are collected			6	16	\$3,210
	3.5	Provide a completed PWS Monitoring Plan for use by the water utilities staff to ensure continued compliance with TCEQ	24	6	2	2	\$2,400
		Total					\$19,060.00



**HARDIN &
ASSOCIATES
CONSULTING, LLC**

HARDIN & ASSOCIATES CONSULTING, LLC

And

Client (Town of Westlake)

Task Order Authorization

Task Order No. 2

Conducting TCEQ Required Customer Service Inspections

&

Cross-Connection Control Ordinance Development

HAC Project Description TCEQ Cross-Connection Control Program Development

Client Name Town of Westlake

Client Address 1301 Solana Boulevard, Building 4, Suite 4202
Westlake, Texas 76262

Effective Date
of Authorization _____

Upon execution of this Task Order, and effective as of the date shown above, the parties agree that Hardin & Associates Consulting, LLC (HAC) shall perform the following services:

SCOPE OF SERVICES

General:

The purpose of this scope of services is for the Town of Westlake to allow Hardin & Associates Consulting, LLC (HAC) to develop the required TCEQ Cross-Connection Control Program.

The objectives to be achieved with Task 2 are as follows:

1. Provide Customer Service Inspections (CSI) TCEQ Compliance Inspections;
2. Identify additional backflow/cross-connection devices for annual inspection;
3. Provide copies of HAC's Cross-Connection Control Compliance Inspections (4C's) that detail inspection findings and recommendations for compliance; and
4. Review existing Cross-Connection Control ordinance and revise where appropriate to include newly established requirements for amendment by Town Council.

Texas has promulgated regulations that mandate that all public water suppliers have a program to require backflow prevention devices be installed to protect against contamination of public water supplies. Effective January 1, 1996, the Texas Commission on Environmental Quality (TCEQ) required that all public water systems comply with Texas Administrative Code, Title 30, Chapter 290, which states as follows:

§290.44 Water Distribution. *(h). (1). No water connection from any public drinking water supply system shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. Under these conditions, additional protection shall be required at the meter in the form of a backflow prevention device ...on those establishments handling substances deleterious or hazardous to the public health. The water purveyor need not require backflow protection at the water service entrance if an adequate cross-connection control program is in effect that includes an **annual inspection and testing** by a certified backflow prevention device tester. **It will be the responsibility of the water purveyor to ensure that these requirements are met.** (Emphasis added)*

§290.46(i) Plumbing ordinance. *Public water systems must adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted (See §290.47(b) of this title (relating to Appendices)). Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 8.0% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.*

§290.46(j) Customer service inspections. *A customer service inspection certificate shall be completed prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities. Any customer service inspection certificate form which varies from the format found in §290.47(d) of this title must be approved by the executive director prior to being placed in use.*

The TCEQ began full enforcement of these regulations and evaluates public water systems for compliance through its annual public water system inspection program. All systems found **without a program or with an inadequate program** may risk potential enforcement action in the form of fines each day from the TCEQ until an approved program is in place.

Purpose:

Client desires to conducting TCEQ required Customer Service Inspections and Cross-Connection Control Ordinance development to ensure continued compliance with TCEQ rules and regulations for public water systems.

Execution:

HAC will provide professional services by assisting the client with the development of a TCEQ required Cross-Connection Control program. The following items will guide Hardin & Associates Consulting through the development of this project:

Actions:

Item 1 – Project Management

HAC Project Manager and will be responsible for the following:

- 1.1 Lead the project efforts;
- 1.2 Review and monitor inspections results;
- 1.3 Serve as the key contact between the Town of Westlake and HAC; and
- 1.4 Ensure that the project is completed in accordance with the Scope of Work and schedule.

Item 2 – Administrative

Hardin & Associates Consulting will provide administrative duties and functions associated with this project.

- 2.1 Provide Town staff with inspection reports (CSI and / or 4C's); and
- 2.2 Produce a “draft” revised Town of Westlake Cross-Connection Control ordinance with recommended language to ensure continued compliance with TCEQ regulations.

Item 3 – Conduct TCEQ Compliance Inspections and Re-inspections to ensure customer compliance.

HAC will conduct TCEQ compliance inspections and re-inspections. Compliance inspections will include both CSI and 4C's on new and existing facilities for the purpose of validating newly discovered backflow prevention devices to be entered into the Town's backflow data management system.

- 3.1 Conduct TCEQ compliance inspections (CSI and 4C's) on new and existing facilities; and
- 3.2 Conduct TCEQ compliance re-inspections as needed.

Item 4 – Review Existing Cross-Connection Control Ordinance for TCEQ Compliance

The Compliance Review is critical to ensure that the Town of Westlake Backflow Prevention and Cross-Connection Control internal administrative policies and procedures are followed by Town staff, and its contractors, to avoid enforcement action from TCEQ. HAC with the assistance of Town staff will review the existing Town of Westlake Cross-Connection Control ordinance and will prepare a revised “draft” with recommended language to ensure continued compliance with TCEQ regulations. HAC will include the following in the draft ordinance:

- 4.1 Relevant TCEQ and TSBPE rules and regulations necessary for compliance;
- 4.2 Review of Town’s inspection guidelines and procedures;
- 4.3 Review current plumbing code for cross-connection requirements;
- 4.4 Develop forms and Standard Operating Procedures for program (as needed);
- 4.5 Development of a fees section designed to capture program costs;
- 4.6 New enforcement and penalties section for noncompliance;
- 4.7 Add language for requiring annual cross-connection compliance inspections;
- 4.8 Annual testing requirements for required backflow prevention assemblies; and
- 4.9 Registration process for privatized testing of backflow prevention assemblies.

Item 5 – Benchmark and Identify Estimated Annual Revenues Involved with Backflow Program

HAC will project the annual revenues that could be generated from the program activities.

- 5.1 HAC will benchmark the Town’s backflow program against similar sized communities’ programs to determine recommended user fees to offset program costs.

Schedule:

Following authorization to proceed, HAC’s estimated time for completion and submittal of the Review Existing Cross-Connection Control Ordinance is a minimum of 120 days. This time line is dependent upon remittance of necessary report information from client and necessary official written response from TCEQ. Conducting the TCEQ required CSI’s will be ongoing as required and directed by client’s staff.

Compensation:

Total task costs for this scope of service will not exceed \$25,000.00 without prior written approval from the Town of Westlake. These costs include labor, travel, and other direct costs associated with this assignment.

General Terms and Conditions:

Hardin & Associates Consulting's services shall be governed by the Master Agreement dated _____ together with this Task Order and any Exhibits attached hereto.

HARDIN & ASSOCIATES CONSULTING,
LLC
Signature _____

Printed Byron R. Hardin, CPM

Title President

Date _____

TOWN OF WESTLAKE, TEXAS

Signature _____

Printed _____

Title _____

Date _____

RATE SCHEDULE
TCEQ CROSS-CONNECTION CONTROL PROGRAM DEVELOPMENT
HARDIN & ASSOCIATES CONSULTING, LLC

COMPENSATION

Project Team Member	Labor Rate
Senior Project Manager	\$150.00
Senior Water Quality Inspector	\$125.00
Administrative	\$45.00

FEE TABLE
TCEQ CROSS-CONNECTION CONTROL PROGRAM DEVELOPMENT
HARDIN & ASSOCIATES CONSULTING, LLC

Items	Sub Items	Client Cross-Connection Control Program Development	Admin \$45 per hour	SR. Water Quality Inspector \$125 per hour	SR. PM \$150 per hour	Cost
1		Project Management			4	\$600
2		Administrative	20			\$900
3		Conduct TCEQ Compliance Inspections and Re-inspections		60		\$7,500
4		Review existing Cross-Connection Ordinance for TCEQ Compliance	16		32	\$5,520
5		Benchmark Other communities to Identify Estimated Annual Revenues Involved with Inspection Program	16		2	\$1,020
		Total				\$15,540.00

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Hardin and Associates Consulting LLC
Irving, TX United States

Certificate Number:
2016-14366

Date Filed:
02/17/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
Town of Westlake

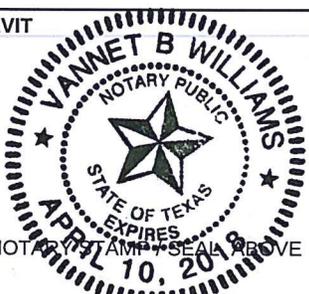
Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.
2016-01
consulting services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



[Handwritten Signature]

Signature of authorized agent of contracting business entity

AFFIX NOTARY SEAL ABOVE

Sworn to and subscribed before me, by the said Byron R. Hardin, this the 17th day of February, 2016, to certify which, witness my hand and seal of office.

Vannet B Williams Vannet B. Williams Public Notary
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

Town Council

Item # 5 – Executive Session

EXECUTIVE SESSION

- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 767
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx

- e. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). BRE Solana, LLC
- f. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- g. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

Town Council

Item # 6 – Reconvene
Council Meeting

Town Council

Item # 7 – Necessary Action

NECESSARY ACTION

- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 767
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
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- development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). BRE Solana, LLC
- f. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
 - g. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites



TYPE OF ACTION

Regular Meeting - Action Item

Monday, February 22, 2016

TOPIC: Continuation of a Public Hearing and Consider an Ordinance Approving an Amendment of Ordinance 691, Amending the Development Regulations Applicable to the PD 1 Zoning District, Planning Area 1 (PD 1-1), providing for a 500 foot setback in the area adjacent to a residential subdivision in PD1-3 (Granada).

STAFF CONTACT: Eddie Edwards, Director of Planning and Development

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Planned / Responsible Development	Citizen, Student & Stakeholder	Natural Oasis - Preserve & Maintain a Perfect Blend of the Community's Natural Beauty	Preserve Desirability & Quality of Life
<u>Strategic Initiative</u>			
Tree Preservation / Reforestation			

Time Line - Start Date: January 4, 2016 **Completion Date:** February 22, 2016

Funding Amount: 00.00 **Status -** N/A **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

On January 7, 2013, Ordinance 691 created three Planning Areas within the PD 1 Zoning District: PD 1-1 (Solana), PD 1-2 (Entrada), and PD 1-3 (Granada). The ordinance was passed with a section stating that the building setback from any residentially zoned area shall be 500 feet for the areas described in exhibits “A-1” and “A-2” (Entrada and Granada). However, the section was intended to require the 500 foot setback from all residentially zoned areas **except** for the areas described in “A-1” and “A-2.”

The intent was to preserve the 500 foot building setback, originally established by Ordinance 202, for the areas of PD 1-1 adjacent to residential neighborhoods including the Glenwyck Farms

and Terra Bella subdivisions, but excluding the Entrada and Grenada developments. Our rationale was that Entrada, being a mixed-use development, does not need a setback separating commercial uses from residential uses, and Granada would receive adequate separation via the 60 foot open space between the lots and the PD 1-1 area, combined with the setback resulting from the “Residential Slope” regulation that requires commercial buildings to be set back five-feet from residential property for every one-foot in building height, as measured from the ground height of the residential property. For example, an 80 foot tall building would require a 400 foot setback (80X5=400) plus the 60 foot open space. Higher ground at the commercial building site results in either a shorter building or greater setback, while low ground allows for taller buildings or lesser setbacks.

Town staff has been working with PD1-1 owner representatives on an amendment to Ordinance 691 for many months to address issues related to multiple ownerships within the Planning Area, and has always taken the position that the aforementioned section would be corrected with the next amendment. What was not anticipated by Town staff was that so much time would pass before their amendment would be applied for. Now lots in Granada have been sold with the purchasers believing that the 500 foot building setback applies to their properties. Depending on building height, there may not be any difference in the setbacks, but concern over the unknown is only natural. Therefore, the proposed amendment to Ordinance 691 will restore the 500 foot building setback for all areas of PD 1-1 adjacent to residential property, except for PD 1-2 (Entrada).

Town staff is taking this opportunity to propose amendments to several sections of the ordinance that we feel should be modified (see attached staff report). The proposed amendments will not only correct the previous typographical error but will also clarify the Town’s position on several sections within the ordinance. This will provide more predictability to the current and future owners of all affected properties.

Please note that this Town initiated amendment is limited to specific development regulations that the Town wishes to clarify and does not change the Permitted Uses or allowed density within PD 1-1.

Town Council Action at the January 25, 2016 meeting:

At their January 25, 2016 meeting, the Town Council voted to approve the portion of the zoning amendment ordinance that would re-establish the 500 foot yard (i.e. setback) requirement along the southern boundary of the PD 1-1 area adjacent to and north of the Glenwyck Farms and Terra Bella Subdivisions. Council decided to continue to their February 22, 2016 meeting, the Public Hearing on the portion of the proposed zoning amendment ordinance that would retain the 500 foot yard (i.e setback) requirement in PD1-1 along the PD1-1 eastern boundary adjacent to Granada (PD 1-3) and remove said 500 foot yard requirement (i.e. setback) from the PD1-1 northern boundary adjacent to Entrada (PD 1-2).

RECOMMENDATION

At their January 4, 2016 meeting the Planning and Zoning Commission recommended this amendment as proposed, including the restoration of the 500 ft. setback.

Staff recommends retaining the 500 foot yard requirement for the portion of PD 1-1 adjacent to Granada, PD 1-3, and removing the 500 foot yard requirement for the portion of PD 1-1 adjacent to Entrada, PD 1-2.

ATTACHMENTS

1. Staff Report
2. Letter of Protest regarding Amendment of Ordinance 691
3. Ordinance



TOWN OF WESTLAKE, TX

STAFF REPORT REGARDING AMENDMENT TO ORDINANCE 691, RELATING TO THE DEVELOPMENT REGULATIONS OF THE PD 1-1 PLANNING AREA.

Date: 12-22-2015

Request: Review and approval of an ordinance amending Ordinance 691, regulating the PD 1-1 Planning Area.

Agenda Item: Conduct a public hearing and consider an ordinance amending Ordinance 691, the ordinance that amended the PD1 Planned Development Zoning District, creating and regulating the PD 1-1 Planning Area.

CASE INFORMATION

Development Name: Solana.

Location: The property is generally located south of Highway 114, extending from Davis Blvd. eastward to the town border, bounded by the Granada subdivision to the west, and the Glenwyck Farms and Terra Bella subdivisions to the south. **The PD 1 Zoning District (PD 1) is comprised of three sub-areas called Planning Areas, including PD 1-1 (Solana), PD 1-2 (Entrada Mixed-Use Development), and PD 1-3 (Granada Mixed-Use Development).**

Summary: This Town initiated amendment is limited to specific development regulations that the Town wishes to clarify and *does not change the Permitted Uses or allowed density within the development*. This amendment will include language to restore a previously existing 500 foot building setback from certain residential properties located adjacent to the PD1-1 Planning Area. In addition, the application of density regulations to specific Planning Areas is clarified. This amendment provides predictability for all affected stakeholders and further aligns existing ordinances with the recently adopted comprehensive plan.

Owner: The Planning Area includes multiple properties and owners.
Applicant: This is a Town initiated amendment.
Developer: N/A
Site Size: 251.757 acres

I. Chronology of the PD 1 Zoning District and the PD 1-1 Planning Area

November 1992- Ordinance 202 created PD 1, and included a 500 foot **building** setback from residential property. Note that a building setback is **not** an open space or landscape buffer; vertical structures are not permitted within this type of setback, but a parking lot would be permitted.

March 2008 – Ord 588 amended PD 1 to adjust the PD1 boundary when land was acquired for the right-of-way needed for the realignment and widening of FM 1938 (Davis Blvd), and to address other PD Site Plan issues. The amendment also added an exhibit “A” to the 500 foot setback language.

January 2013 – Ord 691 amended PD 1 to create three Planning Areas: PD1-1 (Solana), PD 1-2 (Entrada), and PD 1-3 (Granada). Exhibit “A” from Ord 588 was determined to have not appropriately described the property north of Glenwyck Farms, which was the target area of the 500 foot building setback, and the ordinance was reworded to require a 500 foot building setback from any residential properties except for properties in Planning Areas PD 1-2 (Entrada) and PD 1-3 (Granada). This language was intended to exclude the areas described in exhibits A-1 and A-2, (PD1-2 and PD 1-3 respectively) from the 500 foot building setback. However, the word “except” was unintentionally deleted from the final ordinance text, as highlighted below:

Intended text of Part II, Section 4 of Ordinance 691:

Section 4. Dimensional standards and requirements. The following dimensional standards and requirements shall apply:

A. The minimum required lot area shall be five (5) acres, with the exception of Lot 1R2 of Block 2 of Westlake/Southlake Park Addition No. 1. which shall measure 1.722 acres (before right of way dedication).

Exception: Property containing existing buildings may be re-platted into lots of less than five acres

B. The maximum percent of PD1 to be occupied by (i) principal use buildings shall be ten percent (10%) of the land area (as defined below), excluding court yards, atria, etc. not enclosed within the buildings. Parking garages shall not be included in the calculation of density or site coverage. For these purposes PD1 shall be deemed to have 436.077 acres of land area which is its original acreage before donations for roadways except for right of way within PD1 donated for SH114. Planning Area 1 shall be deemed to be 251.757 acres. Planning Area 2 shall be deemed to be 92.08 acres. Planning Area 3 shall be deemed to be 92.24 acres.

C. The minimum size of any front, side or rear yard for principal and accessory use buildings, with the exception of Lot 1R2 of Block 2 of Westlake /Southlake Park Addition No.1. shall be:

1. One hundred (100) feet from any public road, street or highway, except for the building located immediately adjacent to the intersection of Sam School Road and Solana Boulevard, for which building the setback shall be eighty (80) feet;

2. The minimum setback from State Highway 114 shall be two hundred (200) feet;

*3. Five hundred (500) feet from any residentially zoned area **except** for the areas described in exhibits "A -1" and "A -2";*

4. In accordance with Section 102- 124(b)(2)(b) of the Zoning Ordinance contained in the Code of Ordinances for the property described in Exhibits "A -1" and "A -2 "; or

5. Otherwise setbacks shall be one hundred (100) feet for side yards. Setbacks shall be one hundred (100) feet for rear yards.

Exception: Property containing existing buildings may be re- platted into lots with less than 100 feet of setbacks.

Q2 2015 to Q1 of 2016 – The omission of the word “except” was planned for correction along with other clarifications/corrections as they were identified or submitted.

The new owners of PD1-1 desire to create multiple Planning Areas within the current PD 1-1 Planning Area. There are multiple land owners within this area but some PD regulations pertain to a ratio of the entire Zoning District or Planning Area. This could allow one property owner to develop a greater percentage of his land, than would be allowed if calculated independently, and this would force the other property owners to compensate by developing less area.

II. Proposed amendments to Ordinance 691, highlighted, and their effect on future development within the PD 1 Zoning District and the PD 1-1 Planning Area:

A. Text to be inserted in the Caption, Preamble, and Part II of Ordinance 691:

1. Text to be inserted in the Ordinance Caption (highlighted):

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING ORDINANCE 691, BY AMENDING THE DEVELOPMENT REGULATIONS FOR THE PLANNED DEVELOPMENT DISTRICT NO. 1, **PLANNING AREA 1 (“PD1-1”)**; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENAL CLAUSE; AND MAKING AN EFFECTIVE DATE.

2. Text to be inserted in the Preamble (highlighted):

WHEREAS, Ordinance No. 200, as amended, the Comprehensive Zoning Ordinance for the Town of Westlake, was amended by ordinance 691, and

WHEREAS, there were found to be provisions that needed clarification in the amending ordinance 691; and

WHEREAS, Planning Area 2 (PD 1-2) is now regulated by Ordinance 703; and

WHEREAS, Planning Area 3 (PD 1-3) is now regulated by Ordinance 693; and

3. Text to be inserted in Part II of the body of the proposed Ordinance (highlighted):

Section 1. Planning Areas. The PD1 Zoning District is hereby divided into three distinct planning areas. These planning areas are to be referred to as Planning Area 1 (PD1-1), Planning Area 2 (PD1-2), and Planning Area 3 (PD1-3). The planning areas are described in Exhibits “PD1-1”, “PD1-2”, and “PD1-3”.

Section 2. Planning Area 2 (PD1-2) shall be regulated by ordinance 703, as amended.

Section 3. Planning Area 3 (PD1-3) shall be regulated by ordinance 693, as amended.

Section 4. Planning Area 1 (PD1-1) shall be regulated by the following sections of this ordinance and the Town of Westlake Code of Ordinances.

Note that Part II, Sections 2, 3, and 4 in the existing Ordinance become Sections 5, 6, and 7 in the proposed Ordinance.

Effect of changes:

The inserted text limits the regulations specified in Ordinance 691 to the PD 1-1 Planning Area only, clarifying that the 10% limit for land area coverage by Principal Use Buildings contained in Section 4B of existing Ordinance 691 applies only to the PD 1-1 Planning Area. PD 1-2 (Entrada) and PD 1-3 (Granada) both received differing regulations when they were effectively rezoned by separate ordinances.

B. Amendments to Part II, Section 7A (Section 4A in existing Ordinance 691):

Section 7. Dimensional standards and requirements. The following dimensional standards and requirements shall apply:

- A. The minimum required lot area shall be five (5) acres, with the exception of Lot 1R2 of Block 2 of Westlake/Southlake Park Addition No. 1, which shall measure 1.722 Acres (before right-of-way dedication).

Exception: Property containing existing buildings may be re-platted into lots of less than five acres if approved as part of a PD Site Plan approval.

Effect of changes:

1. Clarifying that the minimum required lot area is five acres.
2. The intent of the exception, which was added with the passage of Ordinance 691, was to allow the property owner the ability to re-plat property containing an existing building that could not comply with the minimum lot size requirements due to the proximity of other buildings on the property. This would allow for a fee simple real estate transaction as opposed to forcing a condominium or other type transaction. Staff has subsequently determined that the selling of portions of a property, that is part of a property that was developed with an approved PD Site Plan, may need closer scrutiny and possible approval by the approving boards or commissions prior to breaking up the property. For example: Cross access easements, shared parking agreements, percentage of coverage by Principal Use Buildings, open space or parkland dedication and trail requirements, etc..

C. Amendments to Part II, Section 7C (Section 4C in existing Ordinance 691):

A. The minimum size of any front, side or rear yard for principal and accessory use buildings, with the exception of Lot 1R2 of Block 2 of Westlake/Southlake Park Addition No. 1, shall be:

1. One hundred (100) feet from any public road, street or highway, except for the building located immediately adjacent to the intersection of Sam School Road and Solana Boulevard, (southeast corner) for which building the setback shall be eighty (80) feet;

2. Two hundred (200) feet from ~~The minimum setback from~~ State Highway 114. ~~shall be two hundred (200) feet;~~

3. Five hundred (500) feet from any adjacent residentially zoned lot area ~~for the area described in exhibit "A-1" and "A-2" except for residential lots located in PD 1-2, which is a mixed-use development;~~ or

4. ~~In accordance with the Section 102-124(b)(2)(b) of the Zoning Ordinance contained in the Code of Ordinances for the property described in Exhibit "A-1" and "A-2"; or~~

4. Otherwise setbacks shall be one hundred (100) feet for side yards and rear yards. ~~Setbacks shall be one hundred (100) feet for rear yards.~~

Effect of changes:

- a. Paragraph 1. Clarifying that the exception is intended to apply only to the existing building located on the southeast corner and not to any other property adjacent to the intersection.
- b. Paragraph 3. Clarifying that a 500 foot setback is required from adjacent residential lots other than those lots within the PD 1-2 (Westlake Entrada development) Planning Area.
- c. Paragraph 4. Deleted. The referenced Code of Ordinance Section applies to all commercial districts located near a residential lot. This is referring to the "Residential Slope or 5:1 building setback to building height ratio." Citing code sections within an ordinance is not considered a good practice since there are no controls to assure that if the code section being referred to gets renumbered or relocated within the code, that the ordinances referencing the code section will also get amended.
- d. Paragraph 4. (new #4, previous #5) The intent of the exception, which was added with the passage of Ordinance 691, was to allow the property owner the ability to re-plat property containing an existing building that could not comply with the minimum

set back requirements due to the proximity of other buildings on the property. This would allow for a fee simple real estate transaction as opposed to forcing a condominium or other type transaction. Staff has subsequently determined that the selling of portions of a property, that is part of a property that was developed with an approved PD Site Plan, may need closer scrutiny and possible approval by the approving boards or commissions prior to breaking up the property. For example: Building wall fire rating requirements based on proximity to property lines, cross access easements, shared parking agreements, percentage of coverage by Principal Use Buildings, open space or parkland dedication and trail requirements, etc..

D. Other changes are included to remove unnecessary references to the PD 1 Zoning District or Planning Areas PD 1-2 and PD 1-3.

III. What is not changing:

A. Permitted Uses:

The Permitted Uses for this property are not being changed but are listed below for informational purposes:

Principal Uses Permitted. No building, structure or premises shall be used other than for the following purposes, together with the ancillary and accessory uses specified in Section 3:

- A. Office buildings for business and professional use, including, but not limited to, administrative, executive, engineering, accounting, scientific research and development, educational, marketing, information processing, computers, statistical and financial purposes, provided such use shall not involve any machinery or process which pollutes the environment, including without limitation those which emit dust, smoke, odor, fumes, noise, vibrations or the like;
- B. Educational facilities and temporary accommodations for employees, customers and visitors to such educational facilities;
- C. Hotel and conferencing facilities;
- D. Retail uses including but not limited to, medical and dental clinics, cafeterias, restaurants, travel agencies, banks and other financial institutions, hair salons, jewelry stores, child care centers, dry cleaners, and other uses permitted under the retail category of the Comprehensive Zoning Ordinance of 1992, as amended;
- E. Institutional and Governmental Uses; and
- F. Sports and health club.

B. Permitted Uses within the 500 foot building setback:

No changes are proposed with this amending ordinance. Part II, Section 4C of the original text states that “The minimum size of any front, side or rear yard for principal and accessory use buildings...” Staff has interpreted this to apply to principal and accessory use buildings only. A parking lot is not considered a building. However, parking lots do have numerous regulations relative to screening and landscaping that greatly influence where they are placed.

IV. Alignment with the Comprehensive Plan

Reinstalling the 500 foot building setback moves the Town closer to the intent of the recently adopted Comprehensive Plan, which shows the area covered by the 500’ setback as open space (shown on page 167 of the Comprehensive Plan). Note that the property owner has the option to satisfy much of the open space requirements for PD 1-1 by dedicating the acreage within the building setback as open space, but has chosen not to exercise this option.

V. Other mechanisms that separate residential from commercial uses

A. PD Site Plans

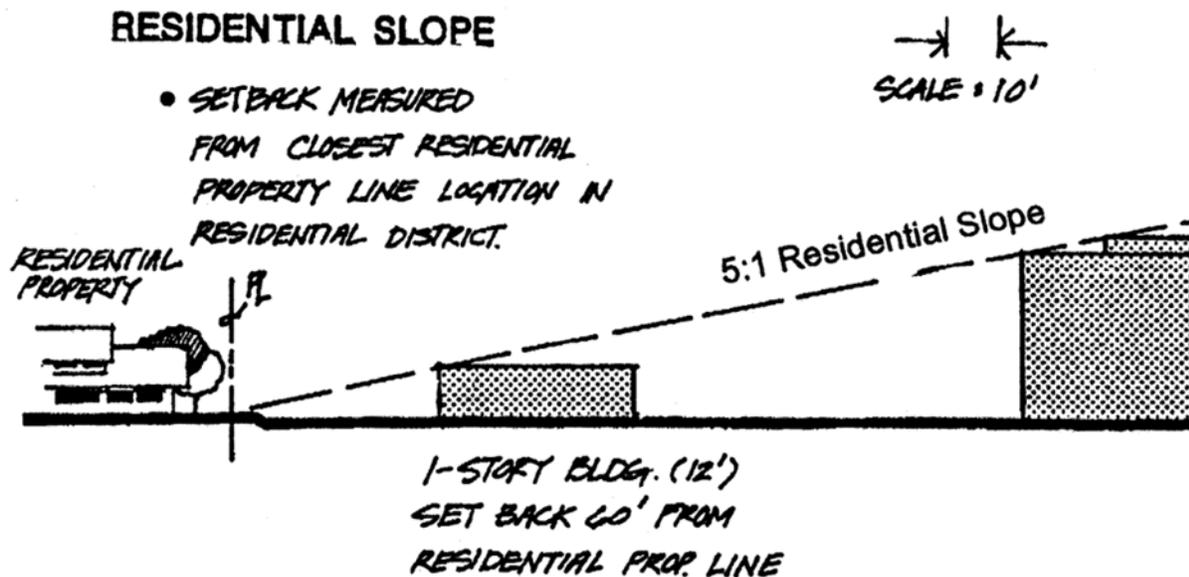
Section 5 of Ordinance 691, which will not be changed by this proposed ordinance, requires that a PD Site Plan be approved by the Town Council as part of any new, additional, or substantially changed development in any of the PD 1 sub-areas, including the areas of PD 1-1 adjacent to the Granada and Glenwyck Farms subdivisions.

A PD Site Plan is a valuable tool that helps the Town manage and influence the development process. Prepared by an engineer, architect, and/or landscape architect, the Site Plan provides a detailed overview of how a particular project will develop, including building elevations and layout, parking, landscaping, open space, architecture, and signage. PD Site Plans amend the zoning of Planned Development Districts or PD sub-areas, and must therefore comport with required concept and/or development plans, applicable development standards (building heights, setbacks, floor-area ratios, etc.) and the recently adopted comprehensive plan. In this case, the link between the PD Site Plan and the Comprehensive Plan is crucial. Any PD Site Plan depicting commercial development in PD 1-1 adjacent to residential property would not be in conformance with the Comprehensive Plan (which depicts those areas as open space), and could therefore be denied by the Town Council and/or the Planning and Zoning Commission.

B. Slope requirements

Section 102-124(b) of Westlake’s Code of Ordinances includes a residential slope regulation that requires commercial buildings to be set back five feet from residential

property for every one foot in building height, as measured from the ground height of the residential property. For example, an 80 foot tall building adjacent to the Granada subdivision would require a 400 foot setback ($80 \times 5 = 400$) in addition to the 60 foot open space area between Granada lots and PD 1-1. If a commercial building is situated on higher ground relative to adjacent residential lots, a shorter building or greater setback is required, while a commercial building situated on lower ground relative to adjacent residential lots allows for a taller building or lesser setback. The intent of this regulation is to provide adequate separation of uses and prevent a scenario where a commercial development towers over a residential area.



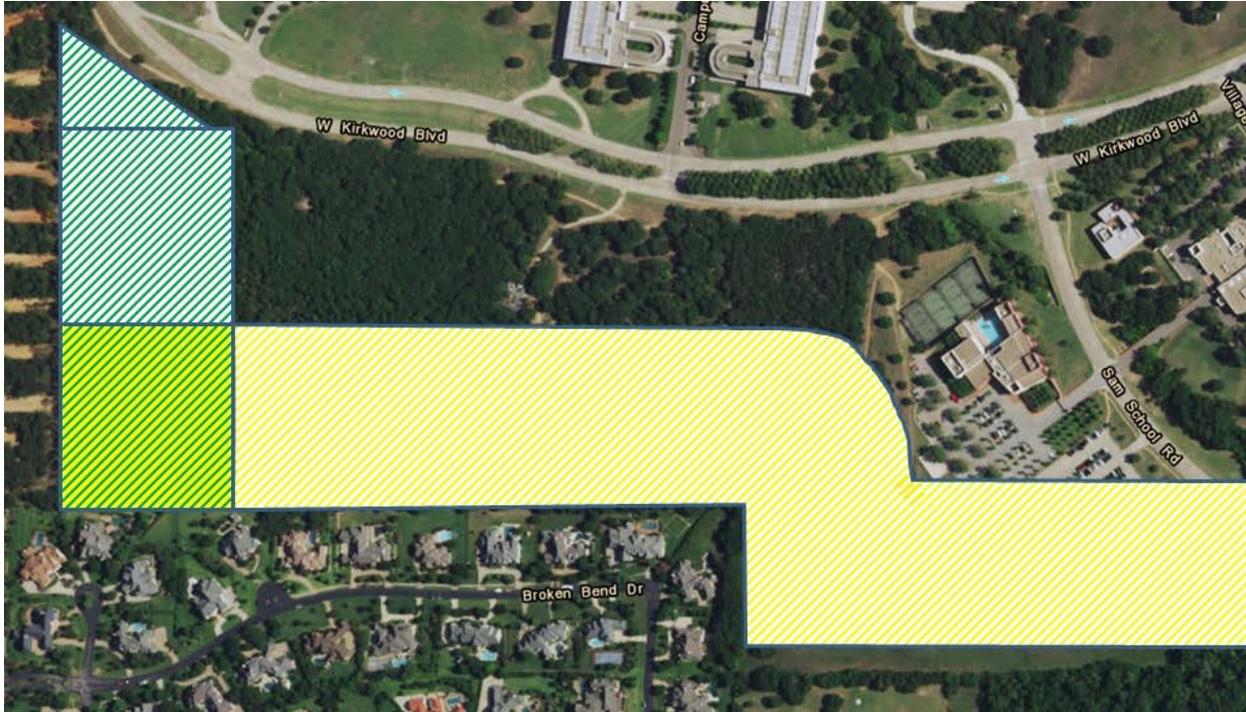
- **ASSUMES LEVEL GROUND PLANE. IF GROUND PLANE DROPS AWAY FROM PROPERTY LINE, THE BUILDING MAY BE TALLER.**

C. Tree Mitigation Requirements

Chapter 98 of the Code of Ordinances provides for the protection and mitigation of protected tree species that may be threatened by various types of development. The substantial cost associated with tree replacement or mitigation, especially where old-growth trees are present, discourages property owners from developing forested sections of their land in favor of areas with relatively less tree cover. For example, the area of PD 1-1 that is within the 500 foot building setback reestablished by the proposed ordinance is heavily forested, and any development would inevitably result in high tree mitigation costs.

VI. Site Map Showing 500 ft. Setback from Residential Lots:

Green – Granada / Yellow – Glenwyck



January 14, 2016

Town of Westlake – Town Council
1301 Solana Blvd, Building 4, Suite 4202
Westlake, TX 76262

Re: Z-12-15-15 Zoning Change, amending Ordinance 691

Dear Councilmembers:

As owners of the property affected by this proposed Zoning Change, we strongly object to the amendment proposed under Z-12-15-15.

Solana Purchase Based on Existing Zoning

As noted in our written and verbal comments at the January 4th Planning and Zoning meeting, BRE Solana LLC acquired this property in August 2014 with Ordinance 691 in place to govern the area known as PD 1-1. There are different setback provisions in Ordinance 691 consisting of generally 100 feet from most areas and 200 feet from State Highway 114 (Section 4. C. 1, 2, 5). Section 4. C. 3. states the setback is 500 feet from any residentially zoned areas for the area described in exhibit “A-1” and exhibit “A-2”. Exhibit A-1 is the land on which Entrada is being developed and exhibit A-2 is the land on which Granada is being developed. BRE Solana LLC does not own any land referenced in these exhibits. *This zoning had been in place for 19 months prior to our acquisition.* Furthermore, no mention of a zoning error occurred until nearly a year after the acquisition of the land.

Proposed Language Inconsistent with Messaging

In the Executive Summary prepared by staff and presented to the Planning and Zoning Commission on January 4, 2016, the language states:

*The intent was to preserve the 500 foot building setback, originally established by Ordinance 202, for the areas of PD-1 adjacent to residential neighborhoods including the Glenwyck Farms, Terra Bella, and Carlyle subdivisions, **but excluding the Entrada and Granada developments.***

Furthermore, in the audio presentation staff reiterated that the original intent was to exclude both Entrada and Granada. During public comments, both staff and residents insisted on “fixing a typographical error.” However, the proposed language under Z-12-15-15 is inconsistent with simply correcting an error as it fundamentally imposes a new setback from Granada that was never intended from the beginning, was never present in the Ordinances prior to Ordinance No. 691, and was included in Ordinance 691 only by virtue of the mistake of leaving out the word “except”, as the staff’s own report states. Thus, if the Town of Westlake is truly

interested in simply correcting a potential error, it should do so with the original intent of Ordinance 691 in mind and remove the setback from Granada on PD-1.

Financial Compensation for Loss of Value

To the extent that the Town of Westlake moves forward with this amendment, which we are strongly opposed to, the imposition of a 500 foot setback from Glenwyck Farms (and Granada to the extent that language is mistakenly kept in place) would impose significant financial hardship on this parcel of land. If this amendment passes the Town of Westlake needs to compensate BRE Solana LLC for the negative impact these setbacks will have on our development potential. We have spoken with the Town Manager about this topic over the last 30 days but have yet to reach an acceptable agreement. We believe there are numerous ways to achieve this such that it would not impose a financial burden on the Town of Westlake.

Furthermore, we wish to address the comments from a few neighbors that were made at the January 4th Planning and Zoning meeting regarding loss in home values. Several statements were made suggesting that if the 500 foot setback were not “re-instated” that it would cause a loss in home value. These statements are, at best, very speculative and hypothetical.

To explain, the existence or non-existence of a setback does not impact any of the homes in Westlake by itself. Rather, if and only if, the landscaping that exists on the BRE Solana LLC land and is visible from the adjacent residential homes was replaced by something significantly less desirable would there be a potential loss in home value (and such perceived loss would be extremely subjective). In reality, the substantial slope near the Glenwyck Farms property line combined with the extensive tree mitigation costs required to replace the trees with something less desirable implies an extremely low probability that the current landscaping near the residential homes will materially change. Thus, any perceived loss in home value is subjective, hypothetical, and highly unlikely to materialize.

However, to the extent that a 500 foot setback that does not exist today is imposed upon our land, the negative financial impact would be significant and immediate as it would fundamentally limit the flexibility to develop the land and unnecessarily constrain any potential site plans for development, including any site plans that could creatively replace or otherwise mitigate loss of landscape. Given that our investment was based on the zoning in place at the time of purchase, the constraints that would be created by this amendment are simply unacceptable without just compensation.

Conclusion

Our primary mission has been to focus on the redevelopment and repositioning of the Solana Business Park; there are no short-term plans to develop the land.

However, the land was a key component of the Solana purchase and we feel compelled to defend our rights to protect our land value.

Furthermore, we have worked with both the Town of Westlake and our neighbors in good faith to find a mutually acceptable solution to all parties. We do not wish to damage the strong relationship we've built with the Town of Westlake nor do we wish for either party to spend unnecessary time or money in a prolonged legal battle over property rights. Therefore, we ask the Town Council to please reject this amendment, which requires a super majority vote under Texas law due to our protest, so that all parties may continue working in good faith to find a better solution that is fair and justified.

Regards,

A handwritten signature in black ink, appearing to be 'BD' with a long horizontal stroke extending to the right.

Brian Driesse
Representative of BRE Solana LLC

Cc: Payton Mayes

ORDINANCE NO. 774

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING ORDINANCE 691, BY AMENDING THE DEVELOPMENT REGULATIONS FOR THE PLANNED DEVELOPMENT DISTRICT NO. 1, PLANNING AREA 1 (“PD1-1”); SECTION 4 C 4, PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND MAKING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law Town; and

WHEREAS, Ordinance No. 200, as amended, the Comprehensive Zoning Ordinance for the Town of Westlake, was amended by ordinance 691, and

WHEREAS, Planning Area 2 (PD 1-2) is now regulated by Ordinance 703; and

WHEREAS, Planning Area 3 (PD 1-3) is now regulated by Ordinance 693; and

WHEREAS, all legal requirements of state statutes and Town ordinances of the Town of Westlake, as well as all legal requirements and legal notices and prerequisites having been complied with; and

WHEREAS, the Town Council of the Town of Westlake, Texas, at a public hearing called at a regular session of the Town Council did consider the following factors in making a determination as to whether the requested change should be granted or denied: congestion in the streets, including safety of the motoring public and the pedestrians using the facilities in the area; to secure safety from fire, panic or other dangers; the promotion of health and the general welfare, to provide for adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of the population, facilitating the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

WHEREAS, upon the recommendation of the Planning & Zoning Commission, the Town Council of the Town of Westlake, Texas is of the opinion that it is in the best interest of the town and its citizens that the amendments should be approved and adopted.

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

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

SECTION 2: That Ordinance 691 section 4 C 4 is hereby amended to read as follows:

4. Five hundred feet (500') setback from any residential lot located within PD 1-3 (Granada); or

SECTION 3: That all section of Ordinance 691 not amended remain in full force and effect.

SECTION 4: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 5: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) or Five Hundred (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 7: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 22nd DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



Westlake Planning and Zoning Commission



TYPE OF ACTION

Regular Meeting - Action Item

Monday, February 15, 2016

TOPIC: Conduct a Public Hearing and Consideration of an Ordinance Approving a Zoning Change Request to Amend “Planning Area 5,” a Portion of Planned Development District 3 (PD 3-5), Located along State Highway 170 and State Highway 114, by Dividing Said Planning Area into Two (2) New Planning Areas to be Known as PD 3-5A and PD 3-5B and Establishing Development Regulations, Permitted Uses, and Allowable Densities for Both Planning Areas. Additionally, 336,000 square feet of allowed density will be transferred from PD 3-3 to the PD 3-5 Planning area.

STAFF CONTACT: Eddie Edwards, Director of Planning and Development

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Mission: Westlake is a unique community blending preservation of our natural environment and viewsapes, while serving our residents and businesses with superior municipal and academic services that are accessible, efficient, cost-effective, & transparent.	Citizen, Student & Stakeholder	High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards.	Preserve Desirability & Quality of Life
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 15, 2016 **Completion Date:** February 22, 2016

Funding Amount: 00.00 **Status -** **Not Funded** **Source -** N/A

EXECUTIVE SUMMARY

This is an application by the property owner, Hillwood Properties, to amend the zoning of the Planning Area 5 portion of Planned Development District 3 (PD3-5), a 153 acre (+/-) tract located at the intersection of SH170 and SH114 on the Circle T Ranch. The owner and applicant are requesting that PD 3-5 be amended as follows:

1. Divide the PD 3-5 Planning Area to create two (2) separate Planning Areas, to be identified as PD 3-5A and PD 3-5B. Existing allowable building square footages to be divided between the two areas.
2. Increase maximum allowable building square footages for both proposed Planning Areas while reducing the maximum allowable building square footage in PD 3-3 by an equal amount. **The proposed amendment does not change the aggregate maximum allowable building square footage in Planned Development District 3 (The Circle T Ranch).**
3. Amend the maximum allowable building heights for the PD 3-5A and PD 3-5B Planning Areas
4. Amend the Development Standards for the PD 3-5A and PD 3-5B Planning Areas

The property owner has filed this request as part of Project Blizzard, which involves the construction of a major corporate office campus for the Charles Schwab financial services firm on the proposed PD 3-5B tract, as well as a mixed used development including office, retail, hotel, and residential components on the proposed PD 3-5A tract (see attached location map). Staff recommends that, if approved, this zoning request be implemented by three separate ordinances.

The ordinance creating PD 3-5A would:

1. Establish the boundaries of the new Planning Area
2. Establish new limits on allowable square footage for permitted uses
3. Establish new limitations on building heights
4. Amend existing Mixed-Use development regulations/standards

The ordinance creating PD 3-5B would:

1. Establish the boundaries of the new Planning Area
2. Establish allowable square footage for permitted uses
3. Eliminate all residential uses and mixed-use development standards
4. Specify maximum allowable building heights
5. Authorize signage regulations specific to the PD 3-5B Planning Area

Note that permitted uses in the proposed 3-5B Planning Area are identical to existing permitted uses in PD 3-5, with the exception that residential uses and mixed-use development standards are eliminated from 3-5B and restricted to 3-5A.

The ordinance modifying PD 3-3 would:

1. Reduce the maximum allowable building square footage by an amount equal to the increase in maximum allowable building square footage in PD 3-5A and PD 3-5B.

Note that existing zoning entitlements contained in PD 3-5 include office and various retail/commercial uses, as well as 275 residential dwelling units (i.e. single family attached, detached, and zero lot lines, examples- townhomes, garden homes; see below). **This zoning amendment request does not change or modify existing residential entitlements, except to the extent that residential uses and mixed-use development standards are restricted to the PD 3-5A Planning Area.**

ORGANIZATIONAL HISTORY

Ordinance 307, approved on September 14, 1998 established Zoning District 3, otherwise known as Planned Development 3 (PD 3). Ordinance 311, also approved on September 14, 1998, established the PD 3-5 sub-area (also referred to as Planning Area 3-5). PD 3-5 was approximately 200 acres and originally zoned for Mall, Entertainment Retail, Entertainment Office, Office, and Retail Uses.

Ordinance 452, approved March 22, 2004, adjusted the boundaries of PD 3-5 from 200 acres to 153.3 acres and established the current Permitted Uses and Development Regulations. **Existing entitlements** are summarized below:

Category	Minimum Lot Size [SF]	Minimum Building Size (SF)	Density	Building Area (SF)
Office	100,000	5,000	The maximum aggregate floor area for <u>commercial and institutional uses outside of a Mixed Use Development Area</u> in this PD District is 884,505 square feet.	884,505
Mixed-Use	N/A	5,000	The maximum aggregate floor area for all uses <u>within</u> a Mixed use Development Area in this PD District is 1,305,060.	1,305,060
SFR Attached/Detached (within the Mixed Use Area)	5,000 min. for detached; no min. for attached	1,500	275 Unit Limit	N/A

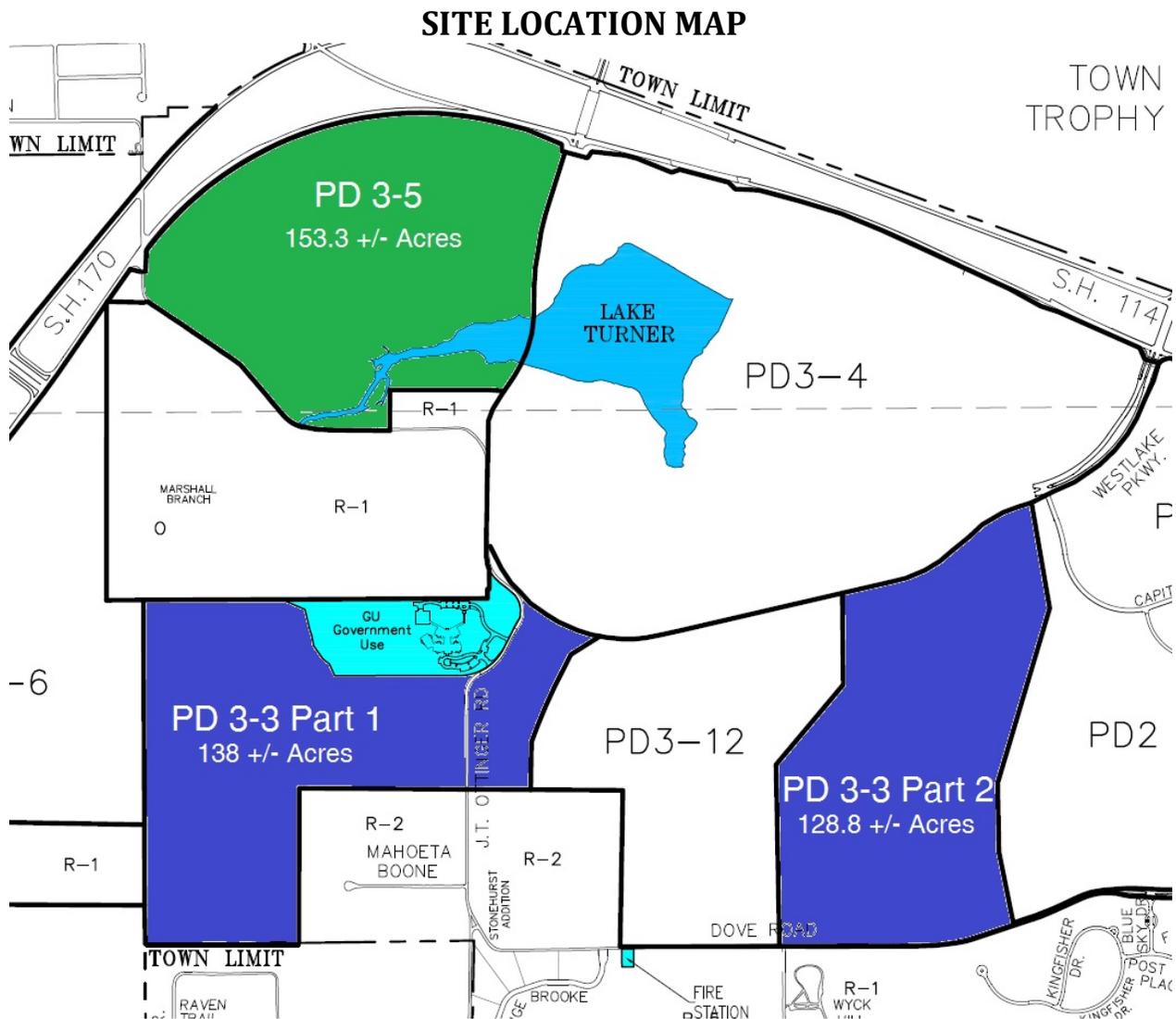
Note that the Mixed-Use designation in Ordinance 452 includes retail, hotel, restaurant, office, and other uses that one might expect in a mixed-use development. Further detail regarding existing entitlements is shown in attached Ordinance 452.

RECOMMENDATION

Staff recommends approval of this zoning change application as detailed in the attached Staff Report.

ATTACHMENTS

1. Site Location Map
2. Staff Report
3. Ordinance 452, which established current zoning entitlements and development regulations for the PD 3-5 Planning Area
4. Presentation given by Hillwood Properties representative at the February 15 Planning and Zoning Commission meeting
5. Proposed Ordinance 768, which decreases allowable building square footage in the PD 3-3 Planning Area by 336,000 square feet
6. Proposed Ordinance 769, which creates and regulates the PD 3-5A Planning Area
7. Proposed Ordinance 770, which creates and regulates the PD 3-5B Planning Area





TOWN OF WESTLAKE, TX

STAFF REPORT TO PLANNING AND ZONING COMMISSION AND TOWN COUNCIL

Date: 2/19/16

Request: Review and Recommendation of a Zoning Change Request.

Agenda Item: Conduct a Public Hearing and Consider a Recommendation Regarding a Zoning Change Request to Amend "Planning Area 5," a Portion of Planned Development District 3 (PD 3-5), Located along State Highway 170 and State Highway 114, by Dividing Said Planning Area into Two (2) New Planning Areas to be Known as PD 3-5A and PD 3-5B and Establishing Development Regulations, Permitted Uses, and Allowable Densities for Both Planning Areas. Additionally, 336,000 square feet of allowed density will be transferred from PD 3-3 to the PD 3-5 Planning area.

I. CASE INFORMATION

Development Name: Project Blizzard

Location: This property is generally located at the intersection of State Highway 170 and State Highway 114, part of the Circle T Ranch in the PD3-5 Zoning District.

Owner: Hillwood Properties

Applicant: Joe Schneider, Vice President, Hillwood Properties

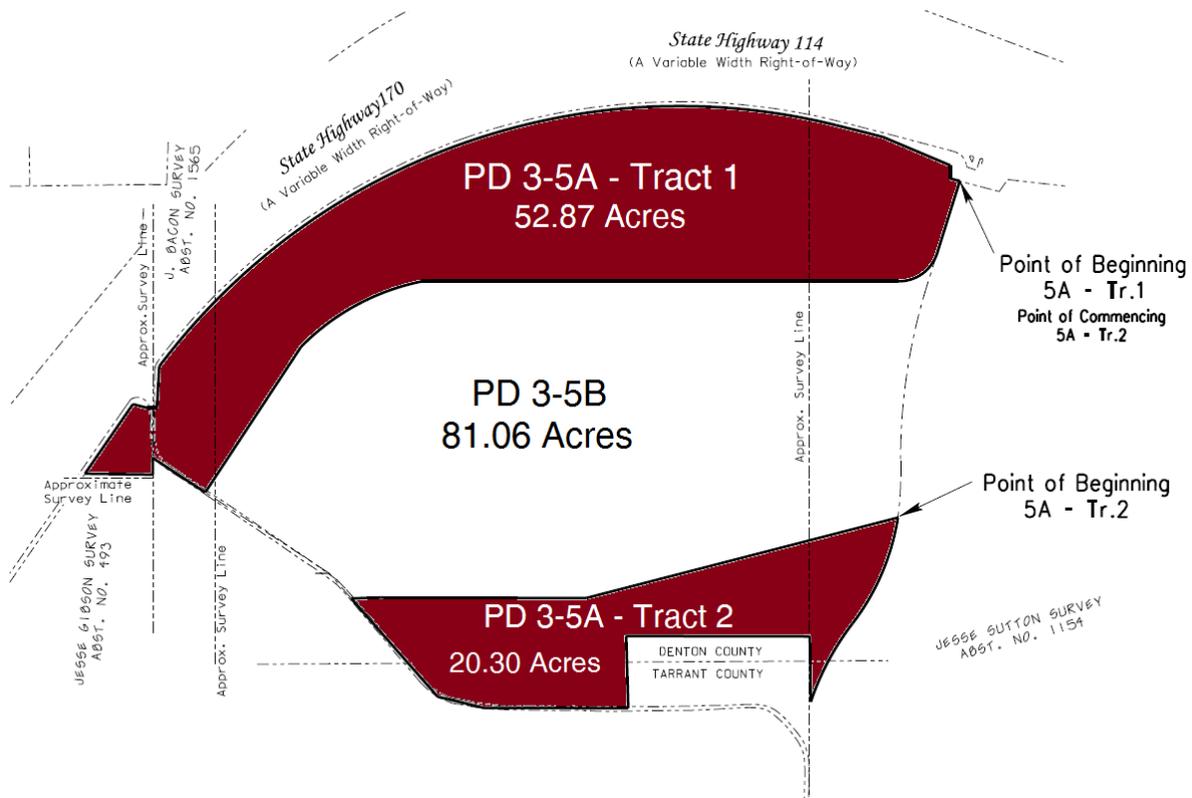
Developer: Hillwood Properties

Site Size: 153 (+/-) acres

Permitted Use(s): Existing uses include Mixed-Use, Office, and certain Single Family Residential Uses. See Ordinance 452 (attached) for a complete listing.

Summary: This is an application by the property owner, Hillwood Properties, to amend the zoning of the Planning Area 5 portion of Planned Development District 3 (PD3-5), a 153 acre (+/-) tract located at the intersection of SH170 and SH114 on the Circle T Ranch. The owner and applicant are requesting that PD 3-5 be amended as follows:

1. Divide the PD 3-5 Planning Area to create two (2) separate Planning Areas, to be identified as PD 3-5A and PD 3-5B as shown on the map below. Existing allowable building square footages to be divided between the two areas. It should be noted that PD3-5A has two (2) parts with the southern portion being creek/drainage areas near Lake Turner (currently undevelopable without extensive fill and FEMA/Corps of Engrs. Regulation).



2. Increase maximum allowable building square footages for both proposed Planning Areas while reducing the maximum allowable building square footage in PD 3-3 by an equal amount. **The proposed amendment does not change the aggregate maximum allowable building square footage on the Circle T as a whole (PD3).**
3. Amend the maximum allowable building heights for the PD 3-5A and PD 3-5B Planning Areas
4. Amend the Development Standards for the PD 3-5A and PD 3-5B Planning Areas.
5. No new uses are requested in this application, only the changes to the existing uses cited above. The apartment use discussed in November with the Commission is not included in this Zoning Change Request.

The property owner has filed this particular Zoning Change Request as part of Project Blizzard, which involves the construction of a major corporate office campus for the Charles Schwab financial services firm on the proposed PD 3-5B tract, as well as a mixed-use development including office, retail, hotel, and residential components on the proposed PD 3-5A tract (see attached location map).

Previous Activity Related to this Request: The applicant made a presentation on this proposed development at the Commission’s November 9, 2015 meeting and advised that this development would include a significant corporate office campus for a major financial services company. In addition, the applicant’s client believed there was a need to have a “live/work/play” type environment near their office campus. To that end, the client had requested that a mixed use development be co-located immediately north of their office campus complex that included 750 “urban living” (i.e. multi-family or apartments) units.

The Applicant next filed a zoning change request, without requesting the urban living use, which would have been a new use as PD3-5 does **not** have multi-family as a permitted use. The case was scheduled for public hearing before the Commission and Town Council in December 2016. However,

this zoning change application, while containing many of the same components as cited above in terms of existing uses, was withdrawn by the applicant before it was heard by either body.

II. SPECIFICS OF THIS ZONING CHANGE REQUEST

The current permitted uses in PD3-5 (established in Ord. 452, 2004) are:

- **Mixed Use**
 - Includes retail, hotel, restaurant, office, and residential (275 Single Family Residential, Attached & Detached)
 - Maximum aggregate floor area of 1,305,060sf (All Uses within Mixed Use Area)
 - Mixed Use is defined by high lot coverage, minimal setbacks, pedestrian friendliness, and a variety of uses in close proximity to one-another
- **Office/Commercial/Government/Institutional**
 - Maximum aggregate floor area of 884,505sf (Outside of Mixed Use Area)
- **Residential**
 - Limited to 275 Single Family Residential (SFR) dwelling units
 - Permitted Attached (i.e. townhomes) or Detached

Overall, the owner and applicant are requesting that PD 3-5 be amended as follows:

1. Divide the PD 3-5 Planning Area to create two (2) separate Planning Areas, to be identified as PD 3-5A and PD 3-5B. Existing allowable building square footages to be divided between these two areas.
2. Increase maximum allowable building square footages for both proposed Planning Areas 3-5A and PD3-5B while reducing the maximum allowable building square footage in PD 3-3 by an equal amount. **The proposed amendment does not change the aggregate maximum allowable building square footage in Planned Development District 3 (The Circle T Ranch).**
3. Amend the maximum allowable building heights for the PD 3-5A and PD 3-5B Planning Areas as follows:

EXISTING	
PD 3-5	
Mixed Use	Lesser of 4 stories or 60'
Office	Lesser of 4 stories or 60'
Residential	35'

PROPOSED	
PD 3-5A	
Mixed Use	Lesser of 6 stories or 90'
Non-Mixed Use	Lesser of 8 stories or 90'
Residential**	35'

PD 3-5B	
Office/Commercial	Lesser of 6 stories or 90'

*No building to exceed 735' MSL

**Applies to residential units outside of a mixed use area

4. Amend the Development Standards for the PD 3-5A and PD 3-5B Planning Areas

The property owner has filed this request as part of Project Blizzard, which involves the construction of a major corporate office campus for the Charles Schwab financial services firm on the proposed PD 3-5B tract, as well as a mixed used development including office, retail, hotel, and residential components on the proposed PD 3-5A tract (see attached location map). It should be noted that Roadway & Residential Slope Requirements would not apply to proposed PD3-5A or PD 3-5B because the developer desires to create a pedestrian friendly environment incorporating mixed use into the design idea.

Staff recommends that, if approved, this zoning request would be implemented by three (3) separate proposed ordinances as follows:

Ordinance 768 modifying PD 3-3 would:

1. Reduce the maximum allowable building square footage in PD-3 by an amount equal to the increase in maximum allowable building square footage in PD 3-5A and PD 3-5B. This makes PD3-3 the “sending district” in terms of square footage being sent from this district to the new PD3-5A.

Ordinance 769 creating PD 3-5A would:

1. Establish the boundaries of the new Planning Area
2. Establish new limits on allowable square footage for permitted uses
3. Establish new limitations on building heights
4. Amend existing Mixed-Use development regulations/standards

Ordinance 770 creating PD 3-5B would:

1. Establish the boundaries of the new Planning Area
2. Establish allowable square footage for permitted uses
3. Eliminate all residential uses and mixed-use development standards
4. Specify maximum allowable building heights
5. Authorize signage regulations specific to the PD 3-5B Planning Area

Note that permitted uses in this proposed Planning Area PD3-5B are identical to existing permitted uses in PD 3-5, with the exception of Number #3 (residential and mixed use) listed above.

A summary of the square footage transfer that would be affected by the approval of these three (3) proposed ordinances is as follows:

EXISTING			
	PD 3-5	PD 3-3	TOTAL
Mixed Use	1,305,060	N/A	1,305,060
Non-Residential*	884,505	1,700,000	2,584,505
TOTAL	2,189,565	1,700,000	3,889,565
Residential	275 units	N/A	275 units

PROPOSED				
	PD 3-5A	PD 3-5B	PD 3-3	TOTAL
Mixed Use	350,000	N/A	N/A	350,000
Non-Residential*	1,010,000	1,160,000	1,364,000	3,534,000
TOTAL	1,360,000	1,160,000	1,364,000	3,884,000
Residential	275 units	N/A	N/A	275 units

Note that existing zoning entitlements contained in PD 3-5 include office and various retail/commercial uses, as well as 275 residential dwelling units (i.e. single family attached, detached, and zero lot lines, examples- townhomes, garden homes; see below). **This zoning amendment request does not add new uses or change or modify existing residential entitlements, except to the extent that residential uses and mixed-use development standards are restricted only to the PD 3-5A Planning Area, i.e. residential uses and mixed-use development standards would not be permitted uses in PD3-5B (which is the proposed office campus area for Schwab).**

III. GENERAL DISCUSSION OF THE APPLICATION

Highlights of Alignment With Comprehensive Plan: The proposed uses are consistent with the Town’s Comprehensive Plan. A discussion of some of the main areas of Comprehensive Plan focus follows, after which is a more detailed analysis of compliance with the Comprehensive Plan.

- **Land Use and Development Square Footage:** The additional square footage transferred from PD 3-3 to PD 3-5 is generally consistent with the intent and recommendations of the Comprehensive Plan Elements regarding not increasing overall entitlements in Westlake, but allowing, where it is concert with the Comprehensive Plan. for entitlements to be transferred from one planning area or district to another, i.e. from sending to receiving zones. It is recommended and encouraged that future further transfers of non-residential square footage be taken from PD3-3.
- **View Sheds & Corridors:** The building height additions requested are generally consistent with the intent and recommendations of the Comprehensive Plan elements, i.e. view shade and view shed zones. The location of the development is north of areas of the Town characterized by hilly topography, i.e. residential views of this site from the south of this development will be blocked by hills located just south of the Blizzard development.
- **Transportation:** Site fits with the Thoroughfare Element of the Comprehensive Plan. Road infrastructure within the site would be the construction responsibility of the developer. At the time of submission of a PD site plan a transportation impact study will be required whereby the development’s on-site and off-site traffic impact will be determined. Off-site traffic impacts will be assessed in accordance with Comprehensive Plan Policy B.2 which states defines traffic loads that would require off-site street improvements attributable to a particular development.
- **Utilities:** Water and sewer utilities are provided by the Town and service is available to the subject site. Any dedication of water and sewer easements for public lines will be dealt with at the time of site plan and/or preliminary plat submission.

- **Site Design/Drainage:** A PD site plan will be required at the time of proposed development along with a preliminary plat which will establish storm drainage requirements for the site. The building massing plan that the applicant has prepared to date (it is not final, but shows preliminary placement of buildings and parking, utilizes the site's natural beauty with its adjacency to Lake Turner.
- **Trails/ Pedestrian Circulation and Open Space:** Comportment with these elements of the Comprehensive Plan will be made at the time of PD Site Plan submission, including parkland dedication requirements.
- **Economic Development Element:** Proposed development fits the Economic Development Element of the Comprehensive Plan by developing "industry clusters", in this case financial services business addition to this existing industry cluster, to expand Westlake's tax base.

Note: More detailed analysis of this Zoning Change Request with the Town's Comprehensive Plan is in Attachment A to this Staff Report.

IV. STAFF RECOMMENDATIONS

Staff recommends that the Planning & Zoning Commission forward the following Ordinances to the Town Council with a recommendation for approval:

- **Ordinance 768** modifying PD 3-3 as the "sending district" transferring certain office/commercial square footage to PD 3-5A and B as outlined in this proposed ordinance.
- **Ordinance 769 creating PD 3-5A from PD3-5** with proposed development standards and accommodating the increased development square footage for certain existing uses coming from PD3-3 as outlined in the proposed ordinance.
- **Ordinance 770 creating PD 3-5B from PD 3-5** with proposed development standards and accommodating the increased development square footage for certain existing uses as outlined in the proposed ordinance.

Attachment A to Feb. 19, 2016 Project Blizzard Staff Report

(Note: the following evaluation is not made from a PD Concept or Site Plan, which will be submitted at a latter point in the process. Rather, this analysis is made from the presentation made by Hillwood to the P&Z on Nov. 9, 2015)

I. STAFF REVIEW COMMENTS RELATIVE TO COMPLIANCE WITH THE RECOMMENDATIONS AND INTENT OF THE COMPREHENSIVE PLAN

1. General:

- a. General intent of Citizen Goals and Priority Statements as documented in the Comprehensive Plan:** The Forging Westlake 2015 Comprehensive Plan identifies 19 goals, supported by priority statements which flow from those goals. The goals include:
- i. Views, Visual Image, and Preservation seek preservation of present vistas of naturalness, pastoral/ agricultural character/ sense of openness.
 - ii. Quality of Life, Seeks preservation of “slow paced Life style”
 - iii. Urban Form, Development Form seeks to create a holistic town form, town center, town linkages, protection of residential areas from commercial encroachment, and greater levels of amenity.
 - iv. Accessibility, Vehicular Circulation/ Traffic, and Alternate Modal Movement seeks connectivity, functionality, and capacity in the trail and roadway network as well as containing major traffic increases in the northerly portions of the Town. In addition, reduce vehicular trips and promote pedestrian safety.
 - v. Land Use seeks to clearly separate residential and commercial areas in ways that reinforce single family values and neighborhoods.
 - vi. Value/ Financial Sustainability seeks to increase the ad valorem base and thereby continue to serve the Town’s financial needs.
 - vii. Academy Sustainability and Education seeks to meet the future educational needs of the Town population and make Westlake a major educational center.
 - viii. Waterways/ Waterbodies/ Natural Systems seeks to create more and more usable water amenities for the Town of Westlake.
 - ix. Infrastructure/ Public Facilities have infrastructure and emergency facilities to assure the continued health and safety of the Town’s full-time and day-time population.
 - x. Environmental Sustainability and Conservation seeks to promote water conservation and environmental preservation.
 - xi. Parks/ Recreation seeks to establish distinctive recreational and park opportunities.

These goals guide the formulation of the Comprehensive plan elements listed below. The proposed Blizzard Development is consistent with many of these goals as follows:

- b. Application compliance with Citizen Goals and Priority Statements as documented in the Comprehensive Plan:**

COMPREHENSIVE PLAN GOALS	Plan Design as submitted	Land Use as submitted	Transfer of Square Footage as submitted	COMMENTS
Views	YES	NA	YES	Density placed in a receiving area and transferred from a sending area
Visual Image	YES	NA	YES	Reduction of density toward Dove Road through importation and establishment of distinct project identity.
Quality of Life	NO	NA	YES	Reduction of commercial development in close proximity to single family residential
Preservation	YES	NA	YES	Density placed in a receiving area and transferred from a sending area; Turner Lake maintained/ enhanced
Urban Form	YES	YES	YES	Gathers commercial entitlement to the north
Development Form	YES	NA	NA	Could makes edge of Lake Turner available to Public Use
Accessibility	YES	NA	NA	Provides place of Regional Trail Convergence
Vehicular Circulation/ Traffic	YES/NO	NA	NA	Use of Ottinger as southerly access links commercial traffic directly to Dove Road in later phases this could mean more cars. Elimination of high trip volume Mall use may reduce trips, overall. A TIA should be performed to confirm this statement.
Alternate Modal Movement	YES	YES	YES	Mixed use reduces trips. Trail connections present.
Land Use	NA	YES/NO	YES	Does not encourage home-ownership within the development but does protect existing single-family areas through transfer of commercial square footage.

Value/Financial Sustainability	YES	YES	YES	Captures full value potential in development intensity
Academic Sustainability	NA	YES	NA	Enrollment impacts on Westlake Academy do result from SFR development as per previous Town studies.
Education	NA	NA	NA	
Water Ways/ Water Bodies/ Natural Systems	YES	YES	YES	Turner Lake Edge could be developed for pedestrian use
Infrastructure and Public facilities	NO	NA	NA	No provision of public emergency facilities or over sizing of public utilities.
Environmental Sustainability and Conservation	NO	NO	NO	No inherent water conservation measures presented
Parks and Recreation	YES	NA	NA	Major public gathering space presented

2. The Thoroughfare Plan:

- a. General Intent of the Thoroughfare Plan:** The Thoroughfare Plan establishes a coherent traffic system which anticipates the trip generation potential of Town build-out to 70% of entitlement. In addition, the Thoroughfare Plan:
- i.** Establishes a north-south/ east-west street network system with capacity to accommodate 70% buildout of entitlement.
 - ii.** Mitigates limitations to Freeway/ Interchange capacity due to regional traffic flows
 - iii.** Improves Town connectivity between live, work, shop, entertainment, and amenity.
 - iv.** Establishes a framework for growth that more evenly distributes commercial value and protects residential values
 - v.** Accommodates pedestrian and bicycle movement
 - vi.** Diverts a substantial portion of the commercially generated traffic from residential segments of Dove Road
 - vii.** Identifies Design Focus and Special Consideration points within the proposed system.
 - viii.** Establishes a Town-wide Street Typology

b. Application compliance with the Thoroughfare Plan:

THOROUGHFARE PLAN	Street and Pathways Layout	Land Use Relationships	Street Design	COMMENTS
North-south/ east-west street network	YES	NA	YES	Provides Regional Arterial as illustrated on the Thoroughfare Plan and sets up extension westward as per the Thoroughfare Plan. Shifts Ottinger connection as indicated by thoroughfare plan to east side of Lake Turner to be addressed at a future date
Mitigate limitations to Freeway Interchange capacity	NO	NA	NO	Mitigation of Freeway limitations is dependent on off-site thoroughfare connections. Later phases may encounter LOS impacts without such connections. Initial phases should work with streets shown but a TIA is needed. Presentation does not show SH114 ramp from the north as it connects to the existing service road...ingress/ egress study needed to understand regional and local traffic flow along service road as it relates to development.
Town Connectivity	YES	YES	YES	Sets up connection with Presentation identified off site street extensions, provides trail connections to major amenity features and commercial/ work elements, and integrated live work related land uses.
Framework for growth	YES	NA	NA	Transfer the major places of development value away from the freeway service road to internal streets, thereby setting up pattern for continuation of such non-freeway fronting development. Development capture is not tied to freeway but

				moves into the Town fabric.
Pedestrian and bicycle movement	YES	YES	YES	Presentation appears to connect regional trails to work and entertainment destination as well as primary lake front amenity.
Divert from Dove	POTENTIAL	YES	NA	Requires off-site system connections to prevent traffic from using Ottinger to Dove as the non-service road route. Mixed Use reduces trips which relieves traffic on Dove.
Resolves points of Design Focus/ Special Consideration	NO	NA	NA	The issue of Design Focus #1 (as identified on the Thoroughfare Plan) is not affected by the thoroughfare proposed, thereby pushing resolution of this issue to the east side of Lake Turner.
Establish Town wide Street Typology	YES	NA	NO	Plan implements the Regional Road Connection to 114. The street ROW for the Regional Road needs to match Comp Plan (no scale or design provided at this point).

3. The Land Use Plan:

a. **General Intent of the Land Use Plan:** The intent of the Land Use Plan is to create a fabric of Community Types that:

- i. Protects and coincide with the 5 view conditions (Vista Points, Vista Termini, View Shade, View Shed, and View Corridors)
- ii. Establishes a desired built character of the community type that guides density re-distribution
- iii. Establishes a desired land use dominance of the community type
- iv. Aggregates value to support the Town's Ad valorem base requirements. Promote attainment of threshold entitlement buildout while still supporting the view protection goals.
- v. Facilitates and encourages re-distribution of development square footage through transfer and not upzoning.
- vi. Conceals vertical disruption, ground plane augmentation and form deviations associated with more intense development densities.
- vii. Minimizes displacement of important natural fabric.
- viii. Coincides with identified sending and receiving areas

b. **Application compliance with the Land Use Plan:**

LAND USE PLAN	Site Design as submitted	Land Use Relationships as submitted	Assumed Topographic	COMMENTS
Protects/ coincide with the associated view condition	YES	NA	YES	Lies in a View Shade Zone concealed by land promontory north of Westlake Academy...and RC-D district
Establish desired built character for the Community Type	YES	YES	NA	Lies in a Regional Commercial District, which is the most intense commercial district designation in the Land Use Plan. Includes structured parking, taller buildings, and active building-to-street relationships.
Establish desired land use dominance for the Community Type	NA	YES	NA	Commercial dominance. Commercial aggregation is “deemed a land use objective” when it promotes lowering density in a view sensitive zone. Commercial development is regionally associated, attracting trips related to its 114 association.
Aggregates value, promotes attainment of threshold ad valorem	YES	YES	NA	Corporate headquarters that will create substantial industrial cluster capable of stimulating vertical and horizontal expansion which will attract more aggregation of commercial use. Establishing commercial cluster creates value center for Town.
Facilitates, encourages redistribution through transfer	YES	YES	YES	Development flexibility accommodates the more intense development needs of a corporate center and encourages continued importation of development square footage from sending areas.
Conceals vertical	YES	NA	NA	Pedestrian street and

disruption, ground plane augmentation, and form deviations of intense development				significant central open space as well as lake edge development creates a meaningful ground plane which is supported by building placement.
Minimizes displacement of important natural fabric	YES	NA	YES	Located on lower ground below the more complex natural settings to the south. Contains an appropriate level of lake edge development that does not over develop the natural asset.
Coincides with identified sending and receiving areas	YES	NA	YES	Conforms to the RC-D area configuration.

4. The Economic Development Plan:

- a. General Intent of the Economic Development Plan:** The intent of the Economic Development Plan is to promote a robust economic environment for Westlake through:
- i. Supporting attainment of a sustainable and adequate Ad valorem base.
 - ii. Promoting and furthering attraction of, or providing for, Corporate Headquarters to Westlake.
 - iii. Promoting and/ or providing specialty retail
 - iv. Facilitating and enhancing ability for targeted recruitment
 - v. Facilitating and contributing to industrial cluster formation.
 - vi. Providing for infrastructure extension to desired areas of future development, facilitating circulation, and providing for information dissemination.
 - vii. Providing locational value for development in close proximity.
 - viii. Enhancing Town identity.
 - ix. Providing increased amenity.
 - x. Providing desirable associations.
 - xi. Enhancing education.
 - xii. Supporting a rational land use context.
 - xiii. Supporting corporate retention.
 - xiv. Supporting employee retention.
 - xv. Implementing opportunities for office-driven mixed use.

b. Application compliance with the Economic Development Plan

ECONOMIC DEVELOPMENT PLAN	Site Design as submitted	Land Use Relationships as submitted	Proposed End User as submitted	COMMENTS
Attainment of sustainable/ adequate Ad valorem base	YES	YES	YES	Aggregates high value use enhances locational value identity
Attracts or provides Corporate Headquarters	YES	YES	YES	Builds on and extends Westlake assets and provides locational identity for financial services industries.
Promotes/ provides Specialty Retail	NA	YES	NA	Urban shopping street and vertical mixed use with upper income occupants.
Facilitates Targeted Recruitment	YES	YES	YES	Provides critical mass to establish Westlake as a desirable community for financial services.
Facilitates/ contributes to industrial Cluster Formation	YES	YES	YES	Combined with Financial Services already in place, establishes a critical mass of financial services that will support vertical and horizontal expansion...thereby supporting growing cluster formation.
Provides infrastructure extension, facilitates circulation and information dissemination.	YES	NA	NA	Putting main line utilities that can continue to other sites with ROW extensions. This was discussed in presentation but not clear in submittal documents.
Provides value for locations in close proximity.	YES	YES	YES	Defines a value gradient emanating from the corporate headquarters center.
Enhances Town identity	YES	NA	YES	Conforms to the RC-D area configuration.
Provides increased amenity	YES	NA	NA	Provides natural and plaza open space features with trail connections indicated on conceptual site plan...should be labeled.
Provides desirable associations	NA	NA	YES	Major Financial Services Home/ Regional Office is an

				association sought my many components of the industrial cluster.
Enhances Education	NA	NA	NA	
Supports rational land use context	YES	YES	NA	The sequence from mixed use freeway edge to corporate office interior. Importation of square footage from PD 3-3 promotes density gradient from freeway to residential, south of Dove.
Supports corporate retention	YES	NA	YES	Strengthening Financial Services Industrial Cluster maintains Westlake's importance as a Financial Services location.
Supports employee retention	YES	YES	YES	Generous open spaces, lake edge development, and mixed use favors employee retention.
Implements area opportunities for office driven mixed use	YES	YES	YES	

5. The Housing Plan:

- a. **General Intent of the Housing Plan:** The intent of the Housing Plan is to protect and define high value submarkets for Westlake by:
 - i. Consolidating dispersed price points into definable sub-market zones.
 - ii. Supporting/ protecting current price point distinctions.
 - iii. Providing new housing choices for emerging empty nester, retiree, and young family/ young professional markets, unique to this area, seeking higher price point housing options.
 - iv. Providing housing choices for changing housing needs among Westlake's own population as they grow through life style changes.
 - v. Mitigating value encroachment from neighboring lower price point sub-markets and preserve value.
 - vi. Implementing housing market type gradients as portrayed in the Westlake Housing Plan map.
- b. **Application compliance with the Housing Plan:**

HOUSING PLAN	Site Design as submitted	Land Use Relationships as submitted	Housing Component as submitted	COMMENTS
Consolidate disperse price point housing types	NA	NA	NA	TBD
Supports/protects current price point distinction	NA	NA	NO	Current SFR zoning entitlement is for 275 attached or detached units. More analysis will be required at time of PD Site Plan submission.
Provide housing choices for emerging empty nester, retiree, and young family/young professional markets seeking higher price point options.	NA	NA	POSSIBLY	While Entrada is now underway, Westlake does not yet offer an upscale mixed use housing option. This issue needs to be more fully evaluated in light of the SFR entitlements existing in this zoning district.
Provide housing choices for changing housing needs among Westlake's own population as they grow through life style changes.	NA	NA	POSSIBLY	TBD depending how existing SFR zoning entitlements are implemented.
Mitigate value encroachment from neighboring lower price point sub-markets and preserve value	NA	NA	POSSIBLY	Combined with Financial Services already in place, establishes a critical mass of financial services that will support vertical and horizontal expansion...thereby supporting growing cluster formation. Continued higher income daytime residents can support home values in area.
Implements housing market type gradients as portrayed in the Housing Plan Map.	NA	NA	POSSIBLY	TBD depending how existing SFR zoning entitlements are implemented.

6. The Parks, Open Space, and Trails Plan:

- a. General Intent of the Parks, Open Space, and Trails Plan:** The intent of the Parks, Open Space, and Trails Plan is to protect natural resources, protect distinctive natural settings, and provide for recreational needs of a future population through development that:
- i. Preserves important natural features and systems.
 - ii. Provides sufficient recreational opportunities for future population.
 - iii. Protects Westlake’s Ecotone from over development.
 - iv. Preserves Landmark Landforms.
 - v. Protects Rural Ranch Landscapes.
 - vi. Provides Open Space Connections.
 - vii. Provides Recreational Open Space, Parks, and/ or Recreational Facilities.
 - viii. Connects Town and Regional Trails.
 - ix. Provide applicable park type recommended for general location of development.
 - x. Implement the Open Space Plan as configured on the Open Space Plan map with aggregated open space areas.
 - xi. Implements the Trail Plan as configured on the Open Space Plan map.
- b. Application compliance with the Parks, Open Space, and Trails Plan:**

PARKS, OPEN SPACE, AND TRAILS PLAN	Site Design as submitted	Landscape Design as submitted	Architectural Relationships to the Open Space as submitted?	COMMENTS
Preserve natural features/ systems	YES	YES	YES	Preserves lake Turner and develops its asset potential.
Contributes to provision of sufficient recreational opportunity for future populations	YES	NA	NA	Provides Ball Diamond, Soccer Field, and Tennis Courts. Also provides amphitheater.
Protects Westlake’s Ecotone from over development	NA	NA	NA	Not located in Ecotone Area.
Preserves Landmark Landforms.	NA	NA	NA	Landmark Landforms are not located in this area of Westlake.
Protects Rural Ranch Landscapes.	NA	NA	NA	Urbanized setting not rural. This development is not within Rural Ranch Landscape area as delineated in the Parks and Open Space Plan.
Provides Open Space Connections	YES	NA	NA	Provides Lake Turner Connection as shown on the

				Open Space Plan
Provides Recreational Open Space, Parks, and/or Recreational Facilities	YES	NA	NA	Provides Ball Diamond, Soccer Field, and Tennis Courts. Also shows amphitheater which is not a permitted use.
Connects Town and Regional trails	YES	NA	NA	Provides trail connection from east to west north of Turner Lake (not a recommended trail location in Trail Plan but not discouraged). Trail along regional street right-of-way should be considered as per the Trail Plan.
Provides applicable Park Type recommended for general location of development	YES	NA	NA	Provides Mini/ Urban park as indicated on the Open Space Plan.
Implement the contiguous open space configuration as shown on the Open Space plan map.	YES	NA	NA	Provides Lake Turner Connection as shown on the Open Space Plan.
Implement the Trail plan as configures on the Open Space Plan Map	YES	NA	NA	Provides trail connection from east to west. Trail along regional street right-of-way should be considered.

7. The Urban Design Structures Plan:

- a. **General Intent of the Urban Design Structures Plan:** The intent of the Urban Design Structures Plan is to consolidate a coherent image and comprehensible legibility for Westlake through development that:
- i. Implements the applicable Street Typology streetscapes as presented in the Urban Design Street Type map.
 - ii. Implements the applicable Intersection Typology as presented in the Urban Design Plan map.
 - iii. Implements the applicable Trail Typology as presented in the Urban Design Plan map.
 - iv. Implements the applicable Edge Typology as presented in the Urban Design Plan.
 - v. Provides applicable active or other open spaces as shown on the Urban Design Plan map.
 - vi. Implements recommended design standards for applicable design settings.
 - vii. Adheres to the recommended thematic plant list.
 - viii. Implements Town monument recommendations.
 - ix. Implements focal points and portals as identified in the Urban Design Plan.

- x. Adheres to thematic forms and material recommendations of the Urban Design Plan.

b. Application compliance with the Urban Design Structures Plan:

URBAN DESIGN STRUCTURES PLAN	Site Design as submitted	Landscape Design as submitted	Architectural Relationships as submitted	COMMENTS
Implement applicable Street Typology	YES	YES	NA	Plan shows a Regional Arterial as specified with organized landscape patterns as recommended...need specifics, including ROW dimensions and detailed design.
Implement applicable Intersection Typology	YES?	NA	NA	Intersection enhancement is shown but design is not sufficiently detailed to identify.
Implement applicable Trail Typology	UNSURE	NA	NA	Plan does not indicate recommended Regional Trail within Regional Road ROW
Implement applicable Edge Typology	YES	NA	NA	Plan shows Highway 114 edge setback and landscaping.
Provide applicable active or other open spaces	YES	NO	NO	Plan shows Major Plaza and central open space feature
Implement recommended design standards for applicable design setting	UNSURE	NA	NA	Not sufficient detail to determine
Adheres to the recommended thematic plant list	UNSURE	UNSURE	NA	Not sufficient detail to determine
Implements Town monument recommendations	UNSURE	NA	NA	Sample of freeway signs is shown but monument locations and elevations are not provided.
Implements focal points and portals as identified in the Urban Design Plan	NO	NA	NA	Portals and focal point monuments are not indicated or provided

8. The Storm Water Conservation Plan:

- a. General Intent of the Storm Water Conservation Plan:** The intent of the Storm Water Conservation Plan is to protect natural areas/ systems and promote conservation practices through development that:
- i. Implements applicable Storm Water Best Management Practices/
 - ii. Implements applicable Water Conservation Practices.
 - iii. Furthers implementation of Storm Water management or Water Conservation programmatic and policy initiatives.
- b. Application compliance with the Storm Water Conservation Plan:**

STORM WATER CONSERVATION PLAN	Site Design as submitted	Landscape Design as submitted	Architectural Relationships as submitted	COMMENTS
Implement applicable Storm Water Best Management Practices	UNSURE	UNSURE	UNSURE	Not sufficient information or detail
Implement applicable Water Conservation Practices	UNSURE	UNSURE	UNSURE	Not sufficient information or detail
Furthers implementation of Storm Water Management or Water Conservation programmatic and policy initiatives	UNSURE	UNSURE	UNSURE	Not sufficient information or detail

9. Facilities and Town Hall Plan:

- a. General Intent of the Town Hall Plan:** The intent of the Facilities and Town Hall Plan is to provide emergency and municipal services for the current and future 24 hr. and daytime population through development that:
- i. Supports/provides funding of improved services.
 - ii. Provide facilities or a facility site within the applicable service area.
 - iii. Provides a Town Hall site or facility.
- b. Application compliance with the Town Hall Plan:**

EMERGENCY FACILITIES AND TOWN HALL PLAN	Site Design as submitted	Landscape Design as submitted	Architectural Relationships as submitted	COMMENTS
Supports/ provides funding of improved services	UNSURE	UNSURE	UNSURE	Not sufficient information or detail
Provides facilities or a facility within the applicable service area	UNSURE	UNSURE	UNSURE	Not sufficient information or detail
Provides a Town hall site or facility	UNSURE	UNSURE	UNSURE	Not sufficient information or detail

II. STAFF REVIEW COMMENTS RELATIVE TO DEVELOPMENT AND DESIGN

1. General:

Moving density from within the town out to the highway frontage and creating pedestrian friendly environments, as proposed, are generally supported by the 2015 Comp Plan.

2. Utilities (including on and off-site extensions and easement dedications):

Utility information not provided.

3. Stormwater (including on and off-site facilities and easement dedications):

Storm water Management design not provided in application.

4. Setbacks/Building Lines:

Urban street is generally consistent with Town Square street sections of Ordinance 452

5. Parking/Fire Lanes:

More detail needed.

6. Solid Waste Collection Facilities:

Details not provided, concept only

7. Traffic Access Management/Internal Site Circulation and Connectivity to Adjacent Property Tracts (both owner's and non-owner's tracts):

TIA and traffic analysis needed

8. Site Design

A. **Materials, Building Design, Architecture, and Hard Screening**

Details not provided, concept only

B. **Landscaping and Landscape Screening**

Details not provided, concept only

C. **Signage**

Details not provided, concept only

D. **Lighting**

Details not provided, concept only

E. **Water Features/Public Art**

Details not provided, concept only

F. **Pedestrian Circulation (within the site)**

See Comp Plan comments above

G. **Pedestrian Access (around perimeter of and to the site)**

See Comp Plan comments above

H. **Trails/Open Space**

See Comp Plan comments above

III. FINAL STAFF COMMENTS RE: COMP PLAN AND THIS ZONING CHANGE REQUEST

Site Plan and supporting documents: Based on the above analysis of the application and supporting documents, the proposed project generally conforms to the intent and recommendations of the Comprehensive Plan Elements with a few exceptions as noted in the tables above.

Land Use and Development Square Footage: The additional office square footage (transferred from PD 3-3 to PD 3-5) is generally consistent with the intent and recommendations of the Comprehensive Plan Elements. It is recommended and encouraged that future transfer of office square footage be taken from PD3-3. High-quality design, construction, and attainment of various types of high-quality housing is recommended in order to continue the community supported desire to be unlike all other suburbs. Also, the Comprehensive Plan (pages 306 and 308) identifies the need for Office-Driven Mixed Use as one means of employee retention.

Building Height: The height additions requested are generally consistent with the intent and recommendations of the Comprehensive Plan elements.

Road Connections to the South: As the proposed phases of this project are implemented, a TIA for each phase will be needed to determine the extent to which off-site road extensions/ connections may be required to maintain a Level of Service (LOS) D or less. The Comprehensive Plan recommends a maximum LOS of D. The Comprehensive Plan Thoroughfare Element sought to bring Ottinger north to 114 east or west of Lake Turner. Approval of this application displaces the Ottinger issue to a future date when the need for such connection may be more material. The conceptual plan does not include the 114 ramp connection to the service road on the north property boundary. This connection should be considered in the future TIA/ traffic studies.

TOWN OF WESTLAKE

ORDINANCE NO. 452

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS TO REZONE AN APPROXIMATELY 154-ACRE TRACT OF LAND GENERALLY LOCATED IN DENTON COUNTY, TEXAS FROM A "PD" PLANNED DEVELOPMENT DISTRICT AUTHORIZING OFFICE, ENTERTAINMENT/OFFICE, RETAIL, ENTERTAINMENT/RETAIL AND MALL USES AS ESTABLISHED IN PD ORDINANCE NO. 311 TO A "PD" PLANNED DEVELOPMENT DISTRICT AUTHORIZING OFFICE USE AND MIXED-USE DEVELOPMENT; PROVIDING EXHIBITS SHOWING THE AREAS BEING REZONED, PROVIDING FOR A CONCEPT PLAN PRIOR TO ISSUANCE OF A BUILDING PERMIT AND A LEGAL DESCRIPTION; PROVIDING FOR GENERAL REGULATIONS; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on August 24, 1992, the Board of Aldermen (the "Board") of the Town of Westlake, Texas (the "Town") adopted a Comprehensive Plan (the "1992 Comprehensive Plan") for the Town; and

WHEREAS, on November 16, 1992, the Board adopted a Comprehensive Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, on September 15, 1997, based on the recommendations of the Planning and Zoning Commission (the "Commission"), the Board amended the Zoning Ordinance and the subdivision regulations by adopting a Unified Development Code (the "UDC") for the Town; and

WHEREAS, the UDC has been amended, with the most recent amendments being adopted on August 23, 2003; and

WHEREAS, there is located within the corporate limits of the Town an approximately 154 acre tract of land (commonly known as Planning Area 5 and hereinafter sometimes referred to as the "Planning Area"); and

WHEREAS, because of improvements to State Highway 114, further urban growth throughout the region, and other changed conditions that affect the region, the Town believes there are unique and significant opportunities for office, retail and mixed-use development including high end owner-occupied single family residential within the Planning Area that will be consistent with the Town's long-term development vision; and

WHEREAS, the Commission has recommended to the Board that the hereinafter described property be rezoned to "PD" Planned Development District; and

WHEREAS, the Board believes that the interests of the Town, the present and future residents and citizens of the Town, and developers of land within the Town are best served by adopting this Ordinance, which the Board has determined to be consistent with the 2004 Land Use Plan, Thoroughfare Plan, Open Space and Trail Plan, Water and Sewer Plans, Drainage Plan, and Zoning Map all as amended.

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

SECTION 1: That the recitals set forth above are hereby incorporated herein, adopted by the Town and declared to be true and correct.

SECTION 2: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas, Ordinance No. 2000, is hereby amended by this PD Ordinance, by amending Planned Development District No. 3-5 within the property described in Exhibit 1 attached hereto by reference for all purposes. This PD will be subject to the approval a Concept Plan and all development standards and other regulations attached hereto.

SECTION 3: Upon the adoption of this PD, the Town Manager or his designee shall promptly update the Town's Official Zoning Map, to include an amended Planned Development on which entry shall include the abbreviated designation "PD No. 3-5A" and the date that this Ordinance was adopted by the Board.

SECTION 4: It is hereby declared to be the intention of the Board, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared 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 Board without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5: This Ordinance shall become effective upon its passage.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS, ON THIS 22ND DAY OF MARCH, 2004.

ATTEST:


Scott Bradley, Mayor


Ginger Crosswy, Town Secretary
APPROVED AS TO FORM:


Trent Petty, Town Manager


L. Stanton Lowry, Town Attorney

CIRCLE T PLANNING AREA 5

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ARTICLE I. GENERAL PROVISIONS

SECTION 1 SHORT TITLE.

This ordinance shall be known and may be cited as the “Amended Circle T Planning Area No. 5 - Planned Development Zoning District”, or simply as the “PD Ordinance”.

SECTION 2 PURPOSES.

This PD Ordinance is adopted to provide for a superior design of lots or buildings; to provide for increased recreation and/or open space opportunities for public use; to provide rural amenities or features that would be of special benefit to the property users or community; to protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and viewscapes; to protect or preserve existing historical buildings, structures, features or places; and to provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

SECTION 3 GENERAL DEFINITIONS.

Section 3.1 Usage. For purposes of this PD Ordinance, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this Section. Other terms and words are defined elsewhere in this PD Ordinance. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, and words used in the plural include the singular. The word “shall” will be interpreted as mandatory, and the word “may” as permissive.

Section 3.2 Words and Terms Defined.

Applicable Town Ordinances means the UDC and all other ordinances, rules, and regulations that are adopted by the Board and that are applicable to development within the PD District.

Board means the Board of Aldermen of the Town of Westlake, Texas.

Commission means the Planning and Zoning Commission of the Town of Westlake, Texas.

Floor Area means the total area of all floors of all buildings on a lot or unified development site measured between the outer perimeter walls of the buildings excluding (i) area in a building or in a separate structure (whether below or above grade) used for the parking of motor vehicles, (ii) courts or balconies open to the sky, and (iii) roof area used for recreation.

Masonry means brick, stone, cast stone, concrete, glass block, split-face concrete masonry unit, or other masonry materials approved by the Board.

Mixed Use Development Area means the areas within the PD District that are developed in accordance with Article IV of this PD Ordinance.

PD District means the planned development zoning district established by this PD Ordinance.

PD Concept Plan means any one or more of the drawings that must be submitted and approved by the Planning and Zoning Commission and the Board Aldermen prior to, or simultaneous with a preliminary plat.

PD Ordinance means this planned development zoning district ordinance, including any approved PD Concept Plan.

PD Supplement means that certain Circle T Planned Development Zoning District Supplement contained in Ordinance No. 307 and adopted by the Board.

Residential area means an area within the PD District consisting of approximately 50 acres and devoted to single family residential uses, as identified in the Land Use Schedule in Article II of this PD Ordinance.

Town means the Town of Westlake, Texas.

UDC means the Town's Unified Development Code, as amended.

SECTION 4 PD SUPPLEMENT.

Concurrently with the adoption of PD Ordinance No. 311, the Board adopted the PD Supplement. The PD Supplement includes additional standards that are applicable within this PD District. The PD Supplement establishes additional standards for the following: (i) concept, informational, development and site plans; (ii) signs; (iii) landscaping; (iv) roadway construction, parking and loading; (v) fencing; (vi) lighting; (vii) other special standards; and (viii) illustrations.

SECTION 5 APPLICABILITY OF EXISTING REGULATIONS.

Section 5.1 Applicable Town Ordinances. Except to the extent provided by an approved PD Concept Plan, this PD Ordinance and the PD Supplement, development within the PD District shall be governed by least restrictive of the "R" Retail or "O" Office Park zoning district standards and the uses listed in Article II of this Ordinance.

Except to the extent provided by an approved PD Concept Plan, this PD Ordinance, and the PD Supplement, the Applicable Town Ordinances shall also govern development within the PD District. In the event of any conflict between (a) an approved PD Concept Plan, this PD Ordinance and the PD Supplement and (b) the Applicable Town Ordinances, the terms, provisions and intent of an approved PD Concept Plan, this PD Ordinance and the PD Supplement shall control. Except as provided below, in the event of any conflict between the UDC and the Applicable Town Ordinances, the terms, provisions and intent of the UDC shall control.

Section 5.2 General Approval Criteria. To the extent, if any, that the Applicable Town Ordinances (and, in particular, the subdivision regulations of the UDC) grant to the Board, the Commission, the Town Manager, or any other Town employee or consultant, the authority to approve any aspect of development within the PD District (including, but not limited to, preliminary or final plats or any aspect thereof or any agreements or permits related thereto)

based on conformity with the Town's Comprehensive Plan, Open Space Plan or Thoroughfare Plan (or with the objectives, goals or policies of such plans), then such authority shall be exercised to the extent necessary to determine whether the aspect of development being approved is consistent with an approved PD Concept Plan, this PD Ordinance, the PD Supplement.

SECTION 6 CONCEPT PLAN, DEVELOPMENT PLANS, AND SITE PLANS.

Section 6.1 PD Concept Plan. A PD Concept Plan for this PD District shall be approved prior to the approval of any development plans and site plans required by this PD Ordinance. The PD Concept Plan shall comply with the Comprehensive Land Use Plan, the Open Space and Trail Plan, the Master Thoroughfare Plan, the Master Water and Sewer Plans, and the Master Drainage Plan of the town and the UDC.

Section 6.2 PD Development Plans. PD development plans are required for development within the PD District. The UDC governs the process by which PD development plans are submitted and approved.

Section 6.3 PD Site Plans. PD site plans are required for development within the PD District. Article I, Section 3.4, of the PD Supplement governs the process by which PD site plans are submitted and approved (including, but not limited to, the submittal requirements, approval criteria, and conditions).

ARTICLE II. USES

SECTION 1 LAND USES.

Section 1.1 Land Use Schedule. Buildings, structures, and land within the PD District shall be used only in accordance with the uses permitted in the following “Land Use Schedule”. The symbol “X” shall mean that the use is permitted as a principal use by right. The symbol “S” shall mean that the principal use is permitted only after first obtaining a “Specific Use Permit” as set forth in the UDC. The symbol “A” shall mean that this use is specifically permitted as an accessory use to a main use (this does not exclude other land uses which are generally considered accessory to the primary use). A blank square shall mean that the use is not allowed as a principal use.

PLANNING AREA 5 – MIXED USE LAND USE SCHEDULE

PERMITTED USES	X = Permitted S= Special Use A = Accessory Use
AGRICULTURAL USES	
Plant Nursery (Growing)	X
Plant Nursery (Retail Sales)	X
Farms General (Crops)	X
Farms General (Livestock, Ranch)	X
Veterinarian (Indoor Kennels)	X
Veterinarian (Outdoor Kennels)	
Stables (Private Use)	S
Stables (As a Business)	S
RESIDENTIAL USES	
Single Family Detached	X
Single Family Attached – Zero Lot Line	X
Single Family Attached	X
Duplex	
Condominium	
Home Occupation	X
Servants/Caretakers Quarters	A
Temporary Accommodation for Employees/Customers/Visitors	A
Swimming Pool (Private)	A
Detached Garage (Private)	A
Sport/Tennis Courts (Private)	A

PERMITTED USES	X = Permitted
	S= Special Use A = Accessory Use
INSTITUTIONAL and GOVERNMENTAL USES	
Emergency Ambulance Service	X
Post Office (Governmental)	X
Mailing Service (Private)	X
Heliport	
Helistop/Verti-stop	S
Telephone, Electric, Cable, and Fiber Optic Switching Station	X
Electrical Substation	S
Utility Distribution Lines ¹	X
Utility Shop and Storage	S
Water and Sewage Pumping Station (below grade)	X
Water and Sewage Pumping Station (above grade)	S
Water Storage Tank and Pumping System (Elevated or Above Grade)	S
Water, Sewer, Electric, and Gas Meters	X
Electric Transformers	X
Private Streets/Alleys/Drives	X
Retirement Home	X
Nursing/Convalescent Home	
Hospice	
Hospital	
Psychiatric Hospital	
Clinic	X
Child Daycare (Public; 7 or more)	X
Child Daycare (Private; 7 or more)	X
School, K-12 (Public or Private)	
School (Vocational)	A
College or University	X
Community Center (Public)	X
Civic Club	X
Church or Place of Worship	X
Use Associated with a Religious Inst.	X
Government Building	X
Police Station	X
Fire Station	X
Library	X
Data Center	X

PERMITTED USES	X = Permitted
	S= Special Use A = Accessory Use
COMMERCIAL USES	
Offices (General)	X
Studio	X
Banks and Financial Institutions	X
Information Processing	X
Hotel/Motel	X
Hotel/Motel with Conferencing Facility	X
Laundry/Dry Cleaning (<3,000 S.F.)	X
Laundry/Dry Cleaning (Drop/Pick)	X
Parking Structures	X
Shoe Repair	X
Beauty Parlor/Barbershop	X
Clothing Store	X
Quick Copy/Duplicating Services	X
Personal Services	X
Liquor Store	
Micro-brewery and Wine Production and Sales (<30,000 S.F.)	S
Grocery (With alcoholic beverage sales)	S
Convenience Store (with alcoholic beverage sales)	S
Grocery	X
Convenience Store	X
Variety Store	X
Bakery Sales	X
Stationery and/or Book Store	X
Antique Shop	X
Art Gallery/Museums	X
Hardware Store	X
Sporting Goods	X
Paint and Wallpaper	X
Cloth Store	X
Retail Stores - General (Excluding Second Hand Goods)	X
Restaurant, Café or Dining Facility	X
Restaurant, Café or Dining Facility serving alcohol	S
Auto/Truck Parts and Accessories	X
Household Furniture/Appliances (including Sales and Service)	X
Farmer's Market	S

PERMITTED USES	X = Permitted
	S= Special Use
	A = Accessory Use
Feed Store	
Parking Structure	X
Cafeteria (Private)	A
Job Printing, Lithography, Printing, or Blueprinting	X
Vehicle Display and Sales (inside)	X
Medical Laboratory	A
R&D Laboratory	S
Conference Center	X
Live Theater	X
Motion Picture Theater	X
Custom Business Services	X
Electronic Appliances Store and Computer Sales and Service	X
Tavern, Bar or Lounge	S
Dance Halls/Nightclubs	S
Golf Course (Public or Private)	X
Park or Playground (Public or Private)	X
Satellite Dish	X
Non-Commercial Radio Tower	
Race Track Operation	
Recreation Facility, Health Studio (Public)	X
Country Club (Private Membership)	X
Golf Clubhouse (Public or Private)	X
Community Center (Private)	X
Recreation Center (Private)	X
Hike, Bike, and Equestrian Trails (Public or Private)	X
Golf Maintenance Facility	A
Golf Pro Shop	X
Health/Spa Facilities (Private)	X
Athletic Fields (Private)	A
Athletic Courts (Private)	A
Equestrian Center	X
Athletic Courts (Public)	A
Commercial Amusement (Inside)	X
Lake Cruise/Water Taxi	X
Truck/Trailer Rental	S
Auto Body Repair	
Auto Mechanical Repair	S
Quick Lube/Oil Change	

PERMITTED USES	X = Permitted S= Special Use A = Accessory Use
Vehicle Maintenance (Private)	X
Vehicle Fueling (Private)	S
Warehouse/Storage (Inside)	
Warehouse/Storage (Outside)	
Scrap/Waste Recycling Collection and/or Storage	
Gas/Chemical Bulk Storage	
Light Manufacturing/Assembly	S
Apparel Manufacturing	
Packaging and/or Distribution	
Printing, Engraving and related Reproductive Services	
Distribution of Books/Other Printed Material	
Machine Shop	
Welding Shop	
Temporary Batching Plant	S ²
Temporary Construction Office	X ²
Temporary Construction Materials Storage	X ²
Temporary Sales Office	X ²

NOTES:

1. Including water, sewer, electric, gas, cable, telephone, fiber optic, and other public and private utility distribution lines.
2. Limited to period of construction.

Section 1.2 Municipal Use. There shall be a two-acre municipal site reserved for a DPS/Courts use within the PD District.

Section 1.3 Residential Area. The maximum number of residential units allowed in this PD District is 275 units. A construction schedule must be approved by the Board of Aldermen prior to or simultaneous with the filing of a preliminary plat.

SECTION 2 ACCESSORY USES AND STRUCTURES.

An accessory use or structure which is customarily incidental to the principal use or structure, and which is located on the same lot or tract of land, shall be permitted as an accessory use without being separately listed as a permitted use.

ARTICLE III. DEVELOPMENT STANDARDS

SECTION 1 DENSITY.

Section 1.1 Office Uses. The maximum aggregate floor area for office uses outside of a Mixed Use Development Area in this PD District is 884,505 square feet.

Section 1.2 Mixed Use Development Area. The maximum aggregate floor area for all uses within a Mixed Use Development Area in this PD District is 1,305,060.

Section 1.3 Residential Uses. This PD may contain a maximum of 275 owner occupied, single family dwelling units.

SECTION 2 MINIMUM LOT SIZE.

Section 2.1 Residential area. The minimum lot size for a residential detached unit within a Mixed Use Development Area is 5,000 square feet. There are no minimum lot sizes for Residential attached units.

Section 2.2 Mixed Use Development Area. There are no minimum lot sizes within a Mixed Use Development Area except as described in Section 2.1 above.

Section 2.3 Office. The minimum lot size for office uses outside a Mixed Use Development Area shall be 100,000 square feet

SECTION 3 MINIMUM LOT WIDTH

Section 3.1 Residential area. The minimum lot widths for residential detached units located within a Mixed Use Development area of the PD District shall be 50 feet. There are no minimum lot widths for attached uses within a Mixed Use Development Area.

Section 3.2 Mixed Use Development Area. There shall be no minimum lot widths within a Mixed Use Development Area, except as noted in Section 3.1.

Section 3.3 Office. The minimum lot width for Office use outside of a Mixed Use Development Area shall be 200 feet.

SECTION 4 MAXIMUM BUILDING HEIGHT.

Section 4.1 Mixed Use Development Area. The maximum height for all structures within a Mixed Use Development area shall be four (4) stories or 60 feet. Building heights are illustrated by Exhibits 2 through 7. Buildings are to be built to human scale and will not exceed a building height-to-street width ratio of 1:3. The following additional standards apply:

- A. Adjacent buildings within the same block must be varied in height; however, the height differential between buildings cannot exceed one floor.
- B. Heights are measured from the sidewalk to the top of the parapet or roof eave.

- C. Sloped roofs shall not exceed a pitch of 8 inch rise for every 12 inches of run.
- D. Attic space under the roof may be occupied.
- E. Vaulted and curved roofs are permitted but shall not exceed an apex height of greater than 16 feet above the parapet or eave line.

Section 4.2. Residential Uses. The maximum height for all residential structures is 35 feet.

Section 4.3 All Uses Outside a Mixed Use Development Area . The maximum height for all structures shall be the lesser of four (4) stories or 60 feet.

Section 4.4 Exceptions to Height Requirements. The height limits imposed by this Section 4 shall not apply to (a) chimneys and vent stacks, church spires, towers, cupolas, sloped roofs, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices provided such equipment, fixtures, and devices are screened from view with a solid wall that is architecturally consistent with the design of the building to which they are attached.

SECTION 5 MINIMUM BUILDING SIZE.

The minimum residential dwelling unit size shall be 1,500 square feet. The minimum building size for all other uses shall be 5,000 square feet.

SECTION 6 BUILD TO LINES.

Section 6.1 Mixed Use Development Area There shall be a 15 foot minimum build to line for attached residential uses in a Mixed Use Development area. Detached residential in a Mixed Use Development area shall have a 20 foot minimum front yard setback. There are no minimum front yard setbacks for other areas in a Mixed Use Development area except that sidewalk zones and landscaping will be consistent with the PD supplement.

Section 6.2 The minimum front yard for office uses not within a Mixed Use Development Area shall be 50 feet

SECTION 7 REAR YARD SETBACKS.

There are no minimum rear yard setbacks for uses within a Mixed Use Development Area. The minimum rear yard for all uses outside of a Mixed Use Development Area shall be 20 feet.

SECTION 8 SIDE YARD SETBACKS.

Section 8.1 Mixed Use Development Area - Residential Attached. Each attached single-family dwelling shall have only one five-foot wide side yard. The side yard requirements shall apply to only one side yard of the first and last attached houses in each set of attached houses.

Section 8.2 Mixed Use Development Area – Residential Detached. The side yard requirements for residential detached in a Mixed Use Development area shall be 10 feet.

Section 8.3 There shall be no side yard setback requirements for any other uses within a Mixed Use Development Area.

Section 8.4 Office The minimum side yard for office use outside the Mixed Use Development area shall be 25 feet

SECTION 9 SLOPE REQUIREMENTS.

The height of non- residential structures within a Mixed Use Development Area shall be limited to 60 feet. Where non-residential structures are adjacent to residential structures within the same block, the height shall be limited to 35 feet.

ARTICLE IV. ADDITIONAL MIXED USE DEVELOPMENT AREA STANDARDS

SECTION 1 ROADWAY STANDARDS.

The general roadway standards applicable within a Mixed Use Development Area are established by the drawings labeled "Mixed Use Development Area Roadway Standards". Street sections for such roadways (including on-street parking) are illustrated on Exhibits 8 through 12.

SECTION 2 LANDSCAPING.

All landscape requirements for this PD District are established in: (i) the Roadway Standards of this ordinance (See Exhibits 8 through 12); (ii) the Lake Edge Standards (See Exhibit 13); and (iii) the PD Supplement. In the event that any landscaping standard is not addressed by (i), (ii) or (iii) above, then the landscaping standards contained in the UDC shall apply.

SECTION 3 LAKE EDGE.

The standards applicable to the development of the Lake Turner shoreline are illustrated on Exhibit 13.

SECTION 4 ROOFS.

Commercial roofs will be predominantly flat with sloped roof architectural features. Residential roofs will be predominantly sloped with flat accent roofs. Sloped roofs will not have a height-to-length ratio greater than 8:12. Curved roofs will be no taller than 16 feet above the plate or cornice line. All mechanical units must be screened from view.

SECTION 5 CONSISTENT FIRST FLOOR HEIGHTS.

Above a given block, the first floor heights should be similar in adjacent buildings, particularly as reflected in the exterior spandrel between the first and second floor. On commercial streets, the heights of the first floors and adjacent buildings should not vary by more than one foot. Likewise, heights of canopies and colonnades covering the sidewalks should match from building to building along a given block front, with a maximum height of 14 feet.

SECTION 6 STREET LEVEL ENTRIES AND OPENINGS.

Commercial entries along the street should be recessed at least two feet from the building face. Residential entries may be recessed or may be covered with a protective rain covering such as awnings and canopies.

SECTION 7 STOREFRONT SPACING.

At least one building entry or passage shall occur every 25 feet on average in any block, but no further than 40 feet apart along any commercial facade.

SECTION 8 STREET LEVEL FACADES.

Blank stretches of street level, street facing facades (those without windows or entries) should be minimized; however, stretches of ten feet are acceptable. Blank stretches between ten feet and 20 feet are permissible, but should be limited. Blank stretches over 20 feet are not allowed.

SECTION 9 PORCHES.

Where first floors are used for residential purposes, first floor porches must be elevated at 18 inches above the sidewalk.

SECTION 10 SIDEWALK COVERINGS.

Canopies and colonnades are permitted and encouraged.

SECTION 11 DIVERSITY OF USES.

Diversity of uses is encourage throughout a Mixed Use Development Area. Mixing uses vertically within buildings is also encouraged.

SECTION 12 MID-BLOCK PASSAGES.

Mid-block passages which connect the street to the interior of blocks and the parking therein are encouraged. These passages may be enclosed or open air, but must remain open to public passage. These passages should be enhanced with landscaping. Pedestrian circulation should be encouraged and enhanced.

SECTION 13 PAVING MATERIALS.

Roadways and parking lots will be concrete, asphalt, with brick, stamped concrete, paver or stone crosswalks and concrete curbs. Entire sections of important roadways may be brick. Sidewalks shall be concrete and/or brick. Other paved areas, such as courtyards and plazas, may be brick, concrete, or stone, as appropriate.

SECTION 14 PEDESTRIAN ACCESS.

Pedestrian access must be maintained throughout the PD. All buildings and open space must be joined by sidewalks that follow the standards established in the PD Supplement, the UDC and the Trails and Open Space Plan. Sidewalks are also required to link recreational and entertainment uses to parking areas.

ARTICLE V. EXHIBITS

- EXHIBIT 1 Legal Description of PD District
- EXHIBIT 2 Mixed Use Development Area Maximum Building Height
- EXHIBIT 3 Building Height - One Story
- EXHIBIT 4 Building Height - Two Story
- EXHIBIT 5 Building Height - Three Story
- EXHIBIT 6 Building Height - Four Story
- EXHIBIT 7 Building Height - Five Story

Mixed Use Development Roadway Standards

- EXHIBIT 8 Street "A" – Primary Road
- EXHIBIT 9 Street "B" – Town Square
- EXHIBIT 10 Street "C" – Perimeter Road
- EXHIBIT 11 Street "D" – Interior Road
- EXHIBIT 12 Street "E" – Service Lanes
- EXHIBIT 13 Lake Edge

LEGAL DESCRIPTION
PD 3-5
PROPOSED ZONING "MIXED USE"

BEING a tract of land situated in the Richard Eads Survey, Abstract Number 393 (Denton County) and Abstract Number 492 (Tarrant County), the J. Bacon Survey, Abstract Number 1565 (Denton County), Abstract Number 2026 (Tarrant County), the M.E.P. & P.R.R. Survey, Abstract Number 923 (Denton County) and the Jesse Sutton Survey, Abstract Number 823 (Denton County) and being a portion of that tract of land conveyed to AIL Investments, Ltd., recorded in Volume 13275, Page 542 of Deed Records Tarrant County, Texas and under County Clerk's Number 98-R0052417 of Real Property Records, Denton County Texas and being more particularly described by metes and bounds as follows;

BEGINNING at the northeast corner of that tract of land conveyed to Sam Lee recorded in Volume 575, Page 580 of Deed Records, Tarrant County, Texas

THENCE N 89°10'35"W, 11.21 to the southeasterly right-of-way of State Highway 170 (a variable width right-of-way);

THENCE with said southeasterly right-of-way the following courses and distances;

N 34°39'39"E, 368.29 feet;

S 75°41'23"E, 65.50 feet;

N 89°52'23"E, 42.06 feet;

N 03°17'17"E, 181.84 feet to the beginning of a non-tangent curve to the right;

THENCE with said non-tangent curve to the right, an arc distance of 3358.72 feet, through a central angle of 67°38'48", having a radius of 2844.79 feet, the long chord of which bears N 70°40'09"E, 3167.01 feet to the south right-of-way of State highway 114 (a variable width right-of-way);

THENCE S 75°49'00"E, 108.13 feet;

THENCE S 75°16'13"E, 75.00 feet;

THENCE S 67°10'12"E, 317.59 feet;

THENCE S 00°31'38"E, 57.12 feet;

THENCE S 75°23'15"E, 26.80 feet;

THENCE S 17°23'44"W, 476.68 feet, departing said southerly right-of-way, to the beginning of a curve to the left;

C&B Job No. 011400.501.1.0049

S#CTR

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Tracking No. N/A
February 19, 2004

Page 1 of 2

THENCE with said curve to the left, an arc distance of 848.27 feet, through a central angle of $18^{\circ}49'11''$, having a radius of 2582.50 feet, the long chord of which bears $S 07^{\circ}59'09''W$, 844.46 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 690.98 feet, through a central angle of $38^{\circ}54'34''$, having a radius of 1017.50 feet, the long chord of which bears $S 18^{\circ}01'50''W$, 677.78 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 345.82 feet, through a central angle of $16^{\circ}45'21''$, having a radius of 1182.50 feet, the long chord of which bears $S 29^{\circ}06'26''W$, 344.59 feet to the east line of that tract of land conveyed to Roanoke Lodge No. 421, recorded in Volume 82, Page 532 of said Real Property Records;

THENCE $N 00^{\circ}47'59''W$, 241.59 feet with the east line of said Lodge Tract;

THENCE $N 89^{\circ}54'00''W$, 803.58 feet with the north line of said Lodge Tract;

THENCE $S 01^{\circ}46'29''E$, 315.42 feet with the west line of said Lodge Tract to the approximate centerline of Ottinger Road (a paved, traveled road way of undetermined width, no record found);

THENCE with said approximate centerline the following bearings and distances;

$N 89^{\circ}59'37''W$, 630.18 feet;

$N 76^{\circ}13'43''W$, 210.12 feet;

$N 41^{\circ}18'15''W$, 717.16 feet;

$N 56^{\circ}49'16''W$, 923.63 feet;

$S 00^{\circ}37'46''E$, 73.61 feet to the north line of aforementioned Lee Tract;

THENCE $N 89^{\circ}10'35''W$, 284.94 feet to the **Point of Beginning** and containing 6,679,548 square feet or 153.3 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

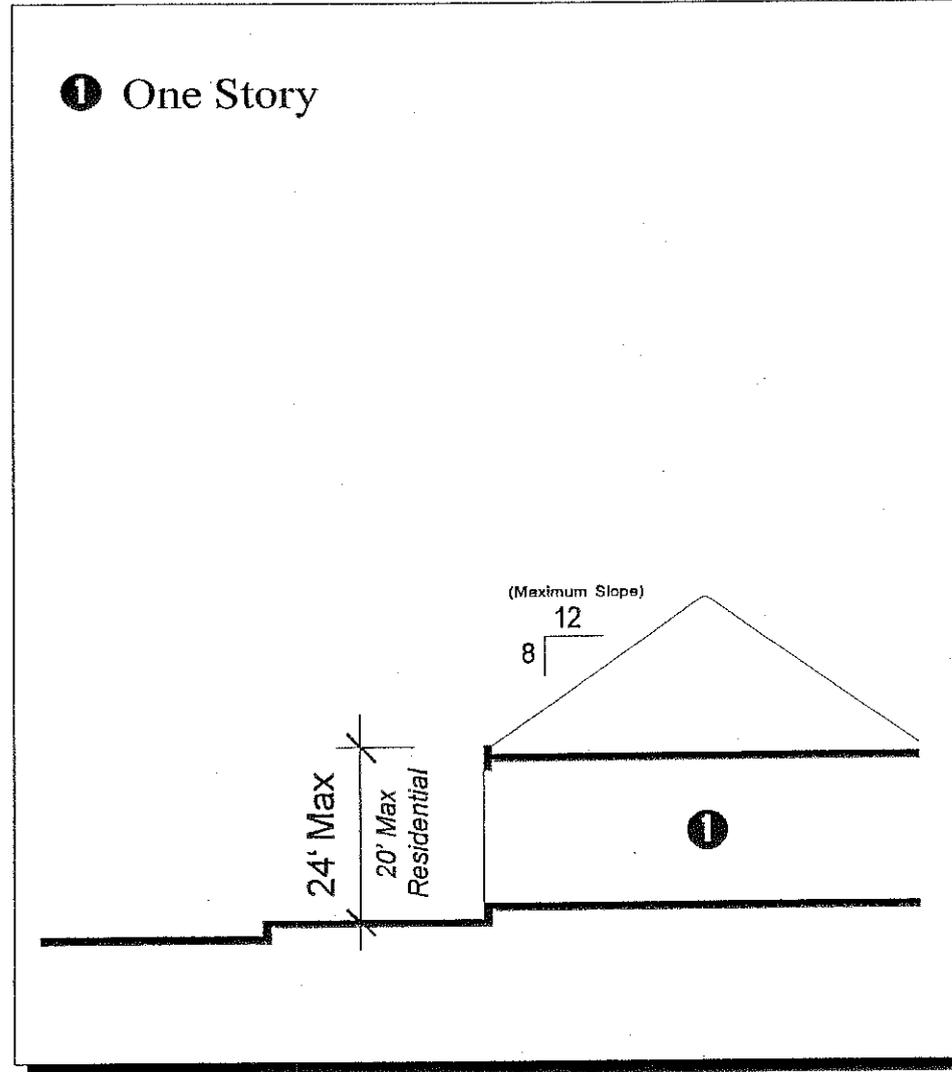
BUILDING HEIGHTS

General Notes

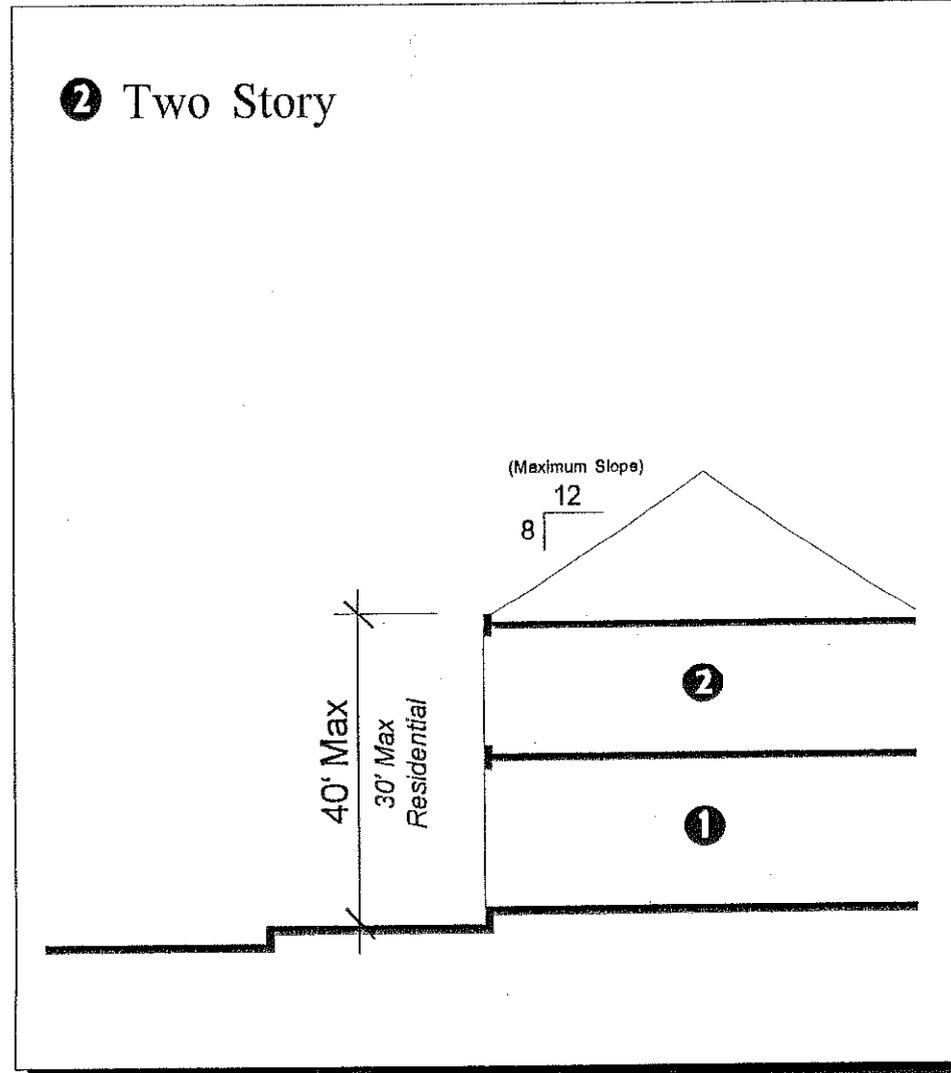
- Buildings will be varied in height. The height differential between adjacent buildings on a street should be no more than one floor height.
- Heights are measured from the sidewalk to the top of the parapet or roof eave.
- Sloped roofs, towers, cupolas and other architectural elements may reasonably extend beyond the maximum heights.
- Sloped roofs shall not exceed a pitch of 8 inch rise for every 12 inches of run.
- Attic space under the roof may be occupied and will not be counted against the floor count.
- Vaulted and curved roofs are permitted but shall not exceed an apex height of greater than 16 feet above the parapet or eave line.

Building Heights

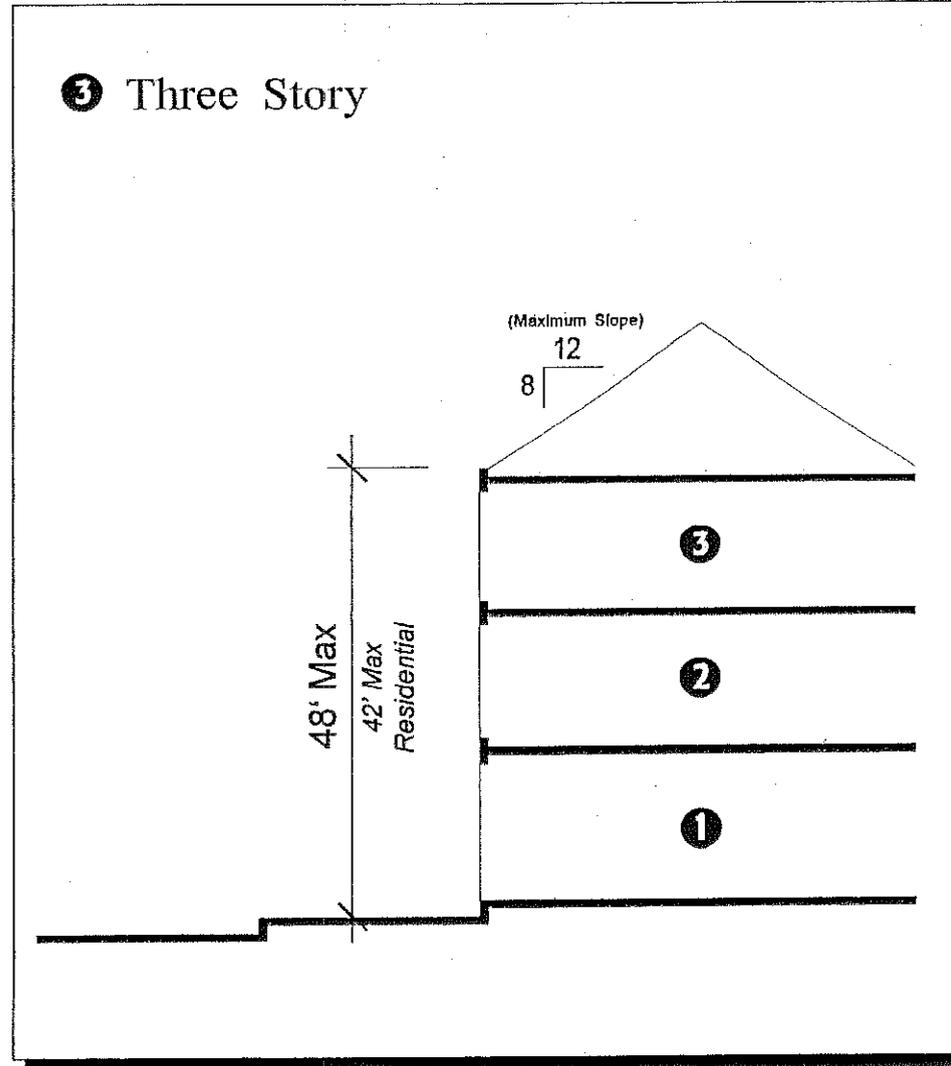
One Story



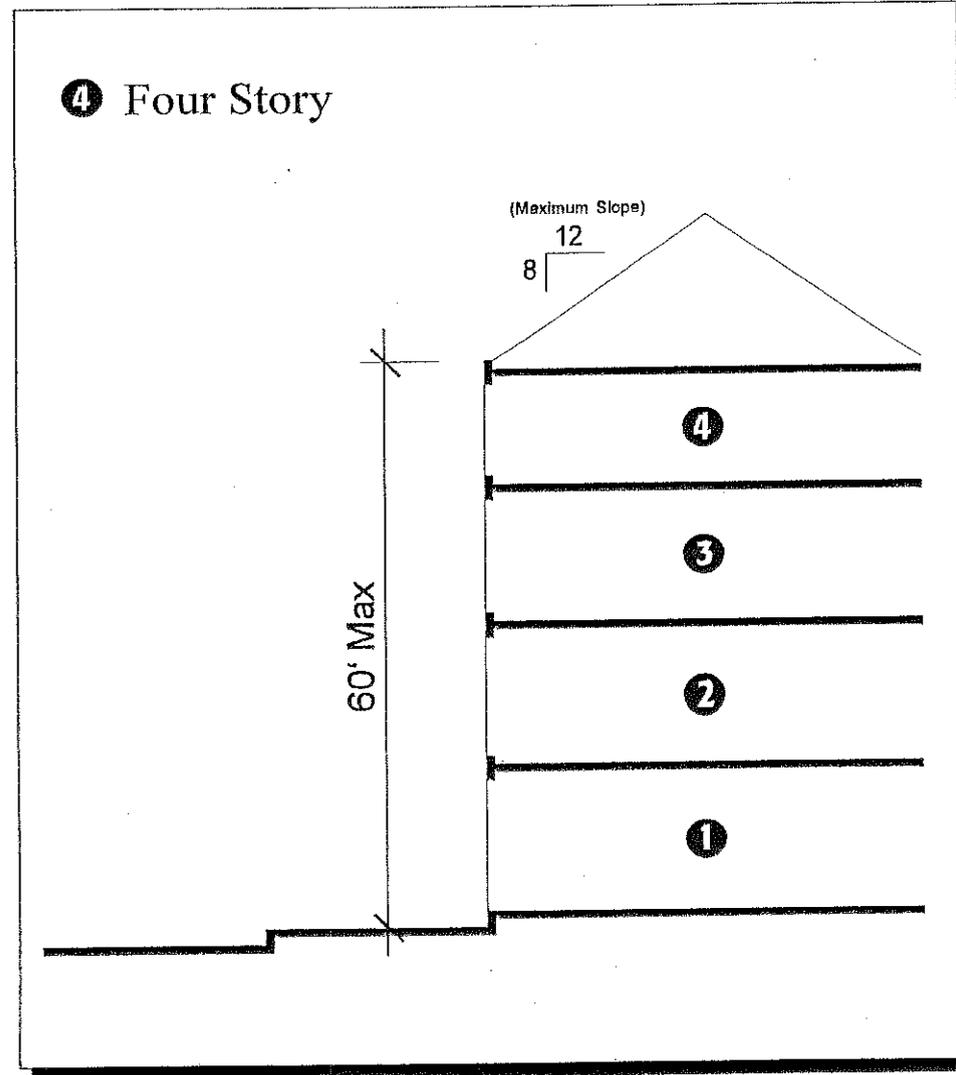
Building Heights
Two Story



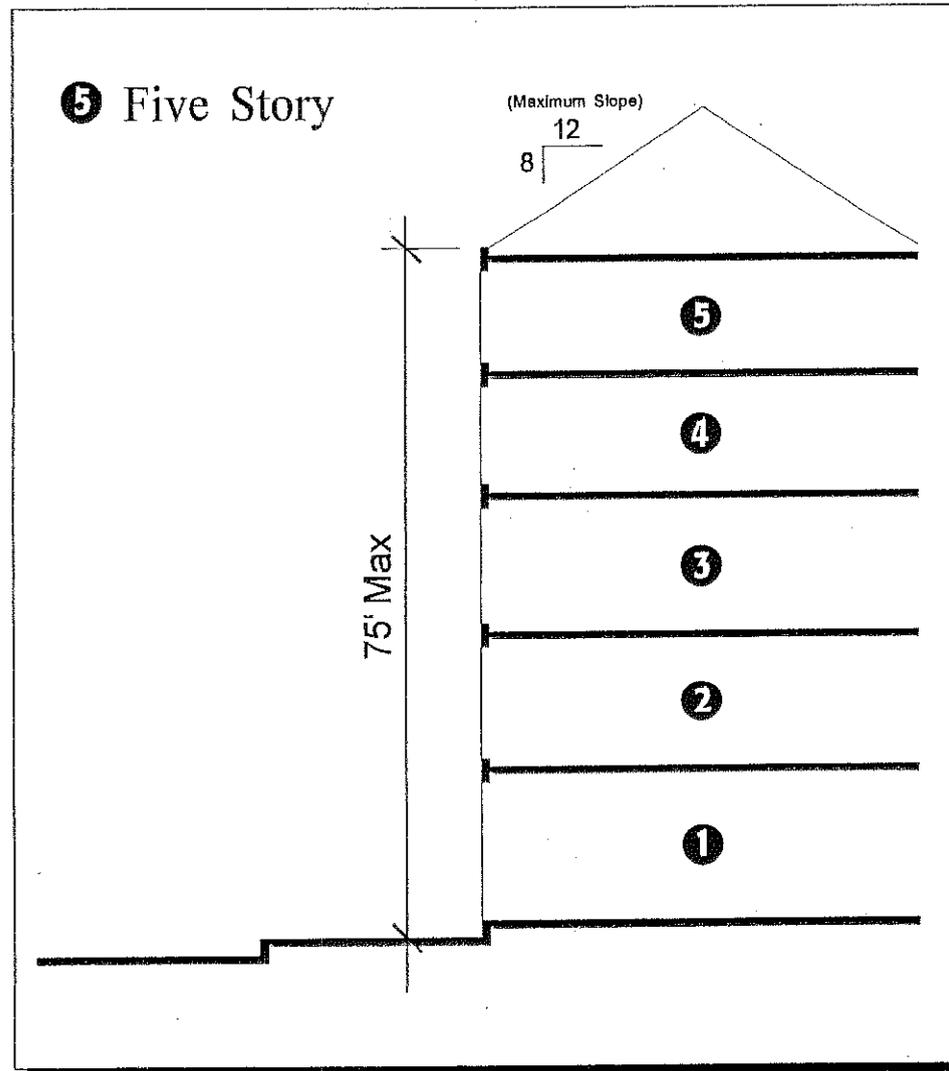
Building Heights
Three Story



Building Heights
Four Story



Building Heights
Five Story



STREET A PRIMARY ARTERIAL

Typically Street A is the main boulevard running through the area. It will be four lanes and divided where it passes through the mixed use development and be urban in character. The median will be narrow, on-street parking will be allowed, sidewalks will be close to the street edge and traffic lights will be more frequent if required. Speed limits will be lower on this stretch to allow for pedestrian crossings and street intersections.

Street Character

Street A will be primarily commercial. There will be high traffic volume, but it will remain pedestrian friendly.

Building Heights

Building heights will be no less than two stories and no more than four stories.

Sidewalk Zone/
Build-To-Lines

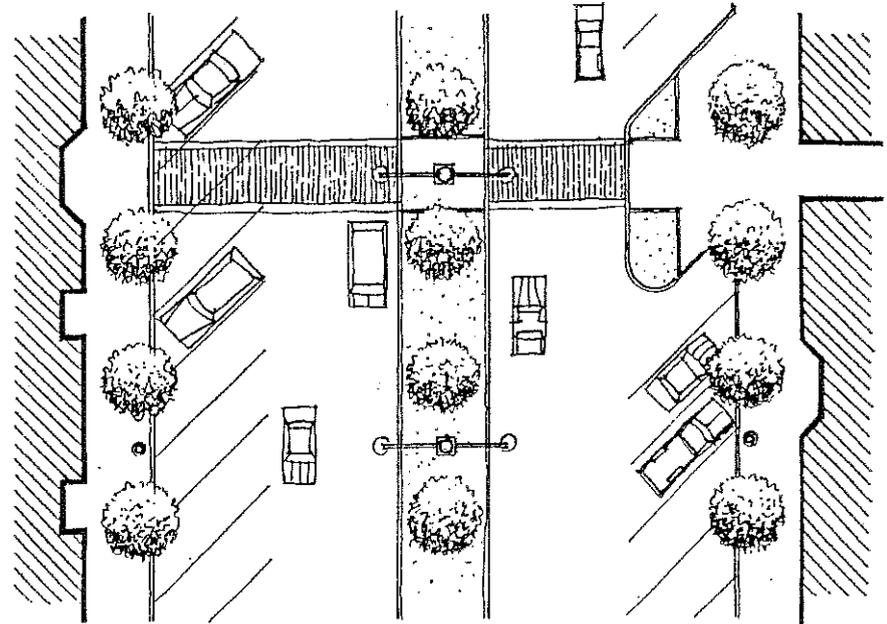
The depth of the sidewalk and “build-to” line will be a minimum of 15 feet from the face of the curb.

Parking

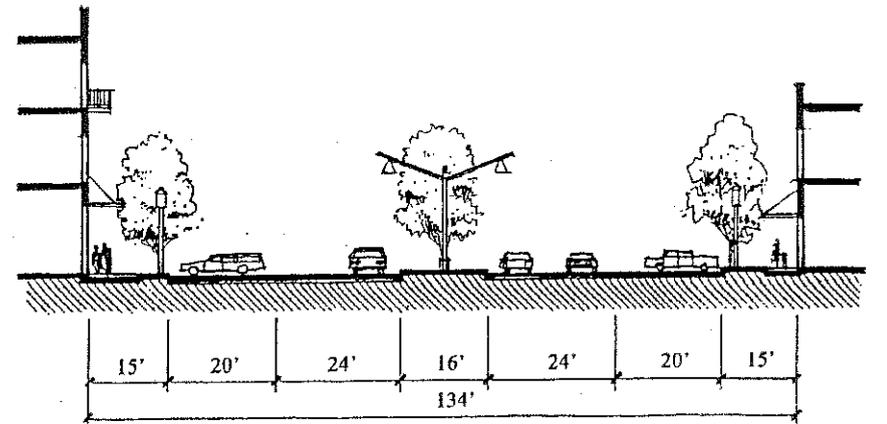
Angled and parallel street parking will be allowed on both sides.

Landscaping

Street trees are required along sidewalks and in medians placed at a maximum spacing of 25 feet.



Street Plan

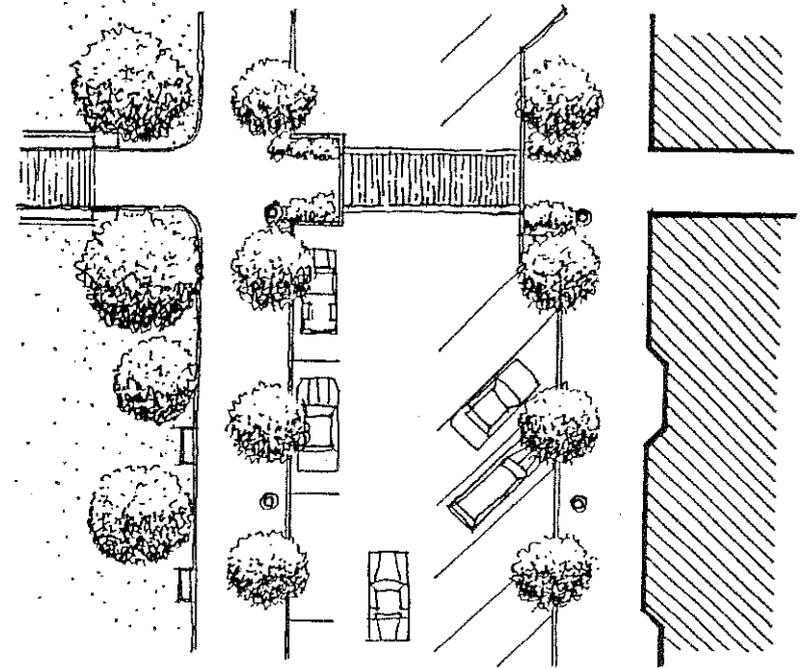


Street Section

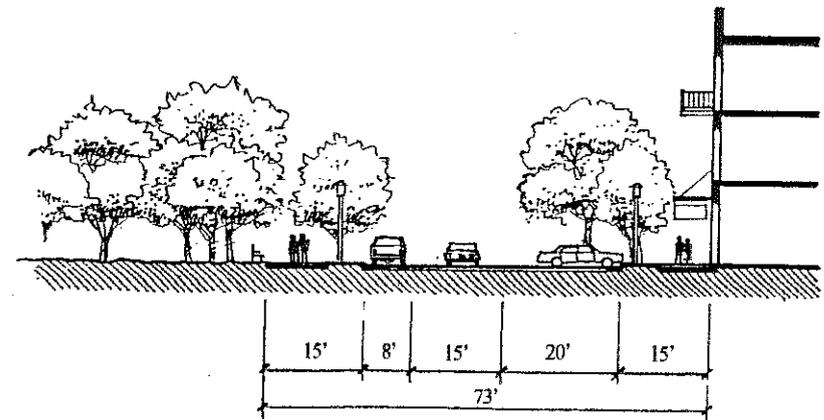
STREET B TOWN SQUARE

Town Square may be a one-way street within the mixed use development. It is primarily a retail shopping street with slow traffic. There will be parallel parking on the inside curb next to the Square and angled parking on the outside curb next to the shops.

- Street Character Town Square will be primarily commercial, with active pedestrian areas.
- Building Heights Building heights will be no less than two stories and no more than four.
- Sidewalk Zone/
Build-To-Lines The depth of the sidewalk and “build-to” line shall be 15 feet from the curb. All buildings facing Town Square must be built 100% to the build-to line with the exception of civic buildings, building entries, through-block passages, and required building articulations.
- Parking Angled parking will be allowed on the outside of the street and parallel parking will be allowed on the inside next to the square.
- Landscaping Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan

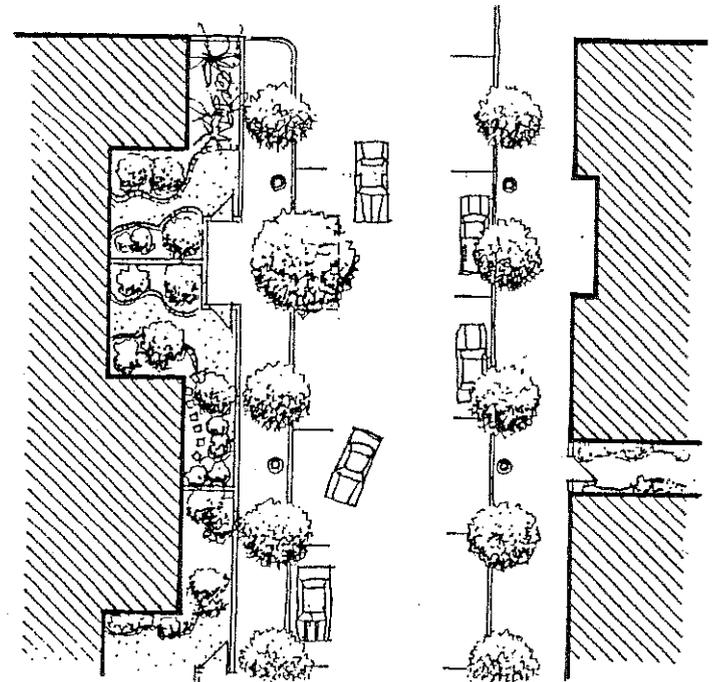


Street Section

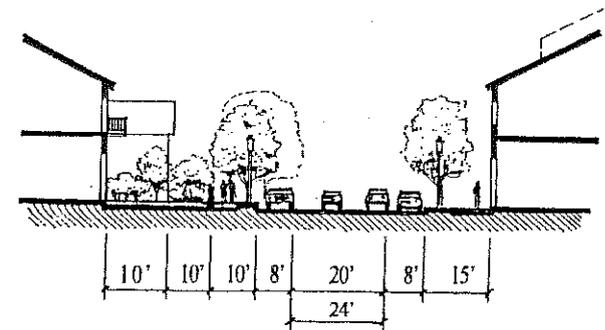
STREET C PERIMETER ROAD

The perimeter road parallels the boundaries of the site and may form the outer ring of the mixed use development area’s street system. It is a two-way street with parallel parking provided on both sides.

- Street Character The portions of the perimeter road nearest to retail and office areas are primary commercial. The remainder is primarily residential with occasional shops or cafés mixed in at street level.
- Building Heights Building heights vary but are generally one to three stories.
- Sidewalk Zone/
Build-To-Lines The depth of the sidewalk zone adjacent to residential uses shall be 10 feet from the curb, and adjacent to all other uses shall be 15 feet from the curb. The “build-to” line for residential uses shall be a minimum of 20 feet from the curb and a maximum of 40 feet from the curb. The “build-to” line for all other uses shall be 15 feet from the curb.
- Parking Parallel parking will be provided on both sides of the street.
- Landscaping Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan

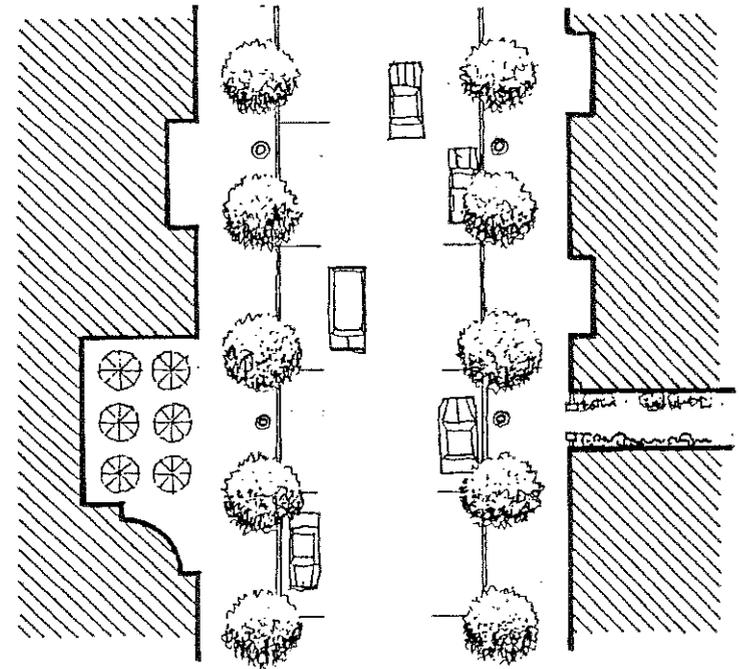


Street Section

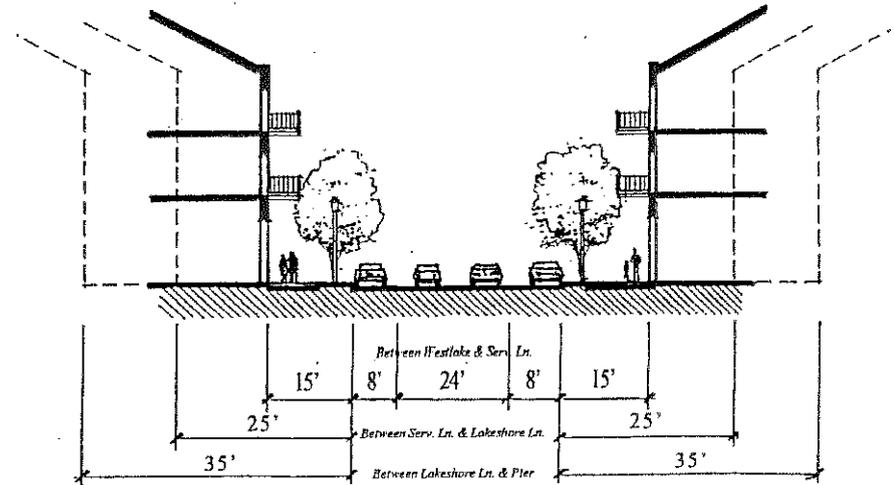
STREET D INTERIOR STREETS

Interior streets are two-lane streets with on-street parking.

Street Character	Interior Street is an active shopping, business and residential street. Its residential areas are generally above the street level, but some are on the ground floor level as well.
Building Heights	Building heights vary from one to four stories.
Sidewalk Zone/ Build-To-Lines	The depth of sidewalk zones and “build-to” lines shall vary from 15 feet in residential areas to 25 feet in dense retail areas.
Parking	Parallel parking is allowed on both sides of the street.
Landscaping	Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan

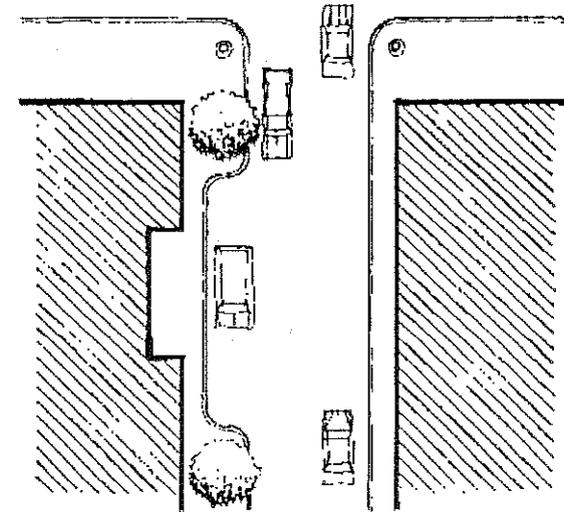


Street Section

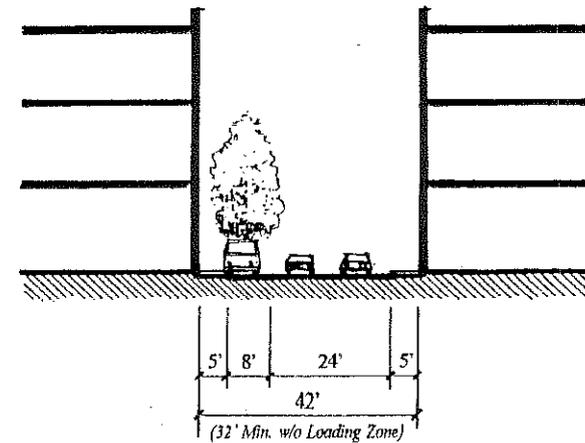
STREET E SERVICE LANES

Service Lanes are two-way / two-lane service corridor midway between blocks within the mixed use areas. It provides access for service vehicles to parking areas and nearby buildings.

Street Character	The Service Lane is a small, vehicle-oriented alley with slow traffic throughout. It is not designed to encourage a high level of pedestrian traffic, but it will accommodate them.
Building Heights	Building heights vary from one to four stories.
Sidewalk Zone/ Build-To-Lines	The depth of sidewalk zones and “build-to” lines shall be five feet from the curb.
Parking	There is no on street parking with the exception of occasional loading zones.
Landscaping	Street trees are not required.



Street Plan



Street Section

LAKE EDGE

The shore along Lake Turner is a waterfront area to be enjoyed by all the residents and visitors of Westlake. A continuous pathway, possibly a portion of the Town's trail system, runs along the shore.

Building Heights

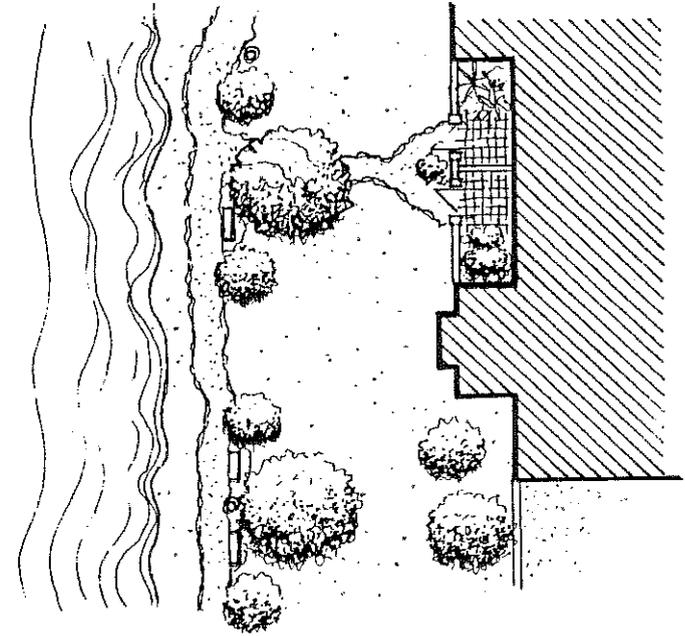
Buildings along the Lake Edge will be one to three stories.

Pathway Zone/ Build-To-Lines

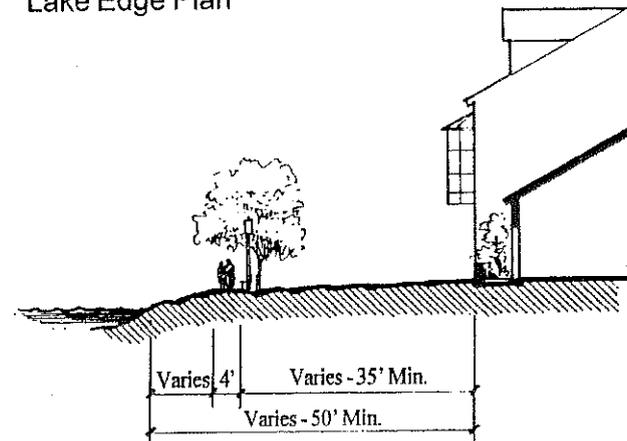
The continuous pathway shall be at least six feet wide. The pathway must be at least 35 feet from any building face (but may be adjacent to a building face). Buildings must be set back at least 50 feet from the shoreline.

Landscaping

The Lake Edge landscaping will be approved at the time of PD Site Plan approval.

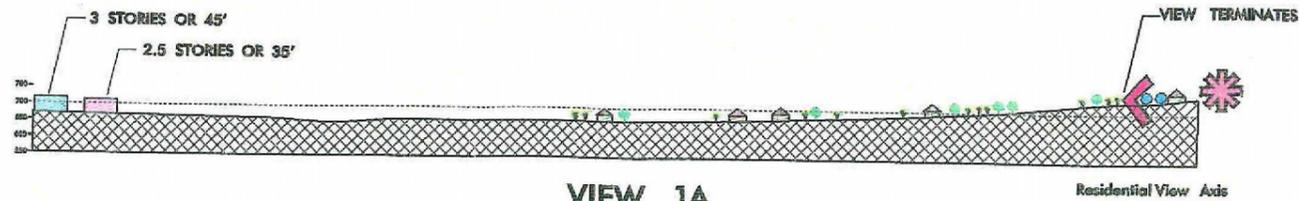


Lake Edge Plan

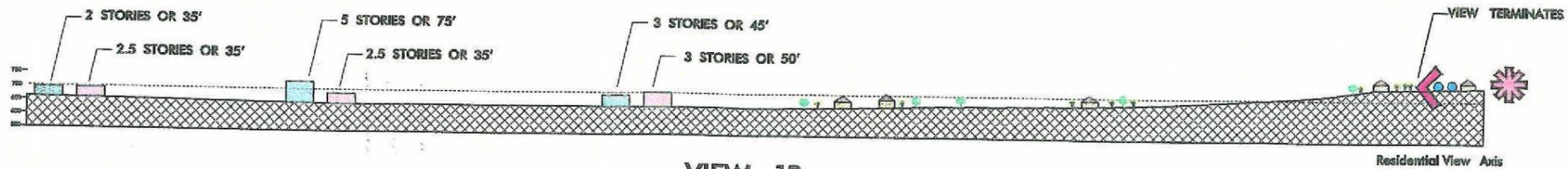


Lake Edge Section

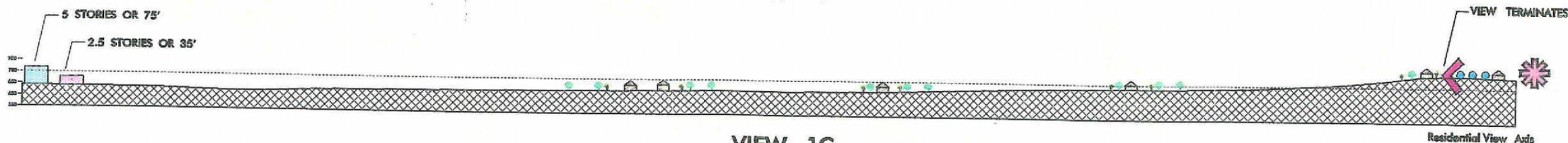
VIEW SECTIONS 1 & 2



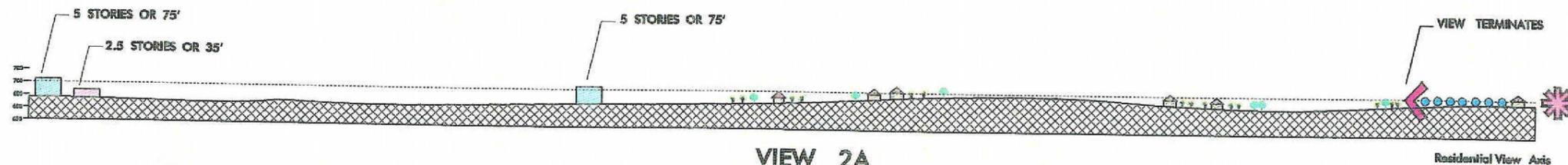
VIEW 1A



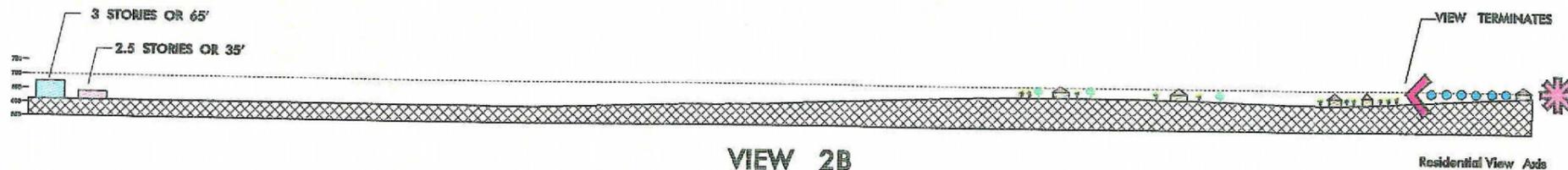
VIEW 1B



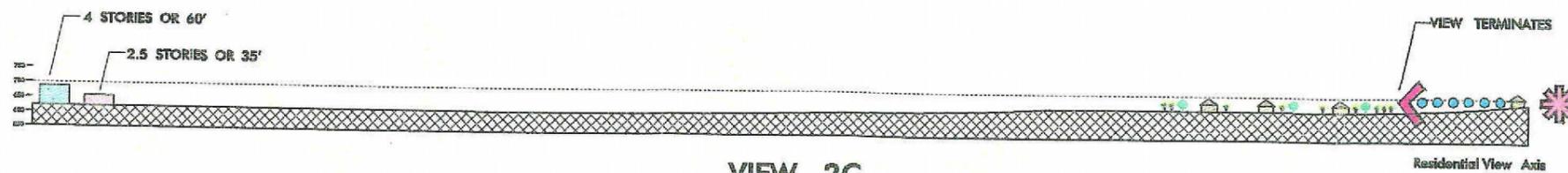
VIEW 1C



VIEW 2A



VIEW 2B



VIEW 2C

POSSIBLE BUILDING LOCATION

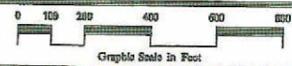
- PD CONCEPT PLAN
- WESTLAKE

VIEW IS FROM SECOND STORY WINDOW OR 15'± ABOVE GROUND LINE

Circle T Ranch

PLOTTED: Fri, May 21 9:51 04/22/15 65
 SCALE: 1/8" = 1'-0" (NOT TO SCALE)
 TEL: 951-350-0000 FAX: 951-350-0001
 400-927-1900 (T) 400-927-1900 (F)

05/21/15



HILLWOOD
DEVELOPMENT CORPORATION



PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS)
)
COUNTY OF TARRANT)

I, Gerri Autrey, PUBLISHER of the Alliance Regional Newspapers of Haslet, Texas, a newspaper of general circulation which has been published in Denton County and Tarrant County regularly and continuously for a period of one year prior to the first day of publication of this notice, solemnly swear that the notice hereto attached was published in the Alliance Regional Newspapers, on the following dates, to-wit:

March 26, 2004

Town of Westlake
Ordinance No. 452

Gerri Autrey

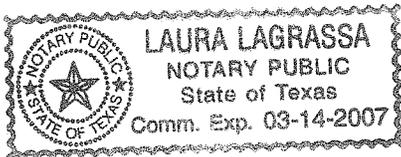
Publisher

SUBSCRIBED AND SWORN TO before me on the 2nd day of April 2004 to certify which witness my hand and official seal.

Laura Lagrassa

NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 3-14-07



PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS)
)
COUNTY OF TARRANT)

I, Carri Autrey, PUBLISHER of the Alliance Regional Newspapers of Haslet, Texas, a newspaper of general circulation which has been published in Denton County and Tarrant County regularly and continuously for a period of one year prior to the first day of publication of this notice, solemnly swear that the notice hereto attached was published in the Alliance Regional Newspapers, on the following dates, to-wit:

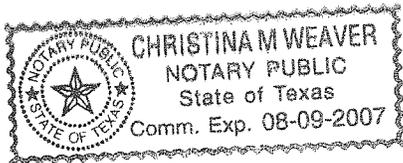
April 2, 2004

Town of Westlake
Public Hearing Ordinance 452

Carri Autrey

Publisher

SUBSCRIBED AND SWORN TO before me on the 17th day of April, 2004 to certify which witness my hand and official seal.



Christina M. Weaver

NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 08-09-2007

Project Blizzard

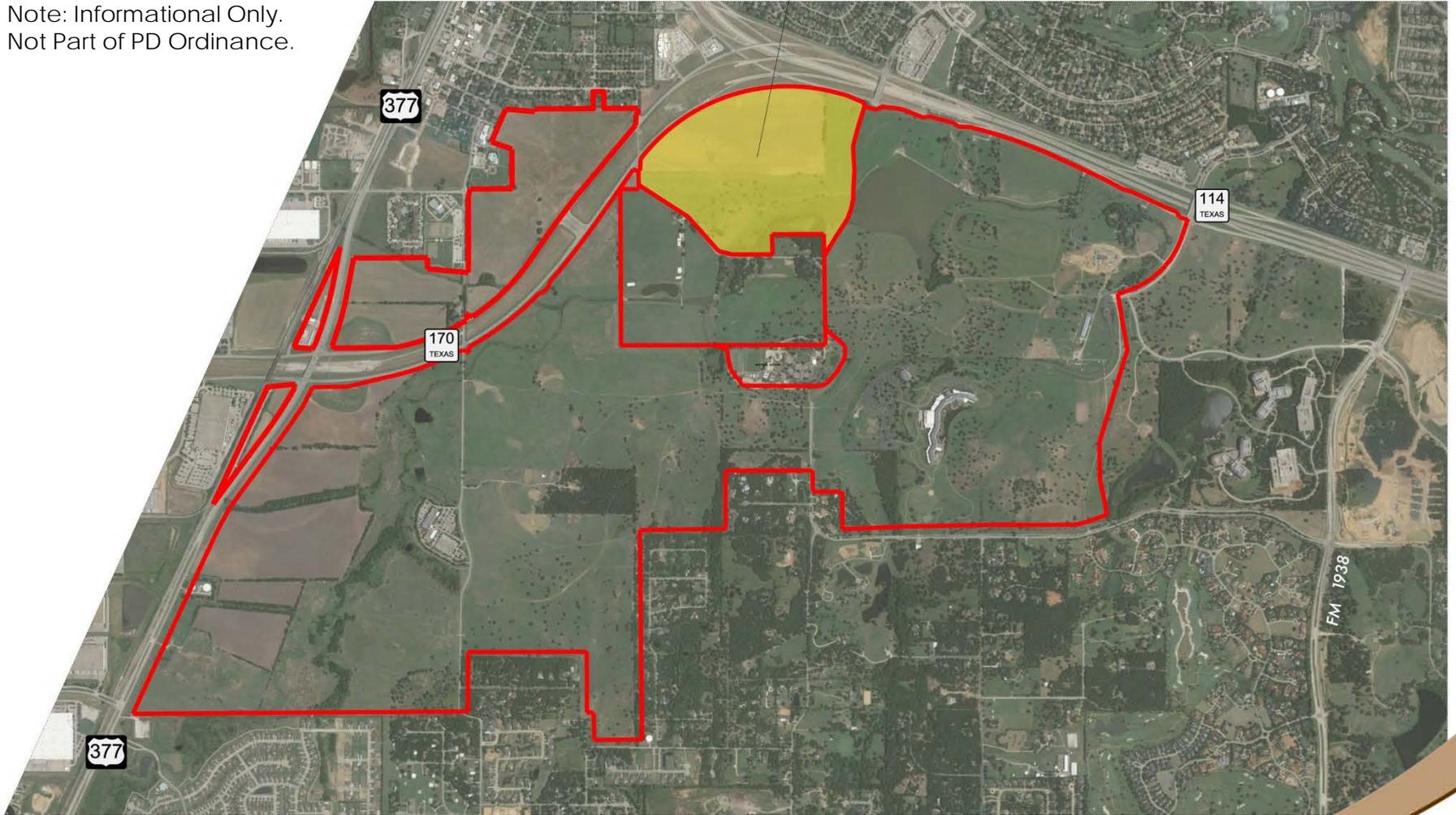


Project Blizzard
February 15, 2016



Note: Informational Only.
Not Part of PD Ordinance.

SITE



Existing Ranch Boundary



Circle T Ranch Aerial
February 15, 2016

DEVELOPMENT TEAM

HILLWOOD PROPERTIES

General Partner

- Privately owned and founded in 1988 by Ross Perot, Jr.
- Operations worldwide; headquartered in North Texas
- Acquired Circle T property in 1993
- Long and active relationship with the Town of Westlake
- 56.7 million square feet developed; 41.7 million square feet currently owned and under management
- Signature public-private partnership projects include: AllianceTexas, American Airlines Center, U.S. Air Force Memorial

HOWARD HUGHES CORPORATION

Limited Partner

- Emerged as a public company in a spin-off from GGP five years ago
- Based in Dallas, TX with nearly 1,000 employees and market cap of approximately \$5 billion
- Develop, own and manage premier commercial, residential and mixed use projects across the U.S.
- Signature projects include The Woodlands in Houston, Summerlin in Las Vegas, the Seaport District in Lower Manhattan and Ward Village in Honolulu
- Mission is to create timeless places and extraordinary experiences that inspire people while driving sustainable, long term growth and value for our shareholders

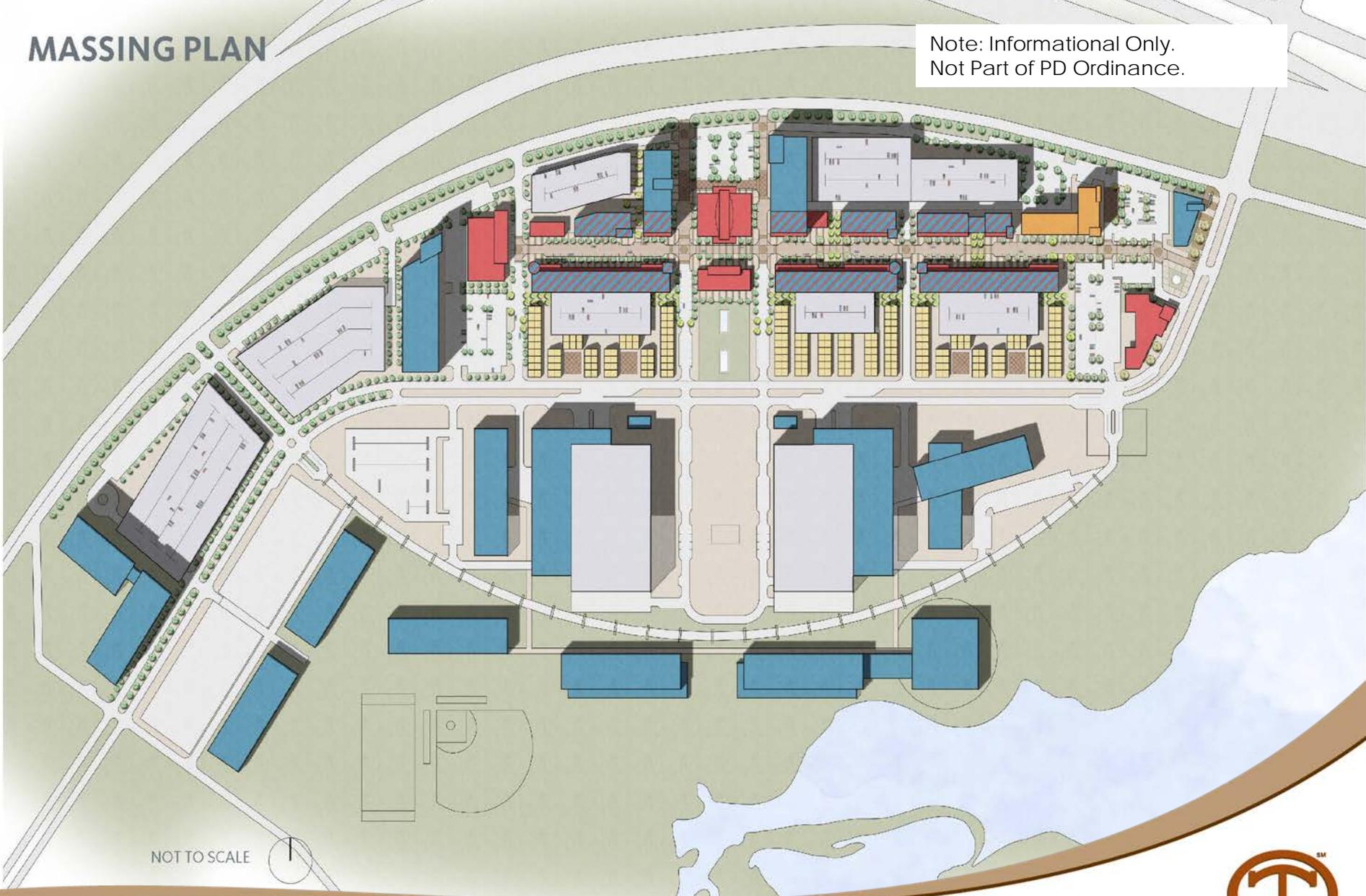
CONSULTANT TEAM

- Gensler
- Corgan Associates
- Peloton Land Solutions
- Burns & McDonnell



MASSING PLAN

Note: Informational Only.
Not Part of PD Ordinance.



NOT TO SCALE

Circle T Massing Plan
February 15, 2016



DISTRICT BREAKDOWN -154 +/- Acres

CORPORATE OFFICE CAMPUS DEVELOPMENT – 81 +/- Acres (PD 3-5B)

1,160,000 SF

MIXED-USE DEVELOPMENT – 53 +/- Acres (PD 3-5A)

- Residential
275 Units
- Hotel / Hospitality
+/- 200 Rooms/150,000 SF
- Class A Mid-rise Office
+/- 780,000 SF
- Mixed Use/ Retail/ Office/
Entertainment
+/- 430,000 SF

Non-Developable Property – 20 +/- Acres (PD 3-5A) Creek & Lake Area



TEXAS
TOWN

Note: Informational Only.
Not Part of PD Ordinance.



Gensler

Inspirational Images
February 15, 2016



TEXAS
TOWN



Gensler

Inspirational Images
February 15, 2016

Note: Informational Only.
Not Part of PD Ordinance.



RANCH
AESTHETIC



Gensler

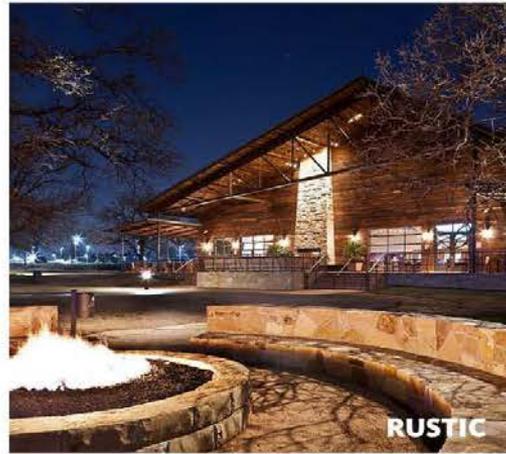
Note: Informational Only.
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TEXAS
VERNACULAR



NATIVE GRASSES



RUSTIC



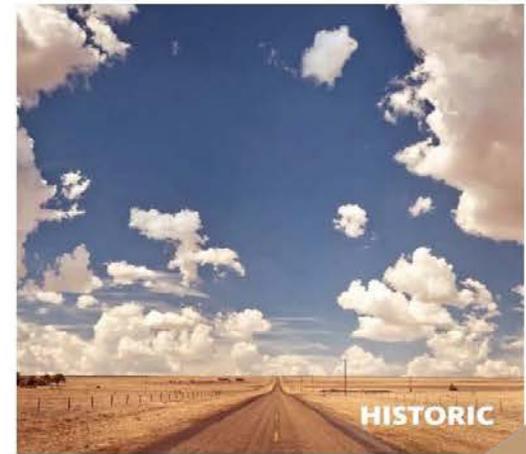
RANCH STYLE



PRAIRIE LANDSCAPE



GREEN SPACE



HISTORIC

Gensler

Note: Informational Only.
Not Part of PD Ordinance.



MATERIAL
COMPOSITIONS

Note: Informational Only.
Not Part of PD Ordinance.



Gensler





OUTDOOR DINING AREAS

SUNNYLANDS CENTER AND GARDENS



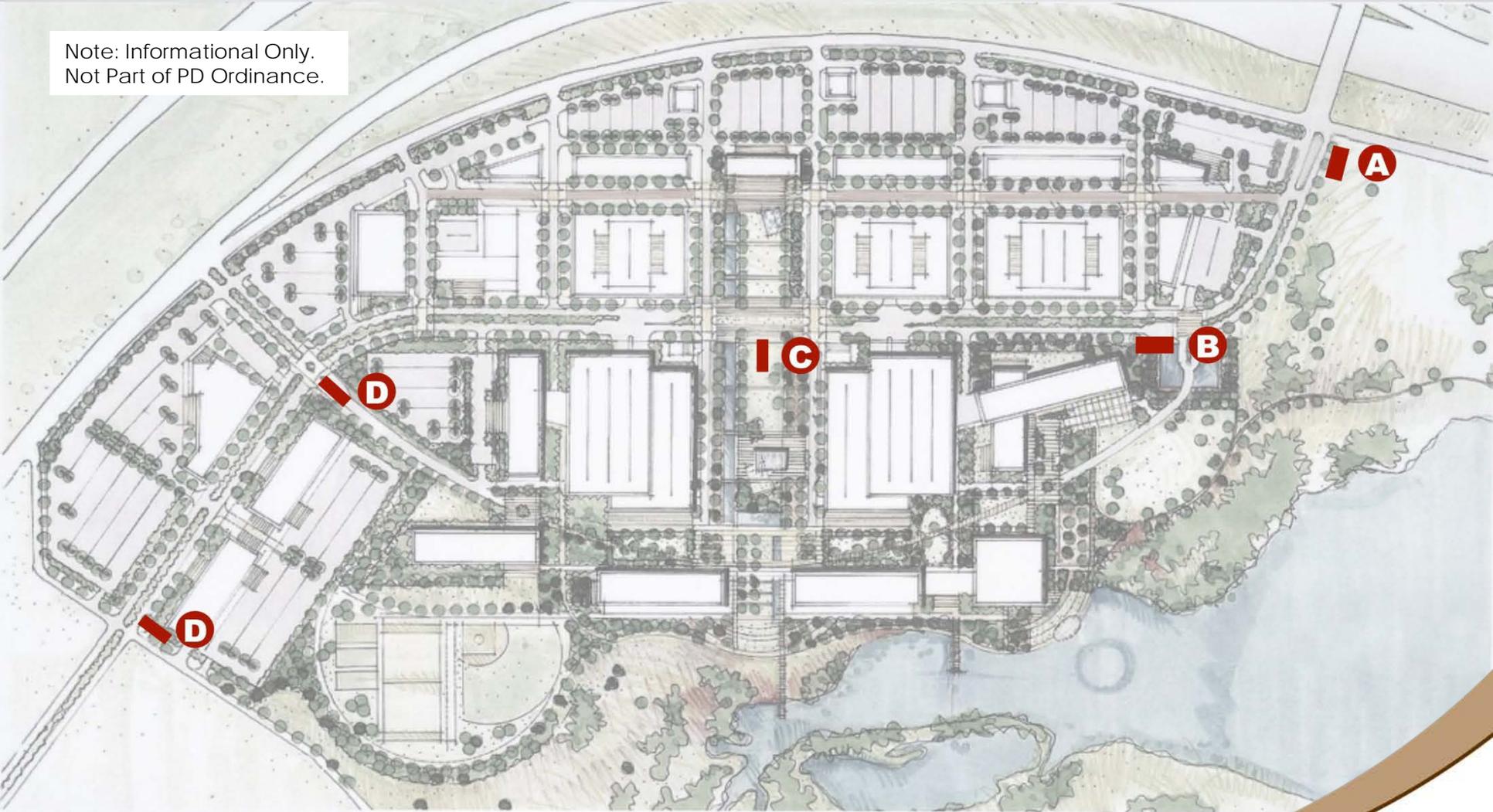


BROCHSTEIN PAVILION RICE UNIVERSITY





Note: Informational Only.
Not Part of PD Ordinance.



SPECIFIC MATERIAL FINISHES TO BE DETERMINED.

Signage Site Plan

Project Signage
February 15, 2016



Note: Informational Only.
Not Part of PD Ordinance.

126 SF

28'-0"

33'-0"

company name

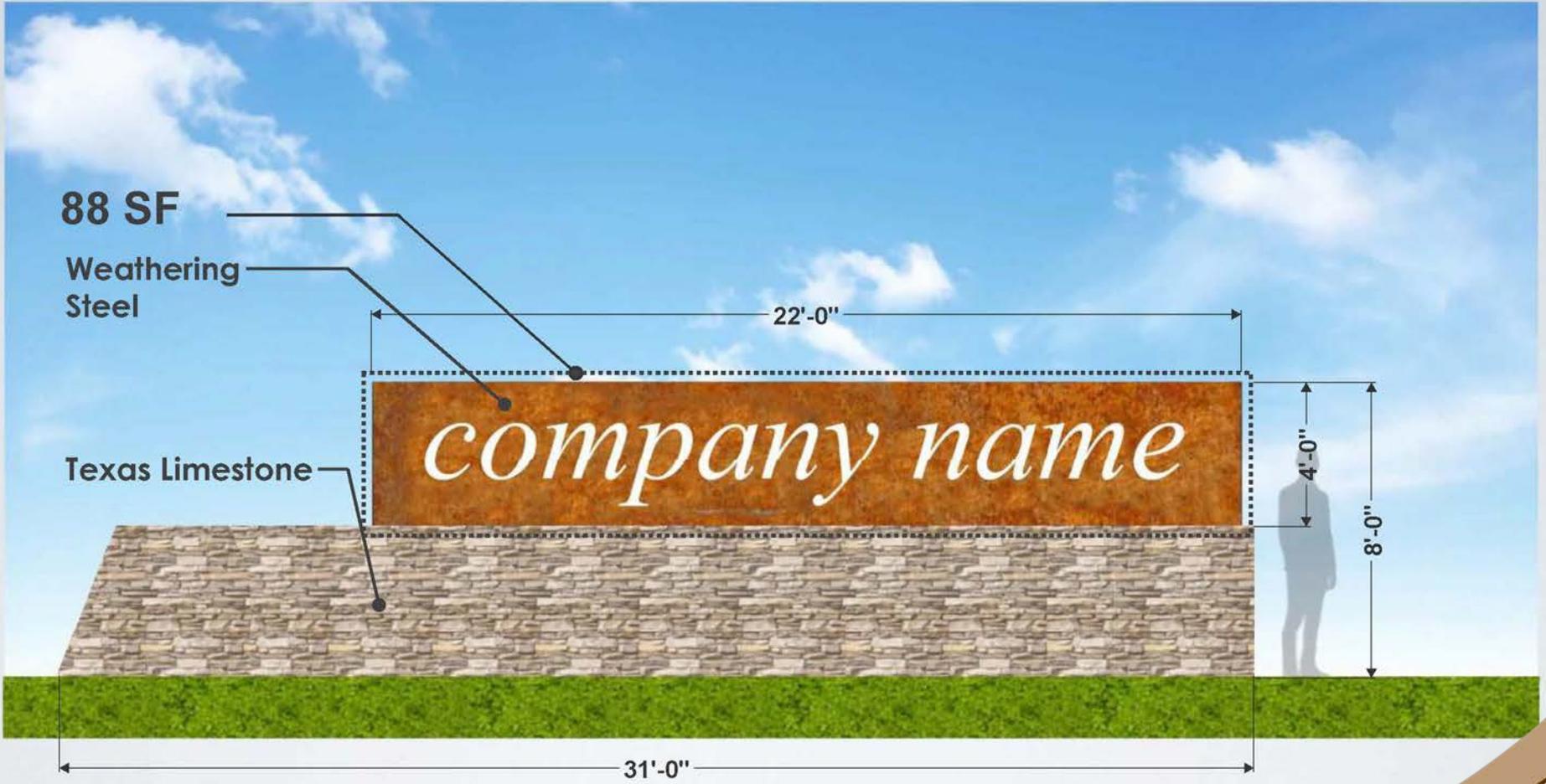
Weathering Steel

Texas Limestone

4'-6"

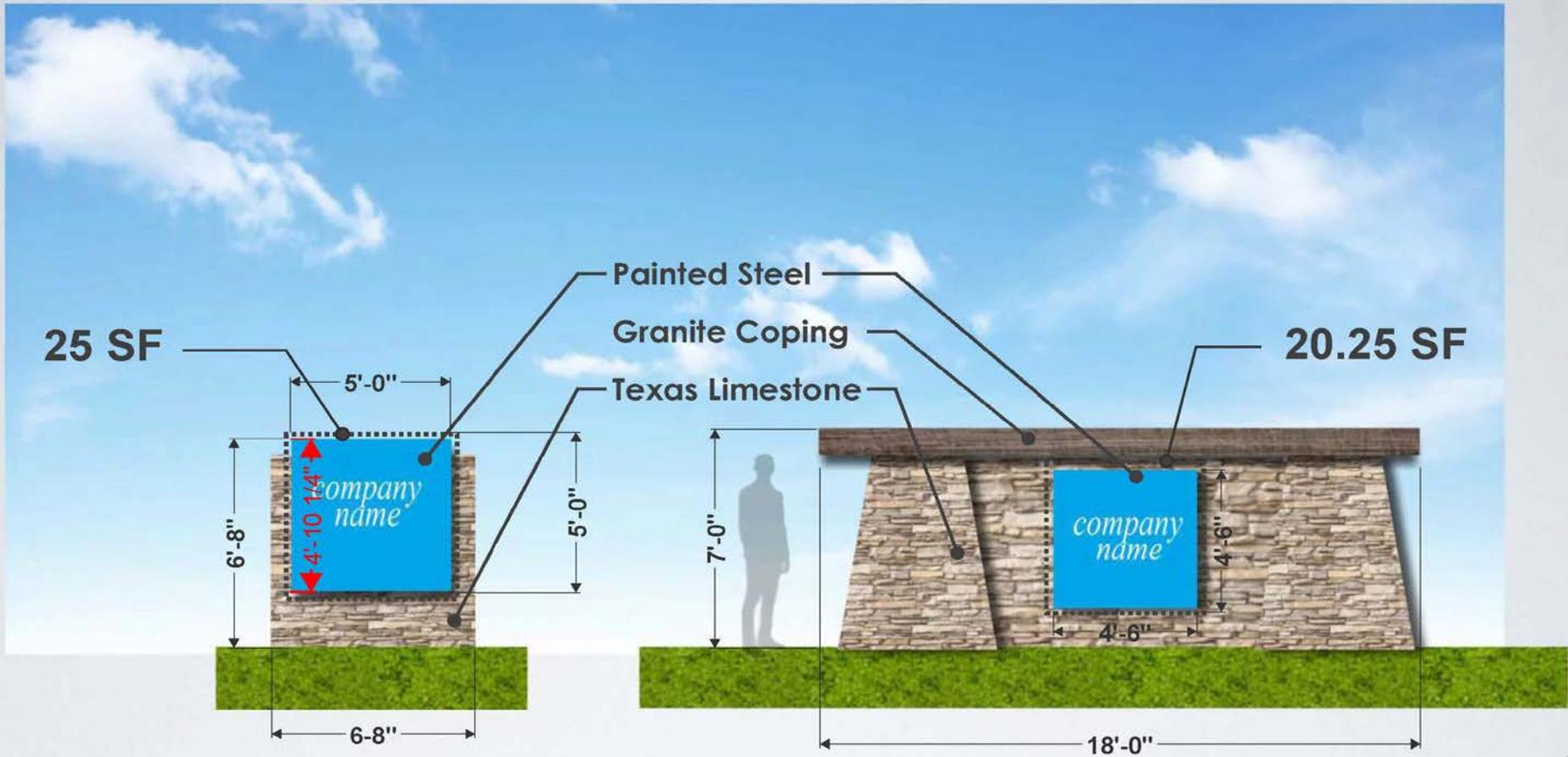
A Freeway sign





B Main entry sign





D Small monument

C Large monument

Note: Informational Only.
Not Part of PD Ordinance.



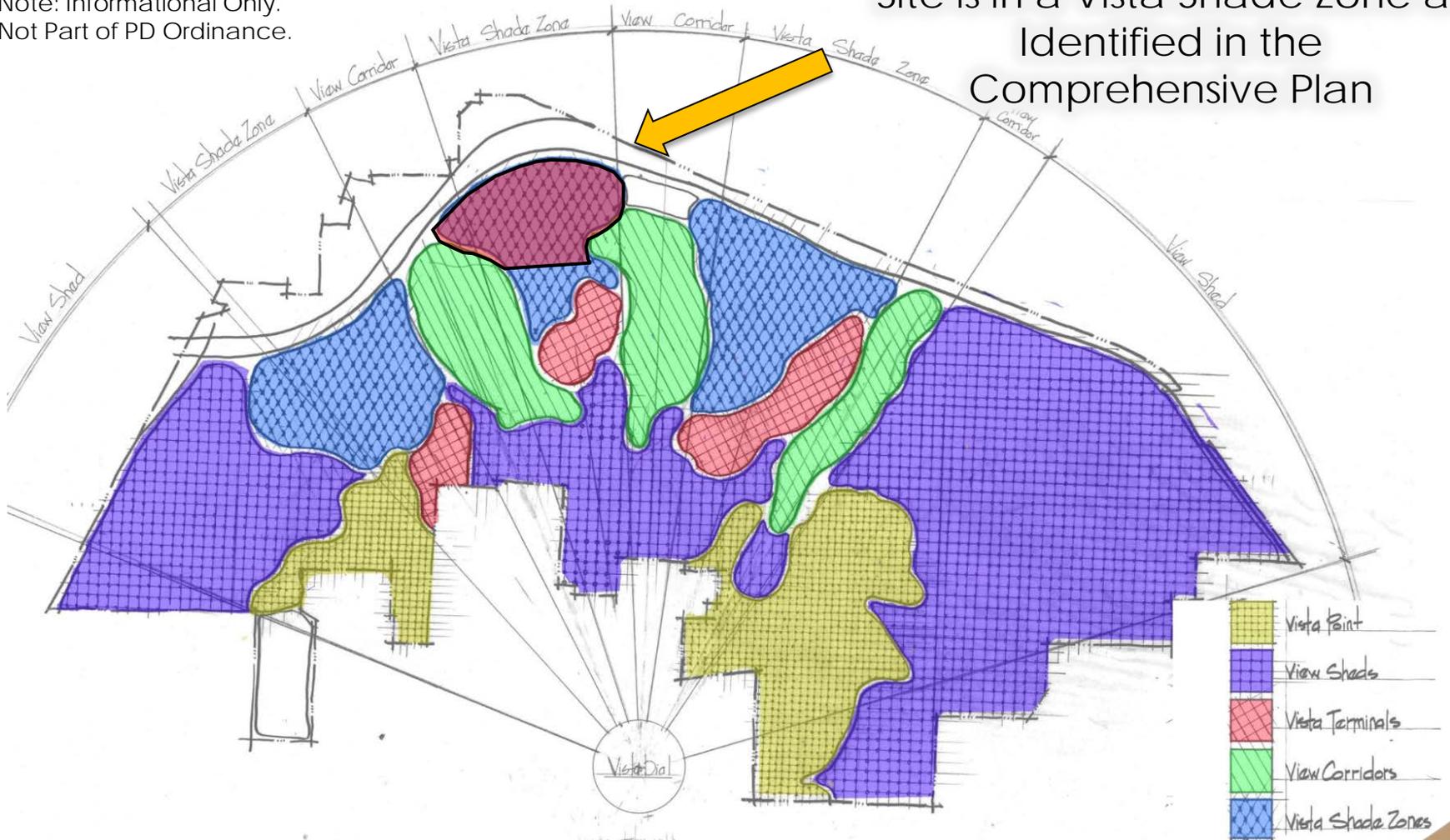
Compatibility with the Town of Westlake's adopted Comprehensive Plan

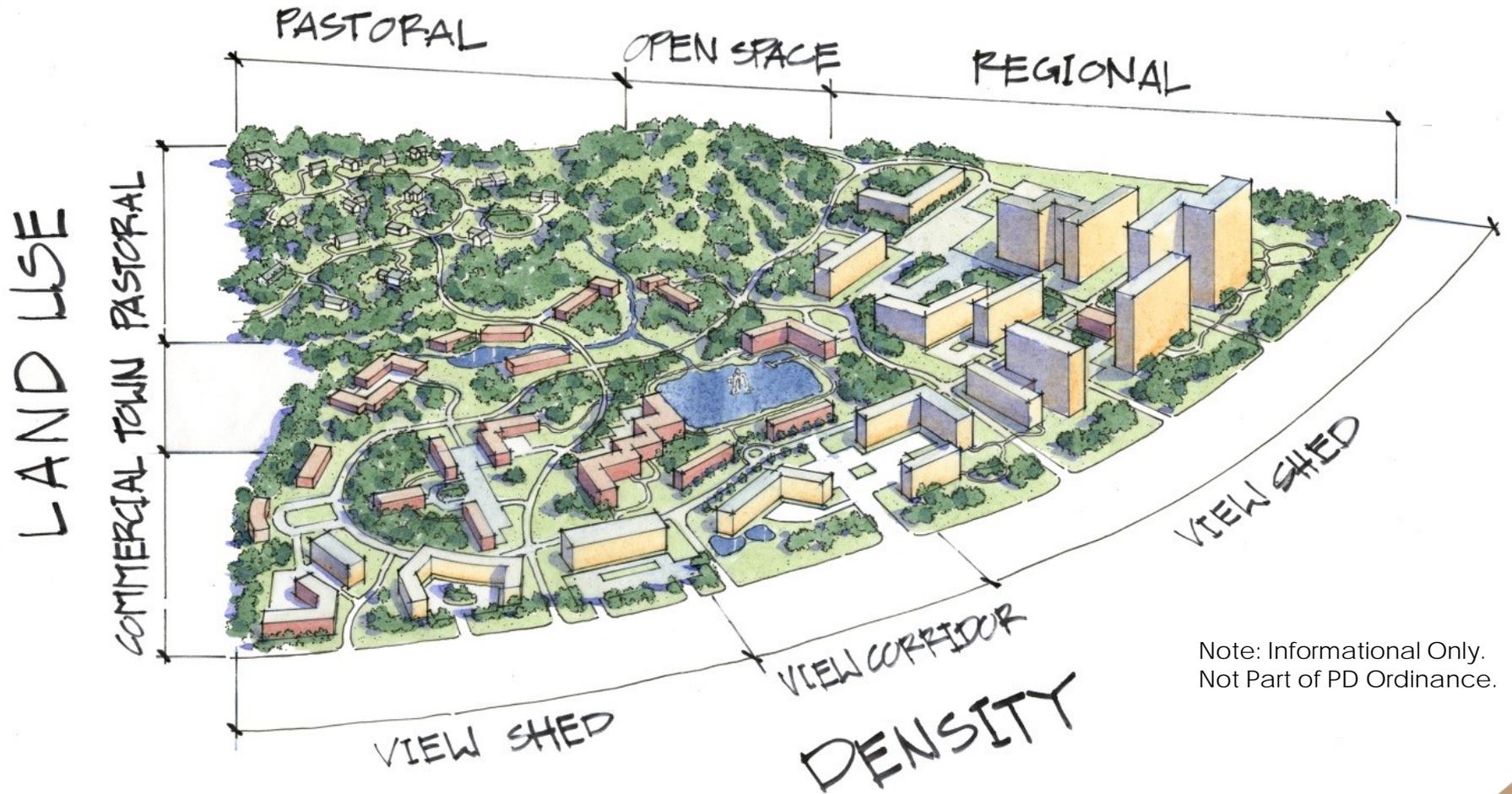
- Pushes more intense development to the north, abutting State Highways 114 and 170
- Development will be in an area identified for Regional Commercial
- Development is moved to a Vista Shade Zone north of the hill and away from the residential core of Westlake
- Because of the transfer of "density" the overall "density" across PD 3 remains constant
- Offers a mix of uses including retail, commercial, office, hotel and potential entertainment
- Due to location allows more verticality, which is needed to meet the Town's desire for additional commercial development
- Includes expanded residential opportunities
- Recruiting another major Financial Cluster resident to the Town



Note: Informational Only.
Not Part of PD Ordinance.

Site is in a Vista Shade Zone as
Identified in the
Comprehensive Plan

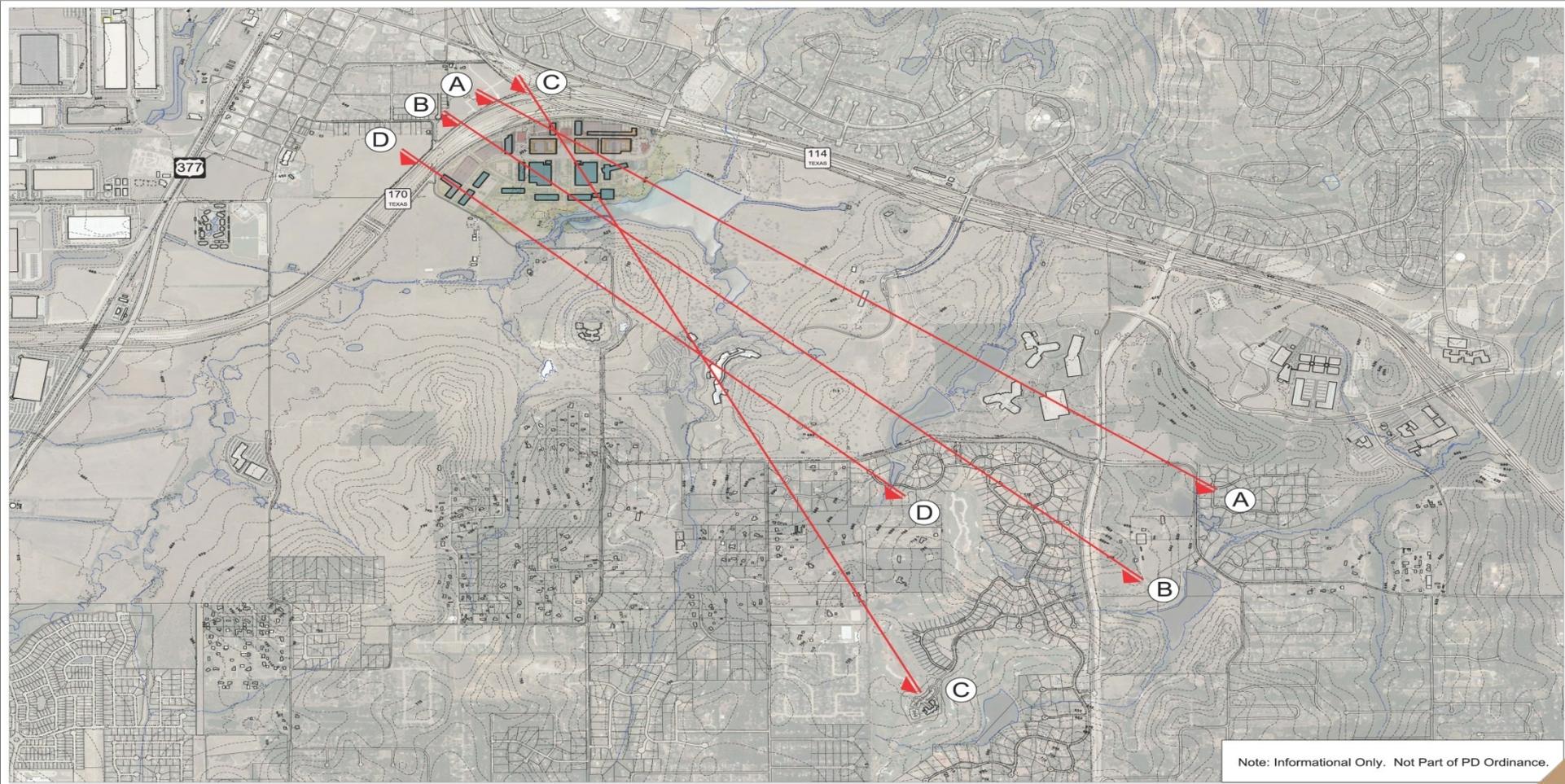




Note: Informational Only.
Not Part of PD Ordinance.

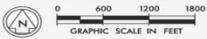
Site is located along SH 170 and SH 114 In an area identified for Regional Commercial and Higher Density, allowing for more verticality.



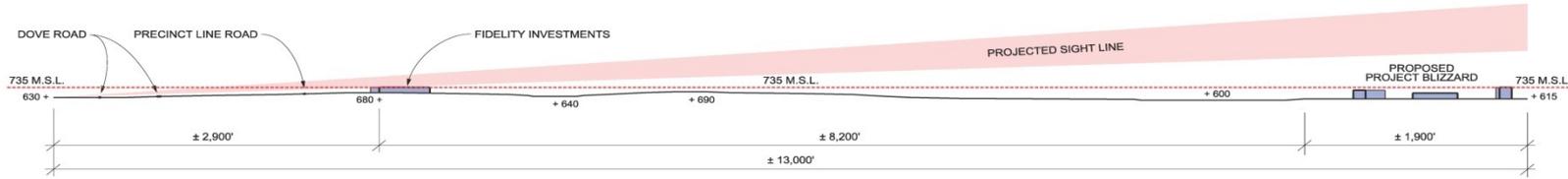


PROJECT BLIZZARD

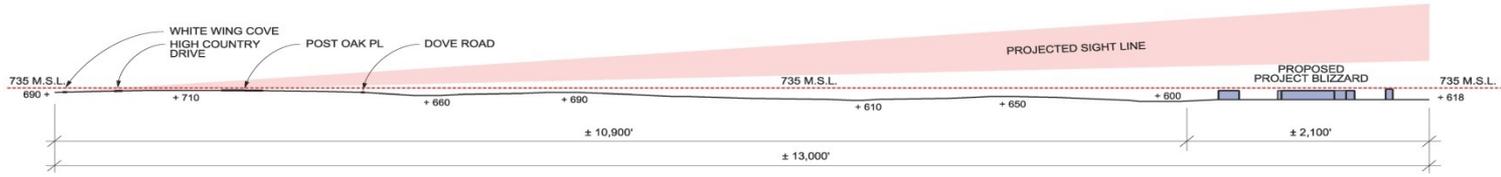
VIEWSHED ANALYSIS - PLAN VIEW



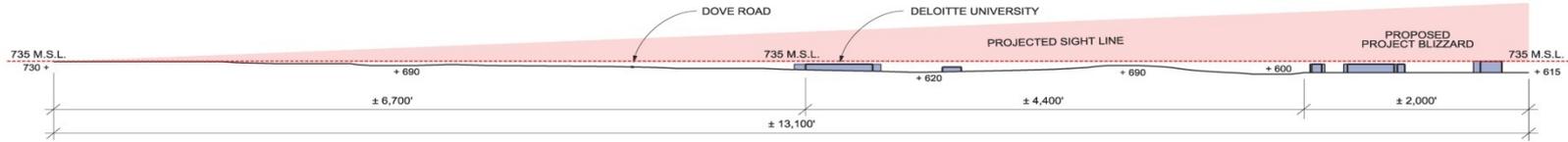
Viewshed Plan View
February 15, 2016



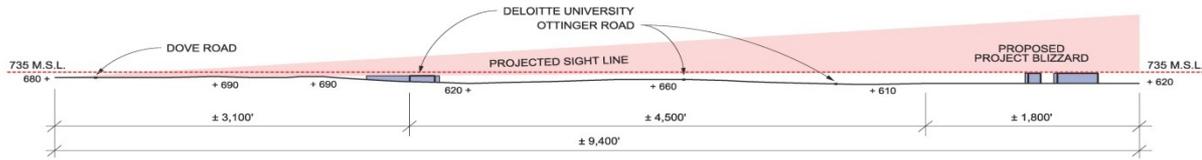
A VIEWSHED ANALYSIS
CROSS SECTION - SCALE: 1" = 400'



B VIEWSHED ANALYSIS
CROSS SECTION - SCALE: 1" = 400'



C VIEWSHED ANALYSIS
CROSS SECTION - SCALE: 1" = 400'



D VIEWSHED ANALYSIS
CROSS SECTION - SCALE: 1" = 400'

Note: Informational Only.
Not Part of PD Ordinance.

PROJECT BLIZZARD



**Summary of Circle T Ranch Proposed Blizzard Zoning
PD 3-5 A and 3-5 B**

February 15, 2016

Use	Unit	Proposed PD 3-5B	Proposed PD 3-5A	Current PD-3-5	Net Difference
Retail/Entertainment	SF	-	80,000	0	80,000
Office/Office Campus	SF	1,160,000	780,000	884,505	1,055,495
"Mixed Use"	SF	-	350,000	1,305,060	(955,060)
Hotel	(200 Keys) SF	-	150,000	0	150,000
Municipal Use	AC	-	2	2	0
Single Family Residential	Units	-	275	275	0
Net Square Footage Difference					330,435
			Transfer from PD 3-3 (from Office and Hotel)		(336,000)

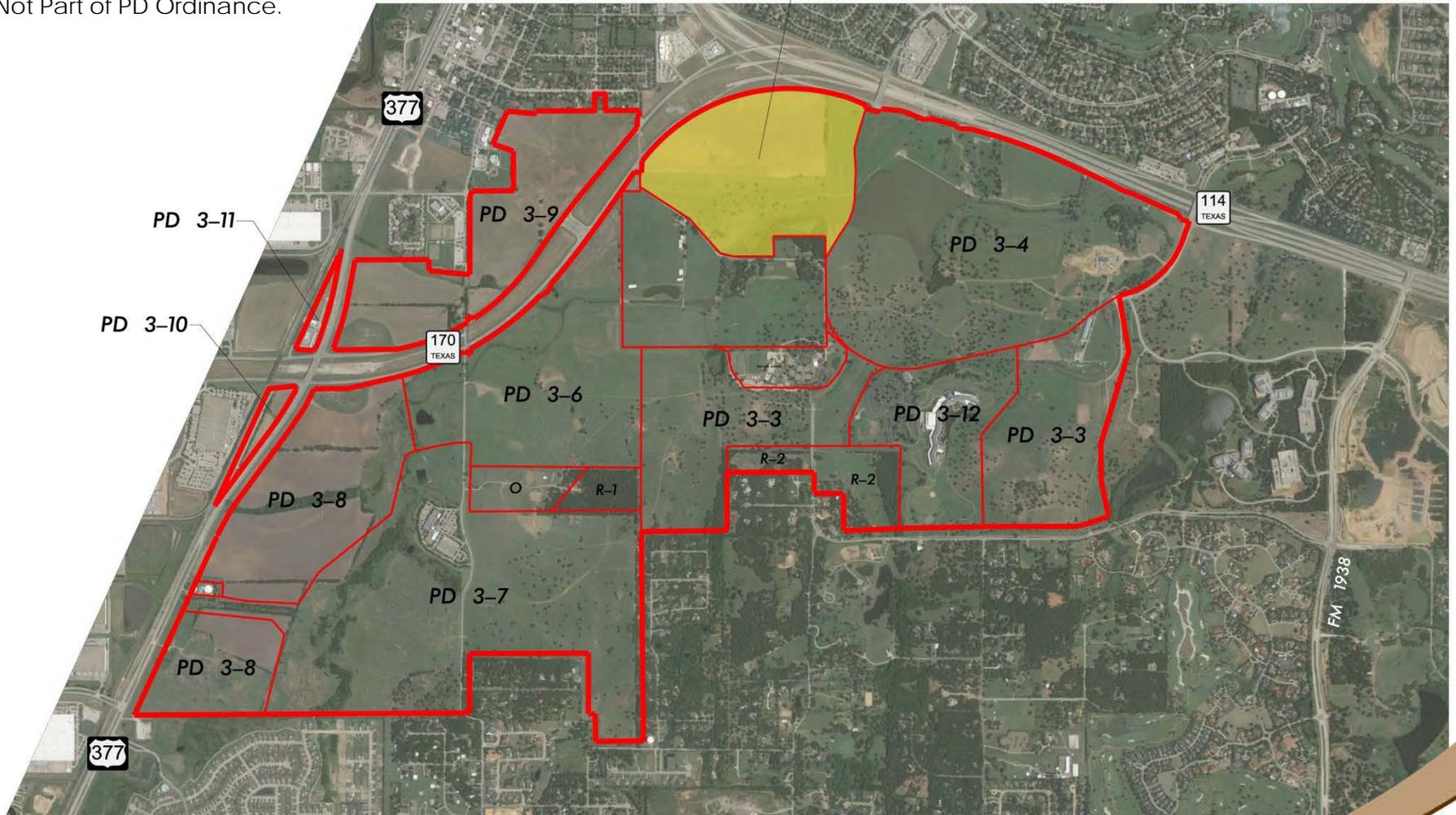
Note: Informational Only.
Not Part of PD Ordinance.



Proposed Zoning
February 15, 2016

Note: Informational Only.
Not Part of PD Ordinance.

SITE



- Existing Planned Development Boundary
- Existing Ranch Boundary



Proposed Circle T Ranch Zoning
February 15, 2016

Thank You



ORDINANCE NO. 768

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING PLANNED DEVELOPMENT ORDINANCE SUPPLEMENT 1, CHAPTER 3, SECTION 3-61 “DENSITY,” PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law Town; and

WHEREAS, all legal requirements of state statutes and Town ordinances of the Town of Westlake, as well as all legal requirements and legal notices and prerequisites having been complied with; including the Texas Open Meetings Act and the requirements of Texas Local Government Code chapter 211; and

WHEREAS, the Town Council of the Town of Westlake, Texas, at a public hearing called at a regular session of the Town Council did consider the following factors in making a determination as to whether the requested change should be granted or denied: congestion in the streets, including safety of the motoring public and the pedestrians using the facilities in the area; to secure safety from fire, panic or other dangers; the promotion of health and the general welfare, to provide for adequate light and air; facilitating the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

WHEREAS, having received the recommendation of the Planning & Zoning Committee, the Town Council of the Town of Westlake, Texas is of the opinion that it is in the best interest of the town and its citizens that the amendments should be approved and adopted.

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

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

SECTION 2: That Section 3-61 of the Town of Westlake Planned Development Supplement Ordinance Chapter 3 Section 3-61 is hereby amended by repealing the current section 3-61 and replacing it with section 3-61 to read as follows:

Section 3-61 Density

- (1) *Office.* The maximum building square footage for the office use shall be 1,014,000 square feet.
- (2) *Resort hotel.* The maximum building square footage for the resort hotel use shall be 350,000 square feet.

SECTION 3: That all provisions of Ordinance 600 not hereby amended shall remain in full force and effect.

SECTION 4: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 5: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) or Five Hundred (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 7: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 22 DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

TOWN OF WESTLAKE

ORDINANCE NO. 769

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS TO REZONE A PORTION OF AN APPROXIMATELY 154-ACRE TRACT OF LAND GENERALLY LOCATED IN DENTON COUNTY, TEXAS, BEING A PORTION OF THE PROPERTY KNOWN AS THE PD 3-5A PLANNING AREA BY DEFINING THE BOUNDARIES OF THE PD 3-5A PLANNING AREA; ESTABLISHING THE PERMITTED USES, DEVELOPMENT STANDARDS, DENSITIES, AND DEFINITIONS; PROVIDING EXHIBITS SHOWING THE BOUNDARIES, PROVIDING FOR AND A LEGAL DESCRIPTION; PROVIDING FOR GENERAL REGULATIONS; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law Town; and

WHEREAS, all legal requirements of state statutes and Town ordinances of the Town of Westlake, as well as all legal requirements and legal notices and prerequisites having been complied with; including the Texas Open Meetings Act and the requirements of Texas Local Government Code chapter 211; and

WHEREAS, on August 24, 1992, the Town Council (the "Council") of the Town of Westlake, Texas (the "Town") adopted a Comprehensive Plan (the "1992 Comprehensive Plan") for the Town; and

WHEREAS, on November 16, 1992, the Council adopted a Comprehensive Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, on September 15, 1997, based on the recommendations of the Planning and Zoning Commission (the "Commission"), the Council amended the Zoning Ordinance and the subdivision regulations by adopting a Unified Development Code (the "UDC") for the Town; and

WHEREAS, the Zoning Ordinance and subdivision regulations have been amended and codified; and

WHEREAS, on March 2, 2015, the Town Council (the "Council") of the Town of Westlake, Texas (the "Town") adopted an updated Comprehensive Plan (the "2015" Comprehensive Plan") for the Town; and

WHEREAS, there is located within the corporate limits of the Town an approximately 154 acre tract of land (to be referred to as PD 3-5A, Planned Development Zoning District 3, Planning Area 5, and hereinafter sometimes referred to as the "Planning Area"); and

WHEREAS, due to improvements to State Highway 114, further urban growth throughout the region, and other changed conditions that affect the region, the Town believes there are unique and significant opportunities for office, retail and mixed-use development including owner-occupied single family residential within the Planning Area that will be consistent with the Town's long-term development vision; and

WHEREAS, the Commission has recommended to the Council that the hereinafter described property be rezoned to "PD 3-5A" (Planned Development District 3, Planning Area 5A); and

WHEREAS, the Council believes that the interests of the Town, the present and future residents and citizens of the Town, and developers of land within the Town are best served by adopting this Ordinance, which the Council has determined to be consistent with the 2015 Comprehensive Plan - Land Use Plan, Thoroughfare Plan, Open Space and Trail Plan, Water and Sewer Plans, Drainage Plan, and Zoning Map all as amended.

WHEREAS, the Town Council of the Town of Westlake, Texas, at a public hearing called at a regular session of the Town Council did consider the following factors in making a determination as to whether the requested change should be granted or denied: congestion in the streets, including safety of the motoring public and the pedestrians using the facilities in the area; to secure safety from fire, panic or other dangers; the promotion of health and the general welfare, to provide for adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of the population, facilitating the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

WHEREAS, having received the recommendation of the Planning & Zoning Committee, the Town Council of the Town of Westlake, Texas is of the opinion that it is in the best interest of the town and its citizens that the amendments should be approved and adopted.

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

SECTION 1: That the recitals set forth above are hereby incorporated herein, adopted by the Town and declared to be true and correct.

SECTION 2: That any person, firm or corporation violating any of the provisions or terms

of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) or Five Hundred (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 3: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas, Ordinance No. 200, is hereby amended adding and adopting the Planned Development Ordinance attached hereto as Exhibit “A” and incorporated herein which provides for Planned Development District No. 3, Planning Area 5A, within the property described in **Exhibit 1** of Exhibit “A” attached hereto and incorporated herein by reference for all purposes and for Exhibits 1-8 attached to Exhibit “A” and incorporated therein, and further provides in Exhibit “A” and attached Exhibits “A 1-8 for Article I “General Provisions” providing for short title, purposes, definitions, use of PD Supplement, applicability of Town regulations and general approval criteria, Concept Plan, Development Plans, and Site Plans, and further provides in Article II “Use” for land uses, . accessory uses and structures, and further provides in Article III “Development Standards” for density, minimum lot size, minimum lot width, maximum building height, minimum building size, front yard setbacks and build to lines, rear yard setbacks, side yard setbacks, slope requirements, and further provide in Article IV “Additional Mixed Use Development Area Standards” for roadway standards, landscaping, lake edge, roofs, consistent first floor heights, street level entries and openings, storefront spacing, street level facades, porches, sidewalk coverings, diversity of uses, mid-block passages, paving materials, pedestrian accesses, and further provide in Article V. for exhibits .

SECTION 4: Upon the adoption of this PD, the Town Manager or his designee shall promptly update the Town's Official Zoning Map, to include an amended Planned Development on which entry shall include the abbreviated designation "PD No. 3-5A" and the date that this Ordinance was adopted by the Council.

SECTION 5: It is hereby declared to be the intention of the Council, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared 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 Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6: This Ordinance shall become effective upon its passage.

PASSED AND APPROVED ON THIS 22ND DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Exhibit "A"

CIRCLE T PLANNING AREA 5A

ARTICLE I. GENERAL PROVISIONS

SECTION 1.1 SHORT TITLE.

This ordinance shall be known and may be cited as the "Circle T Planning Area No. 5 (PD 3-5A)", or simply as the "PD Ordinance."

SECTION 1.2 PURPOSES.

This PD Ordinance is adopted to provide for a superior design of lots or buildings; to provide for increased recreation and/or open space opportunities for public use; to provide rural amenities or features that would be of special benefit to the property users or community; to protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and viewscapes; to protect or preserve existing historical buildings, structures, features or places; and to provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

SECTION 1.3 GENERAL DEFINITIONS.

Section 1.3.1 Usage. For purposes of this PD Ordinance, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this Section. Other terms and words are defined elsewhere in other related town ordinances. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, and words used in the plural include the singular. The word "shall" will be interpreted as mandatory, and the word "may" as permissive.

Section 1.3.2 Words and Terms Defined.

Applicable Town Ordinances means the UDC and all other ordinances, rules, and regulations that are adopted by the Council and that are applicable to development within the PD District.

Council means the Town Council of the Town of Westlake, Texas.

Commission means the Planning and Zoning Commission of the Town of Westlake, Texas.

Floor Area means the total area of all floors of all buildings on a lot or unified development site measured between the outer perimeter walls of the buildings excluding (i) area in a building or in a

separate structure (whether below or above grade) used for the parking of motor vehicles, (ii) courts or balconies open to the sky, and (iii) roof area used for recreation.

Masonry means brick, stone, cast stone, concrete, glass block, split-face concrete masonry unit, or other masonry materials approved by the Council.

Mixed Use Development Area means the areas within the PD District that are developed in accordance with the Mixed Use regulations of this PD Ordinance.

Non-Residential Use means all Permitted Uses other than residential.

PD District means a Planned Development Zoning District. (i.e. PD3) A PD Zoning District may be divided into multiple planning areas. (i.e. PD 3-5A; PD Zoning District 3, Planning Area 5A.) The Planned Development Zoning District contains regulations that apply to all planning areas within the zoning district, unless the PD Ordinance that created or amended the PD Planning Area contains regulations that are different from those in the PD Zoning District.

PD Ordinance means this Planned Development Planning Area ordinance, including any approved PD Concept Plan, PD Development Plan or PD Site Plan.

PD Planning Area means a planning area within a Planned Development Zoning District.

PD Supplement means that certain Circle T Planned Development Zoning District Supplement contained in Ordinance No. 307 and adopted by the Council.

Town means the Town of Westlake, Texas.

UDC means the Town's Unified Development Code, as amended and codified.

SECTION 1.4 PD SUPPLEMENT.

Concurrently with the adoption of PD Ordinance No. 311, the Council adopted the PD Supplement. The PD Supplement includes additional standards that are applicable within this PD District. The PD Supplement establishes additional standards for the following: concept, informational, development and site plans; signs; landscaping; roadway construction, parking and loading; fencing; lighting; other special standards; and illustrations.

SECTION 1.5 APPLICABILITY OF EXISTING REGULATIONS.

Section 1.5.1 Applicable Town Ordinances. Except to the extent provided by an approved PD

Concept Plan, this PD Ordinance and the PD Supplement, development within the PD District shall be governed by least restrictive of the "R" Retail or "O" Office Park zoning district standards and the uses listed in Article II of this Ordinance.

Except to the extent provided by an approved PD Concept Plan, this PD Ordinance, and the PD Supplement, the Applicable Town Ordinances shall also govern development within the PD District. In the event of any conflict between (a) an approved PD Concept Plan, this PD Ordinance and the PD Supplement and (b) the Applicable Town Ordinances, the terms, provisions and intent of an approved PD Concept Plan, this PD Ordinance and the PD Supplement shall control. Except as provided below, in the event of any conflict between the UDC and the Applicable Town Ordinances, the terms, provisions and intent of the UDC shall control.

Section 1.5.2 General Approval Criteria. To the extent, if any, that the Applicable Town Ordinances (and, in particular, the subdivision regulations of the UDC) grant to the Council, the Commission, the Town Manager, or any other Town employee or consultant, the authority to approve any aspect of development within the PD District (including, but not limited to, preliminary or final plats or any aspect thereof or any agreements or permits related thereto) based on conformity with the Town's Comprehensive Plan, Open Space Plan or Thoroughfare Plan (or with the objectives, goals or policies of such plans), then such authority shall be exercised to the extent necessary to determine whether the aspect of development being approved is consistent with an approved PD Concept Plan, this PD Ordinance, the PD Supplement.

SECTION 1.6 CONCEPT PLAN, DEVELOPMENT PLANS, AND SITE PLANS.

Section 1.6.1 PD Concept Plan. A PD Concept Plan for this PD District shall be approved prior to the approval of any development plans and site plans required by this PD Ordinance. The PD Concept Plan shall comply with the Comprehensive Land Use Plan the Open Space and Trail Plan, the Master Thoroughfare Plan, the Master Water and Sewer Plans, and the Master Drainage Plan of the town and the UDC.

Section 1.6.2 PD Development Plans. PD development plans are required for development within the PD District. The UDC governs the process by which PD development plans are submitted and approved.

Section 1.6.3 PD Site Plans. PD site plans are required for development within the PD District. Article I, Section 3.4, of the PD Supplement governs the process by which PD site plans are submitted and approved (including, but not limited to, the submittal requirements, approval criteria, and conditions).

ARTICLE II. USES

SECTION 2.1 LAND USES.

Section 2.1.1 Land Use Schedule. Buildings, structures, and land within the PD District shall be used only in accordance with the uses permitted in the following "Land Use Schedule". The symbol "X" shall mean that the use is permitted as a principal use by right. The symbol "S" shall mean that the principal use is permitted only after first obtaining a "Specific Use Permit" as set forth in the UDC. The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use (this does not exclude other land uses which are generally considered accessory to the primary use). A blank square shall mean that the use is not allowed as a principal use.

PLANNING AREA 5 A - LAND USE SCHEDULE

PERMITTED USES	A = Accessory Use X = Permitted S = Special Use
AGRICULTURAL USES	
1. Plant Nursery (Growing)	X
2. Plant Nursery (Retail Sales)	X
3. Farms General (Crops)	X
4. Farms General (Livestock, Ranch)	X
5. Vegetarian (Indoor Kennels)	X
6. Vegetarian (Outdoor Kennels)	
7. Stables (Private Use)	S
8. Stables (As a Business)	S
1. RESIDENTIAL USES	
9. Single Family Detached	X
10. Single Family Attached - Zero Lot Line	X
11. Single Family Attached	X
12. Duplex	
13. Condominium	
14. Home Occupation	X
15. Servants/Caretakers Quarters	A
16. Temporary Accommodation for Employees/Customers/Visitors	A
17. Swimming Pool (Private)	A
18. Detached Garage (Private)	A
19. Sport/Tennis Courts (Private)	A

PERMITTED USES		A = Accessory Use X = Permitted S== Special Use
INSTITUTIONAL and GOVERNMENTAL USES		
20. Emergency Ambulance Service		X
21. Post Office (Governmental)		X
22. Mailing Service (Private)		X
23. Heliport		
24. Helistop/Verti-stop		S
25. Telephone, Electric, Cable, and Fiber Optic Switching Station		X
26. Electrical Substation		S
27. Utility Distribution Lines ¹		X
28. Utility Shop and Storage		S
29. Water and Sewage Pumping Station (below grade)		X
30. Water and Sewage Pumping Station (above grade)		S
31. Water Storage Tank and Pumping System (Elevated or Above Grade)		S
32. Water, Sewer, Electric, and Gas Meters		X
33. Electric Transformers		X
34. Private Streets/Alleys/Drives		X
35. Retirement Home		X
36. Nursing/Convalescent Home		
37. Hospice		
38. Hospital		
39. Psychiatric Hospital		
40. Clinic		X
41. Child Daycare (Public; 7 or more)		X
42. Child Daycare (Private; 7 or more)		X
43. School, K-12 (Public or Private)		
44. School (Vocational)		A
45. College or University		X
46. Community Center (Public)		X
47. Civic Club		X
48. Church or Place of Worship		X
49. Use Associated with a Religious Inst.		X
50. Government Building		X
51. Police Station		X
52. Fire Station		X
53. Library		X
54. Data Center		X

PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
COMMERCIAL USES	
55. Offices (General)	X
56. Studio	X
57. Banks and Financial Institutions	X
58. Information Processing	X
59. Hotel/Motel	X
60. Hotel/Motel with Conferencing Facility	X
61. Laundry/Dry Cleaning (<3,000 S.F.)	X
62. Laundry/Dry Cleaning (Drop/Pick)	X
63. Parking Structures	X
64. Shoe Repair	X
65. Beauty Parlor/Barbershop	X
66. Clothing Store	X
67. Quick Copy/Duplicating Services	X
68. Personal Services	X
69. Liquor Store	
70. Micro-brewery and Wine Production and Sales (<30,000 S.F.)	S
71. Grocery (With alcoholic beverage sales)	S
72. Convenience Store (with alcoholic beverage sales)	S
73. Grocery	X
74. Convenience Store	X
75. Variety Store	X
76. Bakery Sales	X
77. Stationery and/or Book Store	X
78. Antique Shop	X
79. Art Gallery/Museums	X
80. Hardware Store	X
81. Sporting Goods	X
82. Paint and Wallpaper	X
83. Clothing Store	X
84. Retail Stores – General (Excluding Second Hand Goods)	X
85. Restaurant, Cafe or Dining Facility	X
86. Restaurant, Cafe or Dining Facility serving alcohol	S
87. Auto/Truck Parts and Accessories	X
88. Household Furniture/Appliances (including Sales and Service)	X
89. Farmer's Market	S

90. Feed Store	
91. Parking Structure	X
92. Cafeteria (Private)	A
93. Job Printing, Lithography, Printing, or Blueprinting	X
94. Vehicle Display and Sales (inside)	X
95. Medical Laboratory	A
PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
96. R&D Laboratory	S
97. Conference Center	X
98. Live Theater	X
99. Motion Picture Theater	X
100. Custom Business Services	X
101. Electronic Appliances Store and Computer Sales and Service	X
102. Tavern, Bar or Lounge	S
103. Dance Halls/Nightclubs	S
104. Golf Course (Public or Private)	X
105. Park or Playground (Public or Private)	X
106. Satellite Dish	X
107. Non Commercial Radio Tower	
108. Race Track Operation	
109. Recreation Facility, Health Studio (Public)	X
110. Country Club (Private Membership)	X
111. Golf Clubhouse (Public or Private)	X
112. Community Center (Private)	X
113. Recreation Center (Private)	X
114. Hike, Bike, and Equestrian Trails (Public or Private)	X
115. Golf Maintenance Facility	A
116. Golf Pro Shop	X
117. Health/Spa Facilities (Private)	X
118. Athletic Fields (Private)	A
119. Athletic Courts (Private)	A
120. Equestrian Center	X
121. Athletic Courts (Public)	A
122. Commercial Amusement (Inside)	X
123. Lake Cruise/Water Taxi	X
124. Truck/Trailer Rental	S
125. Auto Body Repair	
126. Auto Mechanical Repair	S
127. Quick Lube/Oil Change	
128. Vehicle Maintenance (Private)	X
129. Vehicle Fueling (Private)	S

130. Warehouse/Storage (Inside)	
131. Warehouse/Storage (Outside)	
132. Scrap/Waste Recycling Collection and/or Storage	
133. Gas/Chemical Bulk Storage	
134. Light Manufacturing/Assembly	S
135. Apparel Manufacturing	
PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
136. Packaging and/or Distribution	
137. Printing, Engraving and related Reproductive Services	
138. Distribution of Books/Other Printed Material	
139. Machine Shop	
140. Welding Shop	
141. Temporary Batching Plant	S ²
142. Temporary Construction Office	X ²
143. Temporary Construction Materials Storage	X ²
144. Temporary Sales Office	X ²

NOTES:

1. Including water, sewer, electric, gas, cable, telephone, fiber optic, and other public and private utility distribution lines.
2. Limited to period of construction.

Section 2.1.2 Municipal Use. There shall be a two- acre municipal site reserved for a DPS/ Courts use within the PD District.

Section 2.1.3 Residential Area. The maximum number of residential units allowed in this PD District is 275 units. A construction schedule must be approved by the Town Council prior to or simultaneous with the filing of a preliminary plat.

SECTION 2.2 ACCESSORY USES AND STRUCTURES.

An accessory use or structure which is customarily incidental to the principal use or structure, and which is located on the same lot or tract of land, shall be permitted as an accessory use without being separately listed as a permitted use.

ARTICLE III. DEVELOPMENT STANDARDS

SECTION 3.1 DENSITY.

Section 3.1.1 Non-Residential Uses. The maximum aggregate floor area for all allowed non-residential uses outside of a Mixed Use Development Area in this PD District is 1,010,000 square feet.

Section 3.1.2 Mixed Use Development Area. The maximum aggregate floor area for all allowed uses within a Mixed Use Development Area in this PD District is 350,000.

Section 3.1.3 Residential Uses. This PD may contain a maximum of 275 owner occupied, attached or detached single family dwelling units.

SECTION 3.2 MINIMUM LOT SIZE.

Section 3.2.1 Residential area. The minimum lot size for all residential detached units is 5, 000 square feet. There are no minimum lot sizes for Residential attached units.

Section 3.2.2 Mixed Use Development Area. There are no minimum lot sizes within a Mixed Use Development Area except as described in Section 2.1above.

Section 3.2.3 Non-Residential Uses. The minimum lot size for Non-Residential Commercial and Institutional uses outside a Mixed Use Development Area shall be 100,000 square feet.

SECTION 3.3 MINIMUM LOT WIDTH

Section 3.3.1 Residential uses. The minimum lot widths for residential detached units shall be 50 feet. There are no minimum lot widths for attached uses within a Mixed Use Development Area.

Section 3.3.2 Mixed Use Development Area. There shall be no minimum lot widths within a Mixed Use Development Area, except as noted in Section 3.1.

Section 3.3.3 Non-Residential. The minimum lot width for non-residential uses outside of a Mixed Use Development area uses outside of a Mixed Use Development Area shall be 200 feet.

SECTION 3.4 MAXIMUM BUILDING HEIGHT.

Section 3.4.1 Mixed Use Development Area. The maximum height for all structures within a Mixed Use Development area shall be six (6) stories or 90 feet, but not to exceed a height of 735 feet above Mean Sea Level (MSL). The following additional standards apply:

- A. Adjacent buildings within the same block must be varied in height; however, the height differential between buildings cannot exceed two (2) floors.
- B. Heights are measured from the sidewalk to the top of the parapet or roof eave.

C. Sloped roofs shall not exceed a pitch of 8 inch rise for every 12 inches of run.

D. Attic space under the roof may be occupied.

E. Vaulted and curved roofs are permitted but shall not exceed an apex height of greater than 16 feet above the parapet or eave line.

Section 3.4.2 Residential Uses. The maximum height for all residential structures outside of a Mixed-Use area is 35 feet.

Section 3.4.3 All Uses Outside a Mixed Use Development Area . The maximum height for all structures shall be the lesser of eight (8) stories or 735 feet above Mean Sea Level (MSL). Adjacent buildings within the same block must be varied in height; however, the height differential between buildings cannot exceed four (4) floors.

Section 3.4.4 Exceptions to Height Requirements. The height limits imposed by this Section shall not apply to (a) chimneys and vent stacks, church spires, towers, cupolas, sloped roofs, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices provided such equipment, fixtures, and devices are screened from view with a solid wall that is architecturally consistent with the design of the building to which they are attached.

SECTION 3.5 MINIMUM BUILDING SIZE.

The minimum residential dwelling unit size shall be 1, 500 square feet. The minimum building size for all other uses shall be 5,000 square feet.

SECTION 3.6 FRONT YARD SETBACKS AND BUILD TO LINES.

Section 3.6.1 Mixed Use Development Area. There shall be a 15 foot minimum build to line for attached residential uses in a Mixed Use Development area. Detached residential shall have a 20 foot minimum front yard setback. There are no minimum front yard setbacks for other uses in a Mixed Use Development area except that sidewalk zones and landscaping will be consistent with the PD supplement.

Section 3.6.2 Uses outside a Mixed-Used Development Area. The minimum front yard for non-residential uses not within a Mixed Use Development Area shall be 50 feet. Detached residential uses shall have a 20 foot minimum front yard setback.

SECTION 3.7 REAR YARD SETBACKS.

There are no minimum rear yard setbacks for uses within a Mixed Use Development Area. The minimum rear yard for all uses outside of a Mixed Use Development Area shall be 20 feet.

SECTION 3.8 SIDE YARD SETBACKS.

Section 3.8.1 Mixed Use Development Area – Residential Attached. Each attached single family dwelling shall have only one five-foot wide side yard. The side yard requirements shall apply to only one side yard of the first and last attached houses in each set of attached houses.

Section 3.8.2 Mixed Use Development Area - Residential Detached. The side yard requirements for residential detached units shall be 10 feet.

Section 3.8.3 Non-Residential Uses in a Mixed Use Development Area. There shall be no side yard setback requirements for any non-residential uses within a Mixed Use Development Area. There shall be no side yard setback requirements for any other uses within a Mixed Use Development Area.

Section 3.8.4 Non-Residential Uses not in a Mixed Use Development Area. The minimum side yard for non-residential uses not in a mixed use development area shall be 25 feet.

SECTION 3.9 SLOPE REQUIREMENTS.

The regulations contained in the Code of Ordinances or UDC relating to building heights and setback requirements based on a slope measured from a roadway or a residential use does not apply to development within this planning area.

ARTICLE IV. ADDITIONAL MIXED USE DEVELOPMENT AREA STANDARDS

SECTION 4.1 ROADWAY STANDARDS.

The general roadway standards applicable within a Mixed Use Development Area are established by the drawings labeled "Mixed Use Development Area Roadway Standards". Street sections for such roadways (including on- street parking) are illustrated on Exhibits 3 through 7.

SECTION 4.2 LANDSCAPING.

All landscape requirements for this PD District are established in: (i) the Roadway Standards of this ordinance (See Exhibits 3 through 7); (ii) the Lake Edge Standards (See Exhibit 8); and iii) the PD Supplement. In the event that any landscaping standard is not addressed by (i), (ii) or iii) above, then the landscaping standards contained in the UDC shall apply.

SECTION 4.3 LAKE EDGE.

The standards applicable to the development of the Lake Turner shoreline are it lustrated on Exhibit 8.

SECTION 4.4 ROOFS.

Commercial roofs will be predominantly flat with sloped roof architectural features. Residential roofs will be predominantly sloped with flat accent roofs. Sloped roofs will not have a height to length ratio greater than 8:12. Curved roofs will be no taller than 16 feet above the plate or cornice

line. All mechanical units must be screened from view.

SECTION 4.5 CONSISTENT FIRST FLOOR HEIGHTS.

Above a given block, the first floor heights should be similar in adjacent buildings, particularly as reflected in the exterior spandrel between the first and second floor. On commercial streets, the heights of the first floors and adjacent buildings should not vary by more than one foot. Likewise, heights of canopies and colonnades covering the sidewalks should match from building to building along a given block front, with a maximum height of 14 feet.

SECTION 4.6 STREET LEVEL ENTRIES AND OPENINGS.

Commercial entries along the street should be recessed at least two feet from the building face. Residential entries may be recessed or may be covered with a protective rain covering such as awnings and canopies.

SECTION 4.7 STOREFRONT SPACING.

At least one building entry or passage shall occur every 25 feet on average in any block, but no further than 40 feet apart along any commercial facade.

SECTION 4.8 STREET LEVEL FACADES.

Blank stretches of street level, street facing facades (those without windows or entries) should be minimized; however, stretches of ten feet are acceptable. Blank stretches between ten feet and 20 feet are permissible, but should be limited. Blank stretches over 20 feet are not allowed.

SECTION 4.9 PORCHES.

Where first floors are used for residential purposes, first floor porches must be elevated at 18 inches above the sidewalk.

SECTION 4.10 SIDEWALK COVERINGS.

Canopies and colonnades are permitted and encouraged.

SECTION 4.11 DIVERSITY OF USES.

Diversity of uses is encouraged throughout a Mixed Use Development Area. Mixing uses vertically within buildings is also encouraged.

SECTION 4.12 MID-BLOCK PASSAGES.

Mid-block passages which connect the street to the interior of blocks and the parking therein are encouraged. These passages may be enclosed or open air, but must remain open to public passage. These passages should be enhanced with landscaping. Pedestrian circulation should be encouraged and enhanced.

SECTION 4.13 PAVING MATERIALS.

Roadways and parking lots will be concrete, asphalt, with brick, stamped concrete, paver or stone crosswalks and concrete curbs. Entire sections of important roadways may be brick. Sidewalks shall be concrete and/ or brick. Other paved areas, such as courtyards and plazas, may be brick, concrete, or stone, as appropriate.

SECTION 4.14 PEDESTRIAN ACCESSES.

Pedestrian access must be maintained throughout the PD. All buildings and open space must be joined by sidewalks that follow the standards established in the PD Supplement, the UDC and the Trails and Open Space Plan. Sidewalks are also required to link recreational and entertainment uses to parking areas.

ARTICLE V. EXHIBITS

EXHIBIT 1 Legal Description of PD District

EXHIBIT 2 Mixed Use Development Area Maximum Building Height View-shed Analysis

Mixed Use Development Roadway Standards

EXHIBIT 3 Street" A"—Primary Road

EXHIBIT 4 Street` B"—Town Square

EXHIBIT 5 Street" C"— Perimeter Road

EXHIBIT 6 Street" D"— Interior Road

EXHIBIT 7 Street" E"— Service Lanes

EXHIBIT 8 Lake Edge

Exhibit 1

DESCRIPTION 5A, Tract 1

BEING a certain tract of land situated in the Richard Eads Survey, Abstract Number 393, the Jesse Sutton Survey, Abstract Number 1154, and the J. Bacon Survey, Abstract Number 1565, Denton County, Texas and being part of that tract of land described by deed to Westlake Retail Associates, LTD. recorded in Instrument Number 98-R0118649, Official Public Records Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of said Westlake Retail Tract;

THENCE S 17°23'44"W, 329.22 feet;

THENCE with said curve to the right, an arc distance of 225.55 feet, through a central angle of 72°36'05", having a radius of 178.00 feet, the long chord which bears S 53°41'47"W, 210.76 feet;

THENCE S 89°59'49"W, 2082.87 feet;

THENCE with said curve to the left, an arc distance of 610.57 feet, through a central angle of 33°57'51", having a radius of 1030.00 feet, the long chord which bears S 61°39'47"W, 601.67 feet;

THENCE S 33°22'07"W, 762.52 feet;

THENCE N 56°49'29"W, 274.51 feet;

THENCE S 00°36'27"E, 72.88 feet;

THENCE N 89°09'16"W, 296.16 feet;

THENCE N 34°40'58"E, 368.29 feet;

THENCE S 75°40'04"E, 65.50 feet;

THENCE S 89°39'43"E, 41.37 feet;

THENCE N 03°17'07"E, 181.84 feet;

THENCE with said curve to the right, an arc distance of 3328.05 feet, through a central angle of 67°01'44", having a radius of 2844.79 feet, the long chord which bears N 70°21'27"E, 3141.49 feet;

THENCE S 75°49'09"E, 137.98 feet;

THENCE S 75°16'22"E, 75.82 feet;

THENCE S 67°10'21"E, 317.59 feet;

THENCE S 00°31'47"E, 57.12 feet;

THENCE S 75°23'25"E, 42.78 feet to the **Point of Beginning** and containing 2,302,827 square

feet or 52.87 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

DESCRIPTION 5A, Tract 2

BEING a certain tract of land situated in the Richard Eads Survey, Abstract Number 393, the Jesse Sutton Survey, Abstract Number 1154, and the J. Bacon Survey, Abstract Number 1565, Denton County, Texas and being part of that tract of land described by deed to Westlake Retail Associates, LTD. recorded in Instrument Number 98-R0118649, Official Public Records Denton County, Texas and being more particularly described by metes and bounds as follows:

COMMENCIN at the northeast corner of said Westlake Retail Tract;

THENCE S 17°23'44"W, 476.68 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 783.77 feet, through a central angle of 17°32'30", having a radius of 2560.00 feet, the long chord which bears S 08°37'29"W, 780.71 feet;

THENCE S 00°08'46"E, 87.08 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 159.11 feet, through a central angle of 08°57'34", having a radius of 1017.50 feet, the long chord which bears S 04°20'01"W, 158.95 feet to the **POINT OF BEGINNING**;

THENCE continuing with said curve to the right, an arc distance of 509.18 feet, through a central angle of 28°40'19", having a radius of 1017.50 feet, the long chord which bears S 23°08'58"W, 503.88 feet;

THENCE with said curve to the left, an arc distance of 389.64 feet, through a central angle of 18°52'45", having a radius of 1182.50 feet, the long chord which bears S 28°02'45"W, 387.88 feet;

THENCE N 00°46'40"W, 285.95 feet;

THENCE N 89°52'40"W, 803.58 feet;

THENCE S 01°45'09"E, 315.41 feet;

THENCE N 89°55'57"W, 630.71 feet;

THENCE N 76°17'08"W, 209.46 feet;

THENCE N 41°18'25"W, 569.86 feet to the beginning of a non-tangent curve to the right;

THENCE with said non-tangent curve to the right, an arc distance of 128.76 feet, through a central angle of 03°55'08", having a radius of 1882.50 feet, the long chord which bears N 88°08'17"E, 128.73 feet;

THENCE S 89°54'10"E, 898.42 feet;

THENCE N 75°29'58"E, 1406.35 feet to the **Point of Beginning** and containing 884,076 square feet or 20.30 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Exhibit 1, cont.

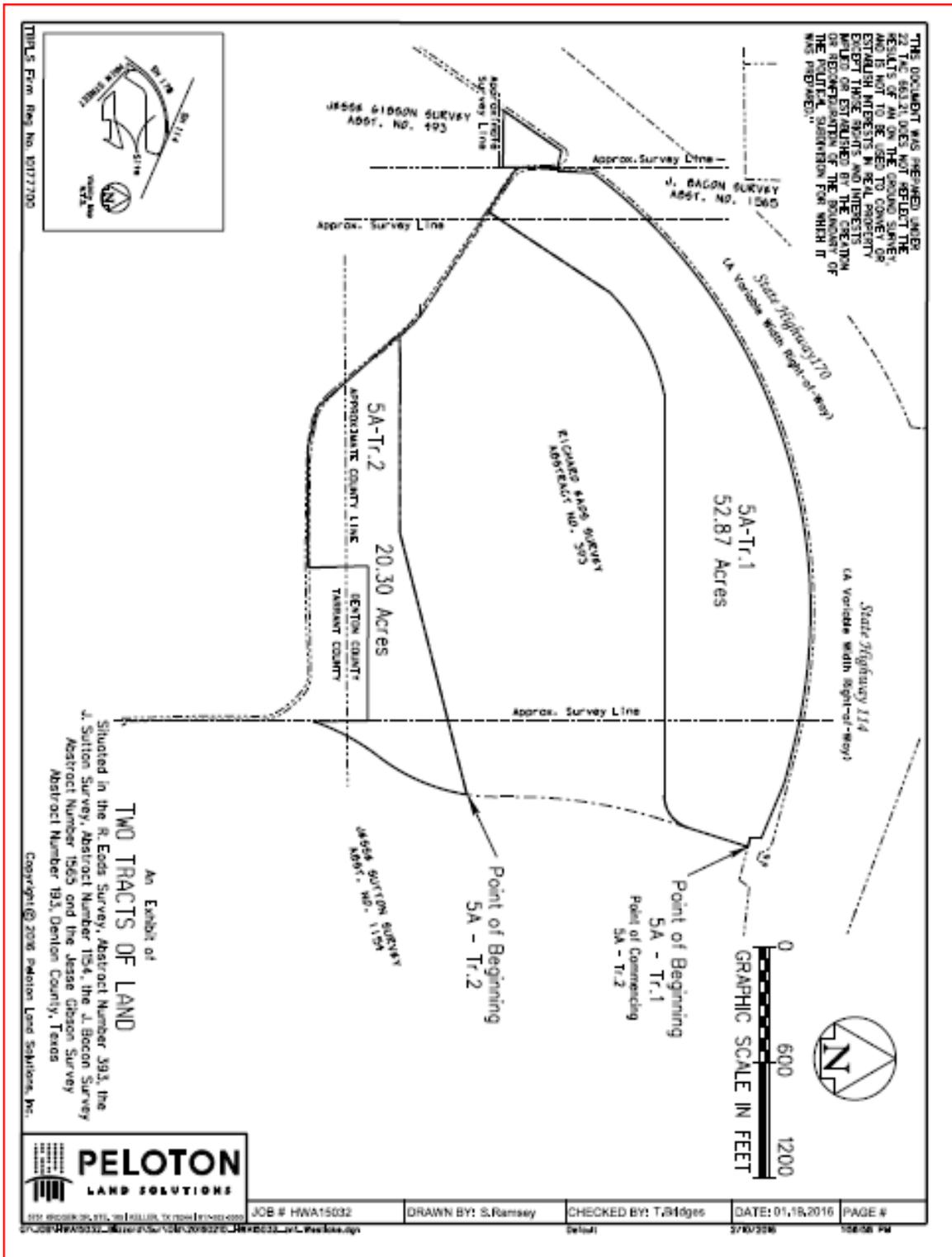


EXHIBIT 2

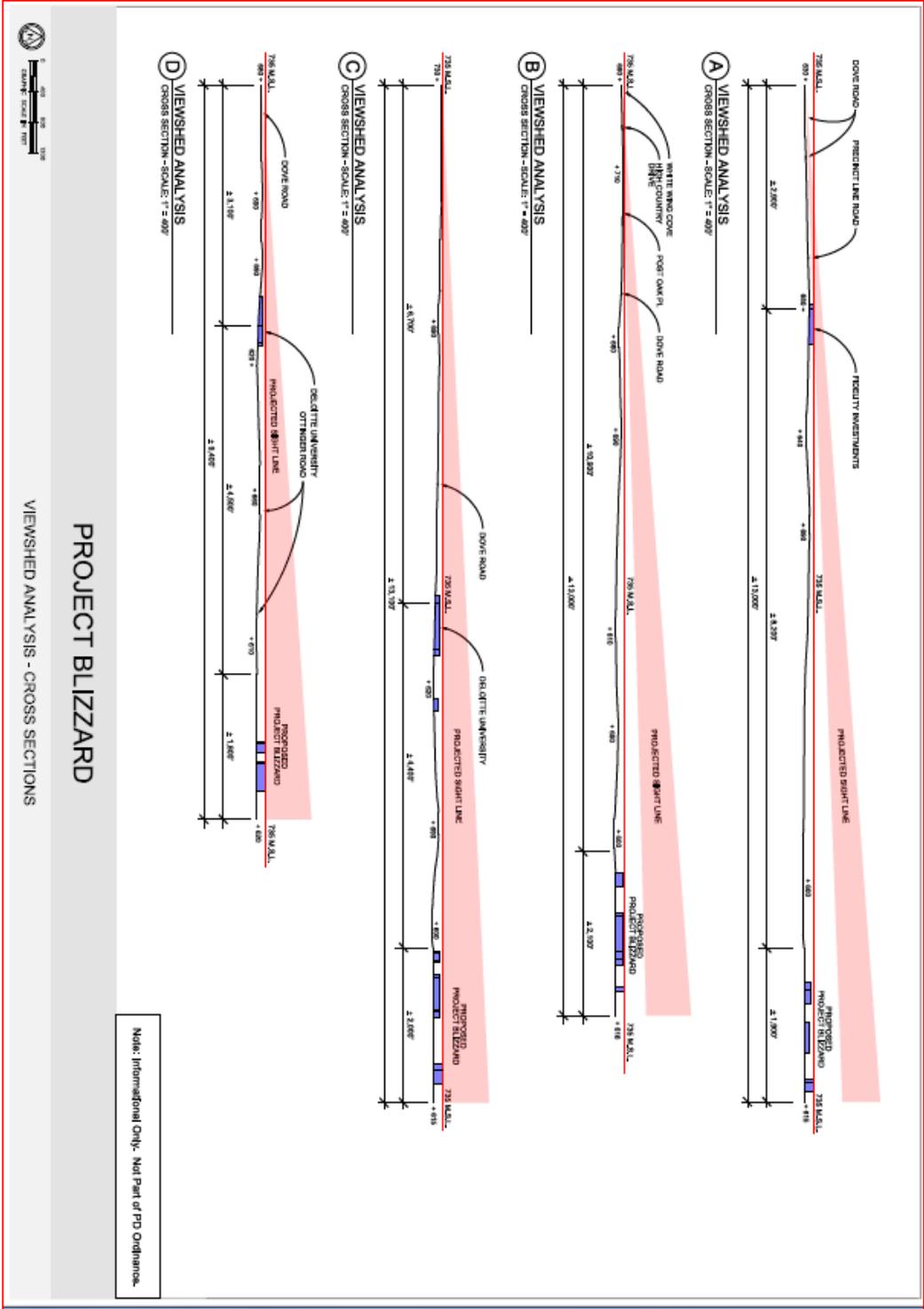


EXHIBIT 2, cont.

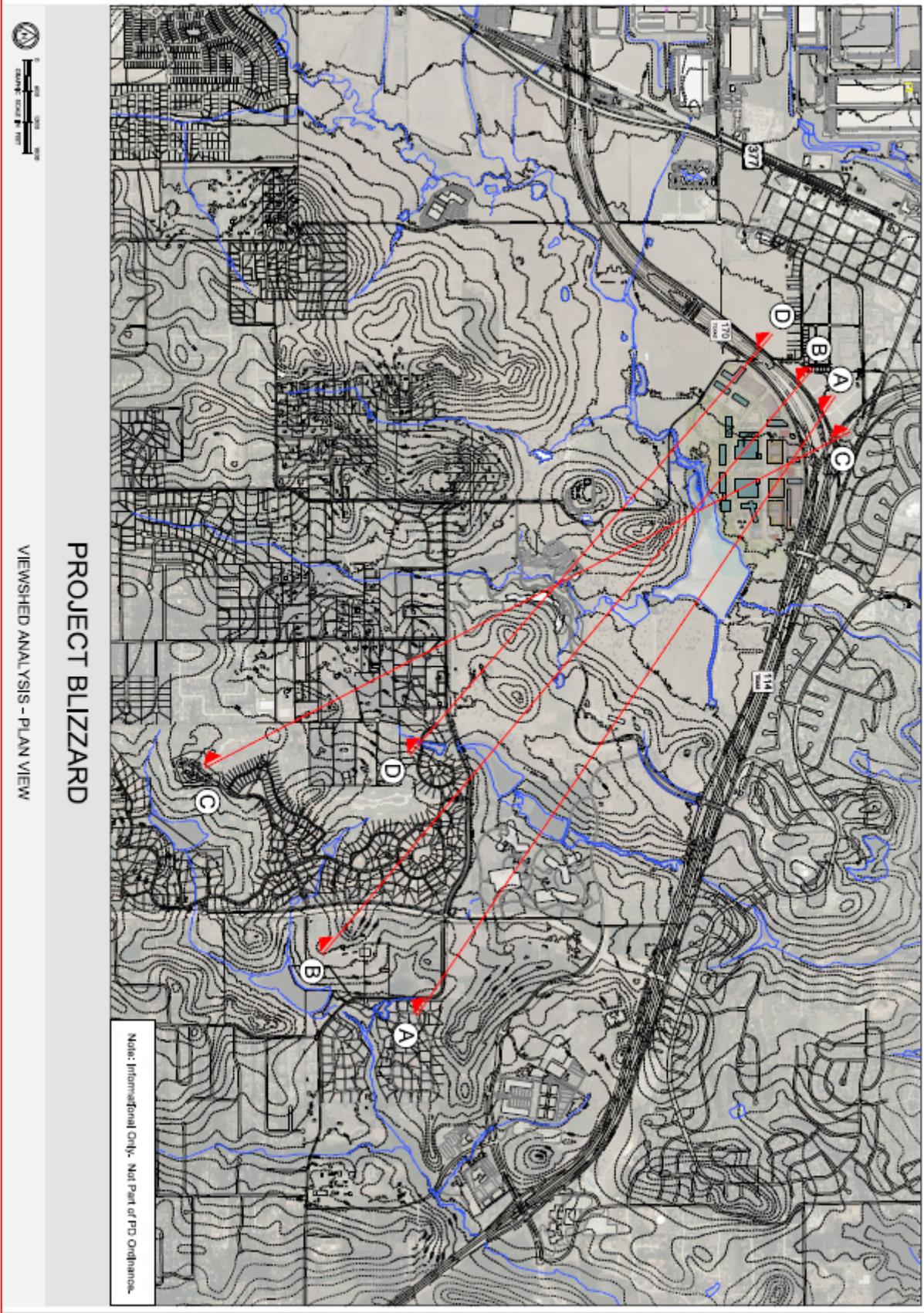


EXHIBIT 3 Street " A "—Primary Road

STREET A PRIMARY ARTERIAL

Typically Street A is the main boulevard running through the area. It will be four lanes and divided where it passes through the mixed use development and be urban in character. The median will be narrow, on-street parking will be allowed, sidewalks will be close to the street edge and traffic lights will be more frequent if required. Speed limits will lower on this stretch to allow for pedestrian crossings and street intersections.

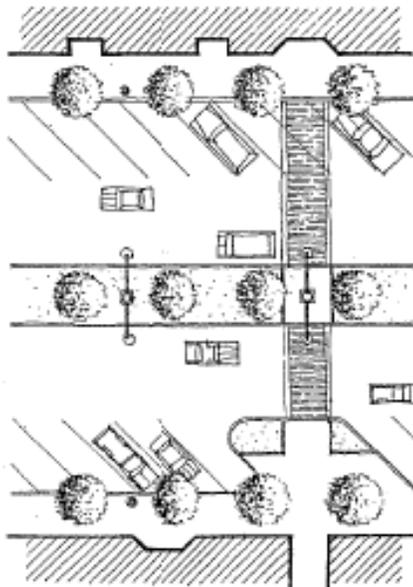
Street Character
Street A will be primarily commercial. There will be high traffic volume, but it will remain pedestrian friendly.

Building Heights
Building heights will be no less than two stories and no more than four stories.

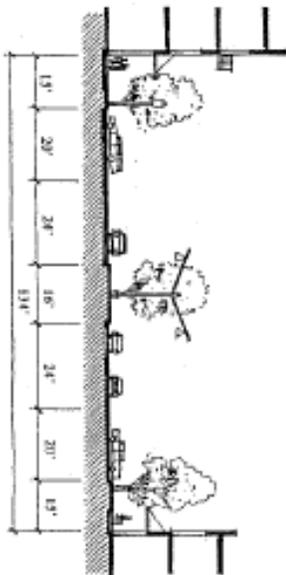
Sidewalk Zone/ Build-To-Lines
The depth of the sidewalk and "build-to" line will be a minimum of 15 feet from the face of the curb.

Parking
Angled and parallel street parking will be allowed on both sides.

Landscaping
Street trees are required along sidewalks and in medians placed at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 4 Street` B"—Town Square

STREET B TOWN SQUARE

Town Square may be a one-way street within the mixed use development. It is primarily a retail shopping street with slow traffic. There will be parallel parking on the inside curb next to the Square and angled parking on the outside curb next to the shops.

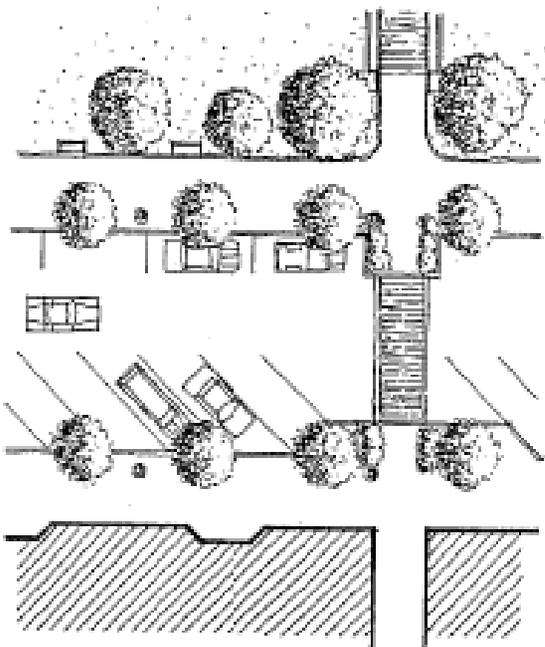
Street Character
Town Square will be primarily commercial, with active pedestrian areas.

Building Heights
Building heights will be no less than two stories and no more than four.

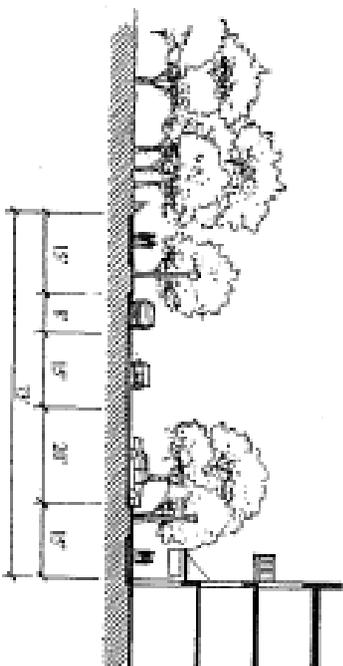
Sidewalk Zone/ Build-To-Lines
The depth of the sidewalk and "build-to" line shall be 15 feet from the curb. All buildings facing Town Square must be built 100% to the build-to line with the exception of civic buildings, building entries, through-block passages, and required building articulations.

Parking
Angled parking will be allowed on the outside of the street and parallel parking will be allowed on the inside next to the square.

Landscaping
Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 5 Street " C" — Perimeter Road

STREET C PERIMETER ROAD

The perimeter road parallels the boundaries of the site and may form the outer ring of the mixed use development area's street system. It is a two-way street with parallel parking provided on both sides.

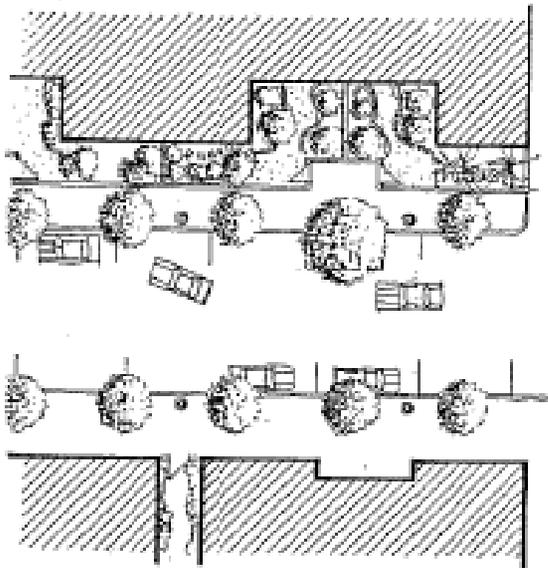
Street Character
 The portions of the perimeter road nearest to retail and office areas are primary commercial. The remainder is primarily residential with occasional shops or cafes mixed in at street level.

Building Heights
 Building heights vary but are generally one to three stories.

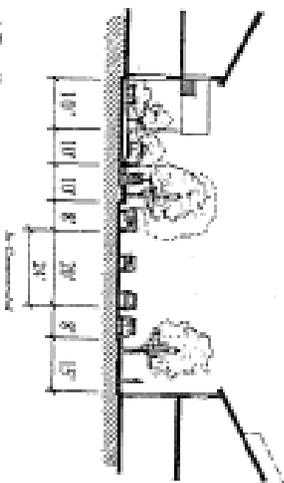
Sidewalk Zone/ Build-To-Lines
 The depth of the sidewalk zone adjacent to residential uses shall be 10 feet from the curb, and adjacent to all other uses shall be 15 feet from the curb. The "build-to" line for residential uses shall be a minimum of 20 feet from the curb and a maximum of 40 feet from the curb. The "build-to" line for all other uses shall be 15 feet from the curb.

Parking
 Parallel parking will be provided on both sides of the street.

Landscaping
 Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 6 Street "D" — Interior Road

STREET D INTERIOR STREETS

Interior streets are two-lane streets with on-street parking.

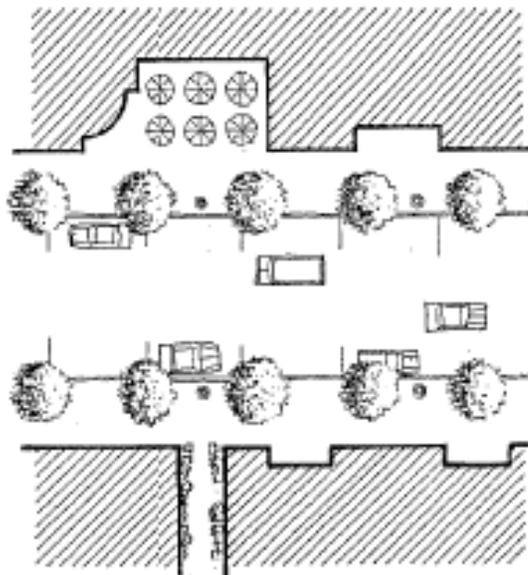
Street Character
Interior Street is an active shopping, business and residential street. Its residential areas are generally above the street level, but some are on the ground floor level as well.

Building Heights
Building heights vary from one to four stories.

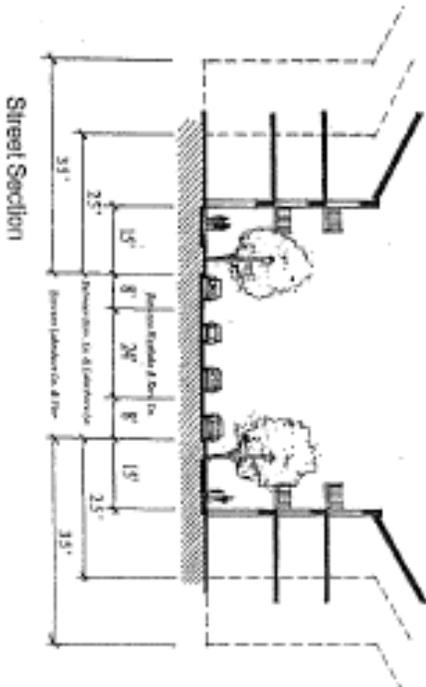
Sidewalk Zone/ Built-To-Lines
The depth of sidewalk zones and "build-to" lines shall vary from 15 feet in residential areas to 25 feet in dense retail areas.

Parking
Parallel parking is allowed on both sides of the street.

Landscaping
Street trees are required along sidewalks at a maximum spacing of 25 feet.



Street Plan



Street Section

EXHIBIT 7 Street " E" — Service Lanes

STREET E SERVICE LANES

Service Lanes are two-way / two-lane service corridor midway between blocks within the mixed use areas. It provides access for service vehicles to parking areas and nearby buildings.

Street Character

The Service Lane is a small, vehicle-oriented alley with slow traffic throughout. It is not designed to encourage a high level of pedestrian traffic, but it will accommodate them.

Building Heights

Building heights vary from one to four stories.

Sidewalk Zone/ Build-To-Lines

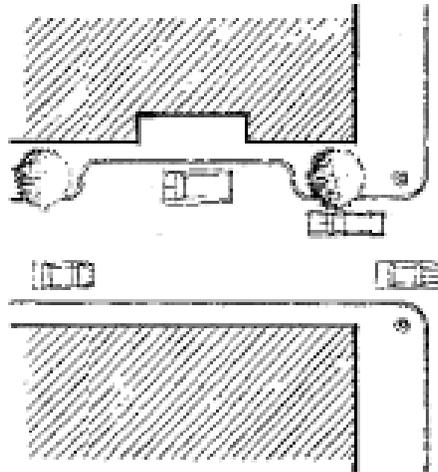
The depth of sidewalk zones and "build-to" lines shall be five feet from the curb.

Parking

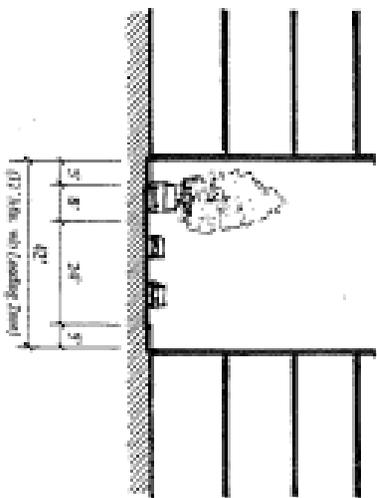
There is no on street parking with the exception of occasional loading zones.

Landscaping

Street trees are not required.



Street Plan



Street Section

EXHIBIT 8 Lake Edge

LAKE EDGE

The shore along Lake Turner is a waterfront area to be enjoyed by all the residents and visitors of Westlake. A continuous pathway, possibly a portion of the Town's trail system, runs along the shore.

Building Heights

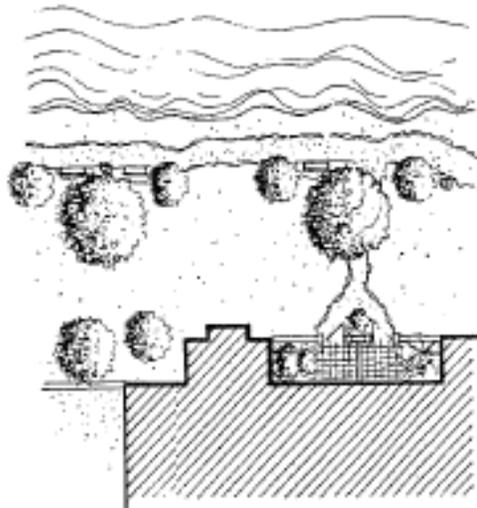
Buildings along the Lake Edge will be one to three stories.

Pathway Zone/ Build-To-Lines

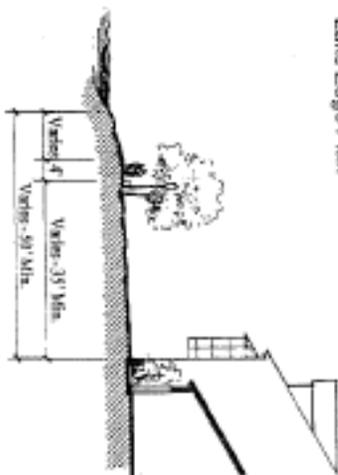
The continuous pathway shall be at least six feet wide. The pathway must be at least 35 feet from any building face (but may be adjacent to a building face). Buildings must be set back at least 50 feet from the shoreline.

Landscaping

The Lake Edge landscaping will be approved at the time of PPD Site Plan approval.



Lake Edge Plan



Lake Edge Section

TOWN OF WESTLAKE

ORDINANCE NO. 770

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS TO REZONE A PORTION OF AN APPROXIMATELY 154-ACRE TRACT OF LAND GENERALLY LOCATED IN DENTON COUNTY, TEXAS, BEING A PORTION OF THE PROPERTY KNOWN AS THE PD 3-5B PLANNING AREA BY DEFINING THE BOUNDARIES OF THE PD 3-5B PLANNING AREA; ESTABLISHING THE PERMITTED USES, DEVELOPMENT STANDARDS, DENSITIES, AND DEFINITIONS; PROVIDING EXHIBITS SHOWING THE BOUNDARIES, PROVIDING FOR AND A LEGAL DESCRIPTION; PROVIDING FOR GENERAL REGULATIONS; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law Town; and

WHEREAS, all legal requirements of state statutes and Town ordinances of the Town of Westlake, as well as all legal requirements and legal notices and prerequisites having been complied with; including the Texas Open Meetings Act and the requirements of Texas Local Government Code chapter 211; and

WHEREAS, on August 24, 1992, the Town Council (the "Council") of the Town of Westlake, Texas (the "Town") adopted a Comprehensive Plan (the "1992 Comprehensive Plan") for the Town; and

WHEREAS, on November 16, 1992, the Council adopted a Comprehensive Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, on September 15, 1997, based on the recommendations of the Planning and Zoning Commission (the "Commission"), the Council amended the Zoning Ordinance and the subdivision regulations by adopting a Unified Development Code (the "UDC") for the Town; and

WHEREAS, the Zoning Ordinance and subdivision regulations have been amended and codified; and

WHEREAS, on March 2, 2015, the Town Council (the "Council") of the Town of

Westlake, Texas (the "Town") adopted an updated Comprehensive Plan (the "2015" Comprehensive Plan") for the Town; and

WHEREAS, there is located within the corporate limits of the Town an approximately 81.06 acre tract of land (to be referred to as PD 3-5B, Planned Development Zoning District 3, Planning Area 5B, and hereinafter sometimes referred to as the "Planning Area"); and

WHEREAS, due to improvements to State Highway 114, further urban growth throughout the region, and other changed conditions that affect the region, the Town believes there are unique and significant opportunities for office, retail within the Planning Area that will be consistent with the Town's long-term development vision; and

WHEREAS, the Commission has recommended to the Council that the hereinafter described property be rezoned to "PD 3-5B" (Planned Development District 3, Planning Area 5B); and

WHEREAS, the Council believes that the interests of the Town, the present and future residents and citizens of the Town, and developers of land within the Town are best served by adopting this Ordinance, which the Council has determined to be consistent with the 2015 Comprehensive Plan - Land Use Plan, Thoroughfare Plan, Open Space and Trail Plan, Water and Sewer Plans, Drainage Plan, and Zoning Map all as amended.

WHEREAS, the Town Council of the Town of Westlake, Texas, at a public hearing called at a regular session of the Town Council did consider the following factors in making a determination as to whether the requested change should be granted or denied: congestion in the streets, including safety of the motoring public and the pedestrians using the facilities in the area; to secure safety from fire, panic or other dangers; the promotion of health and the general welfare, to provide for adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of the population, facilitating the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

WHEREAS, having received the recommendation of the Planning & Zoning Committee, the Town Council of the Town of Westlake, Texas is of the opinion that it is in the best interest of the town and its citizens that the amendments should be approved and adopted.

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

SECTION 1: That the recitals set forth above are hereby incorporated herein, adopted by the Town and declared to be true and correct.

SECTION 2: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas, Ordinance No. 200, is hereby amended by adding and adopting the Planned Development Ordinance attached hereto as Exhibit “A” and incorporated herein which provides for Planned Development District No. 3, Planning Area 5B, within the property described in **Exhibit 1** of Exhibit “A” attached hereto and incorporated herein by reference for all purposes and the Exhibits 1-7 attached to Exhibit “A” and incorporated therein, and further provides in **Exhibit “A”** and attached Exhibits “A” 1-7 for Article I for short title, purposes, definitions, use of PD Supplement, applicability of Town ordinances and general approval criteria, and further provides for Concept Plan, Development Plans and Site Plans, and further provides in Article II for Land Uses, Accessory Uses and Structures, and further provides in Article III for Development Standards, including density, minimum lot size, minimum lot width, maximum building height and exceptions to height requirements, for minimum building size, front yard setback, rear yard setbacks, side yard setbacks, slope requirements, and further provides in Article IV for Additional Development Standards, including sign standards as shown in Exhibits “A” 4-7.

SECTION 3: Upon the adoption of this PD, the Town Manager or his designee shall promptly update the Town's Official Zoning Map, to include an amended Planned Development on which entry shall include the abbreviated designation "PD No. 3-5B" and the date that this Ordinance was adopted by the Council.

SECTION 4: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) or Five Hundred (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5: It is hereby declared to be the intention of the Council, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared 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 Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6: This Ordinance shall become effective upon its passage.

PASSED AND APPROVED ON THIS 22ND DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Exhibit "A"

CIRCLE T PLANNING AREA 5B

ARTICLE I. GENERAL PROVISIONS

SECTION 1.1 SHORT TITLE.

This ordinance shall be known and may be cited as the "Circle T Planning Area No. 5B (PD 3-5B)", or simply as the "PD Ordinance."

SECTION 1.2 PURPOSES.

This PD Ordinance is adopted to provide for a superior design of lots or buildings; to provide for increased recreation and/or open space opportunities for public use; to provide rural amenities or features that would be of special benefit to the property users or community; to protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and viewsapes; to protect or preserve existing historical buildings, structures, features or places; and to provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

SECTION 1.3 GENERAL DEFINITIONS.

Section 1.3.1 Usage. For purposes of this PD Ordinance, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this Section. Other terms and words are defined elsewhere in other related town ordinances. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, and words used in the plural include the singular. The word "shall" will be interpreted as mandatory, and the word "may" as permissive.

Section 1.3.2 Words and Terms Defined.

Applicable Town Ordinances means the UDC and all other ordinances, rules, and regulations that are adopted by the Council and that are applicable to development within the PD District.

Council means the Town Council of the Town of Westlake, Texas.

Commission means the Planning and Zoning Commission of the Town of Westlake, Texas.

Floor Area means the total area of all floors of all buildings on a lot or unified development site measured between the outer perimeter walls of the buildings excluding (i) area in a building or in a

separate structure (whether below or above grade) used for the parking of motor vehicles, (ii) courts or balconies open to the sky, and (iii) roof area used for recreation.

Masonry means brick, stone, cast stone, concrete, glass block, split-face concrete masonry unit, or other masonry materials approved by the Council.

PD District means a Planned Development Zoning District. (i.e. PD3) A PD Zoning District may be divided into multiple planning areas. (i.e. PD 3-5B; PD Zoning District 3, Planning Area 5B) The Planned Development Zoning District contains regulations that apply to all planning areas within the zoning district, unless the PD Ordinance that created or amended the PD Planning Area contains regulations that are different from those in the PD Zoning District.

PD Ordinance means this Planned Development Planning Area ordinance, including any approved PD Concept Plan, PD Development Plan or PD Site Plan.

PD Planning Area means a planning area within a Planned Development Zoning District.

PD Supplement means that certain Circle T Planned Development Zoning District Supplement contained in Ordinance No. 307 and adopted by the Council.

Town means the Town of Westlake, Texas.

UDC means the Town's Unified Development Code, as amended and codified.

SECTION 1.4 PD SUPPLEMENT.

Concurrently with the adoption of PD Ordinance No. 311, the Council adopted the PD Supplement. The PD Supplement includes additional standards that are applicable within this PD District. The PD Supplement establishes additional standards for the following: (i) concept, informational, development and site plans; (ii) signs; (iii) landscaping; (iv) roadway construction, parking and loading; (v) fencing; (vi) lighting; (vii) other special standards; and (viii) illustrations.

SECTION 1.5 APPLICABILITY OF EXISTING REGULATIONS.

Section 1.5.1 Applicable Town Ordinances. Except to the extent provided by an approved PD Concept Plan, this PD Ordinance and the PD Supplement, development within the PD District shall be governed by least restrictive of the "O" Office Park zoning district standards.

Except to the extent provided by an approved PD Concept Plan, this PD Ordinance, and the PD Supplement, the Applicable Town Ordinances shall also govern development within the PD District. In the event of any conflict between (a) an approved PD Concept Plan, this PD Ordinance and the PD Supplement and (b) the Applicable Town Ordinances, the terms, provisions and intent

of an approved PD Concept Plan, this PD Ordinance and the PD Supplement shall control. Except as provided below, in the event of any conflict between the UDC and the Applicable Town Ordinances, the terms, provisions and intent of the UDC shall control.

Section 1.5.2 General Approval Criteria. To the extent, if any, that the Applicable Town Ordinances (and, in particular, the subdivision regulations of the UDC) grant to the Council, the Commission, the Town Manager, or any other Town employee or consultant, the authority to approve any aspect of development within the PD District (including, but not limited to, preliminary or final plats or any aspect thereof or any agreements or permits related thereto) based on conformity with the Town's Comprehensive Plan, Open Space Plan or Thoroughfare Plan (or with the objectives, goals or policies of such plans), then such authority shall be exercised to the extent necessary to determine whether the aspect of development being approved is consistent with an approved PD Concept Plan, this PD Ordinance, the PD Supplement.

SECTION 1.6 CONCEPT PLAN, DEVELOPMENT PLANS, AND SITE PLANS.

Section 1.6.1 PD Concept Plan. A PD Concept Plan for this PD District shall be approved prior to the approval of any development plans and site plans required by this PD Ordinance. The PD Concept Plan shall comply with the Comprehensive Land Use Plan, the Open Space and Trail Plan, the Master Thoroughfare Plan, the Master Water and Sewer Plans, and the Master Drainage Plan of the town and the UDC.

Section 1.6.2 PD Development Plans. PD development plans are required for development within the PD District. The UDC governs the process by which PD development plans are submitted and approved.

Section 1.6.3 PD Site Plans. PD site plans are required for development within the PD District. Article I, Section 3.4, of the PD Supplement governs the process by which PD site plans are submitted and approved (including, but not limited to, the submittal requirements, approval criteria, and conditions).

ARTICLE II. USES

SECTION 2.1 LAND USES.

Section 2.1.1 Land Use Schedule. Buildings, structures, and land within the PD District shall be used only in accordance with the uses permitted in the following "Land Use Schedule". The symbol "X" shall mean that the use is permitted as a principal use by right. The symbol "S" shall mean that the principal use is permitted only after first obtaining a "Specific Use Permit" as set forth in the UDC. The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use (this does not exclude other land uses which are generally considered accessory to the

primary use). A blank square shall mean that the use is not allowed as a principal use.

PLANNING AREA 5 B- LAND USE SCHEDULE

PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
AGRICULTURAL USES	
1. Plant Nursery (Growing)	X
2. Plant Nursery (Retail Sales)	X
3. Farms General (Crops)	X
4. Farms General (Livestock, Ranch)	X
5. Vegetarian (Indoor Kennels)	X
6. Vegetarian (Outdoor Kennels)	
7. Stables (Private Use)	S
8. Stables (As a Business)	S
1. RESIDENTIAL USES	
9. Single Family Detached	
10. Single Family Attached - Zero Lot Line	
11. Single Family Attached	
12. Duplex	
13. Condominium	
14. Home Occupation	
15. Servants/Caretakers Quarters	
16. Temporary Accommodation for Employees/Customers/Visitors	A
17. Swimming Pool (Private)	A
18. Detached Garage (Private)	A
19. Sport/Tennis Courts (Private)	A
PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
INSTITUTIONAL and GOVERNMENTAL USES	
20. Emergency Ambulance Service	X
21. Post Office (Governmental)	X
22. Mailing Service (Private)	X
23. Heliport	
24. Helistop/Verti-stop	S

25. Telephone, Electric, Cable, and Fiber Optic Switching Station	X
26. Electrical Substation	S
27. Utility Distribution Lines ¹	X
28. Utility Shop and Storage	S
29. Water and Sewage Pumping Station (below grade)	X
30. Water and Sewage Pumping Station (above grade)	S
31. Water Storage Tank and Pumping System (Elevated or Above Grade)	S
32. Water, Sewer, Electric, and Gas Meters	X
33. Electric Transformers	X
34. Private Streets/Alleys/Drives	X
35. Retirement Home	X
36. Nursing/Convalescent Home	
37. Hospice	
38. Hospital	
39. Psychiatric Hospital	
40. Clinic	A
41. Child Daycare (Public; 7 or more)	
42. Child Daycare (Private; 7 or more)	X
43. School, K-12 (Public or Private)	
44. School (Vocational)	A
45. College or University	X
46. Community Center (Public)	X
47. Civic Club	X
48. Church or Place of Worship	X
49. Use Associated with a Religious Inst.	X
50. Government Building	X
51. Police Station	X
52. Fire Station	X
53. Library	X
54. Data Center	X
PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
COMMERCIAL USES	
55. Offices (General)	X
56. Studio	X
57. Banks and Financial Institutions	X
58. Information Processing	X
59. Hotel/Motel	X

60. Hotel/Motel with Conferencing Facility	X
61. Laundry/Dry Cleaning (<3,000 S.F.)	X
62. Laundry/Dry Cleaning (Drop/Pick)	X
63. Parking Structures	X
64. Shoe Repair	X
65. Beauty Parlor/Barbershop	X
66. Clothing Store	X
67. Quick Copy/Duplicating Services	X
68. Personal Services	X
69. Liquor Store	
70. Micro-brewery and Wine Production and Sales (<30,000 S.F.)	S
71. Grocery (With alcoholic beverage sales)	S
72. Convenience Store (with alcoholic beverage sales)	S
73. Grocery	X
74. Convenience Store	X
75. Variety Store	X
76. Bakery Sales	X
77. Stationery and/or Book Store	X
78. Antique Shop	X
79. Art Gallery/Museums	X
80. Hardware Store	X
81. Sporting Goods	X
82. Paint and Wallpaper	X
83. Clothing Store	A
84. Retail Stores – General (Excluding Second Hand Goods)	A
85. Restaurant, Cafe or Dining Facility	X
86. Restaurant, Cafe or Dining Facility serving alcohol	S
87. Auto/Truck Parts and Accessories	X
88. Household Furniture/Appliances (including Sales and Service)	X
89. Farmer's Market	S
90. Feed Store	
91. Parking Structure	X
92. Cafeteria (Private)	A
93. Job Printing, Lithography, Printing, or Blueprinting	X
94. Vehicle Display and Sales (inside)	X
95. Medical Laboratory	A
PERMITTED USES	A = Accessory Use X = Permitted S== Special Use
96. R&D Laboratory	S
97. Conference Center	X
98. Live Theater	X
99. Motion Picture Theater	X

100. Custom Business Services	X
101. Electronic Appliances Store and Computer Sales and Service	X
102. Tavern, Bar or Lounge	S
103. Dance Halls/Nightclubs	S
104. Golf Course (Public or Private)	X
105. Park or Playground (Public or Private)	X
106. Satellite Dish	X
107. Non Commercial Radio Tower	
108. Race Track Operation	
109. Recreation Facility, Health Studio (Public)	X
110. Country Club (Private Membership)	X
111. Golf Clubhouse (Public or Private)	X
112. Community Center (Private)	X
113. Recreation Center (Private)	X
114. Hike, Bike, and Equestrian Trails (Public or Private)	X
115. Golf Maintenance Facility	A
116. Golf Pro Shop	X
117. Health/Spa Facilities (Private)	X
118. Athletic Fields (Private)	A
119. Athletic Courts (Private)	A
120. Equestrian Center	X
121. Athletic Courts (Public)	A
122. Commercial Amusement (Inside)	X
123. Lake Cruise/Water Taxi	X
124. Truck/Trailer Rental	S
125. Auto Body Repair	
126. Auto Mechanical Repair	S
127. Quick Lube/Oil Change	
128. Vehicle Maintenance (Private)	X
129. Vehicle Fueling (Private)	S
130. Warehouse/Storage (Inside)	
131. Warehouse/Storage (Outside)	
132. Scrap/Waste Recycling Collection and/or Storage	
133. Gas/Chemical Bulk Storage	
134. Light Manufacturing/Assembly	S
135. Apparel Manufacturing	
PERMITTED USES	A = Accessory Use X = Permitted S = Special Use
136. Packaging and/or Distribution	
137. Printing, Engraving and related Reproductive Services	
138. Distribution of Books/Other Printed Material	
139. Machine Shop	

140. Welding Shop	
141. Temporary Batching Plant	S ²
142. Temporary Construction Office	X ²
143. Temporary Construction Materials Storage	X ²
144. Temporary Sales Office	X ²

NOTES:

1. Including water, sewer, electric, gas, cable, telephone, fiber optic, and other public and private utility distribution lines.
2. Limited to period of construction.

SECTION 2.2.2 ACCESSORY USES AND STRUCTURES.

An accessory use or structure which is customarily incidental to the principal use or structure, and which is located on the same lot or tract of land, shall be permitted as an accessory use without being separately listed as a permitted use.

ARTICLE III. DEVELOPMENT STANDARDS

SECTION 3.1 DENSITY.

The maximum aggregate floor area for all allowed uses in this PD District is 1,160,000 square feet.

SECTION 3.2 MINIMUM LOT SIZE.

The minimum lot size shall be 100,000 square feet

SECTION 3.3 MINIMUM LOT WIDTH.

The minimum lot width shall be 200 feet.

SECTION 3.4 MAXIMUM BUILDING HEIGHT.

Section 3.4.1 The maximum height shall be six (6) stories or 90 feet, but not to exceed 735 feet above Mean Sea Level (MSL). Exhibits 2 and 3 show Building Height Veiwshed Analysis. The following additional standards apply:

- A. Adjacent buildings within the same block must be varied in height; however, the height differential between buildings cannot exceed two floors.

- B. Heights are measured from the sidewalk to the top of the parapet or roof eave.
- C. Sloped roofs shall not exceed a pitch of 8 inch rise for every 12 inches of run.
- D. Attic space under the roof may be occupied.
- E. Vaulted and curved roofs are permitted but shall not exceed an apex height of greater than 16 feet above the parapet or eave line.

Section 3.4.2 Exceptions to Height Requirements. The height limits imposed by this Section 4 shall not apply to (a) chimneys and vent stacks, church spires, towers, cupolas, sloped roofs, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices provided such equipment, fixtures, and devices are screened from view with a solid wall that is architecturally consistent with the design of the building to which they are attached.

SECTION 3.5 MINIMUM BUILDING SIZE.

The minimum building size shall be 5, 000 square feet.

SECTION 3.6 FRONT YARD SETBACKS.

The minimum front yard shall be 50 feet.

SECTION 3.7 REAR YARD SETBACKS.

The minimum rear yard shall be 20 feet.

SECTION 3.8 SIDE YARD SETBACKS.

The minimum side yard shall be 25 feet.

SECTION 3.9 SLOPE REQUIREMENTS.

The regulations contained in the Code of Ordinances or UDC relating to building heights and setback requirements based on a slope from a roadway or a residential use does not apply to development within this planning area.

ARTICLE IV. ADDITIONAL DEVELOPMENT STANDARDS

SECTION 4.1 SIGN STANDARDS.

See Exhibits 4 through 7 for sign standards and general locations of signs allowed in this PD District. Exact sign locations will be provided at the time of the PD Site Plan and PD Development Plan approvals.

ARTICLE V. EXHIBITS

EXHIBIT 1 Legal Description of PD District

EXHIBIT 2 Building Height Viewshed Analysis – cross section

EXHIBIT 3 Building Height Viewshed Analysis – plan view

EXHIBITS 4 – 7 Signs

EXHIBIT 1 Legal Description of PD 3-5B Planning Area

DESCRIPTION 5B

BEING a certain tract of land situated in the Richard Eads Survey, Abstract Number 393, the Jesse Sutton Survey, Abstract Number 1154, and the J. Bacon Survey, Abstract Number 1565, Denton County, Texas and being part of that tract of land described by deed to Westlake Retail Associates, LTD. recorded in Instrument Number 98-R0118649, Official Public Records Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of said Westlake Retail Tract;

THENCE S 17°23'44"W, 329.22 feet to the **POINT OF BEGINNING**;

THENCE S 17°23'44"W, 147.46 to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 783.77 feet, through a central angle of 17°32'30", having a radius of 2560.00 feet, the long chord which bears S 08°37'29"W, 780.71 feet;

THENCE S 00°08'46"E, 87.08 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 159.11 feet, through a central angle of 08°57'34", having a radius of 1017.50 feet, the long chord which bears S 04°20'01"W, 158.95 feet;

THENCE S 75°29'58"W, 1406.35 feet;

THENCE N 89°54'10"W, 898.42 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 128.76 feet, through a central angle of 03°55'08", having a radius of 1882.50 feet, the long chord which bears S 88°08'17"W, 128.73 feet;

THENCE N 41°18'25"W, 147.59 feet;

THENCE N 56°49'26"W, 648.38 feet;

THENCE N 33°22'07"E, 762.52 feet to the beginning of a curve to the right;

THENCE with said curve to the right, an arc distance of 610.57 feet, through a central angle of 33°57'51", having a radius of 1030.00 feet, the long chord which bears N 61°39'47"E, 601.67 feet;

THENCE N 89°59'49"E, 2082.87 feet to the beginning of a curve to the left;

THENCE with said curve to the left, an arc distance of 225.55 feet, through a central angle of 72°36'05", having a radius of 178.00 feet, the long chord which bears N 53°41'47"E, 210.76 feet to the **Point of Beginning** and containing 3,531,053 square feet or 81.06 acres of land more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

EXHIBIT 2 Building Height Viewshed Analysis

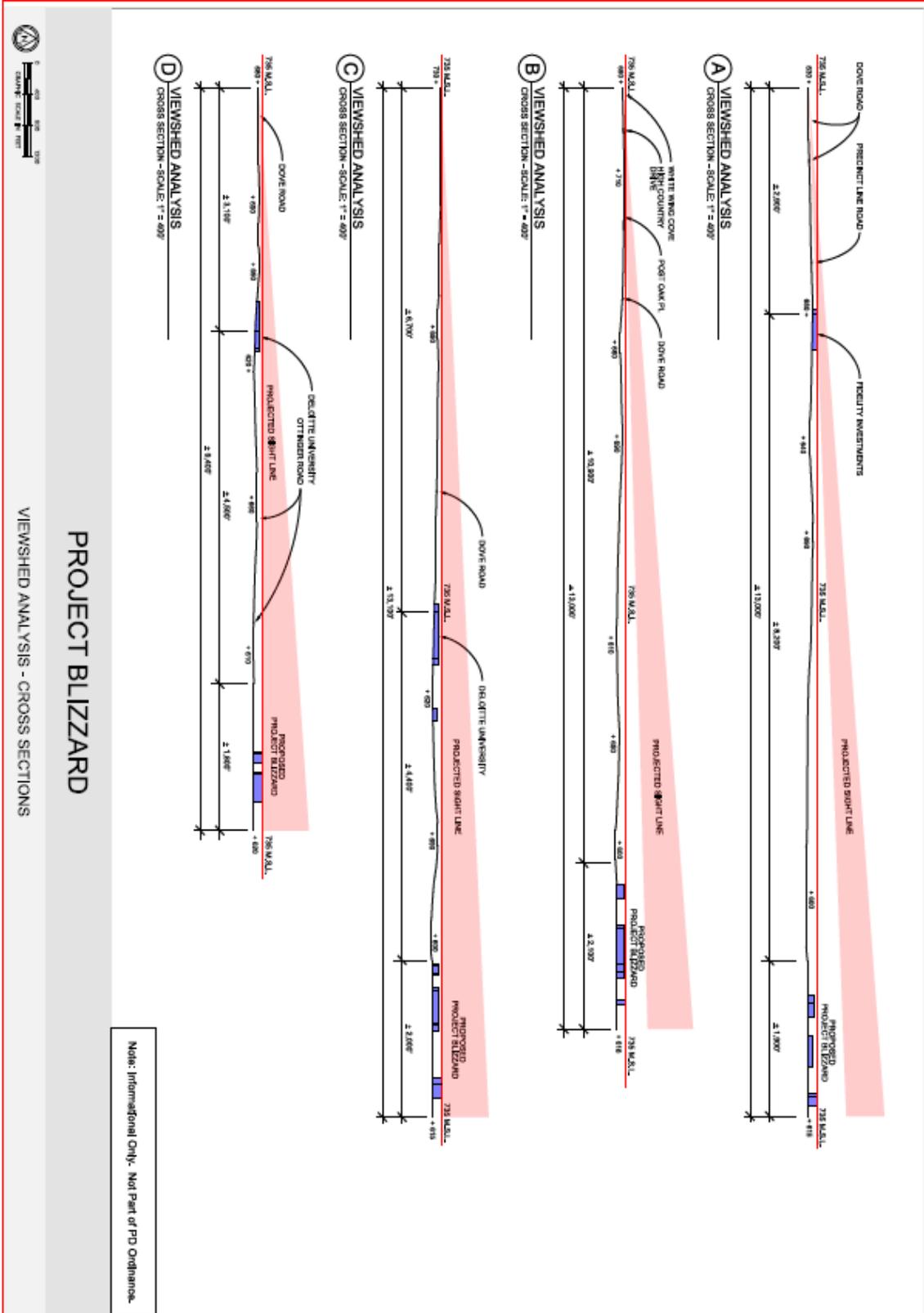


EXHIBIT 3 Building Height Viewshed Analysis

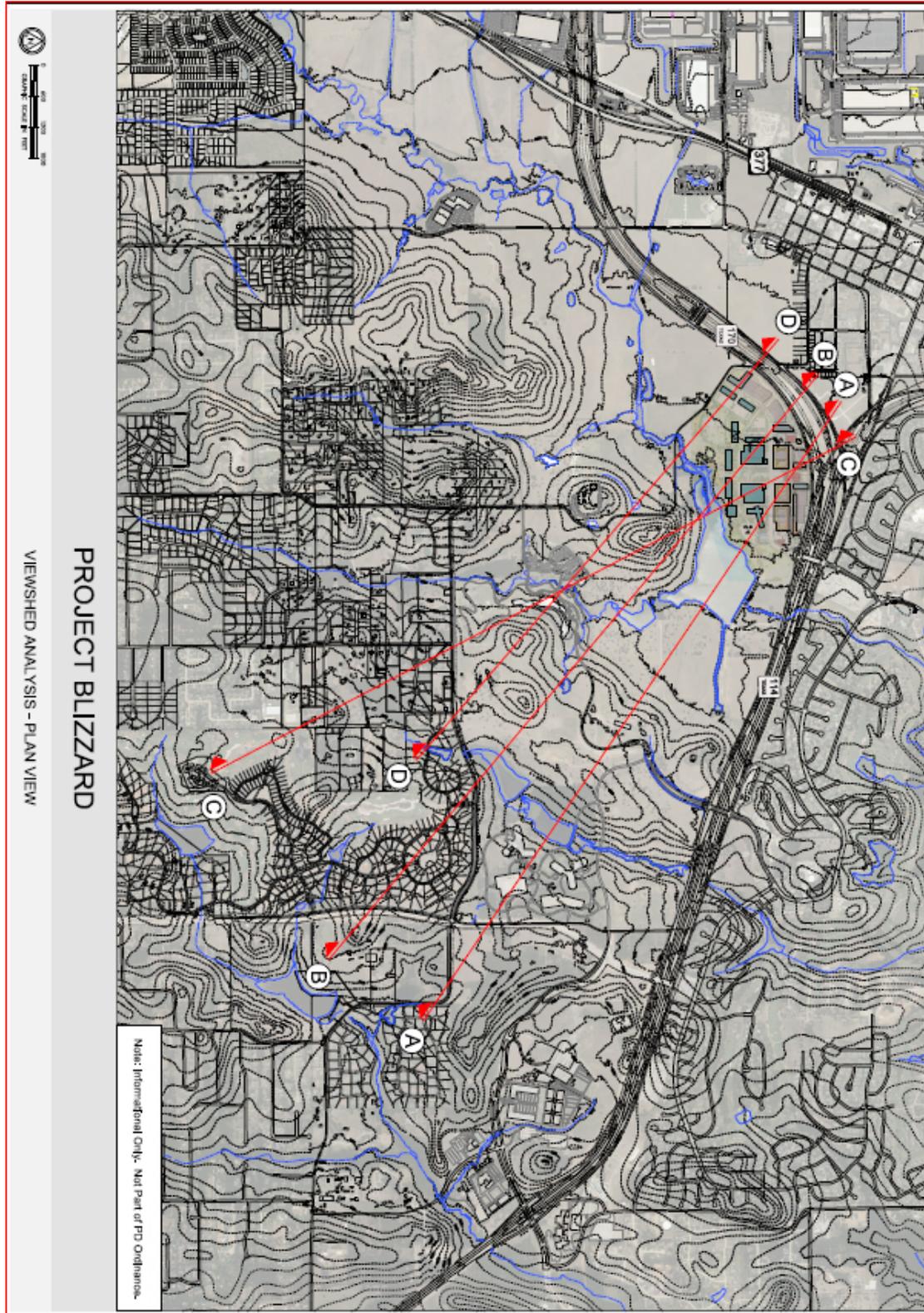


EXHIBIT 4 Signs

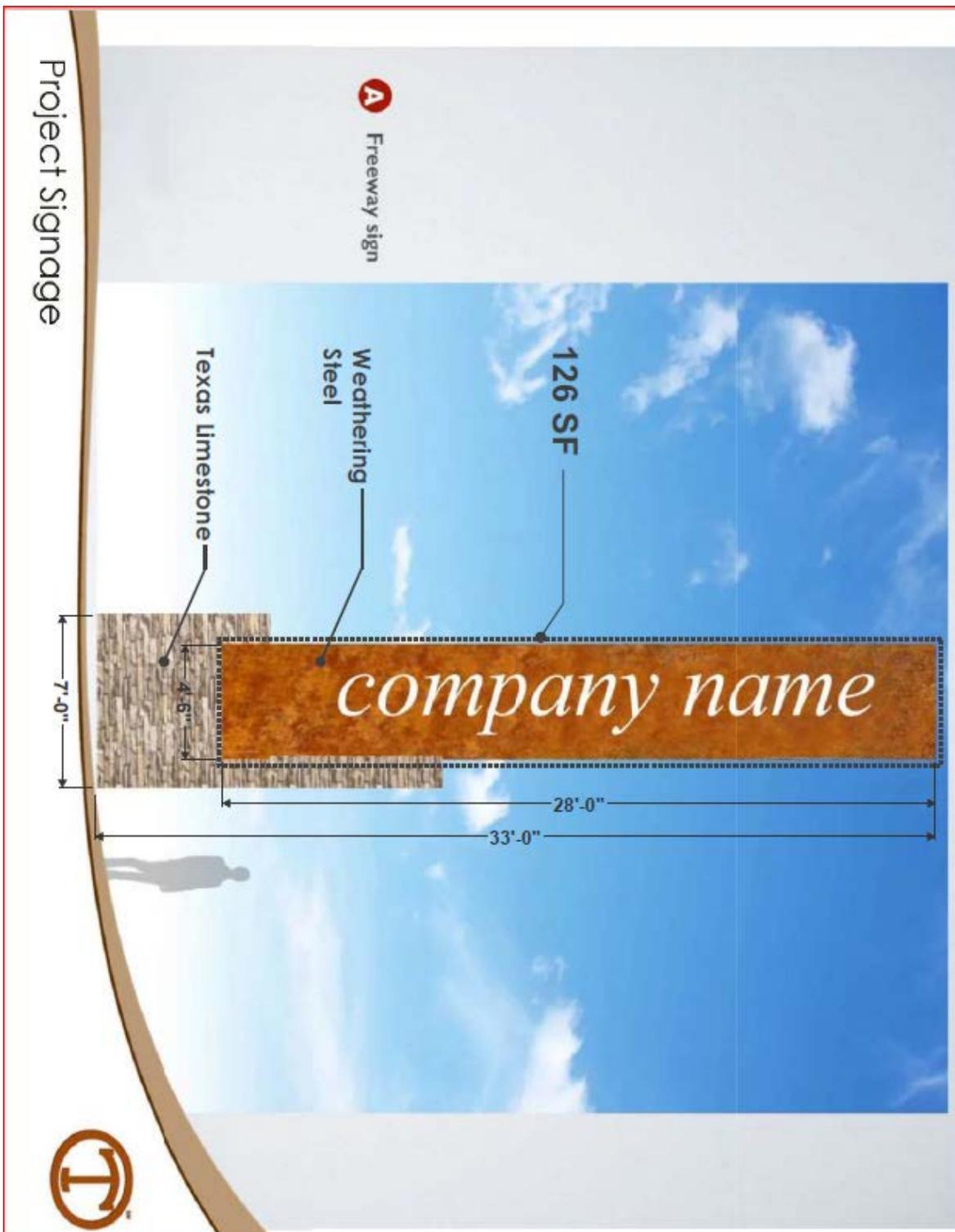
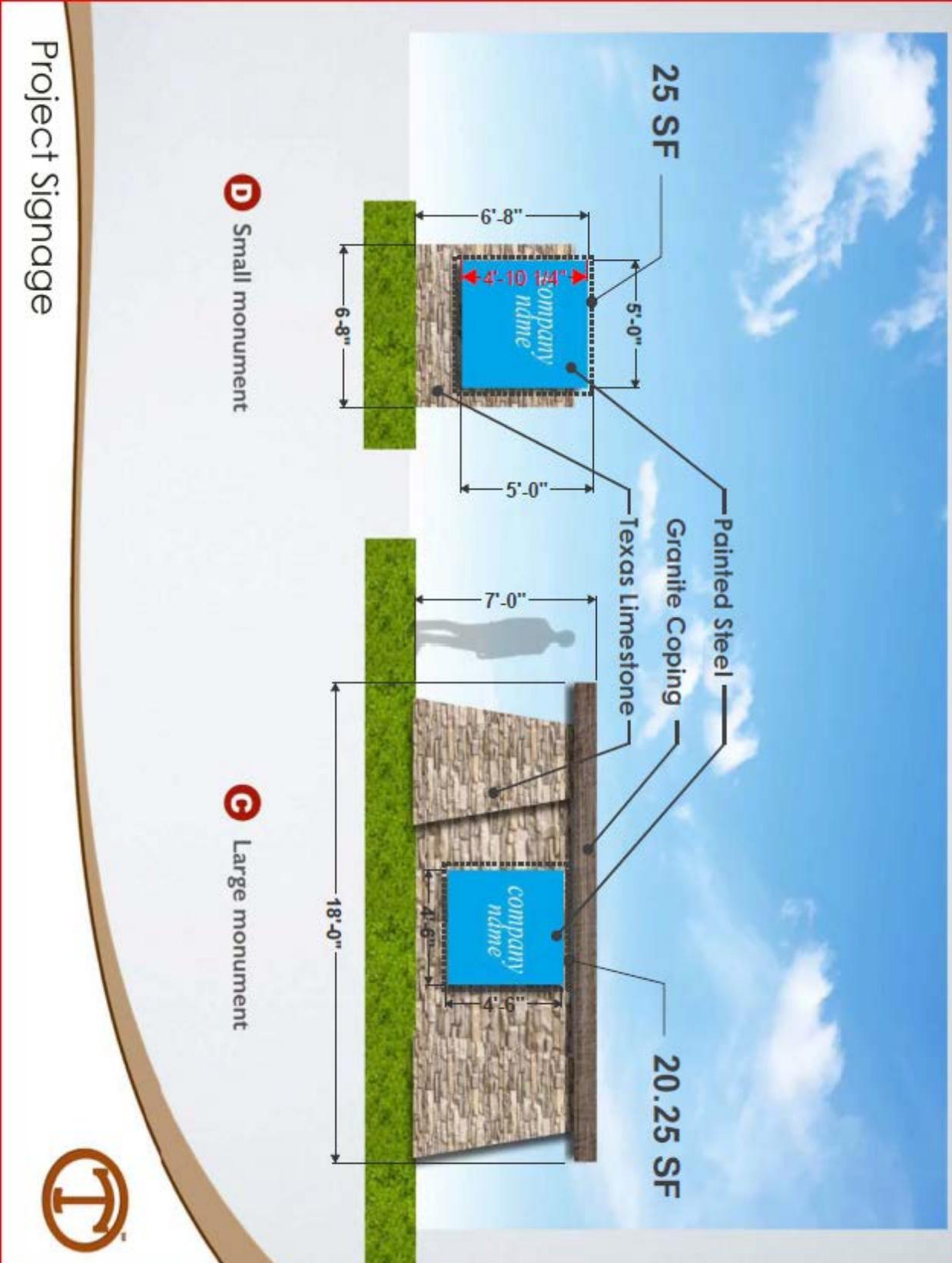


EXHIBIT 5 Signs



Project Signage



EXHIBIT 6 Signs

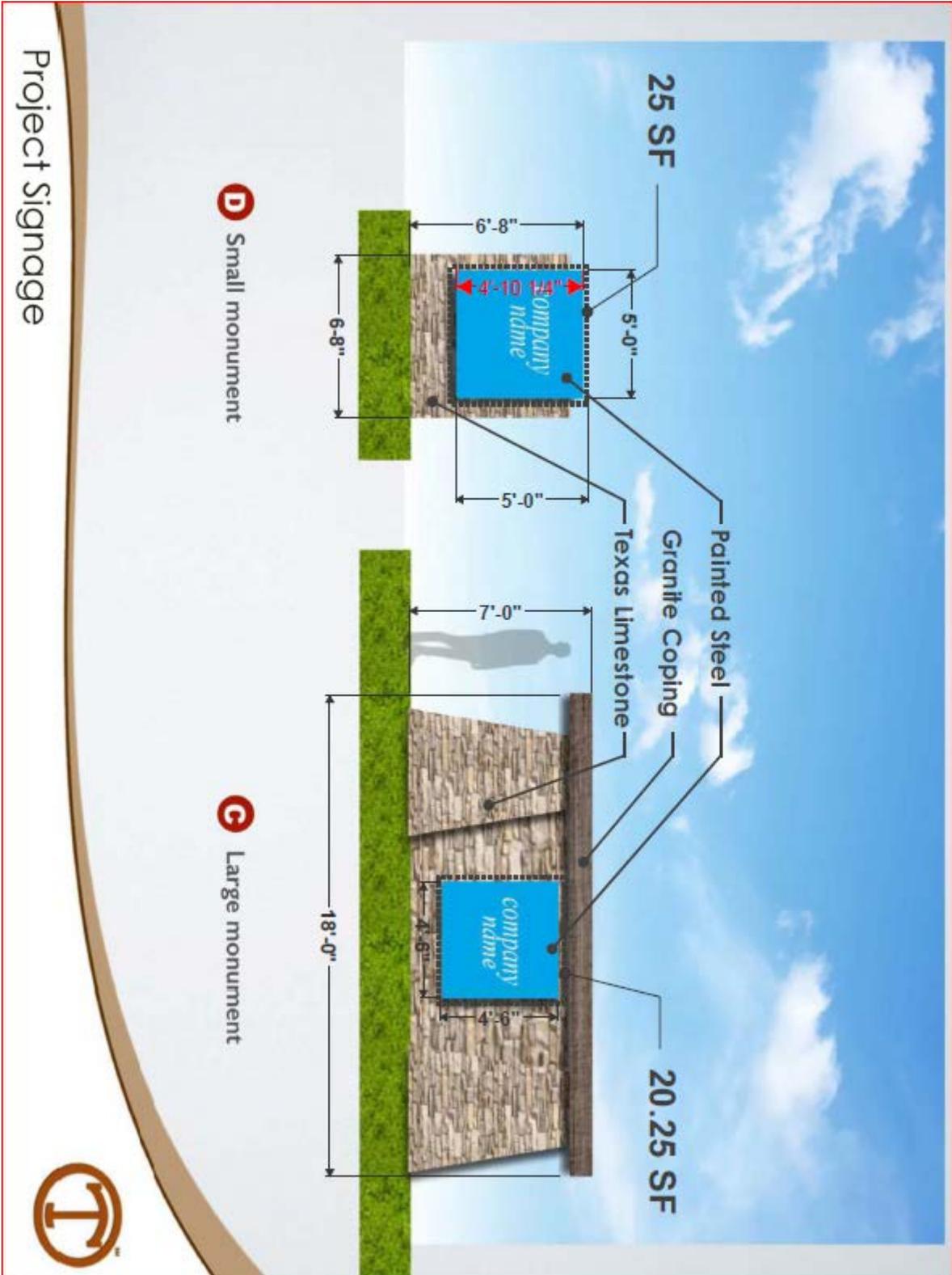


EXHIBIT 7 Signs



SPECIFIC MATERIAL FINISHES TO BE DETERMINED.

Signage Site Plan



TYPE OF ACTION

Regular Meeting - Action Item

Monday, February 22, 2016

TOPIC: Conduct a Public Hearing and Consideration of an Ordinance Approving a Planned Development Zoning District (PD) Site Plan for the “Planning Area 2” portion of Planned Development District 1 (PD 1-2), Established by Ordinance 703 for the Property Generally Located on the South Side of State Highway 114, East of Davis Boulevard and North of Solana Boulevard.

STAFF CONTACT: Eddie Edwards, Director of Planning and Development

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Mission: Westlake is a unique community blending preservation of our natural environment and viewscales, while serving our residents and businesses with superior municipal and academic services that are accessible, efficient, cost-effective, & transparent.	Citizen, Student & Stakeholder	High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards.	Preserve Desirability & Quality of Life
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 15, 2016 **Completion Date:** February 22, 2016

Funding Amount: 00.00 **Status -** **Not Funded** **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

The subject PD Site Plan is generally located at the northwest corner of the 85-acre Entrada development, near the intersection of FM 1938/Davis Boulevard and State Highway 114. This Davis-114 Retail Corner will feature a 1,900 square foot Starbucks restaurant with a drive-through lane, a 3,300 square foot sales center, 7,328 square feet of office space, 17,320 square feet of retail space, and 1,300 square feet of additional restaurant space. The Site Plan follows

Entrada's overall design theme which strives to capture the architecture, livability, scale, and essential visual qualities of the Spanish-Catalonian village archetype.

A PD Site Plan is required as a condition of the Planned Development zoning for this property. The PD Site Plan approval process gives the Planning and Zoning Commission, as well as the Town Council, the ability to approve or deny a plan based on quantitative criteria as well as the qualitative criteria contained within the PD zoning for this property. The PD1-2 zoning ordinance gives the Developer a great deal of latitude with regards to lot layout and design and encourages the Developer to be creative and build a unique development. It also gives the Town opportunities to verify that the proposed development will reflect what was presented by the Developer during the zoning change application process and agreed to by all when the zoning (Ord. 703) and subsequent Development Plan (Ord. 720) were originally approved. Staff and our consulting architect have spent many hours reviewing this site plan and related elevations against a comprehensive set of criteria described in the attached Staff Report.

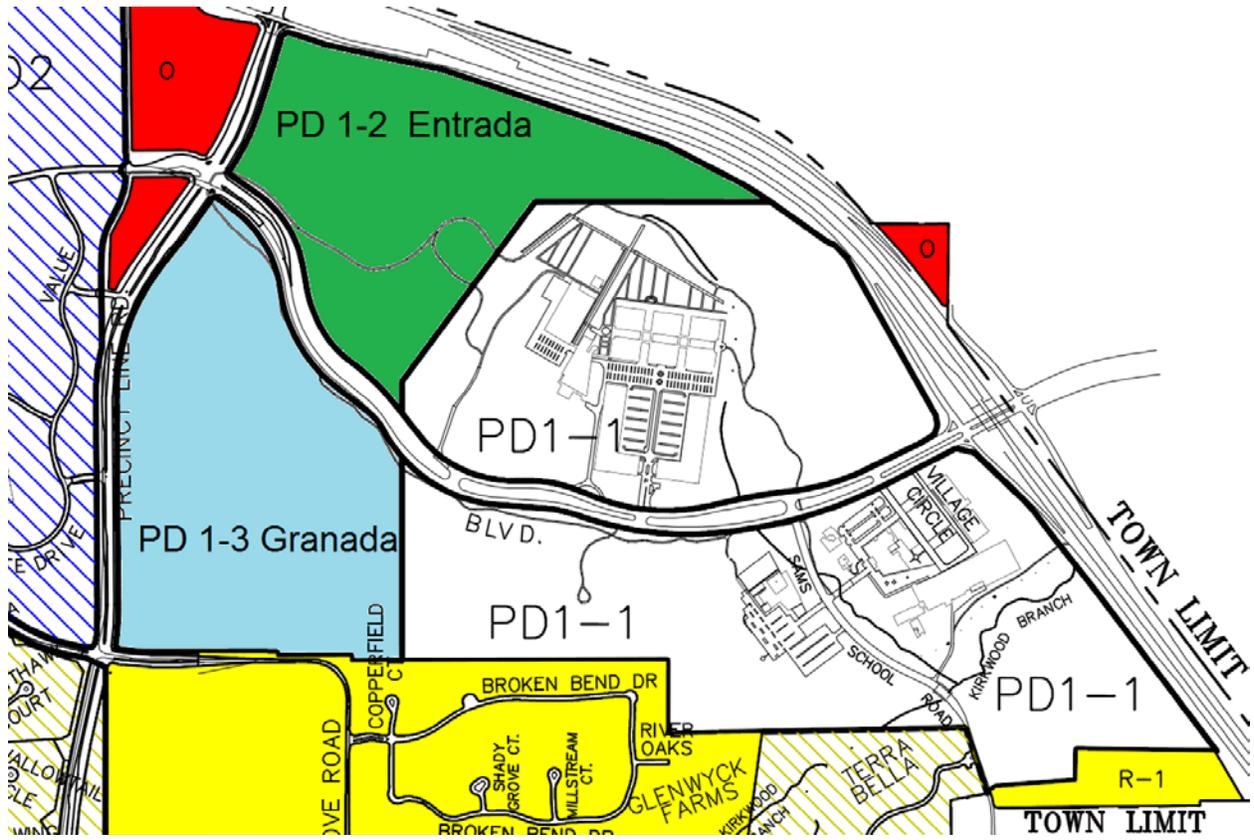
RECOMMENDATION

Staff recommends approval of this PD Site Plan, subject to the conditions provided in the attached Staff Report.

ATTACHMENTS

1. Existing PD Location Map and PD 1-2 Vicinity Map
2. Staff Report
3. Entrada Development Plan
4. Corresponding Ordinance for Approval
5. PD Site Plan Submittal

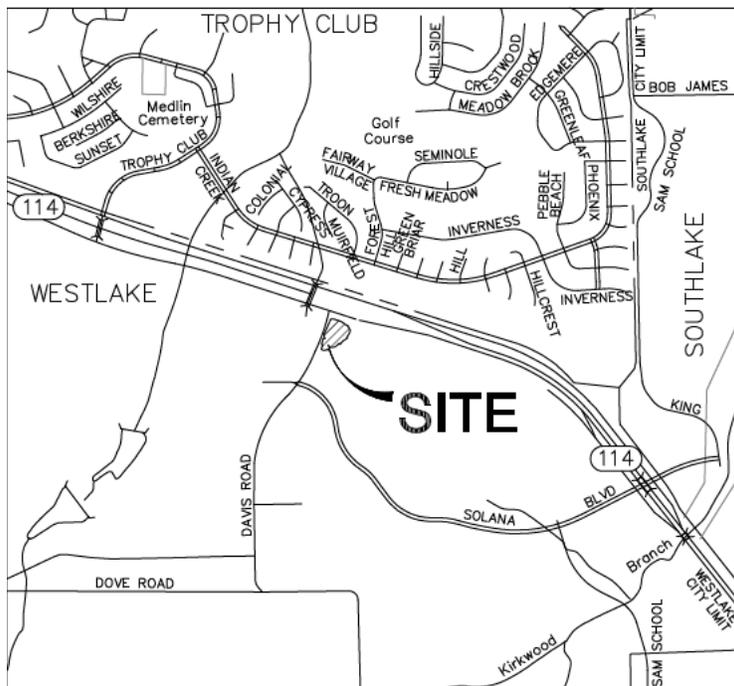
EXISTING PD LOCATION MAP



PLANNING AREA 1-2 VICINITY MAP AND PROPOSED LAYOUT

Case SP-12-14-15

PD Site Plan





TOWN OF WESTLAKE, TX

STAFF REPORT TO TOWN COUNCIL

Date: 2/22/16

Request: Review and Recommendation of a Planned Development (PD) Site Plan

Agenda Item: Conduct a Public Hearing and Consider Approval of a Planned Development Zoning District (PD) Site Plan for the "Planning Area 2" portion of Planned Development District 1 (PD 1-2), established by Ordinance 703 for the property generally located on the south side of State Highway 114, east of Davis Boulevard and north of Solana Boulevard.

CASE INFORMATION

Development Name: Davis-114 Retail Corner, Entrada

Location: The property is generally located at the northwest corner of the 85-acre Entrada development, near the intersection of FM 1938/Davis Boulevard and State Highway 114.

Owner: Maguire Partners-Solana Land, LP (Mehrdad Moayedi, Centurion American)

Applicant: Michael Beaty, Entrada Project Manager

Developer: Centurion American Development Group

Site Size: 2.175 acres shown as Block A, Lot 1 and Block O, Lots 1 and 2 on the Entrada Final Plat.

Approved Use(s): The subject PD Site plan shows office, retail, and restaurant uses, which are permitted under Entrada's zoning as set out in Ordinance 703.

Summary: This PD Site Plan, like the CVS and Primrose Site Plans approved in December, is a component of the Entrada mixed-use development. This Davis-114 Retail Corner will feature a 1,900 square foot Starbucks restaurant with a drive-through lane, a 3,300 square foot sales center, 7,328 square feet of office space, 17,320 square feet of retail space, and 1,300 square feet of additional restaurant space. The Site Plan follows Entrada's overall design theme which strives to capture the architecture, livability, scale, and essential visual qualities of the Spanish-Catalonian village archetype.

The purposes of a PD Site Plan are to ensure that the development of individual building lots, parcels, or tracts within the Planned Development Zoning District or Planning Area are consistent with the approved Concept Plan and Development Plan, and to ensure that the standards applicable within the Planned Development Zoning District and/or Planning Area are met for each such lot, parcel or tract. The following sections detail the requirements that must be considered when evaluating this PD Site Plan, the architectural challenges associated with this submittal, and staff recommendations.

Note that this PD Site Plan replaces the PD Site Plan created by Ordinance 721. This obsolete Site Plan, approved October 28, 2013, applied only to a portion of what is now Block A in the Entrada Final Plat, and was intended to allow for the construction of a sales office. The site never went beyond the PD Site Plan stage. As Entrada's architecture, landscaping, and built

environment evolved, it became preferable to fully integrate the sales office building and surrounds into the Retail Corner Site Plan to ensure architectural continuity and aesthetic flow.

I. ZONING RELATED REQUIREMENTS APPLICABLE TO THIS PD SITE PLAN

Ordinance 703, which established the zoning requirements and development regulations for the PD1-2 Planning Area, applies to this site plan. The uses shown on the PD Site Plan, including restaurant, office, and retail uses, are permitted by right under this district's zoning as shown on the Land Use Schedule included in Ordinance 703. Permitted and Special Uses for this district are quite broad in order to allow for a mixed-use planned development styled after a Spanish-Catalonian village. Permitted and Special Uses include office, governmental, retail, restaurants, hotels, as well as residential uses (single family residential detached, and villas or townhomes). Ordinance No. 703 also imposes certain requirements on building materials, roofing materials, and the pace of development of residential to commercial structures. Also included in the zoning regulations which govern development in this Planning Area are:

- Development Standards for Planning Area 2, PD1-2 (Art. III, Ord. 703)
- Design Guidelines for Planning Area 2, PD1-2 (Exhibit "4", Ord. 703)
- Roadway Design Standards for Planning Area 2, PD1-2 (Exhibit "5", Ord. 703)
- Concept Plan for Planning Area 2, PD1-2 (Exhibit "2", Ord. 703)

In addition, at the time of the adoption of Ordinance No. 703 setting the zoning for PD1-2, the following Staff recommendations were adopted by Council that apply to this site plan:

- Dedication of water and sewer easements for public lines. All on-site and off-site water and sewer improvements necessary to serve the development are the developer's responsibility.
- The developer shall pay, via a development agreement, a pro-rata share of the costs for signalization, per a traffic impact study approved by the Town, of the intersection at Davis Blvd. and Solana Blvd or any other intersections near or on this development.
- A detailed landscape plan and parking plan must be submitted with the Site Plans.
- A detailed streetscaping plan shall be submitted showing how it will be integrating and transitioning in terms of aesthetics with the development at the southeast corner of FM 1938 and Solana Boulevard.
- Sidewalks and trails internal to the site will need to connect by access points to sidewalks, trails, or public rights-of-way on the perimeter of the site as well as to sidewalks or trails on adjacent tracts.

II. RELATION OF PD SITE PLAN TO APPROVED ENTRADA DEVELOPMENT PLAN

The Town required the Developer to prepare a more detailed instrument, known as a Development Plan, for the entire 85-acre Entrada tract prior to any PD Site Plan submittals. PD Site Plans must comport with the approved Development Plan (unless the Development Plan is amended with the approval of the Town). In effect the Development Plan becomes a master site plan, meaning that all the site plans for all portions of the site must fit within the template created

by the Development Plan, with allowance for minor changes in configuration if said changes are considered beneficial by Town staff and consulting architects.

The Development Plan for Entrada, as recommended by the Planning & Zoning Commission and adopted by the Council in Ordinance 720, has several attached conditions for approval. Relevant to the subject PD Site Plan are the following additional conditions:

- When the tract is site planned, both the southeast corner of FM 1938 (Davis) and Solana Boulevard and the northeast corner of FM 1938 (Davis) and SH114 must include strong design public design elements that tie those corners to the intent of the design standards and guidelines for this tract. Site plans for these corners shall minimize surface parking from being the main visual feature at these hard corners (note: requiring some berming when these locations are site planned may help with this). This includes incorporating design features from the Town's FM 1938 Streetscape plan on the side of the subject tract that abuts FM 1938. Also, a 3-4 foot stone wall that fits with the site's design standards and guidelines shall be required around the perimeter of the site on Solana Boulevard and FM 1938.
- Show on the Development Plan the type of Town Edge landscaping that will be utilized along the SH114 side of the tract. Also show where along this Town Edge landscape zone the landscaping will consist of trees and when other treatments such as vineyards, as proposed by the developer, will be used.
- Approve use of Italian Cypress trees on the tract as the predominant tree of choice for the landscaping.
- All site plans submitted subsequent to approval of this Development Plan shall comport to all the design standards and guidelines as set out Ordinance No. 703.
- A lighting plan must be submitted for this Development Plan that meets the requirements of the Section 14 of the zoning ordinance for this site (Ordinance No. 703) as well as Chapter 102 of the Town's Code of Ordinances. This plan should emphasize use of bollard lights along trails, plazas, and gathering areas. It should also emphasize shielded low intensity down lighting for parking lots and intersections.
- A Master Landscape Plan for all common areas, right-of-ways, public and private open spaces, and Town Edge Landscape zones must be submitted along with the next Site Plan and before any buildings permits are issued, other than the Site Plan and building permit for the Sales Office.

III. RESIDENTIAL TO NON-RESIDENTIAL DEVELOPMENT RATIOS

Ordinance 703 established ratios of residential to non-residential construction to prevent uneven development and ensure that residential uses are not prioritized over retail, office, or other uses. The pace of residential development within PD 1-2 is as follows:

- First Year of Active Development: Developer is entitled to ten (10) residential units initially. After the initial ten (10) units, Developer is entitled to units eleven (11) through (30) after 45,000 non-residential air conditioned square footage is permitted. "First year of active development" is defined as beginning on the date of the issuance of the first vertical building permit for PD Planning Area 2 (PD 1 -2).

- Second year of active development shall not exceed an additional sixty (60) residential units. Third year of active development shall not exceed and additional eighty (80) residential units. Year four of active development and subsequent will be based upon the 1500:1 ratio. From Residential Unit 31 forward, Developer must demonstrate to the Westlake Building Official that the 45,000 air-conditioned square feet of non-residential building space is substantially completed, and that for Residential Unit 31 forward, Developer must also demonstrate to the Westlake Building Official that a ratio of 1,500 sq. ft. of non-residential use building space has been permitted for each additional Residential Unit permitted.
- Developer is to maintain a database illustrating conformance to this requirement to the Westlake Building Official and include an up-to-date report with each new Residential Unit building permit application. Non-residential use buildings must be substantially outwardly completed within six-months of being included in the 1500:1 ratio, which is 1500 square feet of non-residential to each Residential Unit calculations.

The following table lists non-residential buildings and their associated square footage approved via the PD Site Plan process for the Entrada development to date, plus the buildings and square footage included in the subject PD Site Plan:

Building	Use	SF
CVS	Retail	12,900
CVS SF Subtotal		12,900
Primrose	Institutional	12,070
Primrose SF Subtotal		12,070
Starbucks	Restaurant	1,900
Sales Center	Office	3,300
Retail 1	Restaurant	1,300
Office/Retail	Office	7,328
Office/Retail	Retail	17,320
Davis-114 Retail Corner SF Subtotal		31,148
Grand Total		56,118

Including the Davis-114 Retail Corner square footage, up to 30 residential units may be permitted this calendar year, assuming all of the buildings listed above are permitted within the year (i.e. construction drawings are approved and a building permit is issued). Note that in addition to meeting residential to non-residential ratio requirements, all residential units must go through the PD Site Plan process and permitting process before construction can begin. The developer currently has three residential PD Site Plans in the pre-submittal stage, with each Site Plan containing six houses.

IV. ARCHITECTURAL REQUIREMENTS & CHALLENGES SPECIFIC TO THIS PD SITE PLAN

The Town is provided strong aesthetic/architectural controls via design guidelines in the zoning regulations that apply specifically to this Planning Area. The guidelines go into great detail, covering architectural requirements, construction methods, aesthetics, and allowed/prohibited materials for everything from window sills to retaining walls to exterior door hardware. These

design guidelines are the most powerful tool that the Town has to ensure that the Entrada development is built to the high standards discussed, represented, and agreed to by the Developer during the zoning process. The Town receives this control while providing the Developer zoning entitlements (i.e. uses) that grant the Developer great latitude and flexibility in permitted and special uses, as well as dimensional setbacks and no building FAR (floor to area ratio) density requirements.

For Entrada, the Davis-114 corner presents the first look at, and establishes the first impression of, the Catalonian Village concept rendered as a contemporary mixed use development. Therefore, this corner location is singularly important to the marketing success of this project. Historically, the comprehension of the village (in the medieval European village setting) was sequentially understood. In other words, one moved toward the village from the hinterlands, passing the agricultural edges, then perhaps some fortified element, then along narrow streets, and then arrived at the place of the cathedral/ plaza from which the fabric of village emanated. However, Highway 114 and Davis Boulevard do not afford that same sequential experience and consequently the comprehension of village must be gathered in a moment of recognition. This moment is encountered at the Davis-114 corner. Without the experiential “lead-up” the image presented must be particularly complete and convincing. Such importance demanded of the planning and design at this location is met with numerous challenges, such as:

- **Scale:** This is not the place for any “Big Box” retail elements (typical of most suburban development) because “Scale” is one of the most important “colors” in our pallet with which to paint the Catalonian vision. In order for the assemblage of structures to be organic, the scale must be conducive to creating the kind of form complexities that an organic assemblage would produce. Scale is important to giving the appearance of process-over-time – the complex look that evolves over many years of building one thing next to, or on top of, what already exists. Therefore, in order to replicate this kind of complex form, the elements of composition must be small enough to render such complexity. The Davis-114 corner is comprised of small retailers and smaller, narrower buildings wherever possible.
- **Internalizing Topography to the Architecture:** Most retail development seeks to level a site so that building plates have no offsets. This is preferred by most retailers and increases the convenience of parking. Most of the Catalonian Villages are in “hilly” locations, and accommodation of topographic change is often handled as a component of the buildings constructed. This creates a vertical complexity to the village fabric as well as the horizontal complexity described above. Therefore, it is important that the rolling topography at the Davis-114 corner be handled in ways that are evocative of this important aspect of the Catalonian Village fabric. Winding drives climb grade alongside the base of buildings and arrive at parking places nestled between structures.
- **Creating a Landmark Icon:** Some of the sense of sequence described above can be achieved while traveling along regional roadways if Entrada had a landmark element that defined, and guided one to, the Davis-114 point of recognition. Therefore, the retail corner presents a 110-foot tower (with decorative top) that has form-giving influence upon the retail assemblage within which it sits. In this way the tower is not just an element apart from development, it organizes the fabric of what is around it, thereby giving it an authenticity which fulfills one’s expectation upon arrival. In addition, visitors to the retail corner interact with the Tower as the Starbucks drive-through passes beneath it.
- **Combining the spatial accommodations of automobiles and emergency access with the spatial character of a Catalonian Village:** The needs of contemporary vehicles,

contemporary services, and contemporary emergency equipment tend to greatly expand the space between buildings. This challenges the more intimate definition of space needed to enhance the pedestrian experience and convey the sense of village. Creating smaller stand-alone building(s) to break up spatial expanse, complex perimeter edge configuration, ruin remnants (such as remnant walls), subordinate building masses that project out from the primary structures, and obscuring the traditional definition of drive and parking stall all serve to transform an automobile dominated ground plane into something more interesting, complex, and village like.

- **External architectural expression of internal property lines, demising walls, and other internal subdivisions:** In a lease driven and fee simple driven economic setting, lines are created that the Catalonian Village did not respond to. These lines and subdivisions can create architectural expressions that move away from the desired organic assemblage to a more “row house” or “multi-tenant” segmentation. To overcome this tendency, the architects had to take every opportunity to “overlay” rather than “abut” building elements. The architects had to create minor and subordinate forms that mitigated external expression of these separations.
- **Construction Details:** The biggest challenge to all of Entrada is creating construction details that will make contemporary veneer frame construction have the visual qualities of load bearing masonry construction. The execution of cornice details is most critical. Guidelines created for this project describe how traditional veneer construction is to be handled so that it has a more load bearing appearance.

Addressing each of these challenges has led to a project design that is both a serviceable retail development and the essence of the Catalonian Village fabric.

To arrive at the final rendition of the Davis-114 Retail Corner submittal, the Town went through a design review and revision process that included several steps:

1. Town staff, consulting architects and engineers receive, review, and comment on first Davis-114 Retail Corner submittal. Comments identify the ways in which the submitted design falls short of the Catalonian Archetype and provide recommendations for improvement.
2. Town consulting architect meets with Merriman Associates Architects, who are leading the design process from the developer side, to review the comments provided by Town and sketch ways in which these comments can be reasonably addressed.
3. Merriman provides a revised PD Site Plan incorporating staff recommended changes. Town staff and consultants review and provide additional comments.
4. Merriman makes final revisions and submits to Town for review. At this stage any remaining comments should be easily addressed and minor in nature.
5. The final PD Site Plan Submittal is delivered to the Town for inclusion in Planning and Zoning Commission and Town Council agenda packets.

As this process is repeated, it is anticipated that the design review process should get progressively more efficient as Merriman gains a greater appreciation of what the Town is looking to create and built structures begin to serve as reference points.

While PD Site Plans are an important element of the design and quality control process, they are not a final approval for construction. Note that:

- 1) PD Site Plans are recommended for approval based on a determination that the plans reflect general compliance with the approved PD Concept Plan, PD Development Plan, Master Landscape Plan, Design Guidelines, and other PD ordinance regulations. The individual building elevations are approved conceptually, subject to compliance with PD Design Guidelines to be shown in detail on construction plans that are to be submitted when applying for a building permit.
- 2) Construction Drawings submitted along with an application for a Building Permit will be reviewed for detailed compliance with Design Guidelines and compliance with the approved PD Site Plan as well as other PD ordinance regulations, the Code of Ordinances, the UDC, and the International Code Council (ICC) construction codes.

Below are the final comments from the Town's consulting architect, Robin McCaffrey, regarding the Entrada Retail Corner:

1. Eliminate horizontal orientation of glazing lites (windows)
2. Make sure that all coach lights conform to Entrada Design Guidelines approved on 12/14/15
3. Make sure that all cornice details minimize visible expression of a masonry pocket board and fascia board pursuant to the Entrada Design Guidelines approved on 12/14/15
4. Make sure that stone and stucco in the same elevation are not dimensionally offset with stone projecting out beyond stucco
5. Make sure that the use of "thin set stone" indicated on a portion of the Tower is the same stone and stone face as the full masonry portion of the Tower. Do not use a cultured stone
6. Indicate how stone window surrounds on the "thin set" portion of the Tower will be handled
7. Stucco expansion joint "parge over" detail to be shown on construction plans shall be subject to Town approval to assure field performance

With the exception of the first point, the comments expressed above are details to be addressed on construction plans, the next step in the approval process. These types of issues are often uncovered during the PD Site Plan process, but due to their technical nature are not usually addressed on the PD Site Plan. In order to ensure the above listed items are properly addressed, and to avoid undue delays in construction plan approval, staff has added two conditions for approval (numbers 7 and 8 listed below) in addition to the conditions for approval attached to the CVS and Primrose PD Site Plan submittals (approved 12/14/15).

V. STAFF RECOMMENDATION

Staff recommends approval of the Davis-114 Retail Corner PD Site Plan subject to the following conditions which have been incorporated into the corresponding ordinance for approval:

1. Fulfillment of all zoning requirements as set out in Ordinance 703 in addition to the conditions accepted by the Town Council at the time of zoning approval (April 22, 2013).
2. All the Development Plan conditions for approval established in Ordinance 720 (adopted October 28, 2013) apply to this PD Site Plan.

3. All building elevations shown on this PD Site Plan include the requirement that structures meet all aspects of the Entrada Design Guidelines established in Ordinance 703 and Ordinance 760.
4. Town Staff will review and approve a materials sample palette that shall be presented at the time building plans are submitted for review and said materials must comport to elevations as presented to the Staff and the Planning & Zoning Commission.
5. Landscaping and planters shown on PD Site Plan drawings submitted by the Developer's master architect, Merriman and Associates, be of substantial size, as shown on said drawings, including six (6) inch caliber Italian Cypress in the planters.
6. Solid waste collection area(s) will reflect a "shepherd's hut" type architecture and will be approved by Staff at the time of building permit application.
7. The following statements shall be added to the PD Site Plan to clarify the scope of Site Plan approval:
 - 1) PD Site Plans are recommended for approval based on a determination that the plans reflect general compliance with the approved PD Concept Plan, PD Development Plan, Master Landscape Plan, Design Guidelines, and other PD ordinance regulations. The individual building elevations are approved conceptually, subject to compliance with PD Design Guidelines to be shown in detail on construction plans that are to be submitted when applying for a building permit.
 - 2) Construction Drawings submitted along with an application for a Building Permit will be reviewed for detailed compliance with Design Guidelines and compliance with the approved PD Site Plan as well as other PD ordinance regulations, the Code of Ordinances, the UDC, and the International Code Council (ICC) construction codes.
 - 3) The individual lots shown on this PD Site Plan are approved conceptually, and must be reflected on an approved amended Final Plat prior to the issuance of any building permits for vertical construction for the areas shown as Block A and Block O on the Entrada Final Plat.
8. Eliminate horizontal orientation of glazing lites (windows)

ENTRADA
 85,921 ACRES
 in the
 C.M. THROOP SURVEY, ABSTRACT NO. 1510
 W. MEDJIN SURVEY, ABSTRACT NO. 1958
 TOWN OF WESTLAKE
 TARRANT COUNTY, TEXAS

**DEVELOPMENT PLAN
 OVERALL**

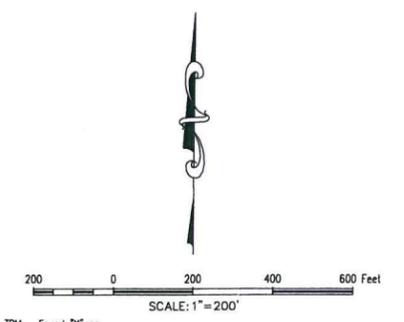
PRELIMINARY PLANS
 THIS DOCUMENT IS FOR
 INTERIM REVIEW AND IS
 NOT INTENDED FOR
 CONSTRUCTION, BIDDING,
 OR PERMIT PURPOSES.
 G&A CONSULTANTS, P.C. 1798
 ROBERT JOHN DOLLAH, JR.,
 P.E. #66898
 DATE 10/23/2013

Drawn By: JJ
 Date: 10/11/2013
 Scale: 1" = 200'
 Revisions:
 10/23/2013

12139R

DP1

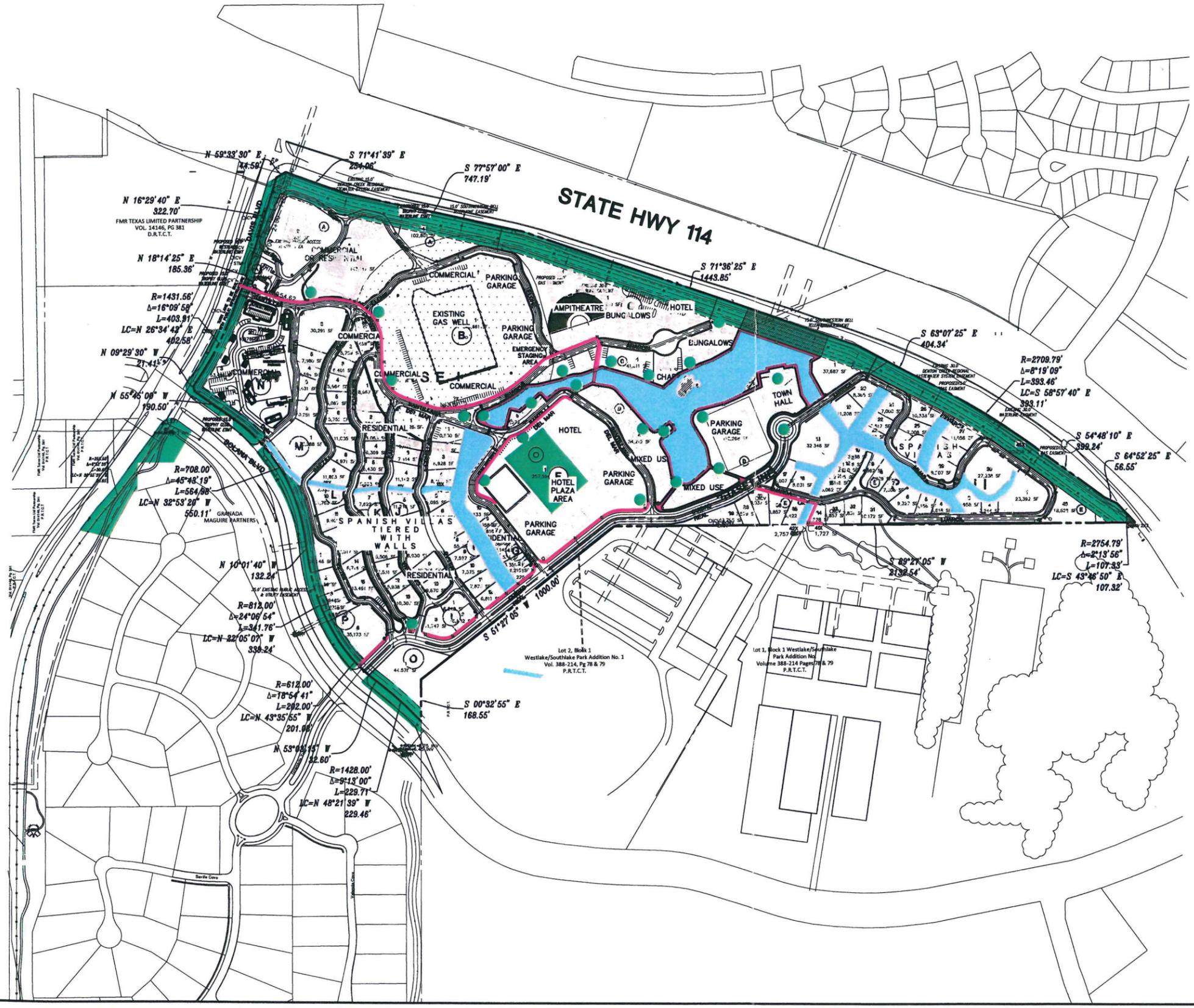
OWNER/DEVELOPER
 MAGUIRE PARTNERS - SOLANA LAND, LP
 1221 N. I-35E, SUITE 200
 CARROLLTON, TEXAS
 Ph: (469) 892-7200
 Fax: (469) 892-7202
 Contact: JACK DAWSON



TBM - Found "X" on
 TBM - Found "X" on

LEGEND		
C.R.F.	Capped Rebar Found	Overhead Power Lines
C.R.S.	Capped Rebar Set	Down Guy Wire
C.M.	Control Monument	443
Mon.	Monument	443
BM	Benchmark	Existing Contours
FH	Fire Hydrant	Proposed Contours
WM	Water Meter	Concrete Pavement
WV	Water Valve	Asphalt Pavement
W/L	Water Line	Wood Fence
ICV	Irrigation Control Valve	Chain Link Fence
SSMH	Sanitary Sewer Manhole	Wire Fence
CO	Sanitary Sewer Cleanout	Masonry Wall
UP	Utility Pole	Existing Tree
LP	Light Pole	(FL) Flowline
TC	Top of Curb	Centerline of Creek, Swale, or Waterway
TP	Top of Pavement	Creek, Swale, or Waterway Embankment
TW	Top of Wall	
FG	Finished Grade	
U.E.	Utility Easement	
D.E.	Drainage Easement	
B.L.	Building Line	
R.O.W.	Right-of-Way	
D.R.	Deed Records	
P.R.	Plot Records	

- PA PUBLIC ART
- PAD PUBLIC ART & GATHERING
- PUBLIC WALK
- DOWNLIGHTING AT INTERSECTIONS
- DOWNLIGHTING BOLLARDS AT 150' CENTERS ALONG TRAIL
- LANDSCAPING



TOWN OF WESTLAKE

ORDINANCE NO. 771

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING A PLANNED DISTRICT (PD) SITE PLAN FOR THE “PLANNING AREA 2” PORTION OF PLANNED DEVELOPMENT DISTRICT #1 (PD1-2), ESTABLISHED BY ORDINANCE 703 FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF HWY 114, EAST OF DAVIS BOULEVARD, AND NORTH OF SOLANA BOULEVARD, AND AS MORE PARTICULARLY DESCRIBED AS BLOCK A AND BLOCK O IN THE ENTRADA FINAL PLAT. PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR A SAVINGS CLAUSE.

WHEREAS, the Town of Westlake, Texas is a general law municipality; and

WHEREAS, the Town Council of the Town of Westlake finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

WHEREAS, there is located within the corporate limits of the Town of Westlake an approximately 85.9 acre tract of land known as PD1-2 zoning district being the portion of the PD1 zoning district bounded by Solana Boulevard to the south, FM 1938 “Davis Blvd.” to the west, and SH 114 to the north (**Exhibit A**), on which a mixed use development is underway; and

WHEREAS, because of the size, location, and natural features of the Planning Area PD1-2 and the Town's need for public infrastructure, amenities, and services, the Town has a critical interest in the development of the Planning Area 1-2 and is encouraging such development to the highest possible standards of quality consistent with the Town's long-term development vision; and

WHEREAS, because of improvements to FM 1938 (Davis Blvd.), further urban growth throughout the region, and other changed conditions that affect the region, the Town believes there are unique and significant opportunities for new and unique mixed-use development within the Planning Area PD1-2 that will be consistent with the Town's long-term development vision; and

WHEREAS, the Planning & Zoning Commission held a public hearing upon the application of developer Centurion American to amend the Comprehensive Plan to establish PD 1-2 and approve zoning for PD 1-2 on April 15, 2013, as well as the Town Council held a public hearing on this same application on April 22, 2013 after written notice of such hearing having been sent to owners of real property being within 200 feet of the property and notice being published in a newspaper of general circulation in the Town, all in accordance with law; and subsequently adopted Ordinance 703 establishing zoning regulations for PD1-2 now known as Entrada; and

WHEREAS, following provision of proper legal notice, a public hearing was held on February 15, 2016 by the Planning and Zoning Commission (Commission) whereby the Commission recommended to the Town Council approval of a PD Site Plan as described in attached **Exhibit B** subject to certain specific conditions; and

WHEREAS, the Council believes that the interests of the Town, the present and future residents and citizens of the Town, and developers of land within the Town, are best served by adopting this Ordinance, which the Council has determined to be consistent with the 2015 Comprehensive Plan and its Land Use Map, Thoroughfare Plan, and Open Space Plan, all as amended to date; and

WHEREAS, upon the recommendation of the Planning and Zoning Commission, the Town Council of the Town of Westlake, Texas, is of the opinion that it is in the best interests of the Town and its citizens that this PD Site Plan (**Exhibit B**) should be approved and adopted.

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

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

SECTION 2: That the Town Council of the Town of Westlake, Texas does hereby approve the PD Site Plan shown as attached **Exhibit B** located in PD1- 2 which is an approximate 85 acre tract located on the south side of Hwy 114, east side of Davis Boulevard, and north of Solana Boulevard, as reflected in **Exhibit A**, also attached hereto. This PD Site Plan shown on attached **Exhibit B** is approved subject to the following conditions:

- a) Fulfillment of all zoning requirements for this PD1-2 district set out in Ordinance 703 in addition to the conditions accepted by the Town Council at the time of zoning approval (April 22, 2013).
- b) All the Development Plan conditions for approval established in Ordinance 720 (adopted October 28, 2013) apply to this PD Site Plan.
- c) All building elevations shown on this PD Site Plan include the requirement that structures meet all aspects of the Entrada Design Guidelines established in Ordinance 703 and Ordinance 760.
- d) Town Staff will review and approve a materials sample palette that shall be presented at the time for building plans review for a building permit and said materials must comport to elevations as presented to the Staff and the Town Council.
- e) Landscaping and planters used around the CVS building per drawings submitted by the Developer's master architect, Merriman and Associates, shall be of substantial size, as shown on said drawings, including six (6) inch caliber Italian Cypress in the planters.

- f) Solid waste collection area(s) will reflect a “shepherd’s hut” type architecture and will be approved by Staff at the time of building permit application.
- g) The following statements shall be added to the PD Site Plan to clarify the scope of Site Plan approval:
 - 1. PD Site Plans are recommended for approval based on a determination that the plans reflect general compliance with the approved PD Concept Plan, PD Development Plan, Master Landscape Plan, Design Guidelines, and other PD ordinance regulations. The individual building elevations are approved conceptually, subject to compliance with PD Design Guidelines to be shown in detail on construction plans that are to be submitted when applying for a building permit.
 - 2. Construction Drawings submitted along with an application for a Building Permit will be reviewed for detailed compliance with Design Guidelines and compliance with the approved PD Site Plan as well as other PD ordinance regulations, the Code of Ordinances, the UDC, and the International Code Council (ICC) construction codes.
 - 3. The individual lots shown on this PD Site Plan are approved conceptually, and must be reflected on an approved amended Final Plat prior to the issuance of any building permits for vertical construction for the areas shown as Block A and Block O on the Entrada Final Plat.
- h) Eliminate horizontal orientation of glazing lites (windows)

SECTION 3: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 4: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 5: Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor offense and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) for each separate offense. A separate offense shall be deemed committed upon each day, or part of a day, during which a violation occurs or continues.

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

PASSED AND APPROVED ON THIS 22nd DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

EXHIBITS

EXHIBIT A Legal Description of PD1-2 District

EXHIBIT B PD Site Plan for Block A and Block O, Entrada (Retail Corner)

Exhibit A

LEGAL DESCRIPTION
Legal Description of PD1-2 District

85.9 Acres

BEING a tract of land situated in the C.M. Throop Survey, Abstract No. 1510, the W. Medlin Survey, Abstract No. 1958, the William Pea Survey, Abstract No. 1246 and the Joseph Henry Survey, Abstract No. 742, Tarrant County, Texas and being a portion of Tract 2 as described in the Special Warranty Deed to MAGUIRE PARTNERS – SOLANA LAND, L.P. as recorded in Volume 16858, Page 176 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with “Huitt-Zollars” cap at the southwest corner of Lot 2, Block 1, Westlake/Southlake Park Addition No. 1, an addition to the Town of Westlake, Texas as recorded in Volume 388-214, Page 78 of the Plat Records of Tarrant County, Texas, being on the northeasterly right-of-way line of Kirkwood Boulevard, a variable width right-of-way as dedicated by said Westlake/Southlake Park Addition No. 1 and being the beginning of a non-tangent curve to the left having a central angle of 9 degrees 13 minutes 11 seconds, a radius of 1428.00 feet and being subtended by a chord which bears North 47 degrees 49 minutes 50 seconds West a distance of 229.54 feet;

THENCE along the northeasterly right-of-way line of Kirkwood Boulevard, a variable with right-of-way, as described in Dedication Deed to the Town of Westlake as recorded under instrument No. D208427746, Deed Records of Tarrant County, Texas the following:

Along said curve to the left an arc distance of 229.79 feet to a ½ inch rod found with Graham cap at the end of said curve;

North 52 degrees 30 minutes 14 seconds west a distance of 32.60 feet to ½ inch iron rod found with Graham cup beginning of a curve to the right having a central angle of 18 degrees 54 minutes 48 seconds, a radius of 612.00 feet and being subtended by a chord which bears North 43 degrees 02 minutes 03 seconds West a distance of 201.11 feet;

Along said curve to the right an arc distance of 202.02 feet to a ½ inch iron rod found with Graham cap at the beginning of a compound curve to the right having a central angle of 24 degrees 06 minutes 47 seconds, a radius of 812.00 feet and being subtended by a chord which bears North 21 degrees 32 minutes 03 seconds West a distance of 339.22 feet;

Along said curve to the right an arc distance of 341.73 feet to a ½ inch iron rod found with Graham cap at the end of a said curve;

North 09 degrees 28 minutes 39 seconds West a distance of 132.24 feet to a ½ inch iron rod found with Graham cap at the beginning of a curve to the left having a central angle of 45 degrees 43 minutes 19 seconds, a radius of 708.00 feet and being subtended by a chord which

bears North 32 degrees 20 minutes 19 seconds West a distance of 550.11 feet;

Along said curve to the left an arc distance of 564.98 feet to a ½ inch iron rod found with Graham cap at the end of said curve;

North 55 degrees 11 minutes 58 seconds West a distance of 190.50 feet to a ½ inch iron rod found with Graham cap;

North 08 degrees 56 minutes 27 seconds West a distance off 21.41 feet to a ½ inch iron rod found with Graham cap on the easterly right-of-way line of Precinct Line Road, a variable width right-of-way, as described in Dedication Deed to Town of Westlake as recorded under Instrument No. D208427746, Deed Records of Tarrant County, Texas and being the beginning of a non-tangent curve to the left having a central angle of 16 degrees 09 minutes 21 seconds, a radius of 1,432.50 feet and being subtended by a chord which bears North 27 degrees 07 minutes 42 seconds East a distance of 402.59 feet;

THENCE along the easterly right-of-way line of Precinct Line Road, the following;

Along said curve to the left an arc distance of 403.92 feet to a ½ inch iron rod found with Graham cap at the end of said curve;

North 18 degrees 47 minutes 24 seconds East a distance of 185.36 feet to a ½ inch iron rod found with Graham cap;

North 17 degrees 03 minutes 03 seconds East a distance of 322.64 feet to a ½ inch iron rod found on the southerly right-of-way line of State Highway 114 (a variable width ROW);

THENCE along the southerly right-of-way line of State Highway 114, the following;

North 60 degrees 06 minutes 26 seconds East a distance of 44.54 feet to a Texas Department of Transportation brass disk in concrete found;

South 71 degrees 03 minutes 32 seconds East a distance of 254.55 feet to a point for corner from which a Texas Department of Transportation brass disk in concrete found bears North 10 degrees 48 minutes 28 seconds West a distance of 0.43 feet;

South 77 degrees 26 minutes 06 seconds East a distance of 746.74 feet to a Texas Department of Transportation brass disk in concrete found;

South 71 degrees 03 minutes 31 seconds East a distance of 1443.85 feet to a Texas Department of Transportation brass disk in concrete found;

South 62 degrees 34 minutes 19 seconds East a distance of 404.34 feet to a Texas Department of Transportation brass disk in concrete found at the beginning of a curve to the right having a central angle of 08 degrees 19 minutes 09 seconds, a radius of 2,709.79 feet and being subtended by a chord which bears South 58 degrees 24 minutes 45 seconds East a distance of 393.11 feet;

Along said curve to the right an arc distance of 393.45 feet to a Texas Department of Transportation brass disk in concrete found;

South 54 degrees 15 minutes 11 seconds East a distance of 399.24 feet to a Texas Department of Transportation brass disk in concrete found;

South 64 degrees 19 minutes 50 seconds East a distance of 56.55 feet to a 5/8 inch iron rod found with "Huitt-Zollars" cap at the beginning of a non-tangent curve to the right having a central angle of 02 degrees 13 minutes 56 seconds, a radius of 2,754.79 feet and being subtended by a chord which bears South 43 degrees 17 minutes 37 seconds East a distance of 107.32 feet;

Along said curve to the right an arc distance of 107.33 feet to a 1/2 inch rod found with "Huitt-Zollars" cap for the northeast corner of Lot 1, Block 1, of the aforementioned Westlake/Southlake Park Addition No. 1;

THENCE departing the southerly right-of-way line of State Highway 114, North 90 degrees 00 minutes 00 seconds west along the north line of said Lot 1, Block 1, a distance of 2,132.54 feet to a 5/8 inch iron rod with "Carter-Burgess" cap found for the northwest corner of said Lot 2, Block 1, Westlake/Southlake Park Addition No. 1;

THENCE South 52 degrees 00 minutes 00 seconds West along the northwesterly line said Lot 2, Block 1, a distance of 1000.00 feet to a 5/8 inch iron rod with "Carter & Burgess" cap found at an angle point in the west line of Lot 2, Block 1;

THENCE along the west line of said Lot 2, Block 1, South 00 degrees 00 minutes 00 seconds East a distance of 168.55 feet to the POINT OF BEGINNING and containing 85.90 acres of land, more or less.

TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

WESTLAKE ENTRADA

PD SITE PLAN PACKAGE FOR LOTS 1, 2, 3, BLOCK A LOT 1, BLOCK O - DAVIS/114 CORNER

FEBRUARY 2016

SHEET INDEX	
No.	Sheet Title
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C2	KEY MAP
C3	SITE PLAN
A1-A12	ARCHITECTURAL PLANS
L1	LANDSCAPE PLAN & DETAILS
C4	GENERAL NOTES
C5	PAVING PLAN
C6	PROPOSED DRAINAGE AREA MAP
C7	GRADING PLAN
C8	WATER, STORM, DUCTBANK & SEWER PLAN
C9	EROSION CONTROL PLAN
C10	LIGHTING & PHOTOMETRIC PLAN
C11	LIGHTING DETAILS



DEVELOPER:
CENTURION AMERICAN
1800 VALLEY VIEW LANE, SUITE 300
FARMERS BRANCH, TEXAS 75234



DEVELOPER:
The Mooreland Funds
Mooreland Development
1800 VALLEY VIEW LANE, SUITE 300
FARMERS BRANCH, TEXAS 75234
TEL: 214.287.9009
CONTACT: MIKE BEATY



VICINITY MAP
(NOT TO SCALE)



TOWN OF WESTLAKE
3 VILLAGE CIRCLE
SUITE 202
WESTLAKE TEXAS 76262
TEL: 817-430-0941



Brown & Gay Engineers, Inc.
2595 Dallas Parkway, Suite 204
Frisco, TX 75034
Tel: 972-464-4800 • www.browngay.com
TBPE Registration No. F-1046

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RESPONSIBLE ENGINEER:
BROWN & GAY ENGINEERS, INC.
TEXAS REGISTERED ENGINEERING FIRM F-1046
WILLIAM R. JANNEY, P.E.
TEXAS REGISTRATION NO. 108663
FEBRUARY 5, 2016

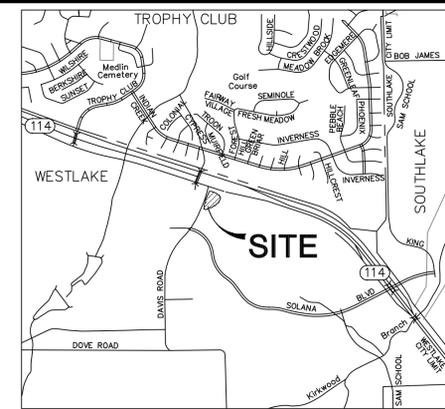
TOWN OF WESTLAKE

APPROVED _____

TITLE _____

DATE _____

BROWN & GAY ENGINEERS, INC.
 2595 DALLAS PARKWAY, SUITE 204
 FRISCO, TEXAS 75034
 TEL: 972-464-4800
 WWW.BROWNGAY.COM
 PROJECT: DAVIS/114 CORNER AT WESTLAKE ENTRADA
 DATE: 01/14/2016



VICINITY MAP
 (NOT TO SCALE)



Horizontal Scale: N.T.S.

LEGEND

(A) BLOCK NAME

BGE
Brown & Gay Engineers, Inc.
 2595 Dallas Parkway, Suite 204
 Frisco, TX 75034
 Tel: 972-464-4800 • www.browngay.com
 TBPE Registration No. F-1046
 Contact: Will Janney
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CENTURION AMERICAN

DEVELOPER
CENTURION AMERICAN
 1800 Valley View Lane, Suite 300
 Farmers Branch, TX 75234
 Contact: Michael Beaty
 Tel: 214-287-9009

MOORELAND
 Engineering • Development • Construction

CENTURION AMERICAN
DAVIS/114 PD SITE PLAN PACKAGE
DAVIS/114 CORNER
AT WESTLAKE ENTRADA
 BEING 1.733 ACRES
 TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

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 BROWN & GAY ENGINEERS, INC.
 TEXAS REGISTERED ENGINEERING FIRM F-1046
 WILLIAM R. JANNEY, P.E.
 TEXAS REGISTRATION NO. 108663
 JANUARY 14, 2016

CAUTION !!
 Contractor to Verify exact location & Depth of Exist Facilities Prior to any Construction Activities

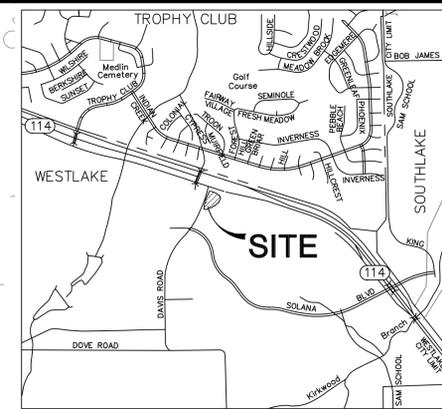
CAUTION !!!
 CONTACT: 1-800-DIG-TESS
 48 HOURS PRIOR TO CONSTRUCTION

REV NO.	DATE	DESCRIPTION

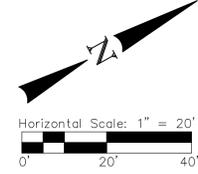
DRAWN BY:
 CHECKED BY:
 DATE:
 PROJECT NUMBER:

Sheet No.
KEY MAP
C2

DAVIS BLVD
(VARIABLE WIDTH R.O.W.)

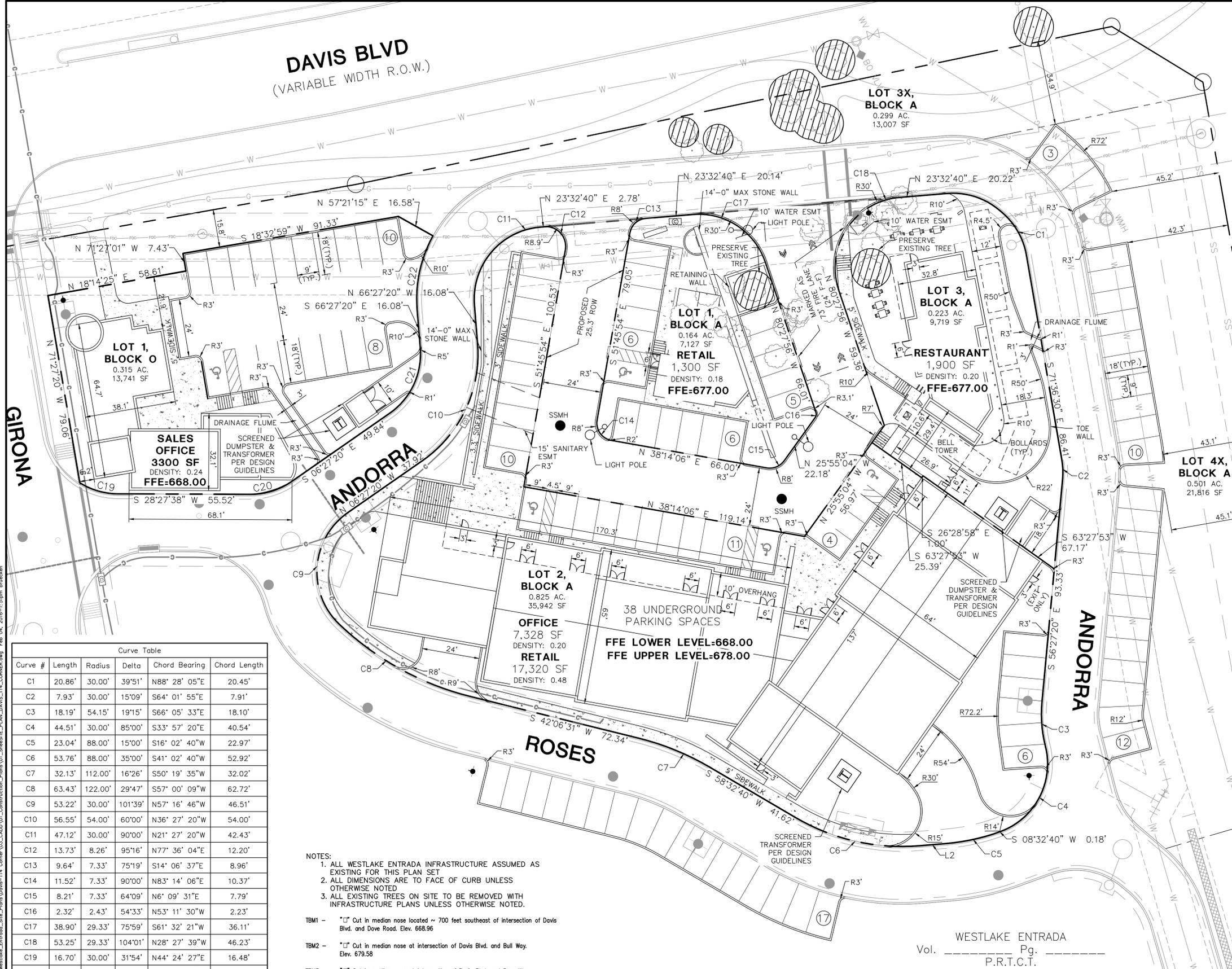


VICINITY MAP
(NOT TO SCALE)



OVERALL LEGEND

- FH ● PROPOSED FIRE HYDRANT
- SSMH ○ PROPOSED SANITARY MANHOLE
- PROPOSED STREET LIGHT
- EXISTING TREE TO REMAIN
- LS ○ EXISTING TRANSFORMER
- PROPOSED LANDSCAPE
- EXISTING STREET LIGHT
- EXISTING GAS METER
- EXISTING ELECTRIC MANHOLE
- EXISTING SIGN
- W ○ EXISTING FIRE HYDRANT
- SS ○ EXISTING FIRE HYDRANT
- C ○ EXISTING FIRE HYDRANT



Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	20.86'	30.00'	39°51'	N88° 28' 05"E	20.45'
C2	7.93'	30.00'	15°09'	S64° 01' 55"E	7.91'
C3	18.19'	54.15'	19°15'	S66° 05' 33"E	18.10'
C4	44.51'	30.00'	85°00'	S33° 57' 20"E	40.54'
C5	23.04'	88.00'	15°00'	S16° 02' 40"W	22.97'
C6	53.76'	88.00'	35°00'	S41° 02' 40"W	52.92'
C7	32.13'	112.00'	16°26'	S50° 19' 35"W	32.02'
C8	63.43'	122.00'	29°47'	S57° 00' 09"W	62.72'
C9	53.22'	30.00'	101°39'	N57° 16' 46"W	46.51'
C10	56.55'	54.00'	60°00'	N36° 27' 20"W	54.00'
C11	47.12'	30.00'	90°00'	N21° 27' 20"W	42.43'
C12	13.73'	8.26'	95°16'	N77° 36' 04"E	12.20'
C13	9.64'	7.33'	75°19'	S14° 06' 37"E	8.96'
C14	11.52'	7.33'	90°00'	N83° 14' 06"E	10.37'
C15	8.21'	7.33'	64°09'	N6° 09' 31"E	7.79'
C16	2.32'	2.43'	54°33'	N53° 11' 30"W	2.23'
C17	38.90'	29.33'	75°59'	S61° 32' 21"W	36.11'
C18	53.25'	29.33'	104°01'	N28° 27' 39"W	46.23'
C19	16.70'	30.00'	31°54'	N44° 24' 27"E	16.48'
C20	18.28'	30.00'	34°55'	N11° 00' 09"E	18.00'
C21	31.42'	30.00'	60°00'	N36° 27' 20"W	30.00'
C22	31.86'	54.00'	33°49'	N49° 33' 02"W	31.40'

- NOTES:**
- ALL WESTLAKE ENTRADA INFRASTRUCTURE ASSUMED AS EXISTING FOR THIS PLAN SET
 - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED
 - ALL EXISTING TREES ON SITE TO BE REMOVED WITH INFRASTRUCTURE PLANS UNLESS OTHERWISE NOTED.

- TBM1** - *Cut in median nose located ~ 700 feet southeast of intersection of Davis Blvd. and Dove Road. Elev. 668.96
- TBM2** - *Cut in median nose at intersection of Davis Blvd. and Bull Way. Elev. 679.58
- TBM3** - *Cut in median nose at intersection of Davis Blvd. and Bear Way. Elev. 683.26
- TBM4** - *Cut in median nose located ~600 feet east of intersection of Davis Blvd. and Dove Road. Elev. 648.47

REQUIRED PARKING			
BLDG	Use	SF	Parking Required
Starbucks	Restaurant	1900	19
Sales Center	Office	3300	11
Retail 1	Restaurant	1300	13
Office/Retail	Office	7328	25
Office/Retail	Retail	17320	87
Total			155

Time of Day	SHARED PARKING												
	Office	Retail	Restaurant	Theater	Hotel	Residential	Office Total	Retail Total	Restaurant Total	Theater Total	Hotel Total	Residential Total	Total Required Parks
6:00 a.m. - 12 noon	1.00	0.97	0.50	0.30	1.00	0.30	36	100	19	0	0	0	143
12 noon - 1:00 p.m.	0.90	1.00	0.70	0.70	0.35	0.35	36	100	19	0	0	0	146
1:00 p.m. - 4:00 p.m.	0.97	0.97	0.60	0.70	0.45	0.30	36	100	19	0	0	0	144
4:00 p.m. - 6:00 p.m.	0.47	0.82	0.90	0.80	0.70	0.60	36	100	19	0	0	0	117
6:00 p.m. - 8:00 p.m.	0.07	0.89	1.00	1.00	1.00	0.80	36	100	19	0	0	0	111
8:00 p.m. - 12:00 midnight	0.03	0.61	1.00	1.00	1.00	1.00	36	100	19	0	0	0	82

Required Parking: 146
Parking Provided: 146

BGE
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2595 Dallas Parkway, Suite 204
Frisco, TX 75034
Tel: 972-464-4800 • www.browngay.com
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Contact: Michael Beatty
Tel: 214-287-9009

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DAVIS/114 PD SITE PLAN PACKAGE
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TEXAS REGISTRATION NO. 108663
JANUARY 14, 2016

CAUTION !!!
Contractor to Verify exact location & Depth of Exist Facilities Prior to any Construction Activities

CAUTION !!!
CONTACT: 1-800-DIG-TESS
48 HOURS PRIOR TO CONSTRUCTION

REVISIONS		
REV. NO.	DATE	DESCRIPTION

DRAWN BY:
CHECKED BY:
DATE:
PROJECT NUMBER:

Sheet No. **SITE PLAN**

C3

BROWN & GAY ENGINEERS, INC. PROJECT: DAVIS/114 CORNER SITE PLAN PACKAGE DATE: 01/14/2016

DEVELOPER **CENTURION AMERICAN**
1800 Valley View Lane, Suite 300
Farmers Branch, Texas 75234
Contact: Michael Beatty
Telephone: (214)-287-9009

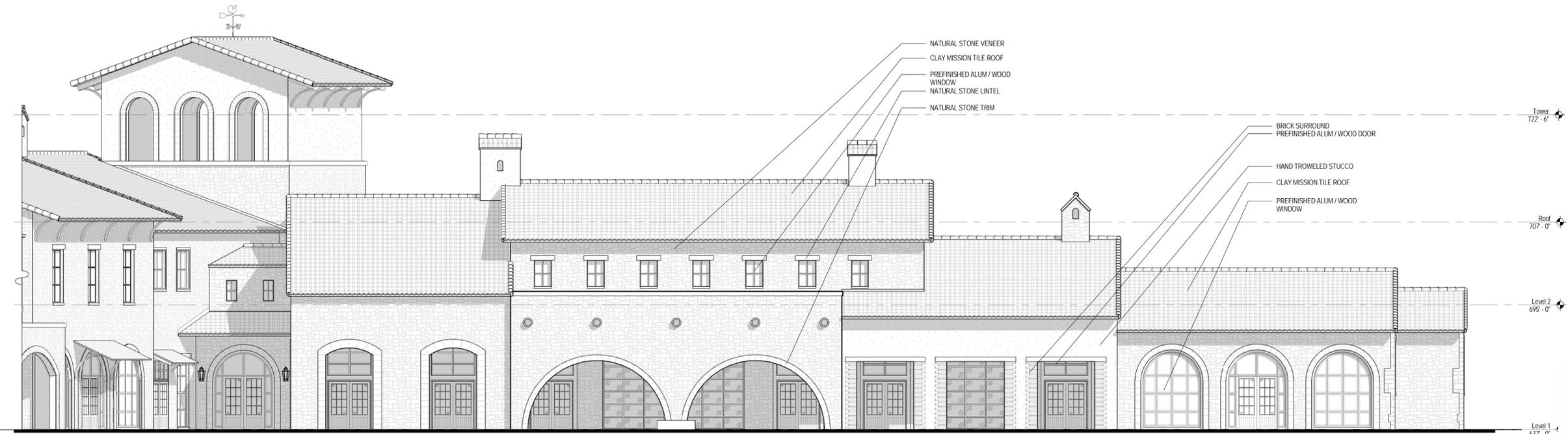
OWNER **MAGUIRE PARTNERS - SOLANA LAND L.P.**
9 Village Circle, Suite 500
Roanoke, Texas 76262

SURVEYOR/ENGINEER **Brown & Gay Engineers, Inc.**
500 West 7th St., Suite 1800, Fort Worth, TX 76102
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WESTLAKE ENTRADA

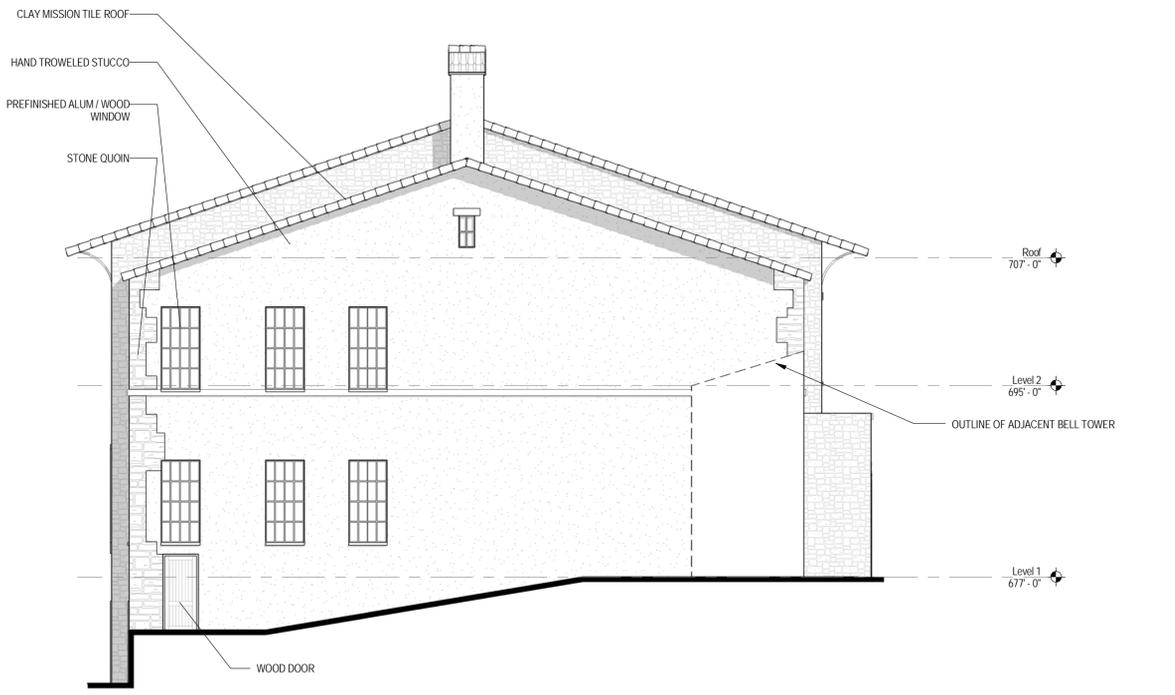




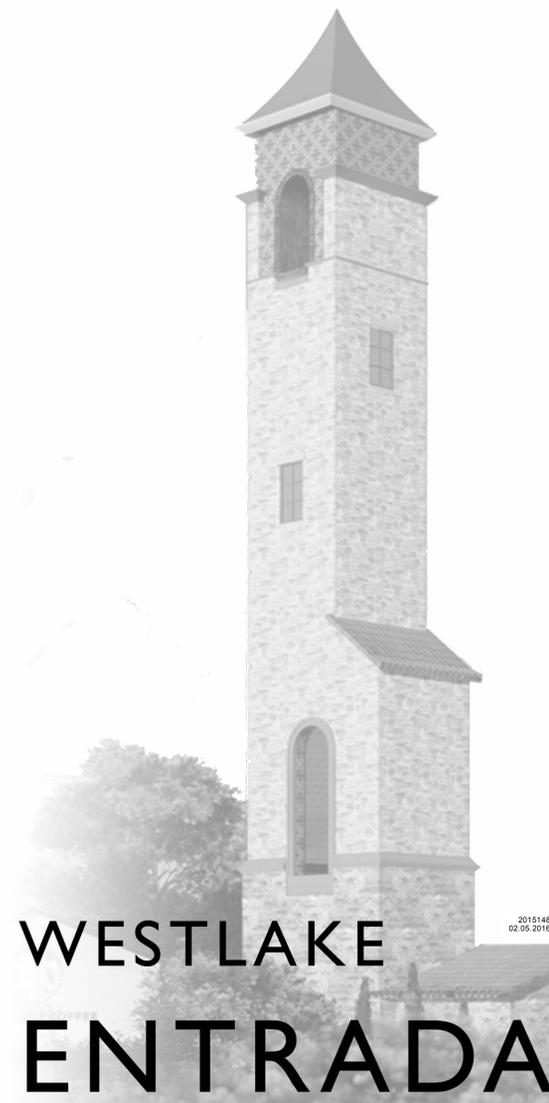
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NORTHWEST ELEVATION
SCALE: 1/8" = 1'-0"



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

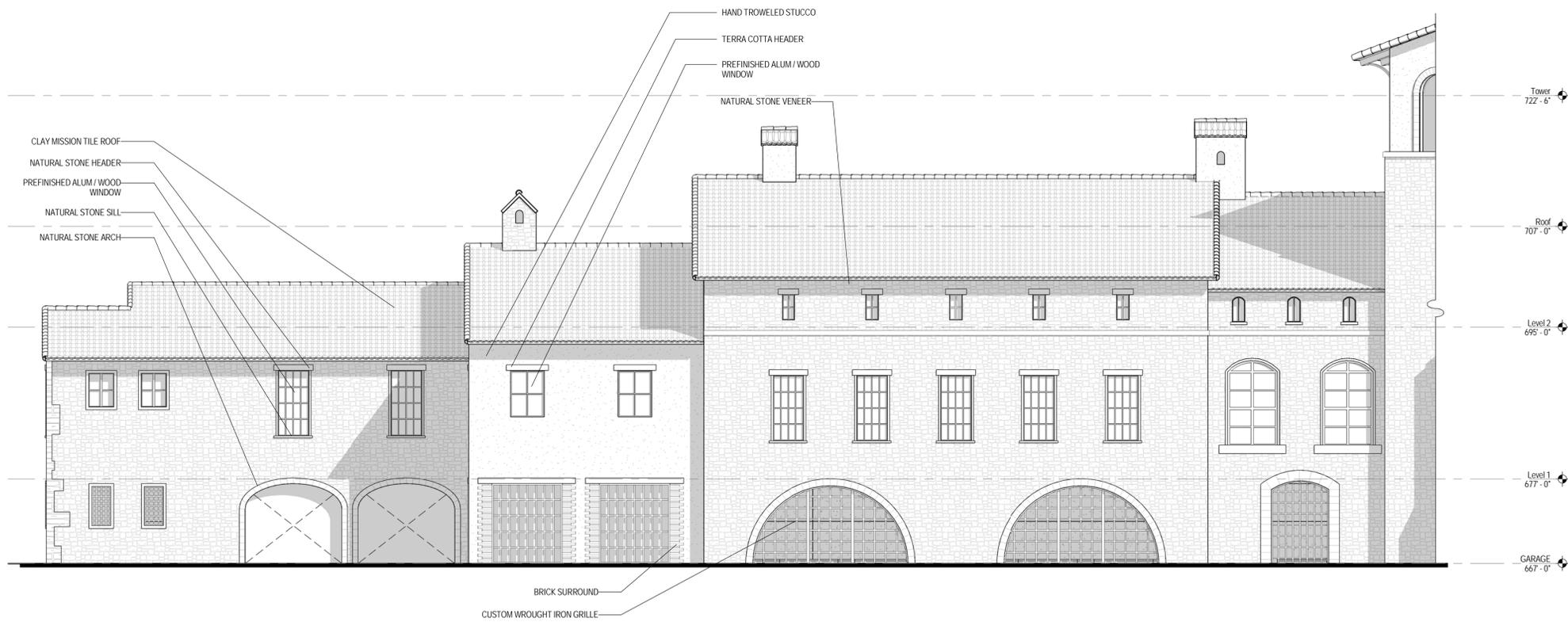


WESTLAKE ENTRADA

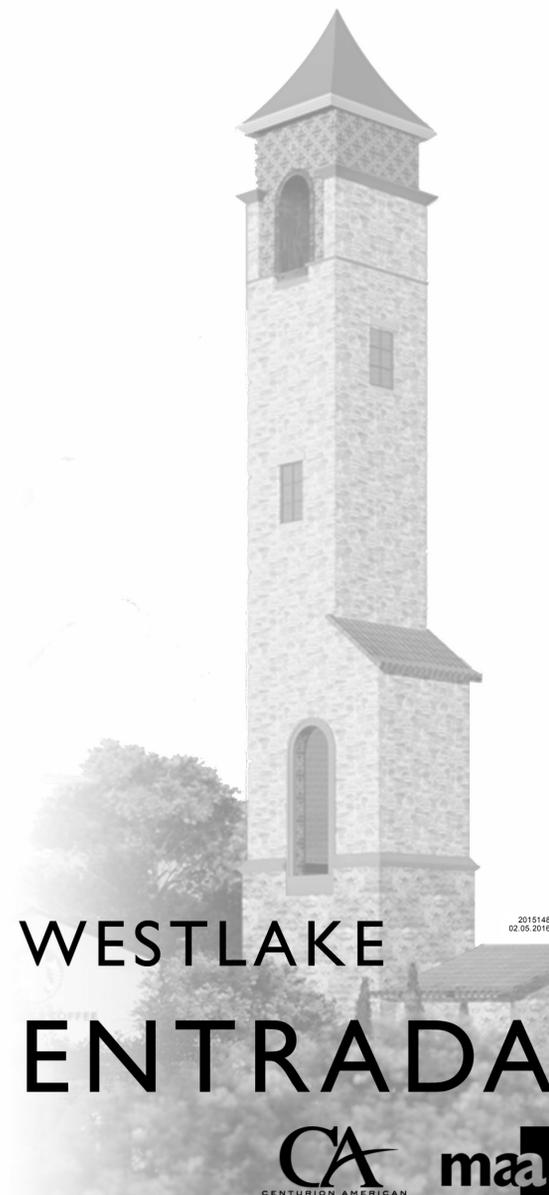
ENTRADA RETAIL CORNER | RETAIL OFFICE ELEVATIONS



SOUTHEAST ELEVATION
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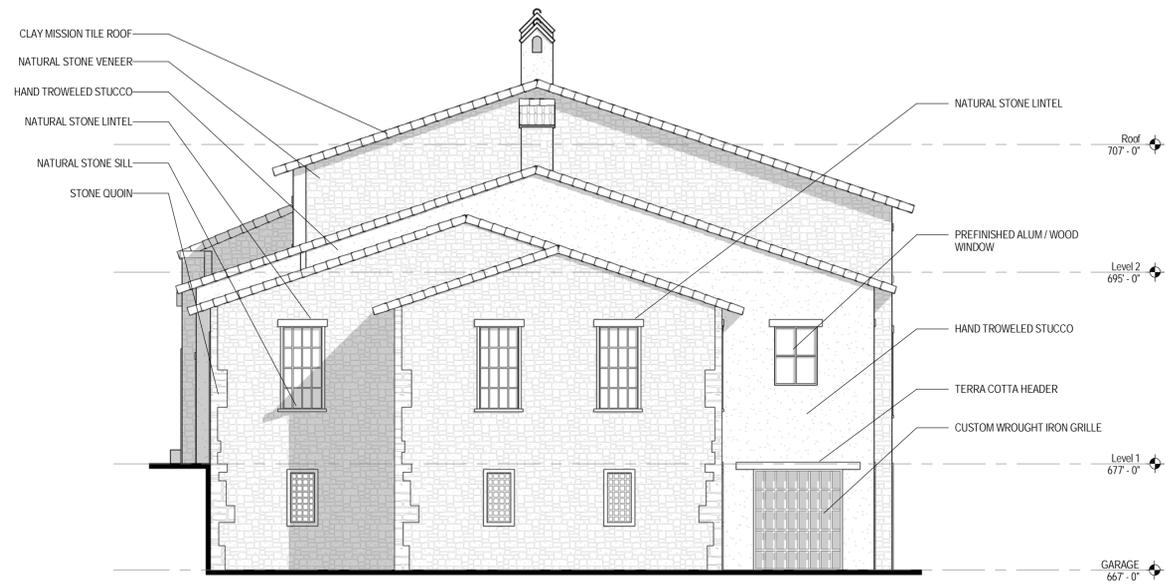


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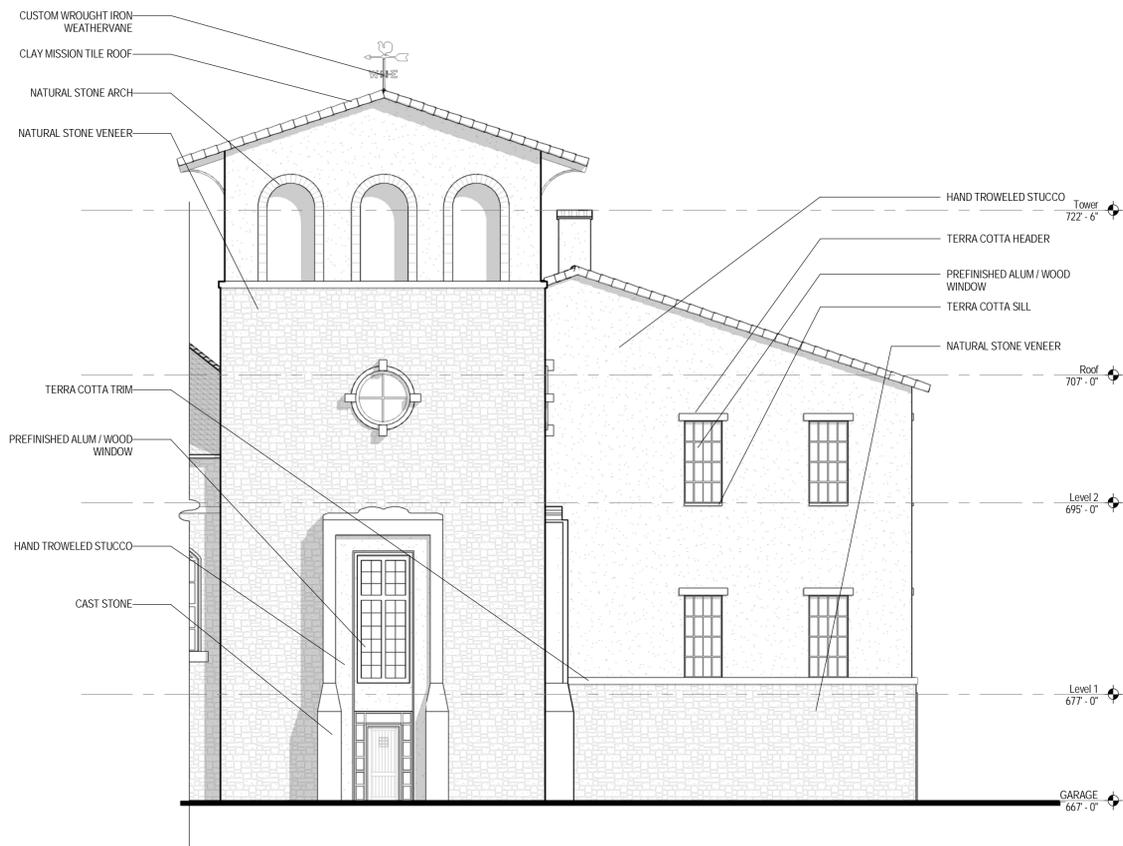


ENTRADA RETAIL CORNER | RETAIL OFFICE ELEVATIONS

WESTLAKE
ENTRADA

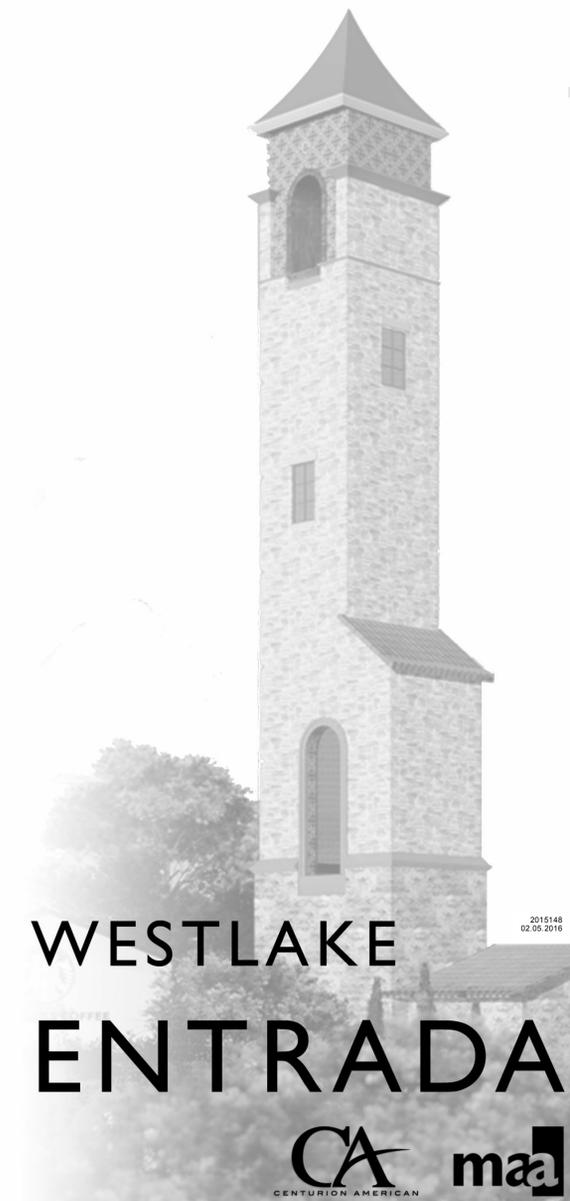


SOUTH ELEVATION
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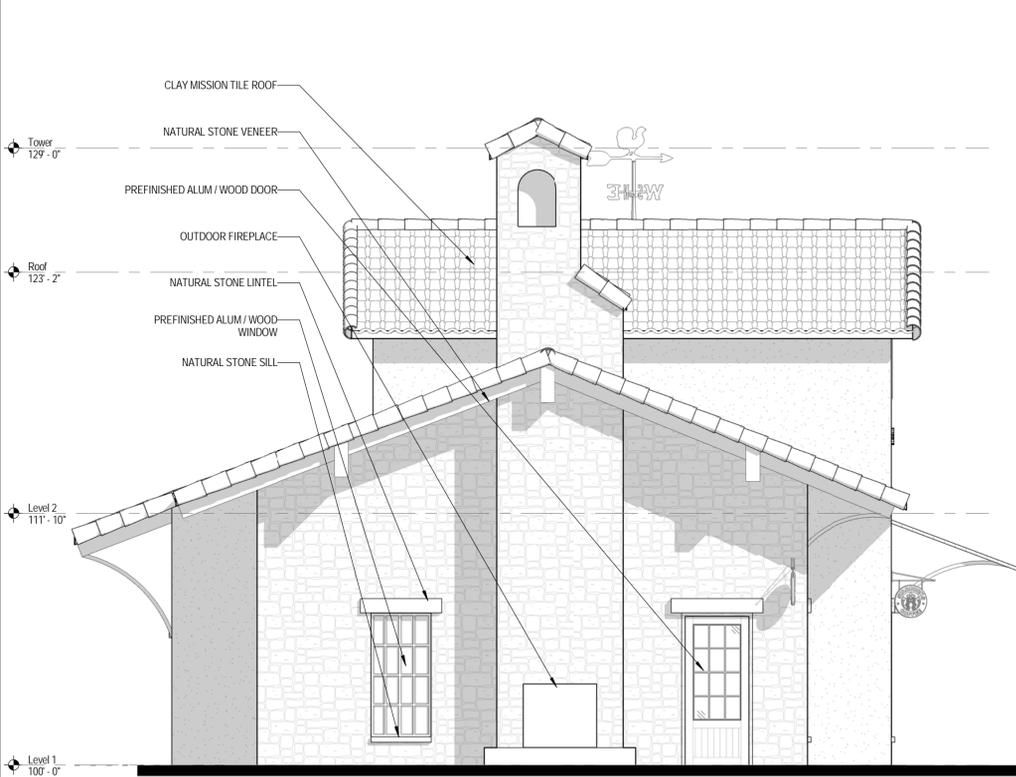


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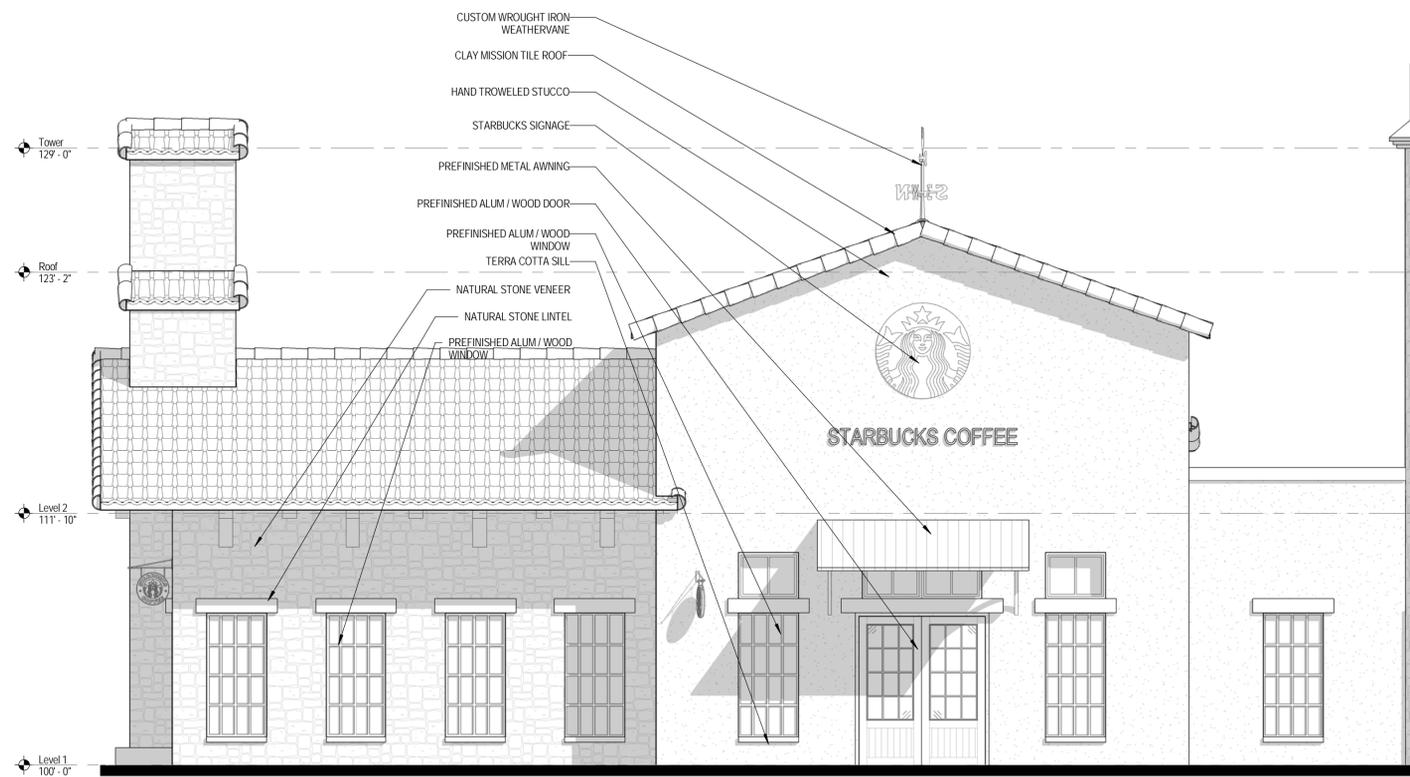
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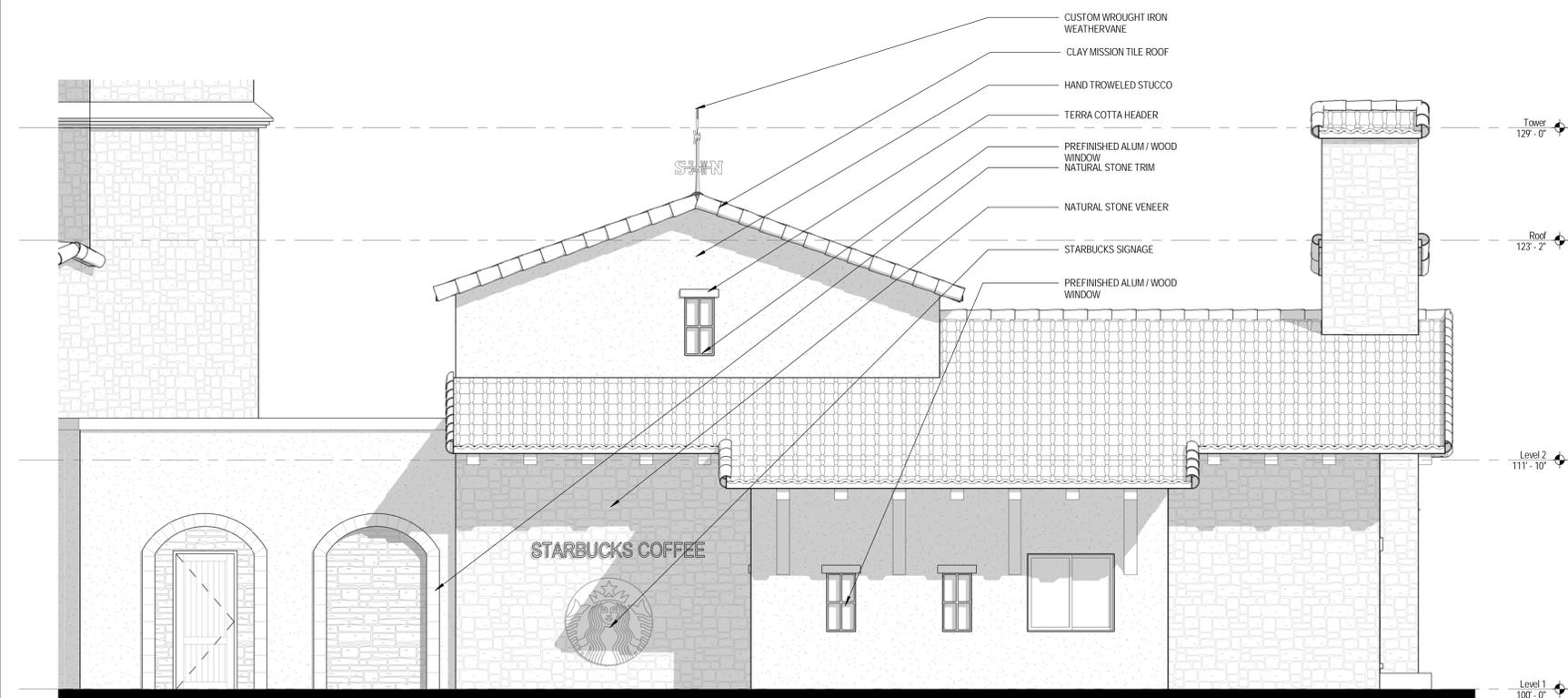
WESTLAKE
ENTRADA



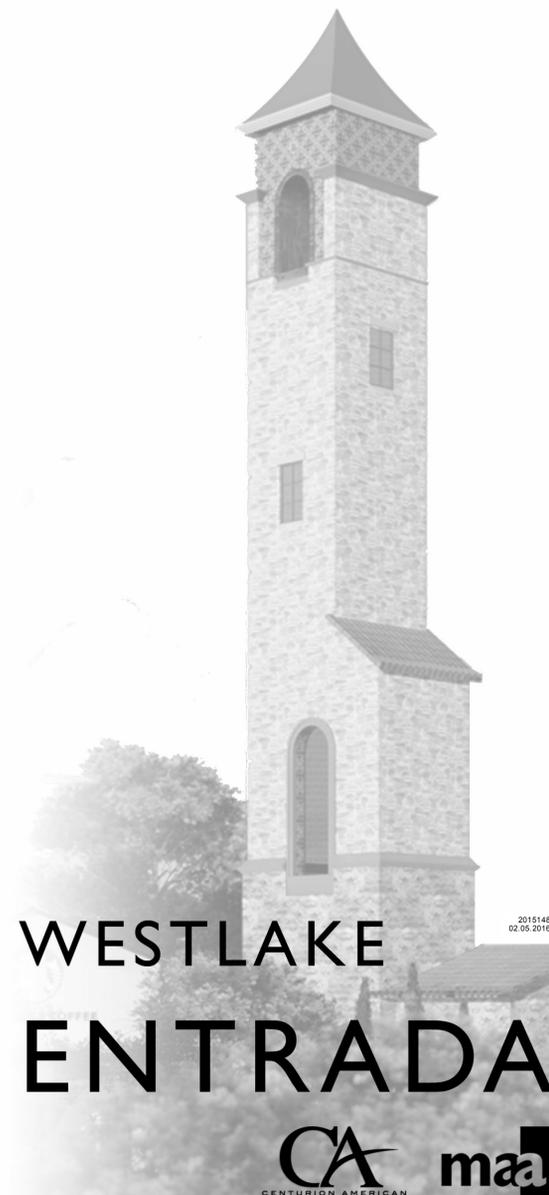
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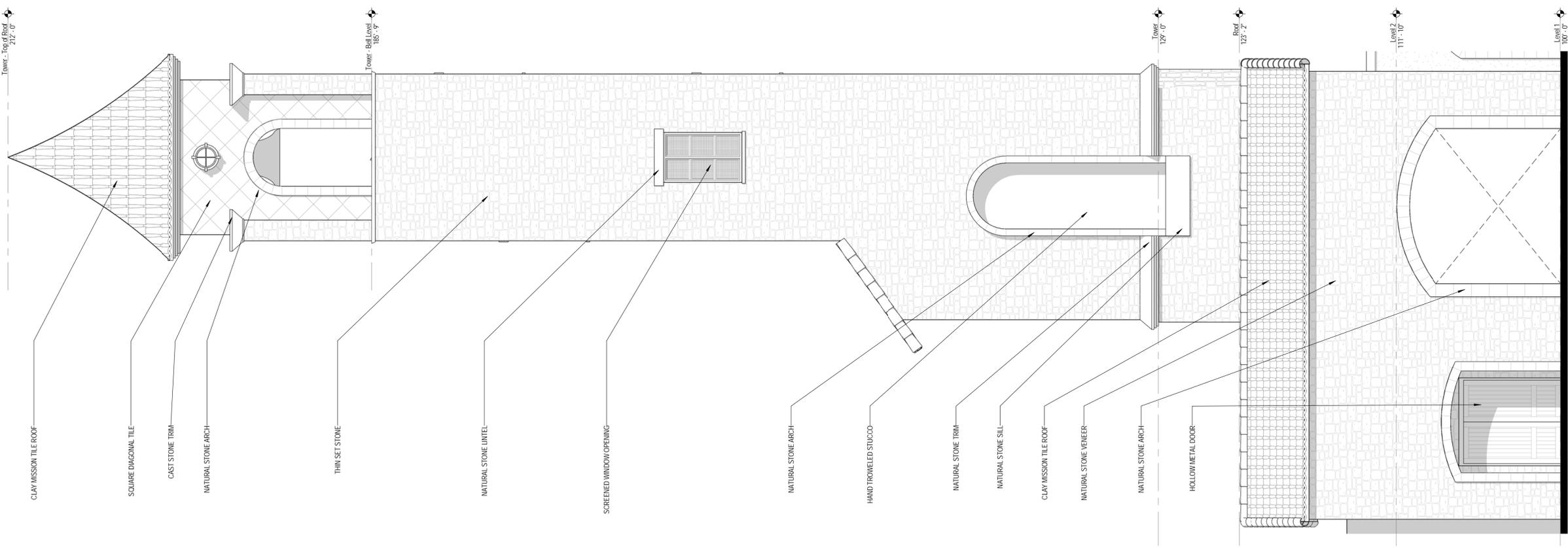
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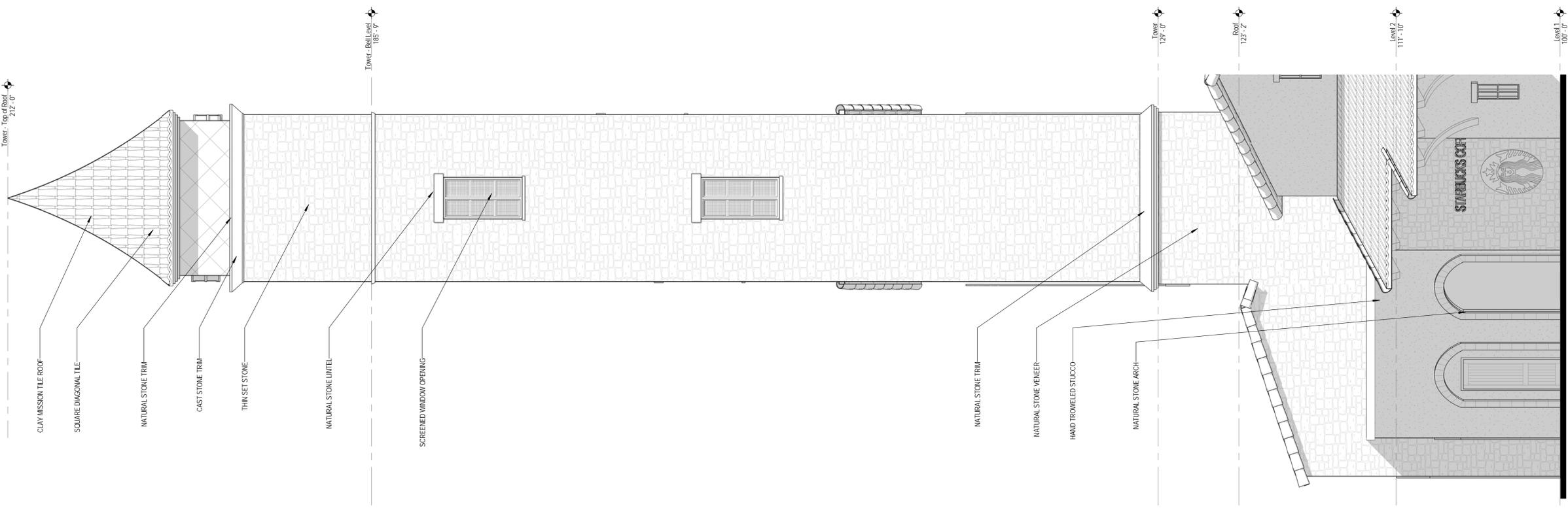
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WESTLAKE
ENTRADA

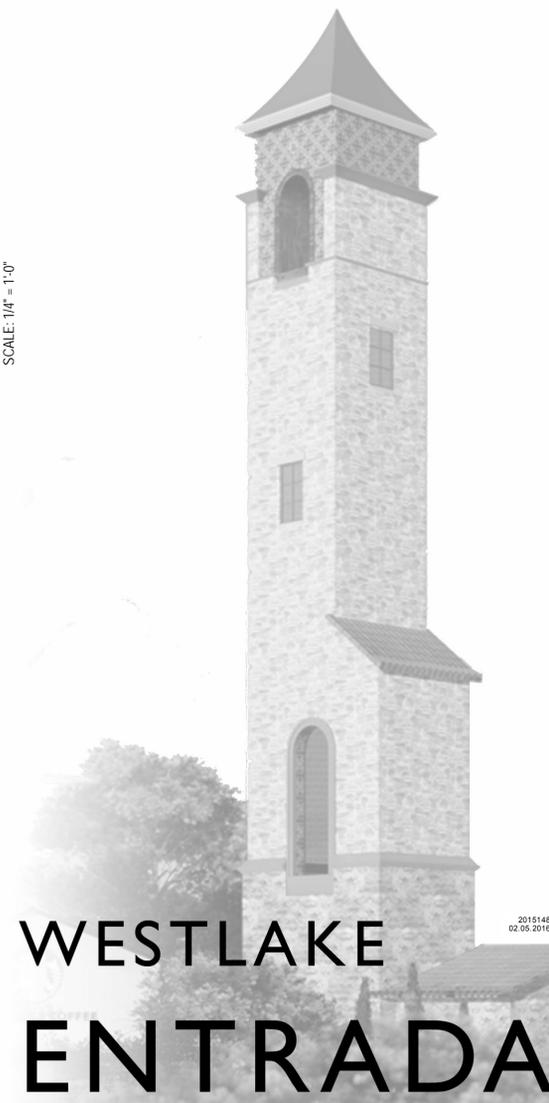


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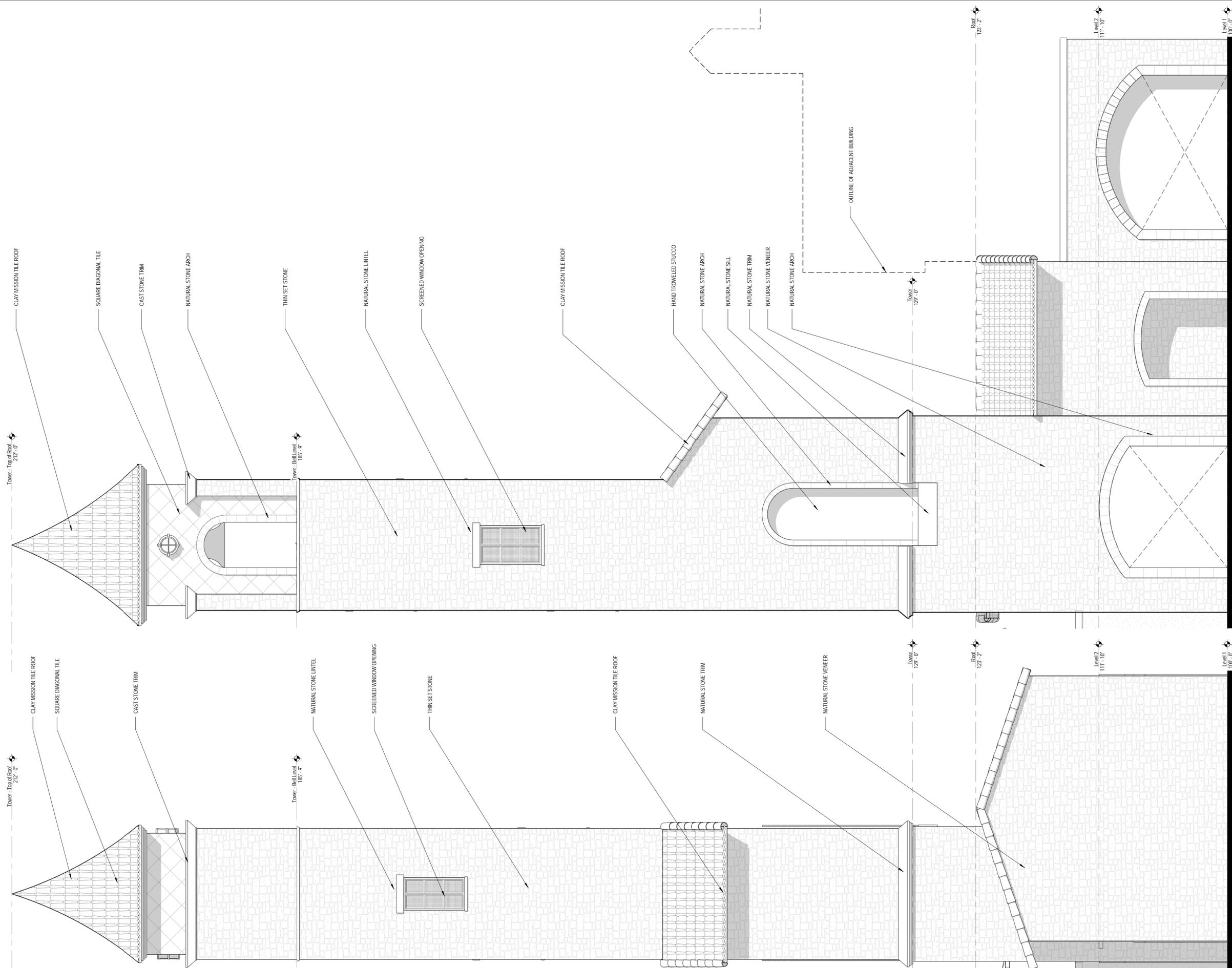


NORTHWEST ELEVATION
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ENTRADA RETAIL CORNER | STARBUCKS ELEVATIONS



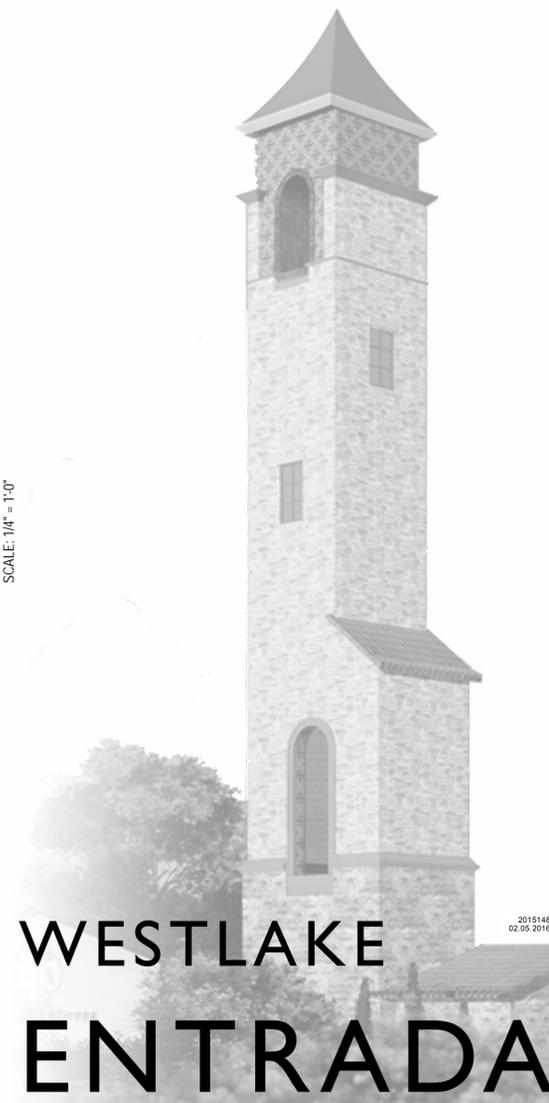
WESTLAKE
ENTRADA



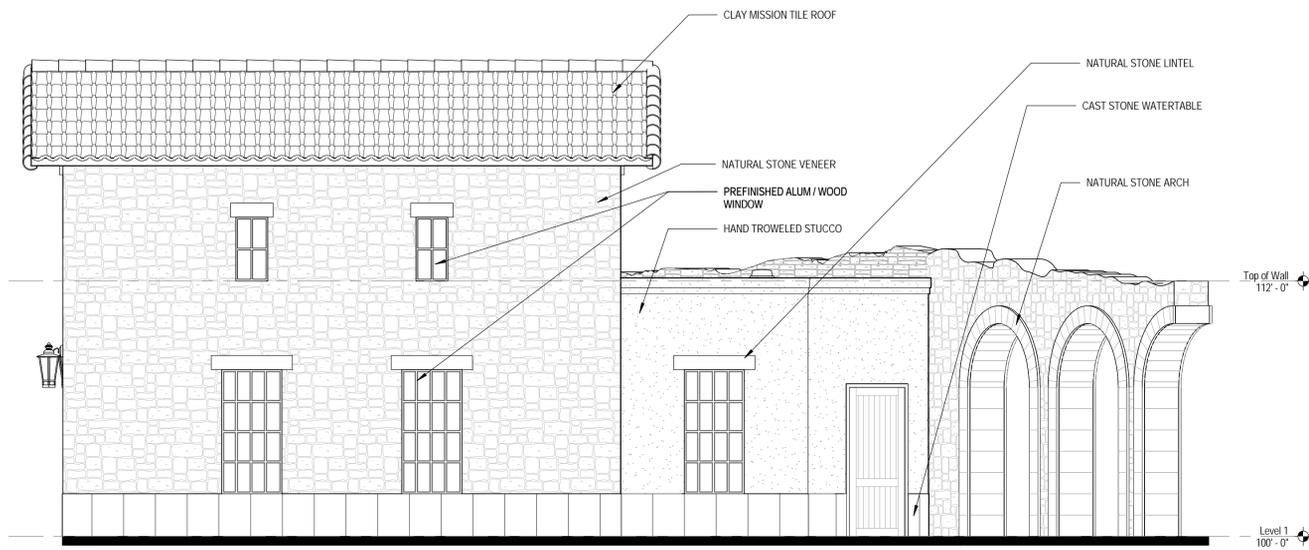
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SOUTHEAST ELEVATION
SCALE: 1/4" = 1'-0"

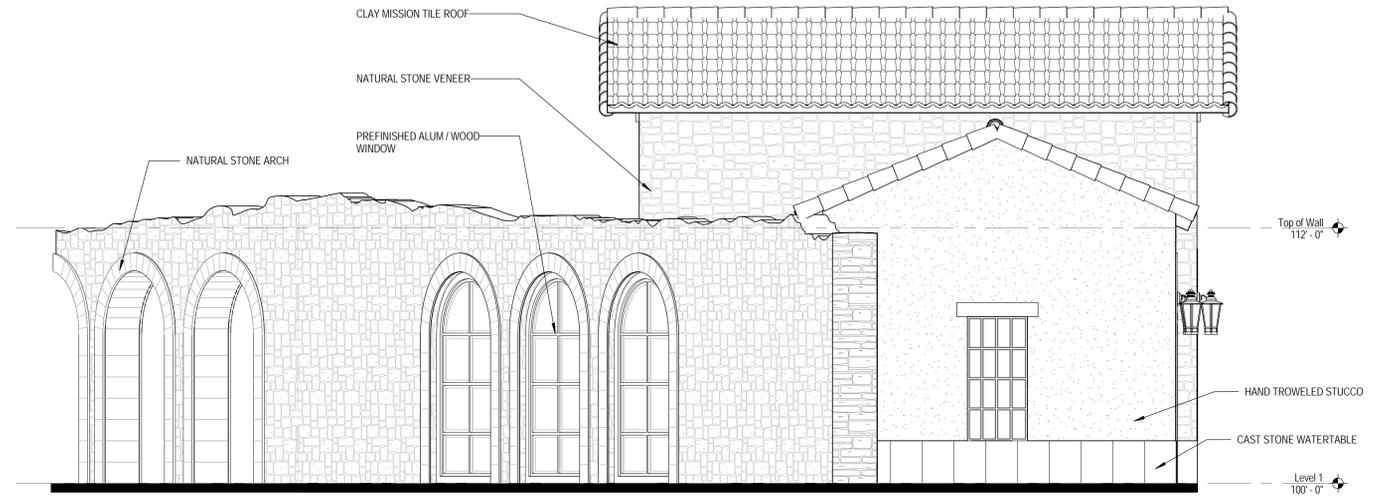
ENTRADA RETAIL CORNER | STARBUCKS ELEVATIONS



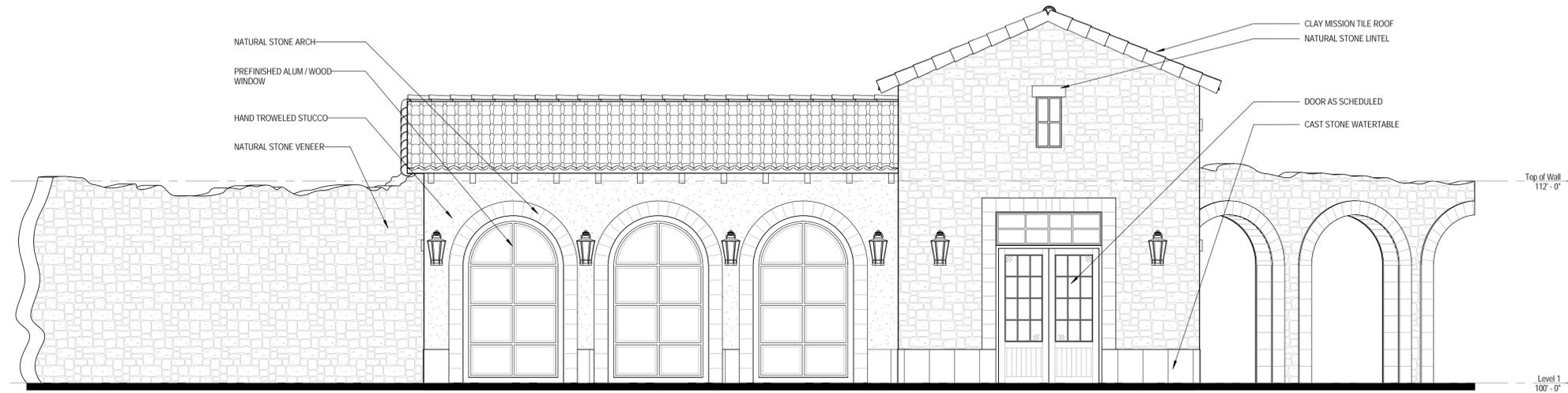
WESTLAKE
ENTRADA



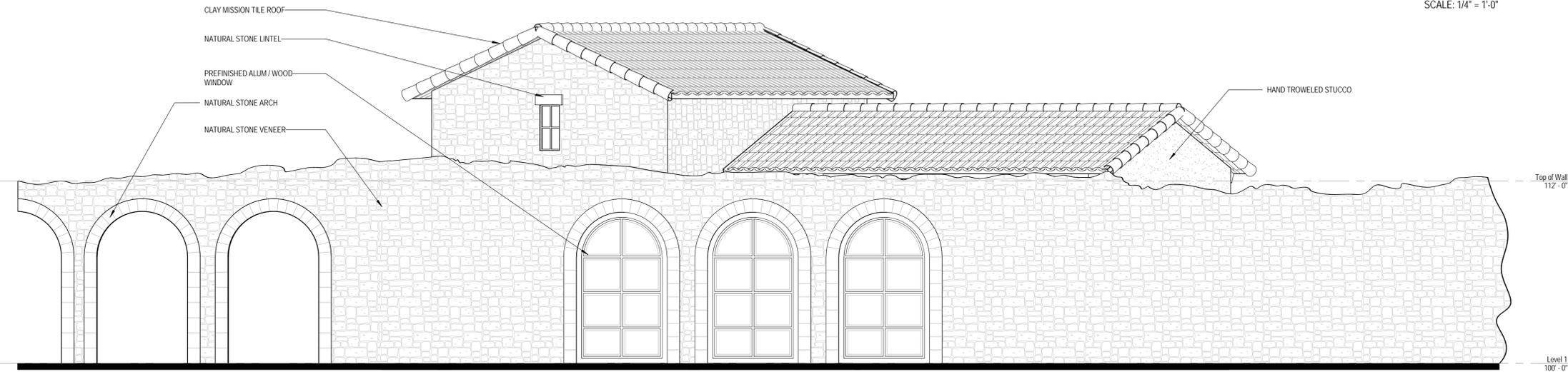
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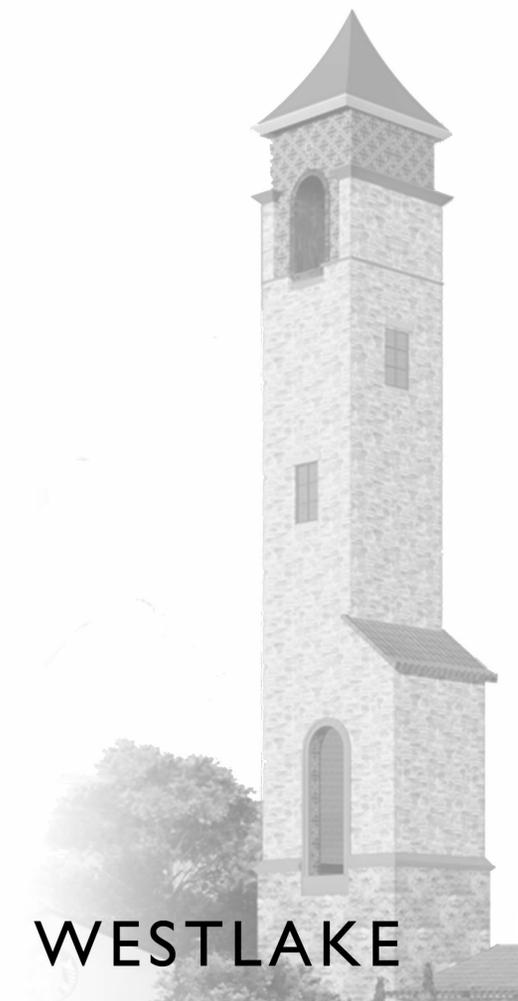
WEST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



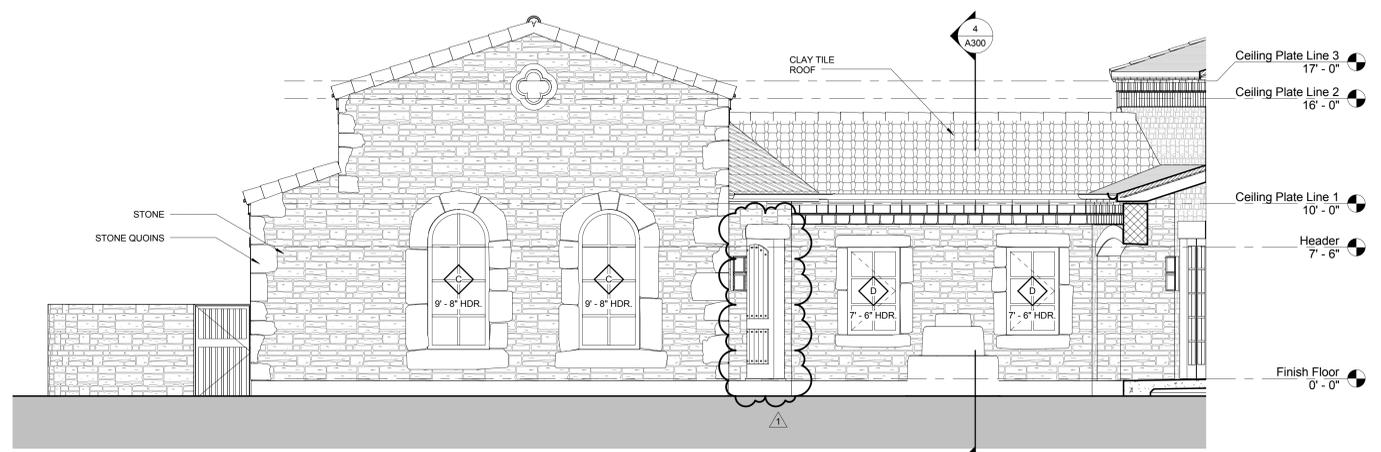
ENTRADA RETAIL CORNER | RETAIL ONE ELEVATIONS

WESTLAKE
ENTRADA

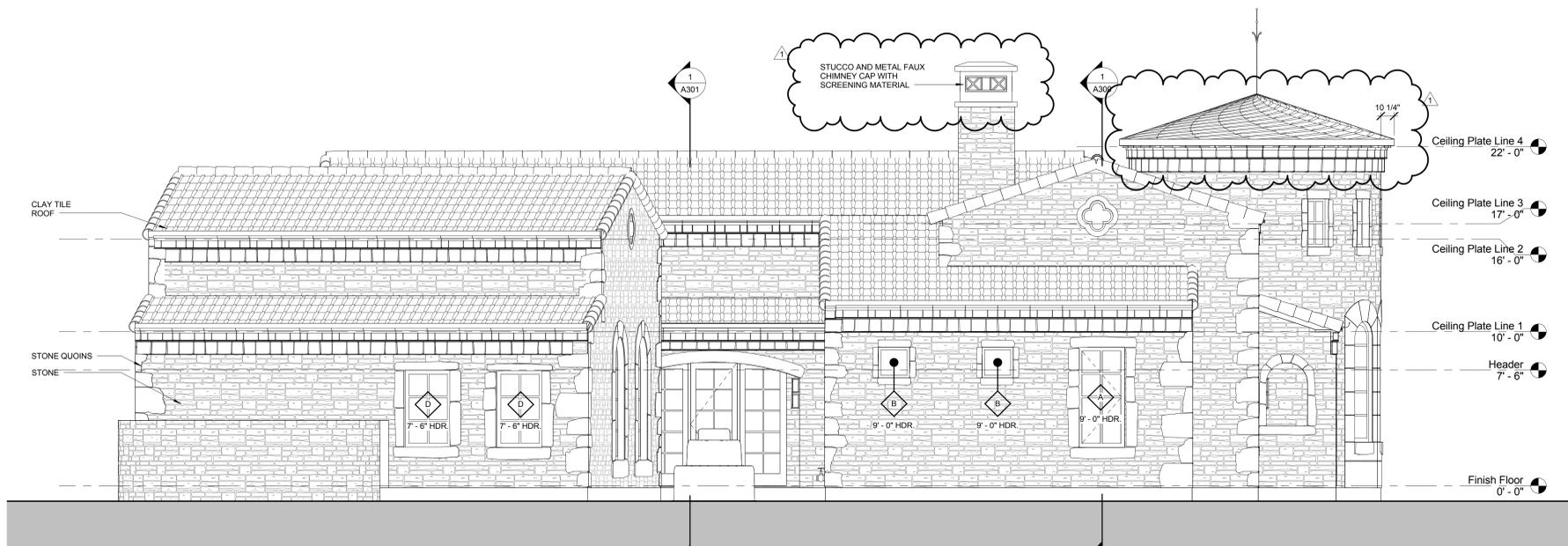
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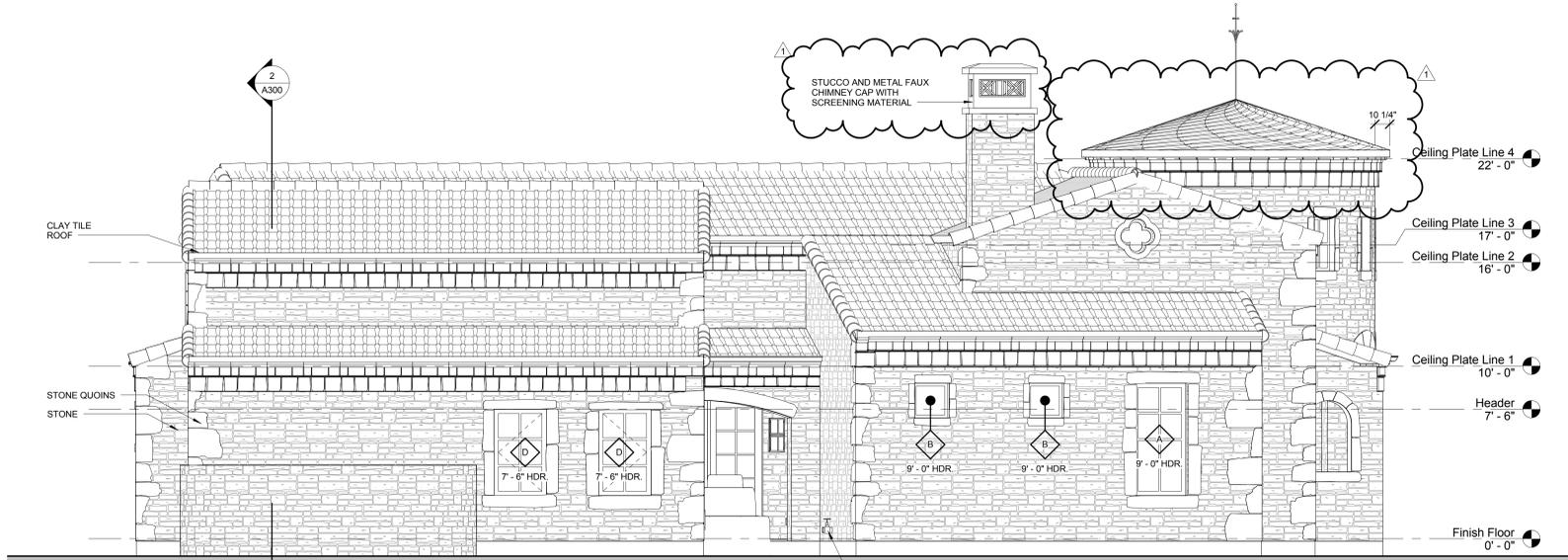
INFORMATIONAL NOTES



3 EXTERIOR ELEVATION - WEST
1/4" = 1'-0"



2 EXTERIOR ELEVATION - NORTH
1/4" = 1'-0"



1 EXTERIOR ELEVATION - NORTHEAST
1/4" = 1'-0"

WESTLAKE ENTRADA SALES OFFICE
DAVIS BLVD. WESTLAKE, TEXAS

SCHAUMBURG
ARCHITECTS
817 W DAGGERT AVENUE, FORT WORTH, TEXAS 76104
PHONE: (817) 336-7077 FAX: (817) 336-7776

Project No: 1503

Revision No.	Revision	Rev Date
1	EXTERIOR ELEVATIONS	02/04/2016



Project Issue Date: 2015-12-23

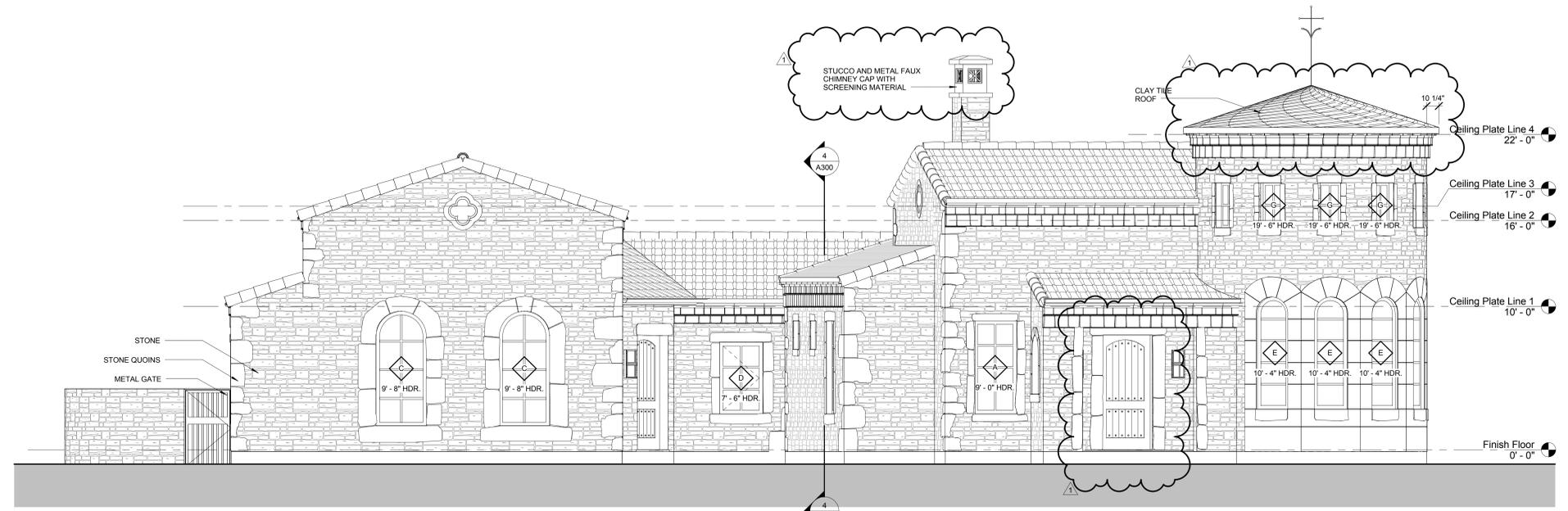
EXTERIOR ELEVATIONS
Sheet Issue: 2016-02-04
Drawn By: [Signature]
Checked By: [Signature]

Sheet No: A200

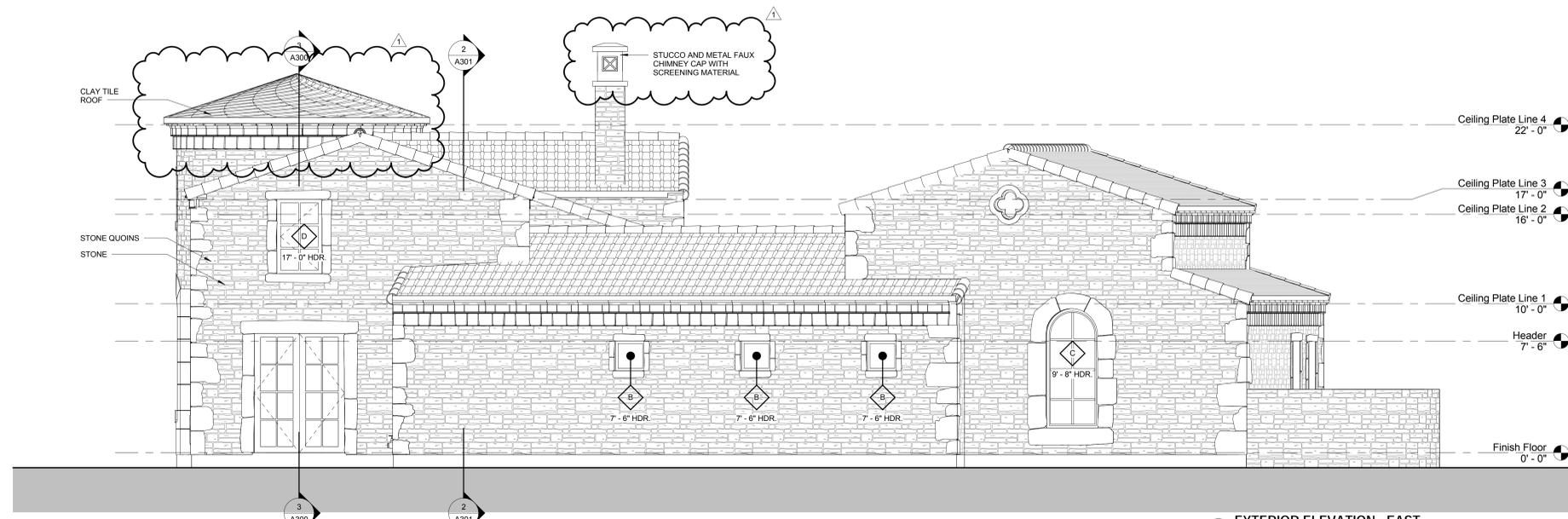
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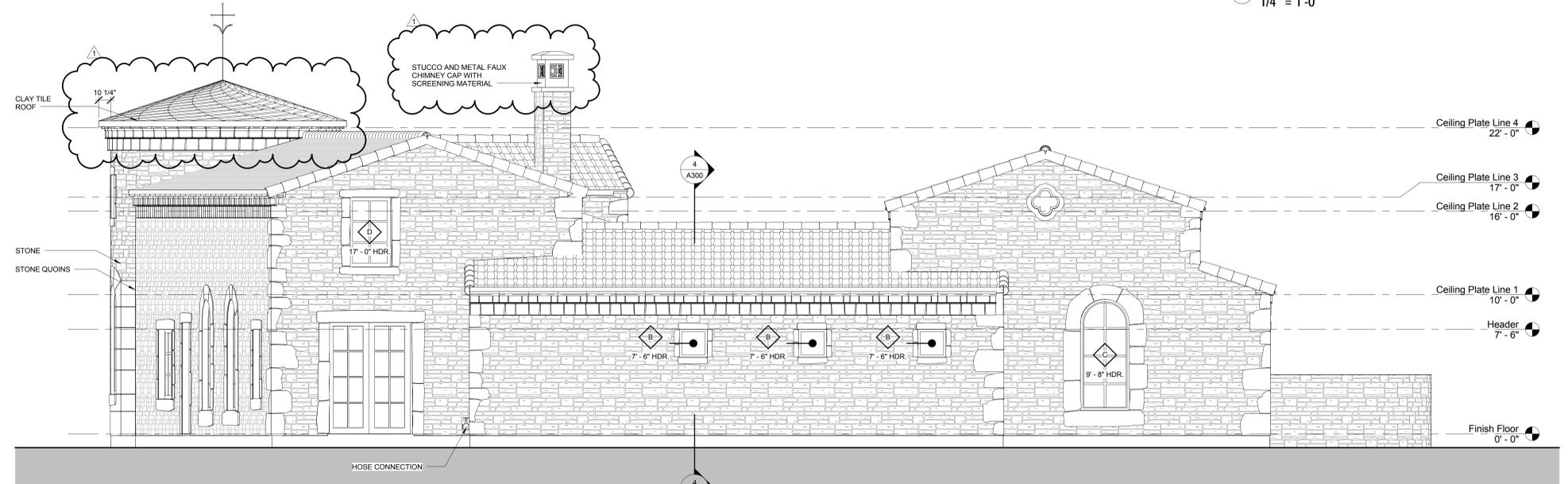
INFORMATIONAL NOTES



3 EXTERIOR ELEVATION - WEST
1/4" = 1'-0"



2 EXTERIOR ELEVATION - EAST
1/4" = 1'-0"



1 EXTERIOR ELEVATION - SOUTHEAST
1/4" = 1'-0"

WESTLAKE ENTRADA SALES OFFICE

DAVIS BLVD. WESTLAKE, TEXAS

SCHAUMBURG
ARCHITECTS
817 W. DAGGETT AVENUE, FORT WORTH, TEXAS 76104
PHONE: (817) 336-7077 FAX: (817) 336-7776

Project No: 1503

Revision No.	Revision	Rev Date
1	EXTERIOR ELEVATIONS	02/04/2016



Project Issue Date: 2015-12-23

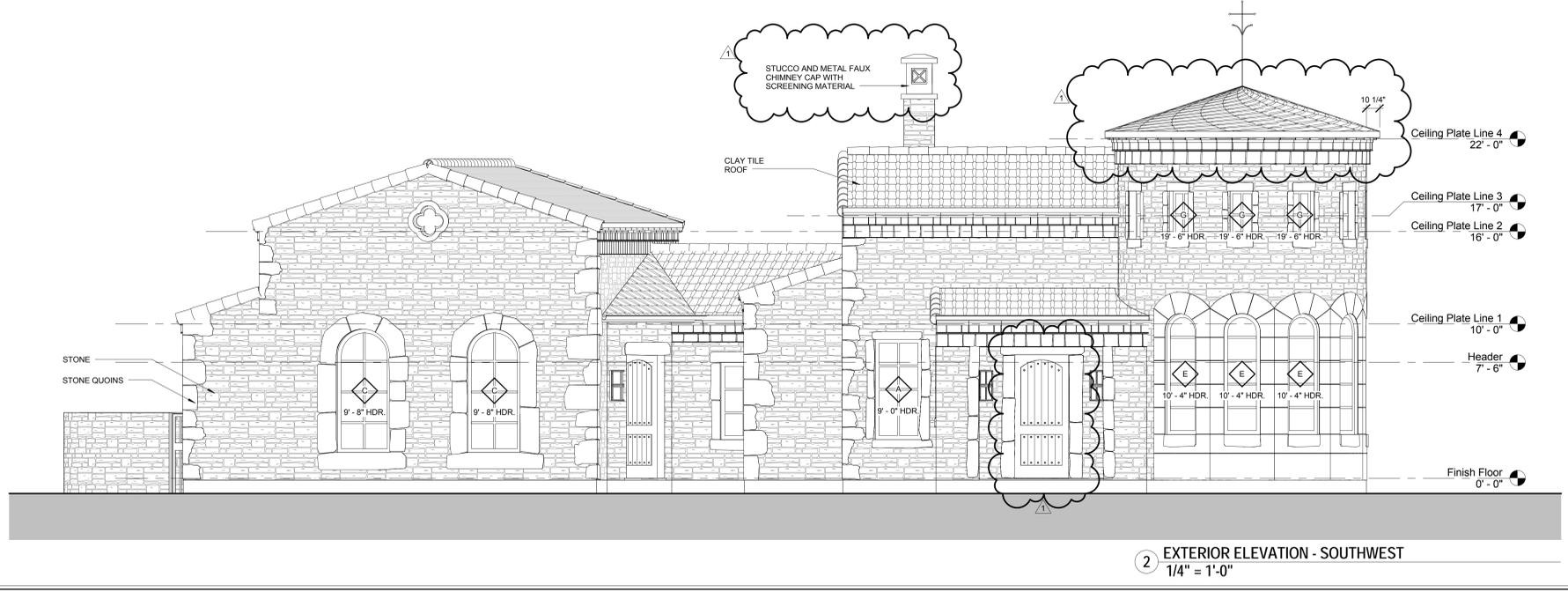
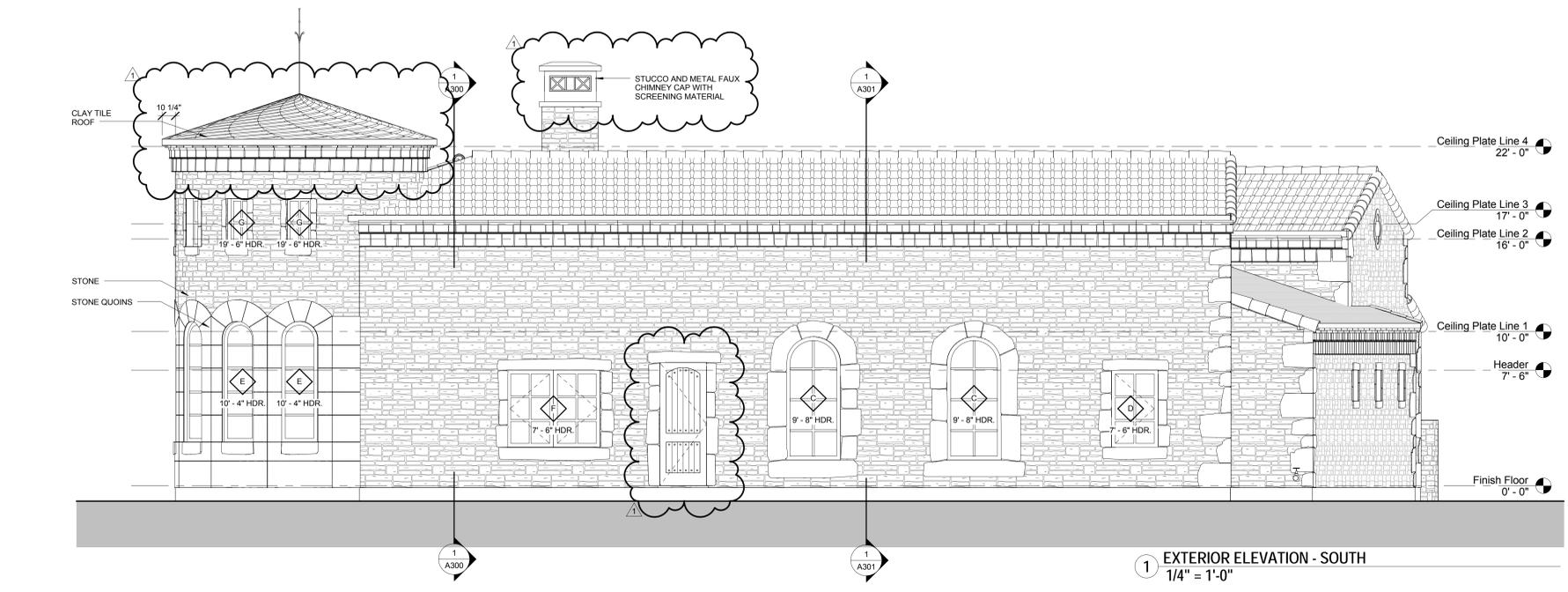
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Sheet Issue: 2016-02-04
Drawn By: [Signature]
Checked By: [Signature]

Sheet No: A201

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INFORMATIONAL NOTES



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DAVIS BLVD. WESTLAKE, TEXAS

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PHONE: (817) 336-7077 FAX: (817) 336-7776

Project No: 1503

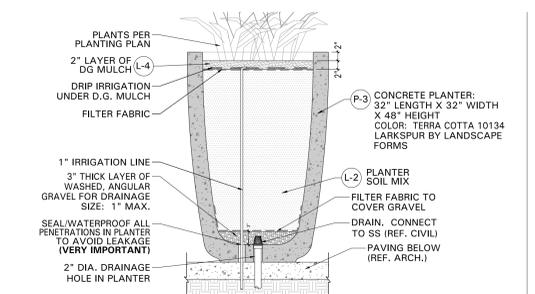
Revision No.	Revision	Rev Date
1	EXTERIOR ELEVATIONS	02/04/2016



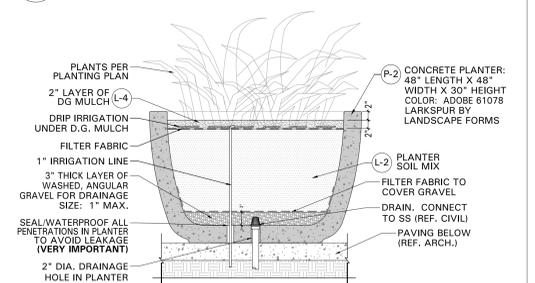
Project Issue Date: 2015-12-23

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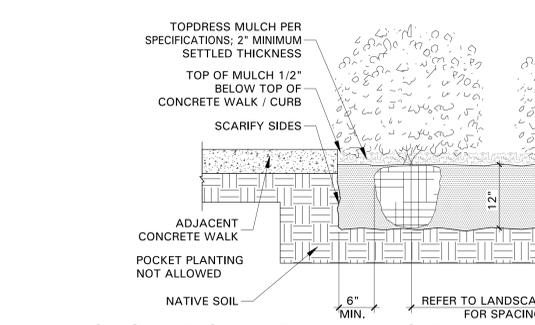
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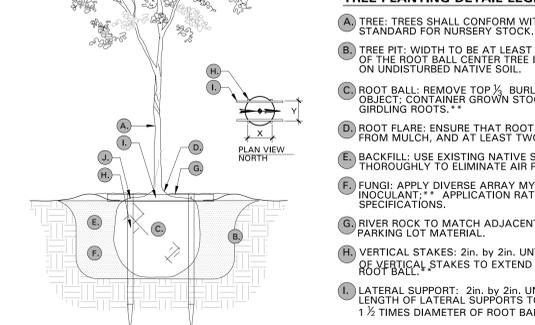
08 PLANTER (P-3) NOT TO SCALE



05 PLANTER (P-2) NOT TO SCALE



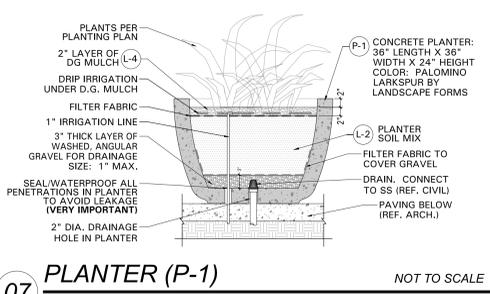
03 INGROUND SHRUB PLANTING DETAIL NOT TO SCALE



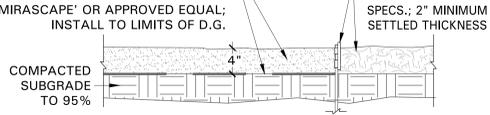
02 TREE PLANTING DETAIL NOT TO SCALE

PLANT LIST CONTRACTOR TO VERIFY ALL QUANTITIES PER PLANS

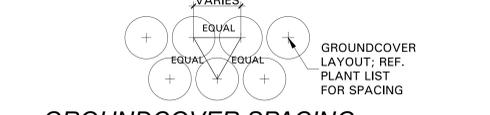
CANOPY TREES					
QNTY.	SYMBOL	COMMON NAME	BOTANIC NAME	SIZE	HEIGHT
7	QUE VIR	LIVE OAK	Quercus virginiana	3" CAL. 6" CAL.	PER INDUSTRY STANDARDS
4	QUE SHU	RED OAK	Quercus shumardii	3" CAL. 4" CAL. 6" CAL.	PER INDUSTRY STANDARDS
3	ULM PAR	LACEBARK ELM	Ulmus parvifolia	3" CAL.	10'-12' HT., 5' SPREAD
3		EXISTING POST OAK TREES.			SIZES VARY PER PLAN. CONTRACTOR TO PROTECT IN PLACE
NOTE: REF. PLAN FOR NEW LIVE OAK AND RED OAK CALIPER SIZES					
ORNAMENTAL TREES					
QNTY.	SYMBOL	COMMON NAME	BOTANIC NAME	SIZE	HT.
41	CUP SEM	ITALIAN CYPRESS	Cupressus sempervirens	36" BOX	10'
3	OLE EUR	MISSION OLIVE	Olea europaea 'Mission'	36" BOX	6'
3	CHI LIN	DESERT WILLOW	Chilopsis linearis	36" BOX	6'
SHRUBS					
QNTY.	SYMBOL	COMMON NAME	BOTANIC NAME	SIZE	HT.
62	ILE VOM	DWARF YAUPON HOLLY	Ilex vomitoria 'Compacta'	5 GAL.	24"
49	LEU FRU	COMPACT TEXAS SAGE	Leucophyllum frutescens 'Compacta'	5 GAL.	24"



07 PLANTER (P-1) NOT TO SCALE



06 DECOMPOSED GRANITE (L-4) NOT TO SCALE



04 GROUNDCOVER SPACING NOT TO SCALE

- TREE PLANTING NOTES**
- GIRDLING ROOTS & ROOT FLARE: TREES SHALL BE REJECTED WHEN GIRDLING ROOTS ARE PRESENT & ROOT FLARE IS NOT APPARENT.
 - FUNGI INOCULANT: CONTRACTOR TO USE MycoApply EpicEco OR EQUAL PRODUCT. (1.866.476.7800) www.mycoapply.com
 - INSTALL VERTICAL STAKES FIRST; THEN PRE-DRILL & INSTALL LATERAL SUPPORTS.
 - WHEN CONDITIONS EXIST WHICH PREVENT VERTICAL STAKES FROM EXTENDING 1 1/2 TIMES INTO PARALLEL MATERIAL (ie. rock), THE CONTRACTOR SHALL INSTALL STAKES AS DEEP AS POSSIBLE.
 - LATERAL SUPPORTS SHALL BE ORIENTED AS SHOWN IN PLAN VIEW. (shown left)
 - QUESTIONS ABOUT INSTALLATION OR FABRICATION OF BELOW-GROUND STAKING SHALL BE DIRECTED TO LANDSCAPE ARCHITECT.
 - ALSO REFERENCE SPECIFICATIONS SECTION 02900.
- TREE PLANTING LEGEND**
- TREE: TREES SHALL CONFORM WITH LATEST AMERICAN STANDARD FOR NURSERY STOCK. www.afrs.org
 - TREE FIT: WIDTH TO BE AT LEAST TWO (2) TIMES THE DIAMETER OF THE ROOT BALL CENTER TREE IN HOLE & REST ROOT BALL ON UNDISTURBED NATIVE SOIL.
 - ROOT BALL: REMOVE TOP 1/2 BURLAP AND ANY OTHER FOREIGN OBJECT; CONTAINER GROWN STOCK TO BE INSPECTED FOR GIRDLING ROOTS.
 - ROOT FLARE: ENSURE THAT ROOT FLARE IS EXPOSED ** FREE FROM MULCH, AND AT LEAST TWO INCHES ABOVE GRADE.
 - BACKFILL: USE EXISTING NATIVE SOIL (no amendments) WATER THOROUGHLY TO ELIMINATE AIR POCKETS.
 - FUNGI: APPLY DIVERSE ARRAY MYCORRHIZAE ENDO/ECTO INOCULANT; APPLICATION RATE PER MANUFACTURERS SPECIFICATIONS.
 - RIVER ROCK TO MATCH ADJACENT PARKING LOT MATERIAL.
 - VERTICAL STAKES: 2in. by 2in. UNTREATED #1 LUMBER LENGTH OF VERTICAL STAKES TO EXTEND 1 1/2 TIMES THE HEIGHT OF ROOT BALL.
 - LATERAL SUPPORT: 2in. by 2in. UNTREATED #1 LUMBER. LENGTH OF LATERAL SUPPORTS TO BE 1 1/2 TIMES DIAMETER OF ROOT BALL.

ORNAMENTAL GRASS & XERIC PLANTS

QNTY.	SYMBOL	COMMON NAME	BOTANIC NAME	SIZE	HT.
114	NAS TEN	MEXICAN FEATHER GRASS	Nassella tenuissima	3 GAL.	18"
181	MUH CAP	PINK MUHLY GRASS	Muhlenbergia capillaris	3 GAL.	18"
10	HES PAR	RED YUCCA	Hesperaloe parvifolia	5 GAL.	24"
25	YUC FIL	COLOR GUARD YUCCA	Yucca filamentosa	5 GAL.	24"

PERENNIALS & GROUNDCOVER PLANTS

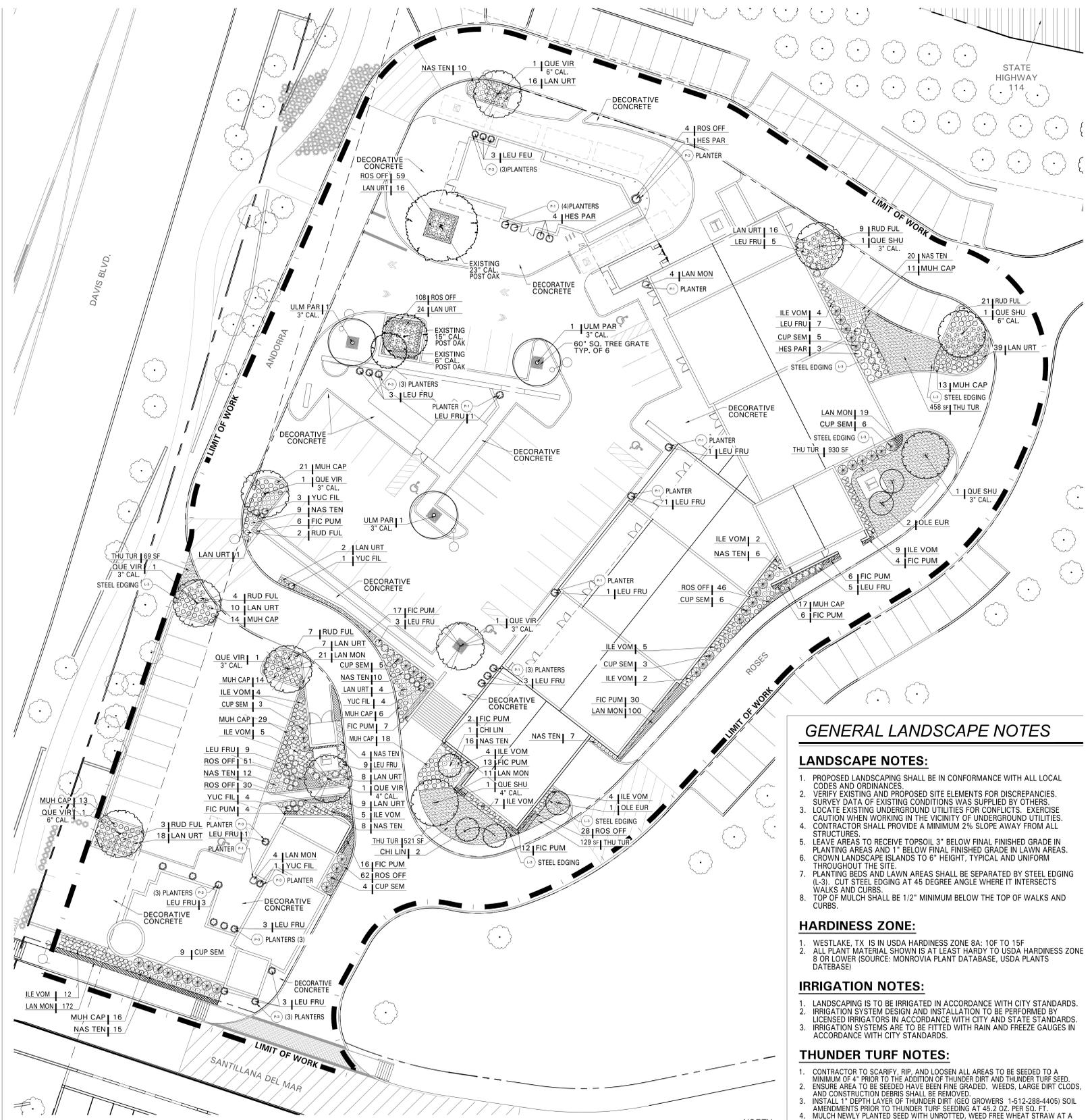
QNTY.	SYMBOL	COMMON NAME	BOTANIC NAME	SIZE	HT.
170	LAN URT	TEXAS LANTANA	Lantana urticoides	1 GAL.	12"
46	RUD FUL	BLACK-EYED SUSAN	Rudbeckia fulgida	1 GAL.	12"
375	LAN MON	TRAILING LANTANA	Lantana montevidensis	1 GAL.	6"
387	ROS OFF	TRAILING ROSEMARY	Rosmarinus officinalis	1 GAL.	6"

NOTE: LAN MON & ROS OFF TRIANGULAR SPACING - 12" O.C.

VINES & TURF

QNTY.	SYMBOL	COMMON NAME	BOTANIC NAME	SIZE	NOTES
153	FIC PUM	FIG IVY	Ficus pumila	1 GAL.	BROMEN ESPALIER - CONTAINER FULL, 16.62" RANERS MIN. 18" O.C.
2,078 SF	THU TUR	THUNDER TURF			82% - BUFFALO GRASS (Bromus buchananii) 17% - BLUE GRAMA GRASS (Boutelou curtipendula) 1% - CURV MESSQUITE (Prosopis juliflora)

NOTE: APPLY 1" CLEAN SOIL (THUNDER DIRT, SEE NOTES THIS SHEET) TO ALL TURF AREAS PRIOR TO SEEDING THUNDER TURF



01 LANDSCAPE PLAN

MATERIALS LEGEND

- L-1 PLANTING MEDIUM:**
 PROFESSIONAL BEDDING MIX (LOCATED IN INGROUND PLANTING BEDS)
 SUPPLIER: LIVING EARTH TECHNOLOGY COMPANY
 CONTACT: LORA HINCHCLIFF - 214.673.3341
 INSTALLATION: PER DETAIL 03 THIS SHEET
- L-2 PLANTING MEDIUM:**
 PLANTER MIX (LOCATED IN ABOVE GROUND PLANTERS: P-1, P-2, P-3)
 SUPPLIER: LIVING EARTH TECHNOLOGY COMPANY
 CONTACT: LORA HINCHCLIFF - 214.673.3341
 INSTALLATION: PER DETAILS 05, 07, & 08 THIS SHEET
- L-3 STEEL EDGING:**
 FINISH/COLOR: POWDER COAT BLACK
 SIZE: 3/16" THICK x 4" x 16" LENGTH
 MANUFACTURER: JD RUSSELL (DURAEDGE)
 CONTACT: 270.826.7008 800.888.6872
 INSTALLATION: PER DETAILS 03 & 06 THIS SHEET
- L-4 DECOMPOSED GRANITE:**
 COLOR: SUBMIT SAMPLES FOR APPROVAL
 THICKNESS: 2" IN POTS, 4" ON GROUND SIZE: 3/8 MINUS
 SUPPLIER: CUSTOM STONE SUPPLY CONTACT: CHAD AKIN 214-869-9048
 NOTE: INSTALL FILTER FABRIC BETWEEN DO MULCH AND SOIL MIX BELOW
 INSTALLATION: REF. DETAILS 05, 06, 07, & 08 THIS SHEET
- P-1 CAST CONCRETE PLANTER:**
 MODEL: LARKSPUR 24" SIZE: 36" X 36" X 24" HT. COLOR: PALOMINO 5447
 SUPPLIER: LANDSCAPE FORMS LARA MOFFITT 269.337.1309
 INSTALLATION: PER DETAIL 07 THIS SHEET
- P-2 CAST CONCRETE PLANTER:**
 MODEL: LARKSPUR 30" SIZE: 48" X 48" X 30" HT. COLOR: ADOBE 61078
 SUPPLIER: LANDSCAPE FORMS LARA MOFFITT 269.337.1309
 INSTALLATION: PER DETAIL 05 THIS SHEET
- P-3 CAST CONCRETE PLANTER:**
 MODEL: LARKSPUR 48" SIZE: 32" X 32" X 48" HT. COLOR: TERRA COTTA 10134
 SUPPLIER: LANDSCAPE FORMS LARA MOFFITT 269.337.1309
 INSTALLATION: PER DETAIL 08 THIS SHEET

GENERAL LANDSCAPE NOTES

- LANDSCAPE NOTES:**
- PROPOSED LANDSCAPING SHALL BE IN CONFORMANCE WITH ALL LOCAL CODES AND ORDINANCES.
 - VERIFY EXISTING AND PROPOSED SITE ELEMENTS FOR DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
 - LOCATE EXISTING UNDERGROUND UTILITIES FOR CONFLICTS. EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
 - LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
 - CROWN LANDSCAPE ISLANDS TO 6" HEIGHT, TYPICAL AND UNIFORM THROUGHOUT THE SITE.
 - PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING (L-3). CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
 - TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- HARDINESS ZONE:**
- WESTLAKE, TX IS IN USDA HARDINESS ZONE 8A: 10F TO 15F
 - ALL PLANT MATERIAL SHOWN IS AT LEAST HARDY TO USDA HARDINESS ZONE 8 OR LOWER (SOURCE: MONROVIA PLANT DATABASE, USDA PLANTS DATABASE)
- IRRIGATION NOTES:**
- LANDSCAPING IS TO BE IRRIGATED IN ACCORDANCE WITH CITY STANDARDS.
 - IRRIGATION SYSTEM DESIGN AND INSTALLATION TO BE PERFORMED BY LICENSED IRRIGATORS IN ACCORDANCE WITH CITY AND STATE STANDARDS.
 - IRRIGATION SYSTEMS ARE TO BE FITTED WITH RAIN AND FREEZE GAUGES IN ACCORDANCE WITH CITY STANDARDS.
- THUNDER TURF NOTES:**
- CONTRACTOR TO SCARIFY, RIP, AND LOOSEN ALL AREAS TO BE SEED TO A MINIMUM OF 4" PRIOR TO THE ADDITION OF THUNDER DIRT AND THUNDER TURF SEED.
 - ENSURE AREA TO BE SEED TO HAVE BEEN FINE GRADED, WEEDS, LARGE DIRT CLOUDS, AND CONSTRUCTION DEBRIS SHALL BE REMOVED.
 - INSTALL 1" DEEP LAYER OF THUNDER DIRT (GEO GROVERS 1-512-288-4405) SOIL AMENDMENTS PRIOR TO THUNDER TURF SEEDING AT 45.2 OZ. PER SQ. FT.
 - MULCH NEWLY PLANTED SEED WITH UNROTTED, WEED FREE WHEAT STRAW AT A RATE OF 2 BALS PER 1,000 SQ. FT. THROUGH ESTABLISHMENT.
 - IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMOUDA GRASS SOD WITH WINTER YEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.
 - SEEDING AREAS TO HAVE ONE HUNDRED (100) PERCENT COVERAGE PRIOR TO FINAL ACCEPTANCE.
 - WATER THOROUGHLY THROUGH ESTABLISHMENT.

GENERAL NOTES

- THESE NOTES APPLY TO ALL SHEETS IN THIS PLAN SET.
- CONTRACTOR IS RESPONSIBLE FOR, AND MUST OBTAIN PRIOR TO CONSTRUCTION, ALL NECESSARY CONSTRUCTION PERMITS REQUIRED BY THE LOCAL MUNICIPALITY. CONTRACTOR MUST HAVE A COPY OF THE LOCAL MUNICIPALITY'S STANDARD CONSTRUCTION DETAILS ON SITE.
- EXISTING UTILITY LOCATIONS SHOWN ARE TAKEN FROM AVAILABLE RECORDS PROVIDED BY THE UTILITY OWNER AND FIELD LOCATIONS OF SURFACE APPURTENANCES. LOCATIONS SHOWN ARE GENERALLY SCHEMATIC IN NATURE AND MAY NOT ACCURATELY REFLECT THE SIZE AND LOCATION OF EACH PARTICULAR UTILITY. SOME UTILITY LINES MAY NOT BE SHOWN. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ACTUAL FIELD LOCATION AND PROTECTION OF EXISTING FACILITIES WHETHER SHOWN OR NOT. CONTRACTOR SHALL ALSO ASSUME RESPONSIBILITY FOR REPAIRS TO EXISTING FACILITIES, WHETHER SHOWN OR NOT, DAMAGED BY CONTRACTOR'S ACTIVITIES. DIFFERENCES IN HORIZONTAL OR VERTICAL LOCATION OF EXISTING UTILITIES SHALL NOT BE A BASIS FOR ADDITIONAL EXPENSE.
- ANY CONTRACTOR / SUBCONTRACTOR PERFORMING WORK ON THIS PROJECT SHALL FAMILIARIZE HIMSELF WITH THE SITE AND SHALL BE SOLELY RESPONSIBLE FOR ANY DAMAGE TO EXISTING FACILITIES RESULTING DIRECTLY OR INDIRECTLY FROM HIS OPERATIONS. SAID EXISTING IMPROVEMENTS SHALL INCLUDE BUT NOT BE LIMITED TO BERMS, DITCHES, FENCES, AND PLANTS. ANY REMOVAL OR DAMAGE TO EXISTING IMPROVEMENTS SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT HIS EXPENSE AND SHALL BE APPROVED BY THE TOWN OF WESTLAKE.
- THE CONTRACTOR SHALL MAINTAIN ADEQUATE SITE DRAINAGE DURING ALL PHASES OF CONSTRUCTION. THE CONTRACTOR SHALL USE SILT FENCES (OR OTHER METHODS APPROVED BY THE ENGINEER AND TOWN) AS REQUIRED TO PREVENT SILT AND CONSTRUCTION DEBRIS FROM FLOWING ONTO ADJACENT PROPERTIES. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, OR LOCAL EROSION CONSERVATION, AND SILTATION ORDINANCES. CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF PERMANENT DRAINAGE FACILITIES AND THE ESTABLISHMENT OF A STAND OF GRASS OR OTHER GROWTH TO PREVENT EROSION. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING PERMITS AND APPROVALS BEFORE CONSTRUCTION BEGINS.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN NEAT AND ACCURATE CONSTRUCTION RECORD PLANS. A COPY OF THESE RECORD PLANS ARE TO BE SUBMITTED TO THE ENGINEER UPON COMPLETION OF CONSTRUCTION.
- CONTRACTOR SHALL USE ALL NECESSARY SAFETY PRECAUTIONS TO AVOID CONTACT WITH OVERHEAD AND UNDERGROUND POWER LINES. THE CONTRACTOR SHALL REVIEW AND VERIFY ALL DIMENSIONS SHOWN ON THE PLANS AND ALL FIELD CONDITIONS THAT MAY AFFECT CONSTRUCTION.
- SHOULD DISCREPANCIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER TO OBTAIN THE ENGINEER'S CLARIFICATION BEFORE COMMENCING WITH THE CONSTRUCTION.
- CONTRACTOR TO DISPOSE OF ALL EXCESS EXCAVATION MATERIALS AS DIRECTED BY THE OWNER.
- THE CONTRACTOR SHALL TAKE ALL AVAILABLE PRECAUTIONS TO CONTROL DUST. CONTRACTOR SHALL CONTROL DUST BY SPRINKLING WATER, OR BY OTHER MEANS APPROVED BY THE TOWN AND ENGINEER, AT NO ADDITIONAL COST TO THE OWNER.
- ALL EXCAVATING IS UNCLASSIFIED AND SHALL INCLUDE ALL MATERIALS ENCOUNTERED. UNUSABLE EXCAVATED MATERIAL AND ALL WASTE RESULTING FROM SITE CLEARING AND GRUBBING SHALL BE DISPOSED OF OFF SITE BY THE CONTRACTOR AT HIS EXPENSE.
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY ENGINEERING AND SURVEYING FOR LINE AND GRADE CONTROL POINTS RELATED TO EARTHWORK.
- THE CONTRACTOR SHALL SALVAGE AND PROTECT ALL EXISTING POWER POLES, SIGNS, MANHOLES, TELEPHONE RISERS, WATER VALVES, ETC. DURING ALL CONSTRUCTION PHASES.
- BACKFILL SHALL BE FREE FLOWING, FREE OF ROCKS AND LARGE CLODS. BACKFILL SHALL BE PLACED IN 6 TO 9 INCH LIFTS AT OR ABOVE OPTIMUM MOISTURE AND MECHANICALLY COMPACTED TO 95 PERCENT STANDARD PROCTOR FOR ALL UTILITIES.
- ALL PROPOSED GRADING WHERE ANY BUILDINGS MAY POTENTIALLY BE CONSTRUCTED SHALL BE AT OR ABOVE OPTIMUM MOISTURE AND MECHANICALLY COMPACTED TO 95 PERCENT STANDARD PROCTOR. ALL OTHER GRADING SHALL BE AT OR ABOVE OPTIMUM MOISTURE AND MECHANICALLY COMPACTED TO 90 PERCENT STANDARD PROCTOR. CONTRACTOR WILL HAVE TO COORDINATE WITH THE UTILITY COMPANIES FOR ANY REQUIRED UTILITY ADJUSTMENTS AND / OR RELOCATIONS.
- EROSION CONTROL DEVICES AS SHOWN ON THE GRADING AND EROSION CONTROL PLANS FOR THE PROJECT SHALL BE INSTALLED PRIOR TO THE START OF LAND DISTURBING ACTIVITIES ON THE PROJECT.
- ALL EROSION CONTROL DEVICES ARE TO BE INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS FOR THE PROJECT. CHANGES ARE TO BE APPROVED BEFORE CONSTRUCTION BY THE DESIGN ENGINEER AND THE TOWN OF WESTLAKE.
- IF THE EROSION CONTROL PLAN AS APPROVED CANNOT CONTROL EROSION AND OFF-SITE SEDIMENTATION FROM THE PROJECT, THE EROSION CONTROL PLAN WILL BE REQUIRED TO BE REVISED AND / OR ADDITIONAL EROSION CONTROL DEVICES WILL BE REQUIRED ON-SITE.
- IF OFF-SITE BORROW OR SPOILS SITES ARE USED IN CONJUNCTION WITH THIS PROJECT, THIS INFORMATION SHALL BE DISCLOSED AND SHOWN ON THE EROSION CONTROL PLAN. OFFSITE BORROW AND SPOILS AREAS ARE CONSIDERED PART OF THE PROJECT SITE AND THEREFORE SHALL COMPLY WITH THE TOWN OF WESTLAKE EROSION CONTROL REQUIREMENTS. THESE AREAS SHALL BE STABILIZED WITH PERMANENT GROUND COVER PRIOR TO FINAL APPROVAL OF THE PROJECT.
- THE CONTRACTOR SHALL ABIDE BY ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS GOVERNING EXCAVATION. THE CONTRACTOR SHALL PROVIDE DETAILED PLANS AND SPECIFICATIONS FOR TRENCH SAFETY SYSTEMS THAT COMPLY WITH APPLICABLE LAWS GOVERNING EXCAVATION. THESE PLANS SHALL BE SEALED BY AN ENGINEER EXPERIENCED IN THE DESIGN OF TRENCH SAFETY SYSTEMS AND LICENSED BY THE STATE OF TEXAS. SUBMIT PLAN TO THE OWNER PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL ASPECTS OF WORK RELATED TO EXCAVATION.
- THE CONTRACTOR SHALL COORDINATE OPERATION OF ALL EXISTING VALVES WITH THE TOWN OF WESTLAKE. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SITE TRENCH SAFETY DURING ALL PHASES OF CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY AND COORDINATE ALL DIMENSIONS SHOWN INCLUDING THE HORIZONTAL AND VERTICAL LOCATION OF GRATE INLETS AND ALL UTILITIES CROSSING THE STORM SEWER.
- THE SITE UTILITY CONTRACTOR SHALL PROVIDE ALL MATERIALS AND APPURTENANCES NECESSARY FOR COMPLETE INSTALLATION OF THE STORM SEWER. THE TOWN OF WESTLAKE SHALL INSPECT ALL PUBLIC IMPROVEMENTS.
- THE CONTRACTOR'S BID PRICE SHALL INCLUDE ALL INSPECTION FEES. AS AN ALTERNATE, THE OWNER RESERVES THE RIGHT TO PAY THE INSPECTION FEES DIRECTLY TO THE TOWN. CONSTRUCTION STAKING TO BE PROVIDED BY THE CONTRACTOR, UNLESS OTHERWISE AGREED TO BY THE OWNER.
- THESE PLANS DO NOT EXTEND TO OR INCLUDE DESIGN OR SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR IS ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF HEREON DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEM THAT MAY NOW OR HEREAFTER BE INCORPORATED IN THESE PLANS.
- SEEDING SHALL BE BROADCAST SEEDING IN ACCORDANCE WITH NCTCOG SPECIFICATIONS ITEM 3.10 "SEEDING".
- FERTILIZER SHALL BE IN ACCORDANCE WITH NCTCOG SPECIFICATIONS ITEM 3.11 "FERTILIZER".
- WATER, SEWER, & DUCT BANK WILL HAVE DETECTOR TAPE INSTALLED BETWEEN EMBEDMENT AND NATIVE BACKFILL.
- THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND MATERIAL OF ALL UTILITIES AFFECTED BY CONSTRUCTION PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR SHALL CONTACT AND COORDINATE WITH ALL AFFECTED UTILITIES 48 HOURS PRIOR TO CONSTRUCTION. DIG TESS 1-800-344-8377
- CONTRACTOR SHALL LOCATE AND ADJUST EXISTING UTILITY MANHOLE LIDS, CLEANOUTS, WATER VALVES AND OTHER SURFACE APPURTENANCES AS REQUIRED FOR NEW CONSTRUCTION. CONTRACTOR SHALL COORDINATE UTILITY ADJUSTMENTS WITH OTHER DISCIPLINES AND THE APPROPRIATE UTILITY AGENCIES AND PROVIDE FOR ALL FEES FOR PERMITS, CONNECTIONS, INSPECTIONS, ETC. THESE ADJUSTMENTS SHALL BE CONSIDERED INCIDENTAL TO THE CONSTRUCTION CONTRACT.
- THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY MONUMENTATION AND PRIMARY CONTROL. ANY SUCH POINTS WHICH THE CONTRACTOR BELIEVES WILL BE DESTROYED SHALL HAVE OFFSET POINTS ESTABLISHED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY MONUMENTATION DESTROYED BY THE CONTRACTOR SHALL BE REESTABLISHED AT HIS EXPENSE.
- BARRICADING AND TRAFFIC CONTROL DURING CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL CONFORM TO THE LATEST EDITION OF THE "TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", PART VI IN PARTICULAR. TRAFFIC FLOW AND ACCESS SHALL BE MAINTAINED DURING ALL PHASES OF THE CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING TRAFFIC SAFETY MEASURES FOR WORK ON PROJECT.
- ONSITE PLANIMETRIC AND TOPOGRAPHIC MAPPING TAKEN FROM DATA PROVIDED BY G&A CONSULTANTS CONFIRMED BY BROWN AND GAY ENGINEERS IN JULY 2014..
- ANY DAMAGES THAT MAY OCCUR TO REAL PROPERTY OR EXISTING IMPROVEMENTS SHALL BE RESTORED BY THE CONTRACTOR TO AT LEAST THE SAME CONDITION THAT THE REAL PROPERTY OR EXISTING IMPROVEMENTS WERE IN PRIOR TO THE DAMAGES. THIS RESTORATION SHALL BE SUBJECT TO THE OWNER'S APPROVAL; MOREOVER, THIS RESTORATION SHALL NOT BE A BASIS FOR ADDITIONAL COMPENSATION TO THE CONTRACTOR. RESTORATION SHALL INCLUDE, BUT NOT BE LIMITED TO, REGRASSING, REVEGETATION, REPLACING FENCES, REPLACING TREES, ETC.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO:
 - PREVENT ANY DAMAGE TO PRIVATE PROPERTY AND PROPERTY OWNER'S POLES, FENCES, SHRUBS, ETC.
 - PROVIDE ACCESS TO ALL DRIVES DURING CONSTRUCTION.
 - PROTECT ALL UNDERGROUND UTILITIES TO REMAIN IN SERVICE.
 - NOTIFY ALL UTILITY COMPANIES AND VERIFY LOCATION OF ALL UTILITIES PRIOR TO START OF CONSTRUCTION.
- CONTRACTOR SHALL MAINTAIN UTILITY SERVICES AT ALL TIMES DURING CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR KEEPING SIDEWALKS ADJACENT TO THE PROJECT FREE OF MUD AND DEBRIS FROM THE CONSTRUCTION.
- THE CONTRACTOR SHALL REMOVE ALL SURPLUS MATERIAL FROM THE PROJECT AREA UNLESS INSTRUCTED DIFFERENTLY BY OWNER OR ENGINEER. THIS WORK SHALL BE SUBSIDIARY TO THE CONTRACT AND IS NOT A SEPARATE PAY ITEM.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION, INSPECTION, AND TESTING AS REQUIRED BY THE OWNER AND/OR THE LOCAL MUNICIPALITY.
- ALL WORK IN THE CITY RIGHT-OF-WAY, PROPERTY AND EASEMENTS SHALL BE CONSIDERED PUBLIC. ALL OTHER WORK SHALL BE CONSIDERED PRIVATE.

TOWN OF WESTLAKE GENERAL NOTES

- THE APPLICABLE STANDARDS AND SPECIFICATIONS, THE CURRENT VERSION OF THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" PUBLISHED BY N.C.T.C.O.G. AND THE TOWN OF WESTLAKE ENGINEERING STANDARDS SHALL APPLY. IN THE EVENT OF A CONFLICT, TOWN OF WESTLAKE STANDARDS SHALL GOVERN. THE CONTRACTOR SHALL FOLLOW ALL APPLICABLE TCEQ, A.W.W.A., AND A.S.T.M. REGULATIONS.
- ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION BY THE TOWN OF WESTLAKE. THE TOWN RESERVES THE RIGHT TO ACCEPT OR REJECT MATERIAL OR WORKMANSHIP THAT DOES NOT CONFORM TO THE STANDARDS AND SPECIFICATION OF THE TOWN.
- ALL DISTURBED AREAS OFF-SITE SHALL BE SEEDED OR SODDED AS SHOWN ON THE CONSTRUCTION PLANS.
- THE CONTRACTOR SHALL HAVE ONE (1) APPROVED SET OF CONSTRUCTION PLANS ON THE JOB SITE DURING CONSTRUCTION.
- THE CONTRACTOR SHALL NOTIFY THE TOWN OF WESTLAKE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO COMMENCING CONSTRUCTION.
- ALL PAVING AND UTILITIES SHALL BE CONSTRUCTED AND TESTED IN ACCORDANCE WITH THE TOWN OF WESTLAKE SPECIFICATIONS.
- AN ENGINEERED TRENCH SAFETY PLAN IS REQUIRED WHEN THE TRENCH DEPTH EXCEEDS 5'.
- BASED ON OUR UNDERSTANDING AND THE INFORMATION PROVIDED BY THE TOWN, THE WATER AND SANITARY SEWER LINES COMPLY WITH THE WATER AND SANITARY SEWER MASTER PLANS FOR THE TOWN OF WESTLAKE.

WATER NOTES:

- CONTRACTOR SHALL PURCHASE A COPIE(S) OF THE TOWN OF WESTLAKE ENGINEERING STANDARDS, LATEST EDITION, AND FOLLOW SAID STANDARDS DURING CONSTRUCTION.
- ALL WATER LINES, FITTINGS, AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE TOWN OF WESTLAKE ENGINEERING STANDARDS, LATEST EDITION. ALL WATER SERVICE CONNECTIONS TO BE FORD COMPRESSION FITTINGS. ALL BENDS TO HAVE RETAINER FITTINGS (MEGA-LUG). USE DOMESTIC DUCTILE IRON FITTINGS ONLY.
- ALL FIRE HYDRANTS SHALL HAVE ONE (1) HYDRA-STORZ CONNECTION AND TWO (2) 2.5" HOSE NOZZLES, SHALL HAVE A MINIMUM MAIN BARREL VALVE OPENING OF 5.25", AND SHALL BE PLACED ON MAINS OF NOT LESS THAN 6" IN DIAMETER. ALL FIRE HYDRANTS ARE TO BE PAINTED PER ARTICLE IV, SECTION 2.H.5 OF THE TOWN OF WESTLAKE ENGINEERING STANDARDS AND AGREED TO BY THE TOWN.
- UTILITY CONTRACTOR SHALL PLACE APPROPRIATE LOCATION MARKS ON THE CURBS PER THE TOWN OF WESTLAKE ENGINEERING STANDARDS.
- ALL WATER MAINS SHALL BE PVC AWWA-C900, DR18, CLASS 150 UNLESS NOTED OTHERWISE.
- TOP OF WATER MAIN SHALL BE A MINIMUM OF 48" BELOW THE TOP OF CURB OR 48" BELOW FINISHED GRADE. METALLIC DETECTOR TAPE WILL BE USED. VALVES TO BE EXTENDED TO WITHIN 1" OF GROUND IF MORE THAN 48".
- FIRE HYDRANTS SHALL BE LOCATED 6' BEHIND THE BACK OF CURB (MIN).
- CONTRACTOR SHALL CLEAN THE WATER MAIN BY INSERTION OF "POLY PIGS" AT DESIGNATED LOCATIONS. COST FOR "POLY PIG" CLEANING WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- ALL DOMESTIC WATER SERVICES SHALL BE 2" CLASS 200 POLYETHYLENE.
- CORPORATION STOPS SHALL BE FULL OPEN PRIOR TO BACKFILL.
- CURB STOPS SHALL BE TESTED FOR FULL FLOW WHEN THE SYSTEM IS PRESSURE TESTED.
- METER BOXES SHALL BE FURNISHED BY THE CONTRACTOR AND LOCATED 6' BEHIND THE CURB.
- WATER MAINS TO BE LOCATED PER THE PLANS.
- METER BOXES SHALL BE ADJUSTED TO FINISH GRADE AFTER PAVING CONTRACTOR COMPLETES THE BACKFILL OF CURB.
- EXTEND SAMPLING POINT 2' ABOVE EXISTING GRADE AND END WITH A 1" CURB STOP. SAMPLING POINTS WILL BE DETERMINED BY THE CONSTRUCTION INSPECTOR.
- PIPE SHALL BE TESTED AT 150 PSI FOR FOUR (4) HOURS.
- CHLORINATE WATER LINES AT 500 PPM FOR FORTY-EIGHT (48) HOURS. CHLORINATION IS ACCEPTABLE DURING THE PRESSURE TEST.
- FLUSHING AND CHLORINATION SHALL BE COORDINATED WITH THE CONSTRUCTION INSPECTOR.
- ALL TAPS ON EXISTING MAINS SHALL BE WET TAPS. NO SIZE-ON-SIZE TAPS ALLOWED.
- EXISTING VALVES SHALL BE OPERATED BY CITY PERSONNEL ONLY. ONCE THE NEW WATER LINE IS ACTIVATED AND PASSES BACTERIOLOGICAL TESTING, THE VALVES MAY BE OPERATED BY CITY PERSONNEL ONLY.

SANITARY SEWER NOTES:

- CONTRACTOR SHALL PURCHASE A COPY OF THE TOWN OF WESTLAKE ENGINEERING STANDARDS, LATEST EDITION, AND FOLLOW SAID STANDARDS DURING CONSTRUCTION.
- ALL SANITARY SEWER LINES, FITTINGS, AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE TOWN OF WESTLAKE ENGINEERING STANDARDS, LATEST EDITION.
- THE SANITARY SEWER SERVICE LINE SHALL BE EXTENDED A MINIMUM OF 6 FEET PAST THE PROPERTY LINE.
- SERVICE LINES SHALL BE 4" PVC AND SHALL BE PLUGGED AND PRESSURE TESTED WITH THE MAIN LINE.
- SERVICE LINES ARE TO BE LOCATED AT THE DOWNHILL SIDE OF THE LOT.
- THE TOP OF SEWER PIPE SHALL BE A MINIMUM OF 48" BELOW FINISHED GRADE.
- THE CONTRACTOR IS REQUIRED TO PULL A MANDREL THROUGH SEWER PIPE.
- A TV INSPECTION OF THE SANITARY SEWER LINES IS REQUIRED.
- THE SEWER PIPE WILL BE PRESSURE TESTED IN ACCORDANCE WITH TNRC LOW PRESSURE AIR TEST (SECTION 317.2 (c)(4)(B)). REFER TO MANHOLE DETAIL FOR ADDITIONAL TESTING REQUIREMENTS.
- ENGINEERED CASING IS REQUIRED WHEN CROSSING STREETS LARGER THAN COLLECTORS.
- NO SERVICES ALLOWED ON CLEANOUT STACK.
- ELIMINATE DISCHARGE INTO THE EXISTING SEWER SYSTEM BY PLUGGING LINE AT CONNECTION. THE CONTRACTOR WILL BE BILLED FOR THE DISCHARGE DURING CONSTRUCTION.
- UTILITY CONTRACTOR SHALL PLACE APPROPRIATE LOCATION MARKS ON THE CURBS PER THE TOWN OF WESTLAKE ENGINEERING STANDARDS, LATEST EDITION.
- PIPE MATERIAL FOR WASTE WATER LINES SHALL CONFORM TO THE NOTES SHOWN ON THIS DRAWING AND TO THE REQUIREMENTS OF THE PROJECT SPECIFICATIONS. SANITARY SEWER LINE SHALL BE SDR-35 PVC IF DEPTH OF LINE IS 10' OR LESS AND SDR-26 IF DEPTH OF LINE IS GREATER THAN 10'. EMBED SEWER PIPE IN ACCORDANCE WITH LOCAL MUNICIPALITY DESIGN STANDARDS.
- WATER AND WASTEWATER LINES SHALL BE LOCATED A MINIMUM OF 9' APART (CLEAR DISTANCE). WHEN SEPARATION CANNOT BE MAINTAINED, SANITARY SEWER SHALL EITHER BE ENCASED IN CONCRETE OR UPGRADED TO PRESSURE PIPE (MIN. SDR 26).

STORM DRAIN NOTES:

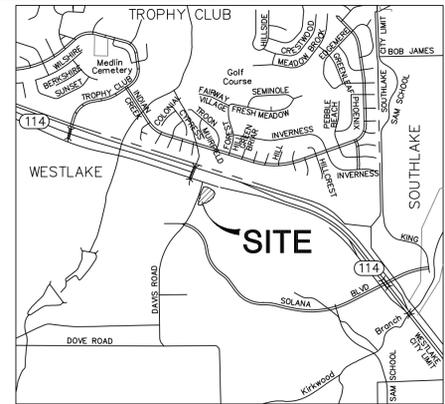
- ALL CULVERT HEADWALLS AND INLETS TO HAVE STONE CLADDING.
- NO PRECAST CURB INLETS.
- ALL MATERIALS AND WORKMANSHIP FOR STORM DRAIN CONSTRUCTION SHALL CONFORM TO THE NCTCOG STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION, AND THE LOCAL MUNICIPALITY REQUIREMENTS.
- CONTRACTOR SHALL MAINTAIN DRAINAGE AT ALL TIMES DURING CONSTRUCTION. PONDING OF WATER WILL NOT BE ALLOWED.
- STORM PIPE SHALL BE CLASS III REINFORCED CONCRETE PIPE (RCP) 18" AND ABOVE IN DIAMETER AND SDR-35 POLYVINYL CHLORIDE (PVC) PIPE OR HIGH DENSITY POLYETHYLENE (HDPE) BELOW 18" IN DIAMETER.

GRADING NOTES:

- THE CONTRACTOR SHALL ADMINISTER SPRINKLERS FOR DUST CONTROL, EARTHWORK OR BASE CONSTRUCTION AS REQUIRED OR AS DIRECTED BY THE ENGINEER IN ACCORDANCE WITH THE LOCAL MUNICIPALITY STANDARDS.
- FILL MATERIAL SHALL BE COMPACTED TO A MINIMUM 95 PERCENT OF MAXIMUM DRY DENSITY AS DETERMINED BY THE STANDARD PROCTOR TEST, ASTM D 698. IN CONJUNCTION WITH THE COMPACTING OPERATION, FILL MATERIAL SHALL BE BROUGHT TO A MOISTURE CONTENT RANGING FROM +2 PERCENT POINTS ABOVE OPTIMUM TO +6 PERCENTAGE POINTS ABOVE OPTIMUM +2 TO +6.

PAVING NOTES:

- CONTRACTOR'S WORK SHALL INCLUDE PAVEMENT REMOVAL AND DISPOSAL REQUIRED FOR NEW WALK, DRIVE, CURB, GUTTER AND OTHER PAVING FEATURES. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION, INSPECTION AND TESTING REQUIRED BY THE OWNER AND/OR THE LOCAL MUNICIPALITY.
- PAVING SECTIONS SHALL BE SAWCUT IN 15' X 15' SQUARES.
- PAVEMENT REMOVAL AND REPAIR SHALL CONFORM TO THE LOCAL MUNICIPALITY REQUIREMENTS. CONTRACTOR SHALL MAKE AN EFFORT TO PROJECT CONCRETE AND/OR ASPHALT EDGES.
- CONCRETE PAVING JOINTS SHALL BE CONSTRUCTED AS RECOMMENDED IN THE GEOTECHNICAL REPORT NOTED BELOW.
- SITE PAVING AND PAVEMENT SUBGRADE SHALL BE PREPARED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT NO. MS153490R2 PREPARED BY EW AND DATED SEPTEMBER, 2015



VICINITY MAP
(NOT TO SCALE)

OVERALL LEGEND

- FH ● PROPOSED FIRE HYDRANT
- SSMH ● PROPOSED SANITARY MANHOLE
- PROPOSED STORM INLET
- PROPOSED STREET LIGHT
- EXISTING TRANSFORMER
- EXISTING STREET LIGHT
- ⊞ EXISTING GAS METER
- ⊞ EXISTING ELECTRIC MANHOLE
- ⊞ EXISTING SIGN
- FH ● EXISTING FIRE HYDRANT

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DAVIS/114 CORNER AT WESTLAKE ENTRADA

BEING 1.733 ACRES TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

THESE PLANS ARE ISSUED FOR THE PURPOSE OF PRELIMINARY REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION. WHEN ISSUED IN FINAL FORM THEY WILL BE SEALED, SIGNED AND DATED.

RESPONSIBLE ENGINEER:
BROWN & GAY ENGINEERS, INC.
TEXAS REGISTERED ENGINEERING FIRM F-1046
WILLIAM R. JANNEY, P.E.
TEXAS REGISTRATION NO. 108663
JANUARY 14, 2016

CAUTION !!!
Contractor to Verify exact location & Depth of Exist Facilities Prior to any Construction Activities

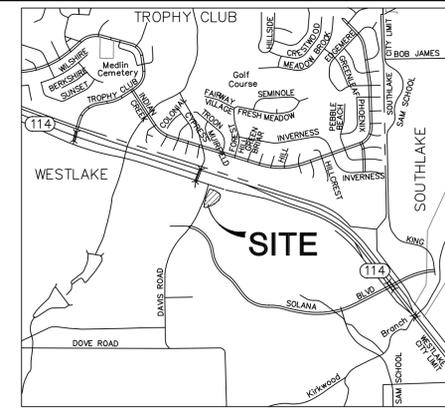
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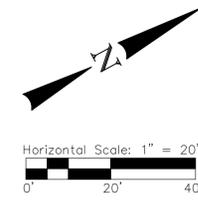
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Sheet No.
GENERAL NOTES

DAVIS BLVD
(VARIABLE WIDTH R.O.W.)



VICINITY MAP
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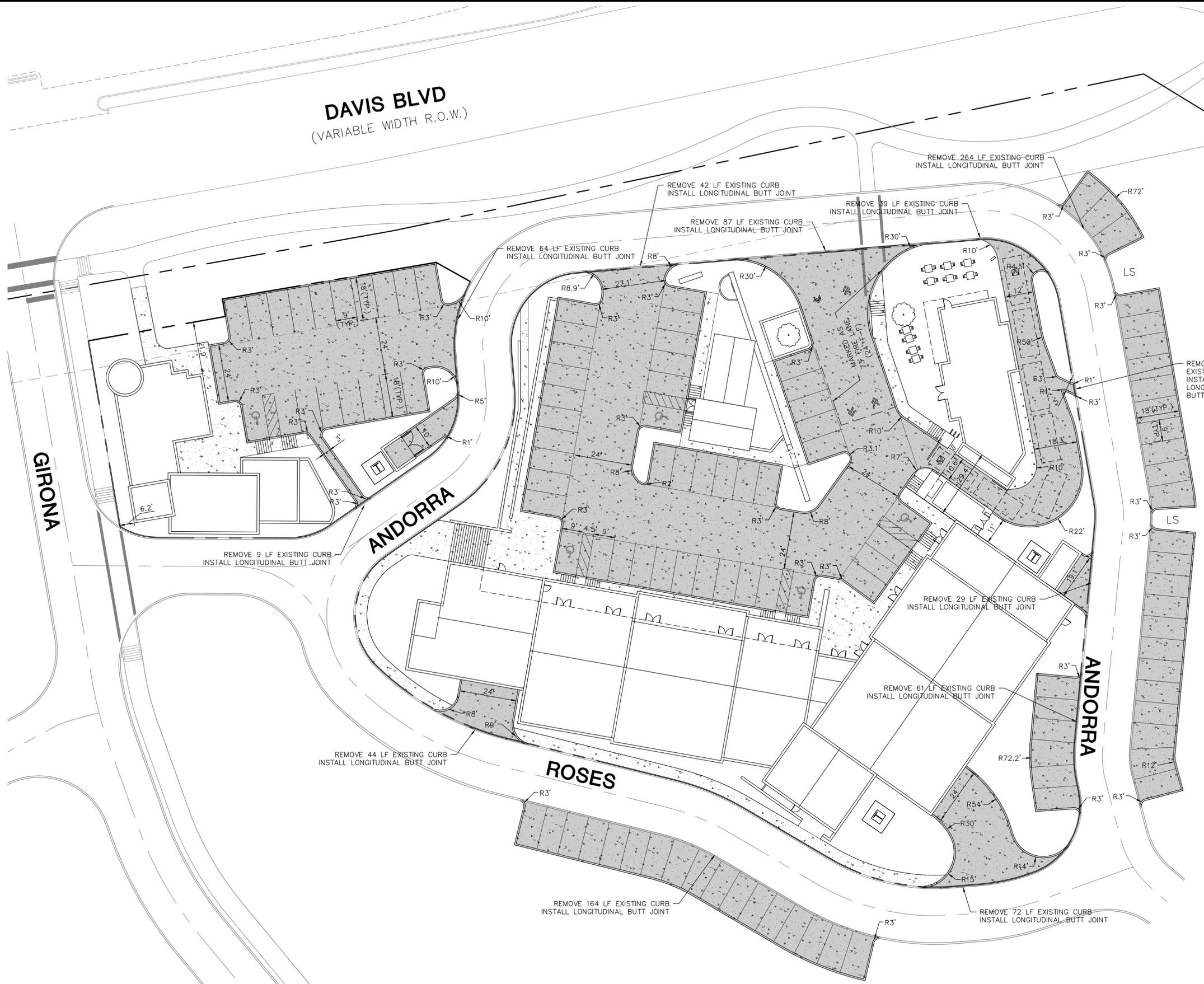


GIRONA

ANDORRA

ANDORRA

ROSES



PAVEMENT LEGEND
(SEE GEOTECHNICAL REPORT)

	CONCRETE PAVERS ABOVE 3/4" OF SAND AND 5.5" 3,600 PSI CONCRETE W/ #3 BARS ON 18" O.C.E.W. ON 6" OF LIME/CEMENT TREATED STABILIZED SUBGRADE. SEE ARCH. PLANS FOR PAVERS TYPE AND LOCATION
	PROPOSED SIDEWALK 4" 3,500 PSI CONC. PAVEMENT W/ #3 BARS @ 24" O.C.E.W ON 6" STABILIZED SUBGRADE

- NOTES:**
- ALL WESTLAKE ENTRADA INFRASTRUCTURE ASSUMED AS EXISTING FOR THIS PLAN SET
 - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED

- TBM -**
- TBM1 - "Cut in median nose located ~ 700 feet southeast of intersection of Davis Blvd. and Dove Road. Elev. 668.96
 - TBM2 - "Cut in median nose at intersection of Davis Blvd. and Bull Way. Elev. 679.58
 - TBM3 - "Cut in median nose at intersection of Davis Blvd. and Bear Way. Elev. 683.26
 - TBM4 - "Cut in median nose located ~600 feet east of intersection of Davis Blvd. and Dove Road. Elev. 648.47

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DAVIS/114 PD SITE PLAN PACKAGE
DAVIS/114 CORNER
AT WESTLAKE ENTRADA
BEING 1.733 ACRES
TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

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TEXAS REGISTERED ENGINEERING FIRM F-1046
WILLIAM R. JANNEY, P.E.
TEXAS REGISTRATION NO. 108663
JANUARY 14, 2016

CAUTION !!
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CAUTION !!!
CONTACT: 1-800-DIG-TESS
48 HOURS PRIOR TO CONSTRUCTION

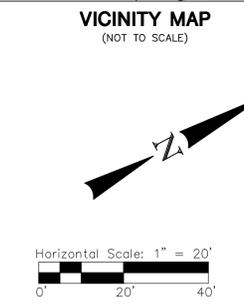
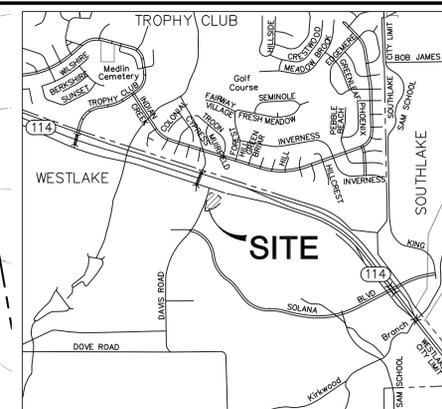
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Sheet No.
PAVING PLAN

C5

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- NOTE:
- 1) ALL WESTLAKE ENTRADA INFRASTRUCTURE ASSUMED AS EXISTING FOR THIS PLAN SET.
 - 2) EXISTING INLET ON ANDORRA & BYPASS INLET ON GIRONA HAVE CAPACITY FOR SURFACE RUNOFF

- TBM1 - "C" Cut in median nose located ~ 700 feet southeast of intersection of Davis Blvd. and Dove Road. Elev. 668.96
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- TBM3 - "C" Cut in median nose at intersection of Davis Blvd. and Bear Way. Elev. 683.26
- TBM4 - "C" Cut in median nose located ~600 feet east of intersection of Davis Blvd. and Dove Road. Elev. 648.47

Table 1: Drainage Areas

Area Designation	Area (sq ft)	Area (Acres)	Coeff C	Asphalt/Conc. 0.95	Commercial 0.7	Single Family 0.65	Grass 0.35	Time of Concentration Tc	5 YR Intensity (in/hr)	5 YR FLOW (CFS)	100 YR INTENSITY (IN/HR)	100 YR FLOW (CFS)
1	2	3	4	5	6	7	8	9	10	11	12	13
A1	1,193	0.027	0.70		0.027			10	6.82	0.1	11.55	0.2
A2	12,804	0.294	0.70		0.294			10	6.82	1.4	11.55	2.4
A3	34,690	0.796	0.70		0.796			10	6.82	3.8	11.55	6.4
A4	17,887	0.411	0.70		0.411			10	6.82	2.0	11.55	3.3
A5	8,217	0.189	0.70		0.189			10	6.82	0.9	11.55	1.5
A6	974	0.022	0.70		0.022			10	6.82	0.1	11.55	0.2
A7	5,145	0.118	0.70		0.118			10	6.82	0.6	11.55	1.0
A8	3,091	0.071	0.70		0.071			10	6.82	0.3	11.55	0.6

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 DAVIS/114 PD SITE PLAN PACKAGE
 DAVIS/114 CORNER
 AT WESTLAKE ENTRADA
 BEING 1.733 ACRES
 TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

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 TEXAS REGISTERED ENGINEERING FIRM F-1046
 WILLIAM R. JANNEY, P.E.
 TEXAS REGISTRATION NO. 108663
 JANUARY 14, 2016

CAUTION !!!
 Contractor to Verify exact location & Depth of Exist Facilities Prior to any Construction Activities

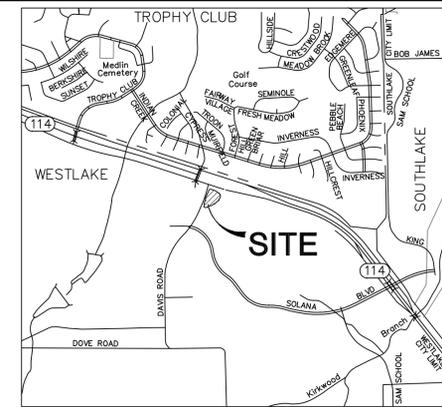
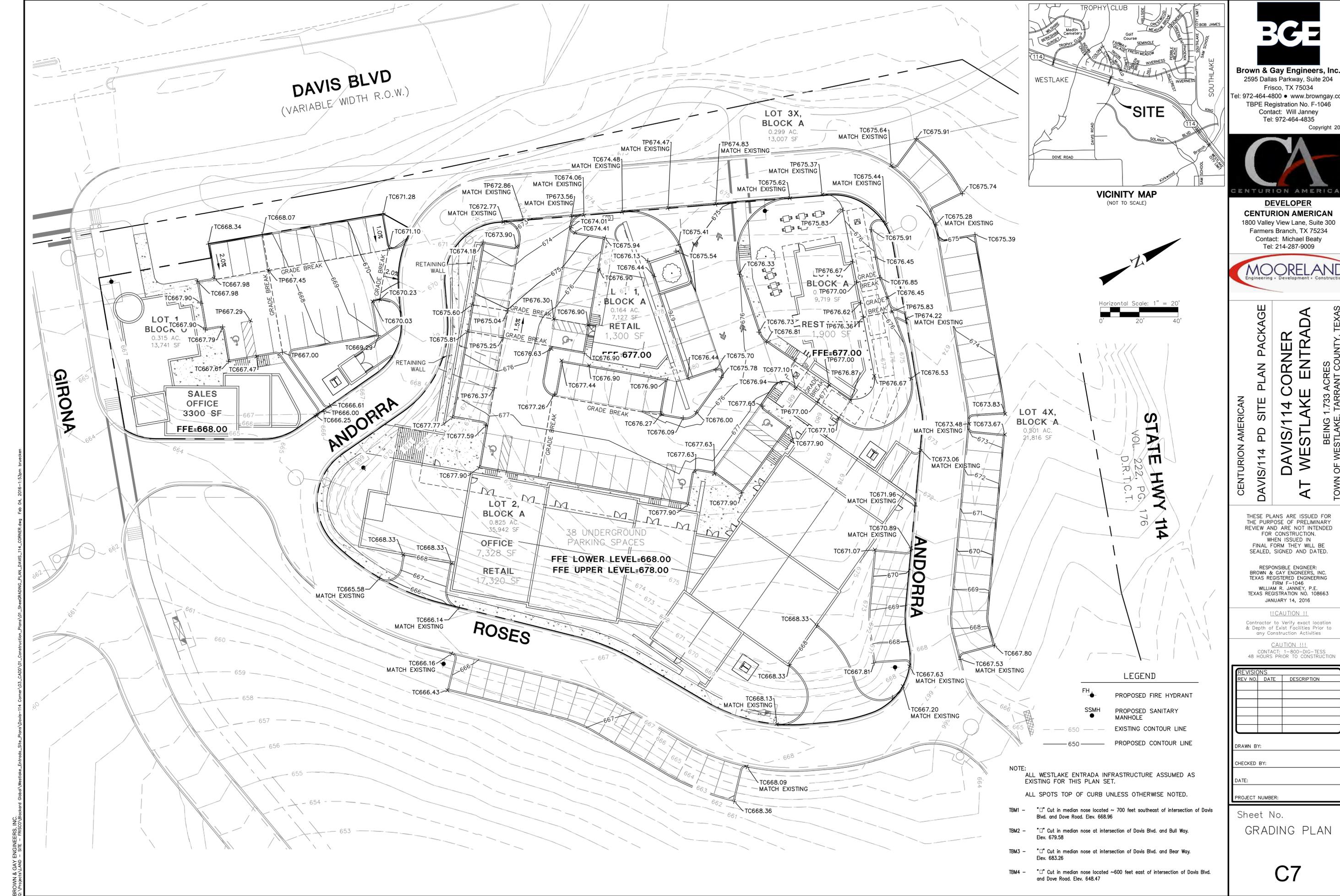
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REVISIONS		
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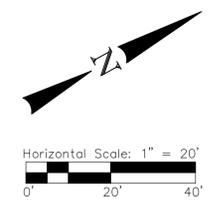
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Sheet No.
PROPOSED DRAINAGE AREA MAP
C6

BROWN & GAY ENGINEERS, INC. G:\Projects\LAND - SITE - PRE20\Brownsord Global\Westlake_Entrada_Site_Plan\Davis-114_Corner\A3_CADD\01_Construction_Plans\01_Sheet\PROP_DWG_DAVIS_114_CORNER.dwg Feb 04, 2016 - 11:50am brucekcn



VICINITY MAP
(NOT TO SCALE)



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 CONTACT: 1-800-DIG-TESS
 48 HOURS PRIOR TO CONSTRUCTION

LEGEND

FH ●	PROPOSED FIRE HYDRANT
SSMH ●	PROPOSED SANITARY MANHOLE
- - - 650	EXISTING CONTOUR LINE
— 650	PROPOSED CONTOUR LINE

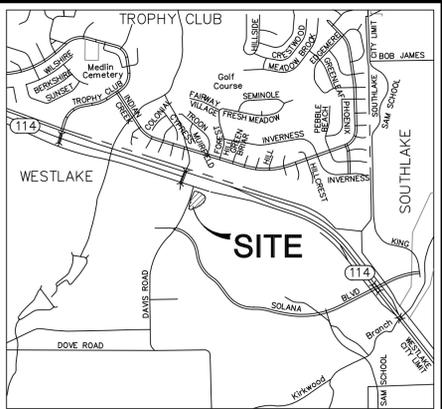
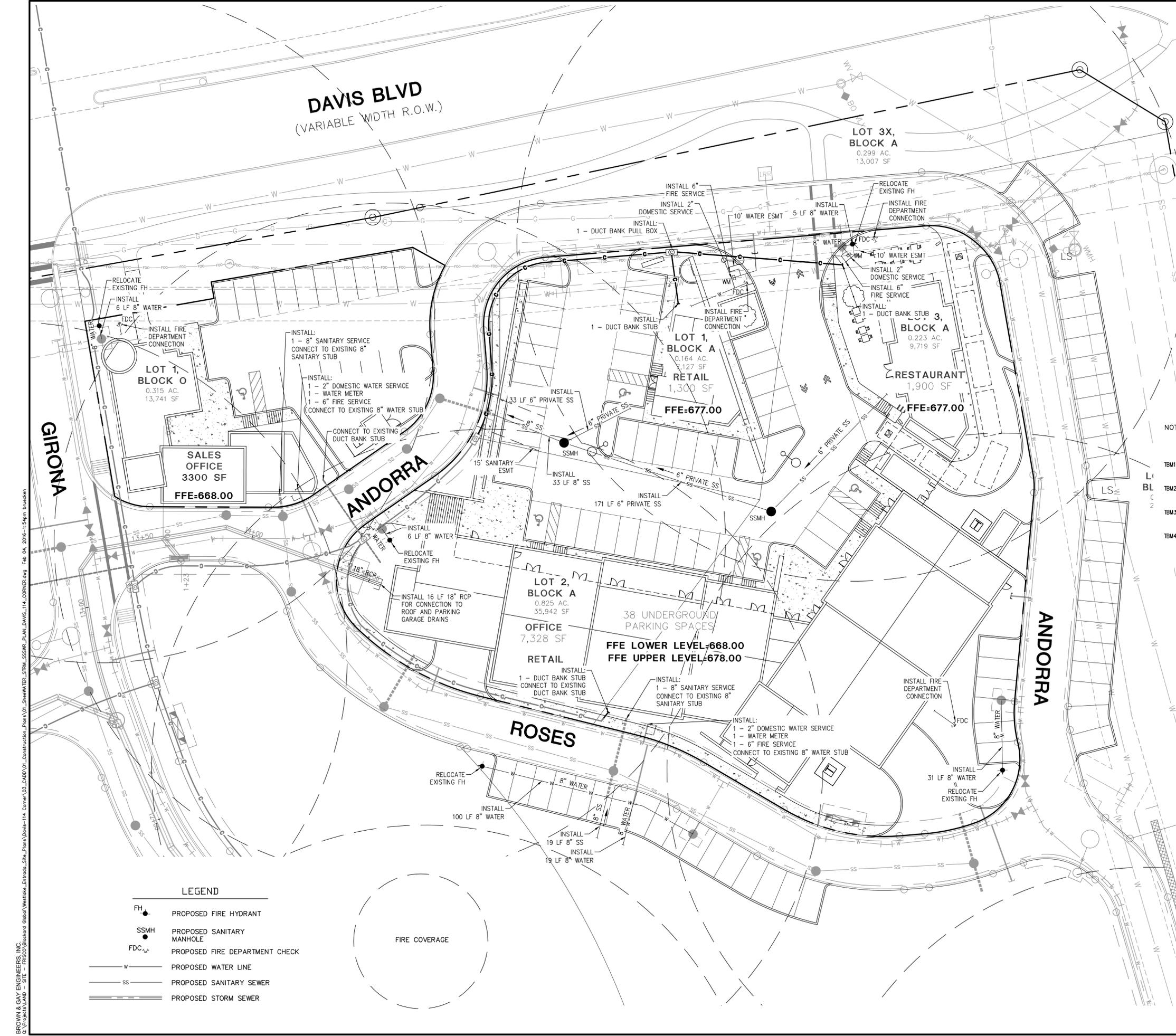
REVISIONS

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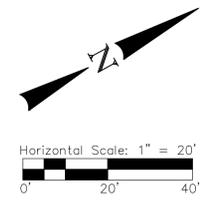
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Sheet No.
GRADING PLAN
C7

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 2595 Dallas Parkway, Suite 204, Frisco, TX 75034
 File: 04_2016-11_53pm_browngay
 Project: DAVIS/114 CORNER AT WESTLAKE ENTRADA
 Site: FRISCO/BLISSARD GOLF WESTLAKE ENTRADA



VICINITY MAP
(NOT TO SCALE)



- NOTE:
ALL WESTLAKE ENTRADA INFRASTRUCTURE ASSUMED AS EXISTING FOR THIS PLAN SET
- TBM1 - "C" Cut in median nose located ~ 700 feet southeast of intersection of Davis Blvd. and Dove Road. Elev. 668.96
 - TBM2 - "C" Cut in median nose at intersection of Davis Blvd. and Bull Way. Elev. 679.58
 - TBM3 - "C" Cut in median nose at intersection of Davis Blvd. and Bear Way. Elev. 683.26
 - TBM4 - "C" Cut in median nose located ~600 feet east of intersection of Davis Blvd. and Dove Road. Elev. 648.47

LEGEND

FH ●	PROPOSED FIRE HYDRANT
SSMH ●	PROPOSED SANITARY MANHOLE
FDC ◡	PROPOSED FIRE DEPARTMENT CHECK
— W —	PROPOSED WATER LINE
— SS —	PROPOSED SANITARY SEWER
====	PROPOSED STORM SEWER



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DAVIS/114 PD SITE PLAN PACKAGE
**DAVIS/114 CORNER
AT WESTLAKE ENTRADA**
BEING 1.733 ACRES
TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

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TEXAS REGISTERED ENGINEERING FIRM F-1046
WILLIAM R. JANNEY, P.E.
TEXAS REGISTRATION NO. 108663
JANUARY 14, 2016

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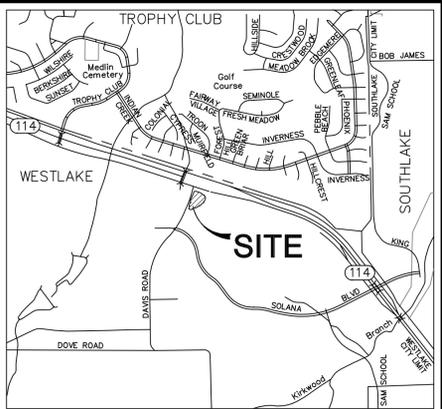
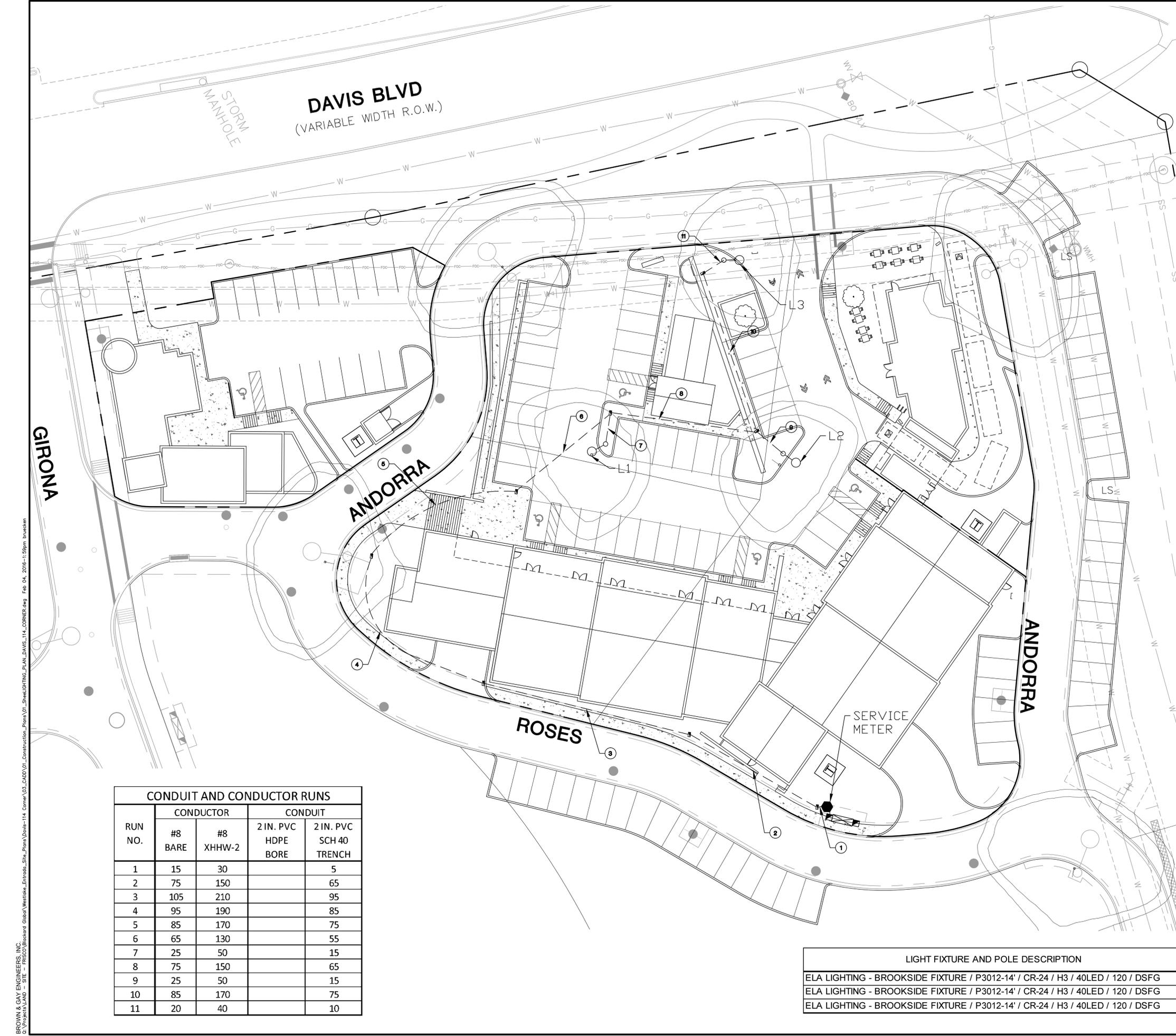
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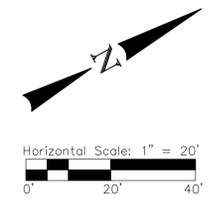
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WATER, STORM,
DUCTBANK &
SEWER PLAN
C8

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VICINITY MAP
(NOT TO SCALE)



- LEGEND**
- PROPOSED LIGHT POLE
 - PROPOSED TYPE A GROUND BOX WITH APRON
 - PROPOSED CONDUIT
 - TRANSFORMER (POWER SOURCE)
 - SERVICE METER
 - ILLUMINATED AREA (PHOTOMETRICS)
ALL AREAS OUTSIDE OF SHAPES ARE 0 FOOT-CANDLES, THE INNER SHAPE IS AT LEAST 0.2 FOOT-CANDLES AND THE OUTER RING IS 0.1 FOOT-CANDLES.

NOTES:
1. ALL WESTLAKE ENTRADA INFRASTRUCTURE ASSUMED AS EXISTING FOR THIS PLAN SET

CONDUIT AND CONDUCTOR RUNS				
RUN NO.	CONDUCTOR		CONDUIT	
	#8 BARE	#8 XHHW-2	2 IN. PVC HDPE BORE	2 IN. PVC SCH 40 TRENCH
1	15	30		5
2	75	150		65
3	105	210		95
4	95	190		85
5	85	170		75
6	65	130		55
7	25	50		15
8	75	150		65
9	25	50		15
10	85	170		75
11	20	40		10

LIGHT FIXTURE AND POLE DESCRIPTION	ILLUMINATION STRUCTURE ID	STATION	OFFSET (FEET)
ELA LIGHTING - BROOKSIDE FIXTURE / P3012-14' / CR-24 / H3 / 40LED / 120 / DSFG	L1		
ELA LIGHTING - BROOKSIDE FIXTURE / P3012-14' / CR-24 / H3 / 40LED / 120 / DSFG	L2		
ELA LIGHTING - BROOKSIDE FIXTURE / P3012-14' / CR-24 / H3 / 40LED / 120 / DSFG	L3		

BGE
Brown & Gay Engineers, Inc.
2595 Dallas Parkway, Suite 204
Frisco, TX 75034
Tel: 972-464-4800 • www.browngay.com
TBPE Registration No. F-1046
Contact: Will Janney
Tel: 972-464-4835
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DEVELOPER
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1800 Valley View Lane, Suite 300
Farmers Branch, TX 75234
Contact: Michael Beaty
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DAVIS/114 PD SITE PLAN PACKAGE
DAVIS/114 CORNER AT WESTLAKE ENTRADA
BEING 1.733 ACRES
TOWN OF WESTLAKE, TARRANT COUNTY, TEXAS

THESE PLANS ARE ISSUED FOR THE PURPOSE OF PRELIMINARY REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION. WHEN ISSUED IN FINAL FORM THEY WILL BE SEALED, SIGNED AND DATED.

RESPONSIBLE ENGINEER:
BROWN & GAY ENGINEERS, INC.
TEXAS REGISTERED ENGINEERING FIRM F-1046
SEAN P. MERRELL, P.E.
TEXAS REGISTRATION NO. 95803
MAY 5, 2015

CAUTION !!!
Contractor to Verify exact location & Depth of Exist Facilities Prior to any Construction Activities

CAUTION !!!
CONTACT: 1-800-DIG-TESS
48 HOURS PRIOR TO CONSTRUCTION

REVISIONS		
REV NO.	DATE	DESCRIPTION

DRAWN BY:
CHECKED BY:
DATE:
PROJECT NUMBER:

Sheet No.
LIGHTING & PHOTOMETRIC PLAN
C10

BROWN & GAY ENGINEERS, INC. G:\Projects\LAND - SITE - FRISCO\Brookside_Gabca\Westlake_Entrada_Site\Plan\DAVIS_114_Corner\03_CADD\01_Construction_Plan\01_SiteLighting_Plan_DAVIS_114_Corner.dwg Feb 04, 2016 - 1:59pm brueden



Project Name:	Type:
Notes:	Order Matrix Number:

Environmental Lighting for Architecture, Inc.

BROOKSIDE

The Brookside is an eight-sided lantern with a traditional "gothic" style. Suitable for pole, cross arm, wall, or pendant mounting conditions, the Brookside is the perfect specification for shopping malls, decorative street lighting, parking lots, government buildings, site and walkway lighting, libraries, museums, churches, high-end residential applications, and much more.

Constructed of high grade cast aluminum and protected with a durable powder-coated finish, the Brookside is built for the toughest of outdoor conditions. The Brookside can also meet the performance standards of today's high lighting demands. It's available with Type III or Type V optics; with the horizontal lamp configuration providing a cut-off for Dark Skies applications. Available in up to a maximum 250 watt Metal Halide or High Pressure Sodium, the Brookside can also accommodate today's Low-Energy requirements with up to 75 watt LED or 250 watt Induction sources while still maintaining excellent light output.

The Brookside offers a classic traditional look while meeting today's high performance standards for lighting.



Environmental Lighting for Architecture, Inc.

Ordering Matrix Brookside - BRK

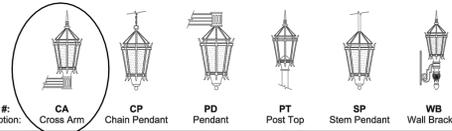
1	2	3	4	5	6	7	8	9
Fixture	Size	Mounting	Optics	Ballast	Voltage	Lens	Color	Option
BRK	18	PT	H5	150PSMH	120	FG	CY	--

1. Fixture: BRK
2. Size



Matrix #: 18
Description: Max Wattage 250W
Notes: 2.6
EPA: 40 lbs.
Weight:

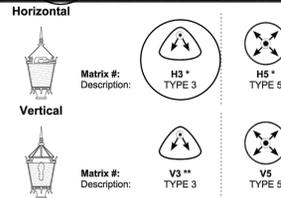
3. Mounting



Notes: 1. Please consult factory for Poles, Wall Brackets, and other mounting options.

Matrix #: CA Cross Arm, CP Chain Pendant, PD Pendant, PT Post Top, SP Stem Pendant, WB Wall Bracket

4. Optics



Notes: 1. 150W max lamping. 2. Other wattage and ballasts available. Consult factory.

5. Ballast

Matrix #:	Description:	Metal Halide (Watts / Type)	Metal Halide (Watts / Type)	High Pressure Sodium (Watts / Type)	Compact Fluorescent (Watts / Type)	Induction Bulb Type (Watts / Type)	Induction Tubular Type (Watts / Type)	Induction Circular Type (Watts / Type)
50PSMH	Pulse Start	50MH	50HPS	13CFL	35IB *	40T #	40C #	70C #
70PSMH	70MH	70HPS	18CFL	35IB *	40T #	40C #	70C #	80C #
100PSMH	T6 70MH	100HPS	26CFL	85IB *	100IB *			
150PSMH	100MH	150HPS	32CFL	100IB *				
175PSMH	T6 150MH	200HPS *	42CFL					
200PSMH	250MH *	250HPS *						
250PSMH *								

Notes: 1. Electronic ballast available for 50, 70, and 100 watt MH lamps. 2. Other wattage and ballasts available. Consult factory. * File vertical only. # File optics horizontal type 5 only.



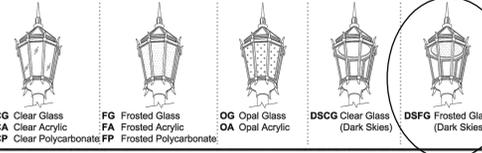
Environmental Lighting for Architecture, Inc.

Ordering Matrix Brookside - BRK

6. Voltage	Matrix #:	120 *	208	240	277 *	347	480
	Description:	120V	208V	240V	277V	347V	480V

* Only these voltages are available with LED.

7. Lens



Notes: 1. All glass is tempered flat glass.

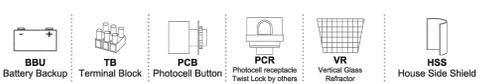
Matrix #: CG Clear Glass, CA Clear Acrylic, CP Clear Polycarbonate, FG Frosted Glass, FA Frosted Acrylic, FP Frosted Polycarbonate, OG Opal Glass, OA Opal Acrylic, DSCG Clear Glass (Dark Skies), DSFG Frosted Glass (Dark Skies)

8. Color

Matrix #	Description	Matrix #	Description	Matrix #	Description
AG	Augustine Green	MG	Malaga Green	CH	Cracked Hide
CY	Architectural Grey	MN	Midnight	LV	Light Verde
CC	Charcoal	PW	Pewter	DR	Old Iron
CY	Clay	SS	Sand Storm	R	Rust
DB	Dark Bronze	SB	Statuary Bronze	V	Verde
HR	Harbor Blue	VL	Village Green		
HP	Hammered Pewter	W	White		

Notes: Consult factory for custom colors.

9. Options



Notes: 1) BBU option is available for fluorescent lamp only. 2) Test button location shall have visibility for being on site. Consult factory for placement location.

Photocell Options: Photocell is available in 120 thru 480 volts. Photocell receptacle only fits some cross arms. Consult factory. Specify when ordering.

Fixture Ordering Example:



BRK/18/PT/H5/150PSMH/120/FG/CY

1	2	3	4	5	6	7	8	9
Fixture	Size	Mounting	Optics	Ballast	Voltage	Lens	Color	Option
BRK	18	PT	H5	150PSMH	120	FG	CY	-

Fixture Ordering Form:

1	2	3	4	5	6	7	8	9	9	9
Fixture	Size	Mounting	Optics	Lamp	Voltage	Lens	Color	Option	Option	Option
BRK	18	PT	H5	150PSMH	120	FG	CY	-	-	-



Environmental Lighting for Architecture, Inc.

Specifications and Elevated Scale Brookside - BRK

Specifications

Fixture Housing: One-piece sand-casting housing, cage, and hood. The castings shall be free of any foreign materials or cosmetic fillers. For wall and arm mounts, consult factory for installation.

Optics: For horizontal lamping, reflector units shall be hydroformed or segmented sharp cut-off optics. Specular Alzak optical segments are rigidly mounted, which attaches to the housing as a one-piece module. Reflectors are field rotatable in 90° increments. For vertical lamping, units shall utilize borosilicate glass refractors with open ends. Fully rotatable on site.

Electrical Module: All electrical components are UL and CSA recognized, mounted on a single plate and factory prewired. Quick-disconnect plug for the ballast module is standard with all ballast options. Reference pages 2 and 3 for lamp characteristics, ballast types, and voltage technical data.

Lens: All glass panels to be 1/8" thick tempered glass and shipped separately with gasketing supplied. The Dark Skies lens options shall be tempered glass, factory installed.

Finish/Color: Finish is super TGIC thermoset polyester powder coat paint. ELA offers RAL color matches along with our standard color selection. Custom and hand applied colors are available upon special request.

Certification: Fixtures shall be listed for outdoor, wet location. UL1598. IP rating 65.

CAUTION: Fixtures must be grounded in accordance with national, state, and/or local codes. Failure to do so may result in serious personal injury.

ELA RESERVES THE RIGHT TO CHANGE SPECIFICATIONS WITHOUT NOTICE.

Elevated Scale

Suggested Poles and Arms for the Brookside Fixture



Fixture:	BRK/18/WB	BRK/18/PT	BRK/18/PT	BRK/18/CA	BRK/18/CA	BRK/18/PT	BRK/18/WB
Arm:	BR26	CR10A	CR10A	CR10A	CR10A	CR10A	BR13
Pole:	P3041-8'	P4014B-10'	P3025D-14'	P3020B-16'	P3020B-16'	PM601	BR13

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CONTACT: 1-800-DIG-TESS
48 HOURS PRIOR TO CONSTRUCTION

REVISIONS		
REV NO.	DATE	DESCRIPTION

DRAWN BY: _____
CHECKED BY: _____
DATE: _____
PROJECT NUMBER: _____

Sheet No. _____
LIGHTING DETAILS

C11

BROWN & GAY ENGINEERS, INC. 01/11/15 11:58am C:\Projects\LAND SITE - FRISCO\Brookside_Gobal\Westlake_Entrada_Site_Plans\Davis\Davis_114_Corner.dwg Feb 04, 2016 - 11:58am brucekenn



TYPE OF ACTION

Regular Meeting - Action Item

Monday, February 22, 2016

TOPIC: Conduct a Public Hearing and consideration of an Ordinance amending Chapter 26 of the Code of Ordinances by providing for the selection of a Chair and Vice Chair and Presiding Member.

STAFF CONTACT: Tom Brymer, Town Manager

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Transparent / Integrity-driven Government	Citizen, Student & Stakeholder	High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards.	Optimize Planning & Development Capabilities
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 22, 2016 **Completion Date:** February 22, 2016

Funding Amount: 00.00 **Status -** **Not Funded** **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

This ordinance amends Chapter 26 allowing for the Commission to appoint a Vice Chairman to serve in the absence of the Chairman.

RECOMMENDATION

Staff recommends approval of this change to Chapter 26 allowing the Commissioners to select a Vice Chairman.

ATTACHMENTS

Ordinance

ORDINANCE NO. 772

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING CHAPTER 26 “COMMUNITY DEVELOPMENT,” OF THE CODE OF ORDINANCES OF THE TOWN OF WESTLAKE, TEXAS BY AMENDING CHAPTER 26, SECTION 26-67(B)(6) CONCERNING THE POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION BY PROVIDING FOR THE SELECTION OF A CHAIR, VICE-CHAIR AND PRESIDING MEMBER; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND MAKING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law Town; and

WHEREAS, all legal requirements of state statutes and Town ordinances of the Town of Westlake, as well as all legal requirements and legal notices and prerequisites having been complied with; and

WHEREAS, the Town Council of the Town of Westlake, Texas, at a public hearing called at a regular session of the Town Council did consider the following factors in making a determination as to whether the requested change should be granted or denied: congestion in the streets, including safety of the motoring public and the pedestrians using the facilities in the area; to secure safety from fire, panic or other dangers; the promotion of health and the general welfare, to provide for adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of the population, facilitating the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

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

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

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

SECTION 2: That Section 26-67 “Planning and Zoning Commission” subsection (b) “*Powers and duties.*” is hereby amended by deleting the current subsection 26-67(b)(6) and replacing it with the following:

Section 26-67(b)(6) “To select a planning and zoning commission chair and vice-chair; and by providing that in the absence of both the chair and vice-chair, the meeting may be presided over by the member with the longest tenure on the Commission;”

SECTION 3: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with

the terms or provisions of this Ordinance are hereby repealed.

SECTION 4: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) or Five Hundred (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 7: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 22nd DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney



TYPE OF ACTION

Regular Meeting - Action Item

Monday, February 22, 2016

TOPIC: Conduct a Public Hearing and Consideration of an Ordinance Approving an Amendment to the Code of Ordinances, Chapter 102 Section 102-31(A) “Zoning Map”; Providing for Interpretation, Purpose and Conflict.

STAFF CONTACT: Eddie Edwards, Director of Planning and Development

Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme & Results</u>	<u>Outcome Objective</u>
Planned / Responsible Development	N/A	High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards.	Preserve Desirability & Quality of Life
<u>Strategic Initiative</u>			
Outside the Scope of Identified Strategic Initiatives			

Time Line - Start Date: February 15, 2016 **Completion Date:** February 22, 2016

Funding Amount: 00.00 **Status -** **Not Funded** **Source -** N/A

EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

Section 102-31 of the Code of Ordinances references Exhibit A of Ordinance 521 as the Official Zoning Map of the Town of Westlake, a reference which is obsolete and no longer accurate. This proposed amendment updates Section 102-31(A) to remove the reference to Ordinance 521 and align this subsection with current best practices. Further, this amendment increases transparency by specifying where an up-to-date Official Zoning Map can be found and who is responsible for its retention. A copy of the Official Zoning Map is also available on the Town website at <http://westlake-tx.org/DocumentCenter/Home/View/113>.

The Official Zoning Map is in the process of being updated to accommodate the recent annexation and zoning of the property located at 2205 and 2217 Pearson Lane and may be further modified if the proposed rezoning of PD 3-5 moves forward. Note that the proposed amendment in no way mitigates any notification, public hearing, or approval processes required for the zoning or rezoning of any property.

RECOMMENDATION

Staff recommends approval of this amendment.

ATTACHMENTS

1. Current language of Chapter 102 Section 102-31(A) regarding the Official Zoning Map and proposed language to amend Chapter 102 Section 102-31(A) regarding the Official Zoning Map.
2. Corresponding ordinance for approval

1. Current language of Chapter 102 Section 102-31(A) regarding the Official Zoning Map:

Sec. 102-31. - Zoning map.

(a) Designated; rezoning of property. Exhibit A attached to Ordinance No. 521 is hereby adopted as the Official Zoning Map of the Town of Westlake and shall be identified and maintained by the town in accordance with the provisions of this chapter, as amended from time to time. The Official Zoning Map incorporates the rezoning of properties in the town to conform with the Comprehensive Plan and this chapter.

2. Proposed language to amend Chapter 102 Section 102-31(A) regarding the Official Zoning Map:

Section 102-31. - Zoning Map.

(a) “*Designated; rezoning of property.*” (1) The boundaries of the zoning district set out herein are delineated upon a zoning district map of the town; duly adopted by the Town Council and adopted as part of this chapter as fully as if the same were set forth herein in detail.

(1) One original of the official zoning district map shall be filed in the office of the town secretary. This map shall be the official zoning district map and shall bear the signature of the mayor and attestation of the town secretary. In case of any question, this map, together with any amending ordinances, shall be controlling.

(2) A copy of the zoning district may also be placed in the office of the town planner. The copy may be used for reference and if so used, shall be maintained up-to-date by posting thereon all subsequent amendments. Reproductions for informational purposes may be made of the official zoning district map.

ORDINANCE NO. 773

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, AMENDING CHAPTER 102 “ZONING,” OF THE CODE OF ORDINANCES OF THE TOWN OF WESTLAKE, TEXAS BY AMENDING CHAPTER 102, SECTION 102-31(A) “ZONING MAP”; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND MAKING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law Town; and

WHEREAS, all legal requirements of state statutes and Town ordinances of the Town of Westlake, as well as all legal requirements and legal notices and prerequisites having been complied with; and

WHEREAS, the Town Council of the Town of Westlake, Texas, at a public hearing called at a regular session of the Town Council did consider the following factors in making a determination as to whether the requested change should be granted or denied: congestion in the streets, including safety of the motoring public and the pedestrians using the facilities in the area; to secure safety from fire, panic or other dangers; the promotion of health and the general welfare, to provide for adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of the population, facilitating the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

WHEREAS, upon the recommendation of the Planning & Zoning Commission, the Town Council of the Town of Westlake, Texas is of the opinion that it is in the best interest of the town and its citizens that the amendments should be approved and adopted.

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

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

SECTION 2: That Section 102-31 “Zoning Map” subsection (a) “*Designated; rezoning of property.*” is hereby amended by deleting the current subsection 102-31(a) and replacing it with the following:

Section 102-31 Zoning Map. (a) “*Designated; rezoning of property.*” (1) The boundaries of the zoning district set out herein are delineated upon a zoning district map of the Town; duly adopted by the Town Council and adopted as part of this chapter as fully as if the same were set forth herein in detail.

(1) One original of the official zoning district map shall be filed in the office of the Town Secretary. This map shall be the official zoning district map and shall bear the signature of the mayor and attestation of the Town Secretary. In case of any question, this map, together with any amending ordinances, shall be controlling.

(2) A copy of the zoning district may also be placed in the office of the town

planner. The copy may be used for reference and if so used, shall be maintained up-to-date by posting thereon all subsequent amendments. Reproductions for informational purposes may be made of the official zoning district map.

SECTION 3: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 4: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) or Five Hundred (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 7: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

PASSED AND APPROVED ON THIS 22nd DAY OF FEBRUARY 2016.

ATTEST:

Laura Wheat, Mayor

Kelly Edwards, Town Secretary

Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney

Town Council

Item # 13 – Future Agenda Items

FUTURE AGENDA ITEMS: Any Council member may request at a workshop and / or Council meeting, under “Future Agenda Item Requests”, an agenda item for a future Council meeting. The Council Member making the request will contact the Town Manager with the requested item and the Town Manager will list it on the agenda. At the meeting, the requesting Council Member will explain the item, the need for Council discussion of the item, the item’s relationship to the Council’s strategic priorities, and the amount of estimated staff time necessary to prepare for Council discussion. If the requesting Council Member receives a second, the Town Manager will place the item on the Council agenda calendar allowing for adequate time for staff preparation on the agenda item.

NONE

Town Council

Item # 14 – Adjournment
Regular Session
