



**DOUBLE OAK**

Town of Double Oak  
Town Council –Public Meeting  
Double Oak Town Hall  
320 Waketon Road, Double Oak  
TX 75077  
Monday, November 6, 2023  
7:00 p.m.

*OUT OF RESPECT FOR ALL THOSE IN ATTENDANCE, PLEASE REFRAIN FROM TALKING TO OTHER MEMBERS OF THE AUDIENCE DURING THE MEETING AND SILENCE CELL PHONES.*

- I. Opening:** Call to Order  
Roll Call  
Invocation  
Pledge of Allegiance – American Flag  
Pledge of Allegiance – Texas Flag

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

***RECOGNITION OF  
ERIK EICHINGER  
FIRE CHIEF OF THE DOUBLE OAK VOLUNTEER FIRE  
DEPARTMENT***

**II. Citizen Comments-Non-Agenda Subjects**

- III. Consent Agenda** - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration and action on minutes of October 16, 2023. \*
2. Consideration, and action on a resolution recognizing November 6-10 as Municipal Court Week.\*
3. Consideration and action Dell Server extended warranty valid through 12/14/2025.\*

**IV. Mayor, Council Members, and Staff reports:**

4. Mayor and Council
5. Public Works - Code Enforcement – Animal Control
6. Administration
7. Public Safety
8. Roads Committee
9. Drainage Committee

**V. New business agenda (consideration and action):**

10. Consideration and Action on accepting the resignation of Mayor Pro Tem Connie Schoenrade  
  
Presentation: Mayor Patrick Johnson
11. Discussion, consideration, and action on filling vacant Council seat.  
  
Presentation: Mayor Patrick Johnson
12. Discussion, consideration, and action on selection of Mayor Pro-Tem.  
  
Presentation: Mayor Patrick Johnson
13. CONTINGENT ITEM ONLY: Discussion, consideration, and action on selection of Deputy Mayor Pro-Tem (This is a contingent item only regarding if the current Deputy Mayor Pro-Tem is voted into the Mayor Pro-Tem position, will council act on this item)  
  
Presentation: Mayor Patrick Johnson
14. Public hearing on a request from Stacey Thompson to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas being known and described as Nelson Estates Block A, Lot 2 or 260 Simmons Road.
15. Discussion, consideration, and action on a request from Stacey Thompson to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas being known and described as Nelson Estates Block A, Lot 2 or 260 Simmons Road.  
  
Presentation: Assistant Town Secretary Lynn Jones
16. Discussion, consideration, and action on an ordinance to move all line items relating to the IT Administrator from account 560000-Municipal Court to 520000-Administrative and amend the FY 2023-2024 budget.\*  
  
Presentation: Town Secretary Eileen Kennedy
17. Discussion, consideration, and action on Amendment No. 3 to Interlocal Cooperation Agreement between Denton County, Texas, and the Town of Double Oak, Texas.\*  
  
Presentation: Mayor Patrick Johnson

**VI. Old business agenda (consideration and action):**

18. Discussion, consideration, and action on an Ordinance adopting Code of Ethics.

Presentation: Deputy Mayor Pro Tem Mike Gwartney

19. Discussion, consideration, and action on a time track/payroll system.

Presentation: Council Member Pat Wellen

20. Discussion, consideration, and action on an upgrade to the sound system in the Pavilion.

Presentation: Council Member Mark Dieterich

21. Council - staff announcements and comments:

- Voting at Town Hall for the November 7, 2023, General and Special Election.
- In honor of Town's Veterans, Happy Veterans Day on Friday, November 11. Thanks to all who served.
- Town Hall will be closed Friday, November 10 in observance of Veterans Day.
- Congratulations to Reserve Police Officer Lanis Broderick on his 2-year anniversary with the Town on November 3.
- Congratulations to Brian Shults on his 16-year anniversary with the Town on November 12.
- Congratulations to Joe Scalco on his 1-year anniversary with the Town on November 21.
- DOWC Annual Auction on November 4 benefiting the DOVFD.
- Annual Double Oak Turkey Trot will be Thanksgiving morning, Thursday, November 23, 2023

22. Adjournment

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into a closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney, or on any other item covered under the code, on any agenda item listed herein.

The Town of Double Oak reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

I certify that the above notice of meeting was posted by Friday, November 3, 2023, by 4:00 p.m. on:

- 1) Bulletin board located to the right of the front door at Town Hall, 320 Waketon Road, Double Oak, Texas.

2) On the Town's website (<https://www.doubleoak.texas.gov>)



Town Secretary

**PUBLIC PARTICIPATION** If you wish to address the Council, please sign the “CITIZENS WHO WISH TO SPEAK TO THE TOWN COUNCIL” sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464, fax 972.539.9613 or email to [eileen.kennedy@doubleoak.texas.gov](mailto:eileen.kennedy@doubleoak.texas.gov) for additional information.

**UNAPPROVED-NOT FOR PUBLICATION**

**STATE OF TEXAS  
COUNTY OF DENTON  
TOWN OF DOUBLE OAK**

The Double Oak Town Council met in regular session at 7:00 p.m. Monday, October 16, 2023, at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Patrick Johnson	Mayor
Mike Gwartney	Deputy Mayor Pro-Tem
Jean Hillyer	Council Member
Pat Wellen	Council Member
Mark Dieterich	Council Member

Mayor Pro-Tem Connie Schoenrade was absent. Also in attendance were Town Secretary Eileen Kennedy, Assistant Town Secretary Lynn Jones, Public Services Randall Anglin, and Police Chief Ruben Rivas.

- I. Opening:** Call to Order  
Roll Call  
Invocation  
Pledge of Allegiance – American Flag  
Pledge of Allegiance – Texas Flag

**II. Citizen Comments Non-Agenda Subjects**

Jaquelyne Barrow, 200 Oak View Drive, Topic: Tx. Local Government Code 22.008  
Phyllis Meyerson, 130 East View Court, Topic: Garage doors

- III. Consent Agenda** - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration and action on minutes of September 18, 2023. \*
2. Consideration and action on minutes of September 21, 2023. \*
3. Consideration and action on minutes of September 25, 2023. \*
4. Consideration and action on a proclamation recognizing October as National Breast Cancer Awareness Month. \*
5. Consideration and action on a proclamation recognizing October as Domestic Violence Awareness Month. \*
6. Consideration and action on an inter-local agreement between Denton County and the Town of Double Police and Volunteer Fire Departments for the use of the Denton County Radio Communications System. \*

Council Member Hillyer asked that item 2 be removed from the Consent Agenda and Council Member Wellen asked to remove item 3.

Motion Hillyer seconded by Wellen to approve items 1, 4, 5 and 6 of the Consent Agenda.

AYE: Hillyer Wellen, Gwartney, Dieterich  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

Motion Wellen seconded by Dieterich to approve item 2 of the Consent Agenda.

AYE: Gwartney, Dieterich, Wellen  
NAY: None  
ABSTAIN: Hillyer

Motion carried 3-0-1

Motion Hillyer seconded by Dieterich to approve item 3 of the Consent Agenda.

AYE: Dieterich Gwartney, Hillyer  
NAY: None  
ABSTAIN: Wellen

Motion carried 3-0-1

**IV. Mayor, Council Members, and Staff reports:**

7. Mayor and Council
8. Public Works - Code Enforcement – Animal Control
9. Administration
10. Public Safety
11. Roads Committee
12. Drainage Committee

**V. New business agenda (consideration and action):**

13. Discussion, consideration, and action on a local agreement respecting forfeited contraband under Chapter 59 and Article 18.18, Texas Code of Criminal Procedure, Denton County, Texas.

Motion Hillyer seconded by Dieterich to approve the local agreement respecting forfeited contraband under Chapter 59 and Article 18.18, Texas Code of Criminal Procedure, Denton County, Texas.

AYE: Dieterich, Hillyer, Wellen, Gwartney  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

14. Discussion and consideration of an Ethics Policy.

After discussion, no action was taken.

15. Discussion and consideration on a time track/payroll system.

After discussion, no action was taken.

16. Discussion, consideration, and action on an upgrade to the sound system in the Pavilion.

Motion Hillyer seconded by Dieterich to postpone action to the November 6, 2023, Council meeting.

AYE: Hillyer Dieterich, Gwartney, Wellen  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

**VI. Old business agenda (consideration and action):**

17. Council - staff announcements and comments:

- Congratulations to Cody Leinweber on his 9-year anniversary with the Double Oak Police Department
- Congratulations to Rosie Riojas on her 4-year anniversary with the Double Oak Police Department
- Congratulations to Brett Bourgeois on his 12-year anniversary with the Double Oak Police Department

18. Adjournment

Double Oak Town Council  
Regular Meeting  
October 16, 2023  
Page 4

With no further business to come before the Council, motion Hillyer, second Schoenrade, the meeting was adjourned at 8:39p.m.

Approved:

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Patrick Johnson, Mayor

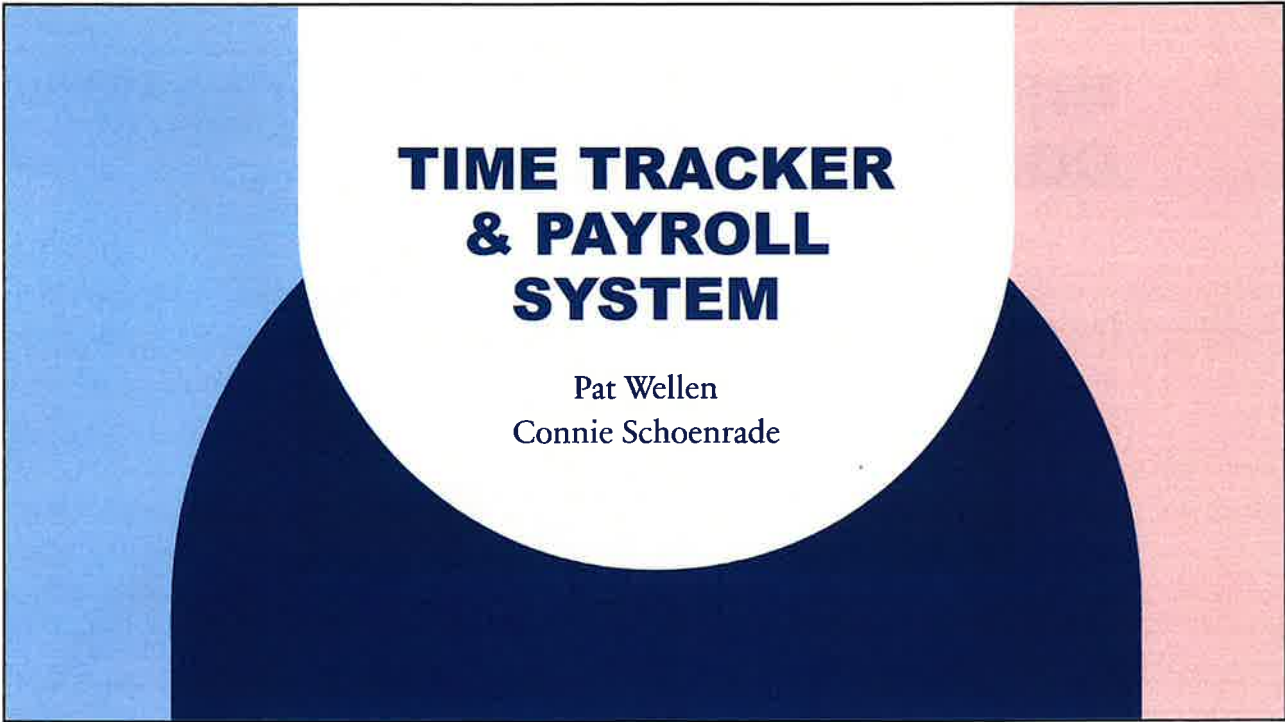
Attest:

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Eileen Kennedy, Town Secretary







# **DISCUSSION & CONSIDERATION**

Introduction

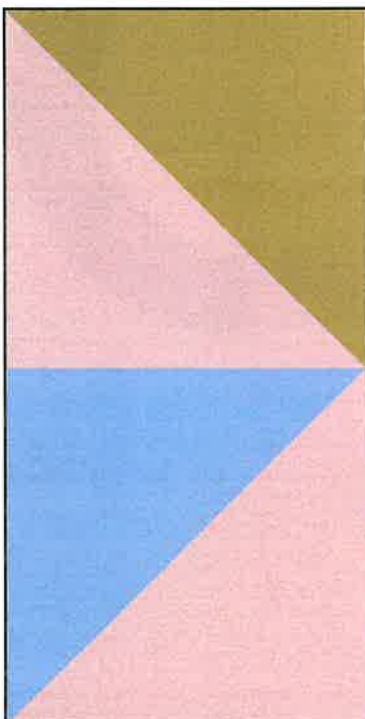
Primary goals

System Comparisons

Employee Feedback

Summary





Time Tracker & Payroll System 3

## INTRODUCTION

- Double Oak employees 14 full time staff and 3 paid PT reserve officers.
- Human Resource functions are added to the responsibilities of a few, increasing workload and taking away from other important tasks.
- The current system is very manual: tracking of hours, paper submitted timesheets, data entry of time, email time off requests, manual tracking of time taken from accruals, and moving payroll amounts entered into the accounting software.
- Requested reports on time off and payroll often must be manually constructed.
- The mayor is dependent on the town staff to keep him apprised of attendance and time off because he is responsible and accountable for his supervisory functions of department heads.



# PRIMARY GOALS

- Automate a time tracking system for better efficiency and accuracy
- Reduce potential human error and ensure compliance
- Empower employees to have more control of paycheck and plan time off based on accruals which would be readily visible
- Allow supervisors/mayor to approve time off quickly and remotely

**SYSTEM  
COMPARISON**

- BambooHR
- PayCom
- QuickBooks Time

# SYSTEM COMPARISONS

	Time Tracker	Time Off Request & Approval	Calendar view	Dedicated support	Employee empowered	Report functions	E - signatures	**Add on functions	Payroll interface with QB	contract	Annual Cost (14 employees)
BambooHR	Yes	Yes	Yes	Yes-account rep	Yes	Yes	Yes	Yes	manual	no	\$4608/yr + \$537 setup & training
*PayCom	Yes	Yes	Yes	Yes – account rep	Yes “BETI”	Push reports Custom reports	Yes	Yes	Yes	no	\$5400/yr \$1800 set up 1x
QuickBooks Time	Yes	Yes	Yes	Call desk or online chat - \$50 per month for live help	Review time sheet	Yes	no	no	Yes	no	\$2,160/yr plus set up fee (base fee is 1 admin)

**\*Vendor will collect and pay taxes on behalf of Double Oak, guarantees compliance and 100% covers any non-compliance issues for client**

\*\*Optional add on functions available such as Benefits, HR profiles, training records, Performance Evaluations, Onboarding/Offboarding of new employees, employee satisfaction.  
Calendar options allow for scheduling visibility to allow for coverage planning and managers knowing who is on/off schedule.

Each system will involve 1 x set up fee. PT employees will not be included and continue as manual checks due to limited hours for cost

# EMPLOYEES HAVE REVIEWED AND COMMENTED

## ADMIN & REPORTS

LIKE PUSH REPORT AND CUSTOM REPORT FUNCTIONS

SEEMS MORE EFFICIENT

LESS PAPERWORK OF HR FUNCTIONS

STUDIES: AUTOMATED, WILL ALLOW REPORTS ON OVERTIME THAT CAN HELP IN DETERMINING LABOR NEEDS

## TIME TRACKING

FEELS LIKE MICROMANAGEMENT

WORRIED ABOUT OVERTIME FROM SELF-MANAGEMENT

DON'T SEE A NEED FOR A TIME TRACKING SYSTEM

WILL HELP MANAGE THE FORGETFUL EMPLOYEES

## TIME OFF REQUESTS

WOULD ELIMINATE THE MANUAL "HONOR SYSTEM"

AUTOMATES APPROVAL FUNCTION SO MANAGERS CAN SEE REQUESTS QUICKLY, APPROVE/DISAPPROVE

ACCRUALS ARE DEBITED ACCURATELY ACCORDING TO POLICY

EMPLOYEE CAN SEE THEIR ACCRUALS 24/7

## PAYROLL FEATURES

AUTOMATICALLY CREATES PAYROLL

ELIMINATE MANUAL FICA REDISTRIBUTION

TIME SAVINGS, REDUCE HUMAN ERROR, ACCURATE FINANCIAL REPORTS PAYCHECKS CAN BE PREVIEWED FOR ACCURACY

# PLAN FOR SYSTEM LAUNCH





## AREAS OF FOCUS

### TIME TRACKER/TIME OFF REQUEST

- Employees check in/check out with virtual time clock
- Employees can review accrued time available, submit for time off request, receive quick response and time is accrual is automatically updated
- Policies, OT and holiday payrates can be preset in system for accurate pay
- Assures accuracy and state compliances

### PAYROLL

- Automatically generates payroll
- Can customize reports
- Employees can preview and approve checks
- Some systems allow for employees to change tax with-holdings in real-time and see impacts

**Process efficiencies and allows staff to do other essential duties**

**Employee empowerment, accrual visibility and accountability**

**Provides managers ease of approval process, calendar visibility of staffing**

**Deters Time theft - Taxpayers can be confident in government and closes the gap in employee accountability for work time**

# SUMMARY

- Employee salaries and benefits are **58%** of current budget
- This supports efforts for fiscal responsibility in assuring that employees are paid accurately and in accordance with accruals of paid/unpaid time off policies.
- This supports employees by giving them up-to-date information about their pay, benefits, and time off accrued at any time they choose without having to ask.
- Double Oak has a government body that is accountable to the taxpayer to ensure all functions – including HR - are monitored and managed in a disciplined and accurate way – embracing the technologies available that help us comply with state and federal employment laws.
- The current system of requests and payroll require manual entry, paperwork processing, and self-monitoring of compliance which leaves the room for loss, missed requests, none requests, and administrative use of time to correct errors and redistribute amounts within the accounting system.



	Police officers salaries	
	2022_23	2023_24
Budget for 7 officers	\$ 513,517.56	\$ 546,896.20
Salaries for 6 officers	\$ 438,325.00	
Budget left for new hire	\$ 75,192.56	
raise eligible salaries	\$ 438,325.00	
Total Raise \$		\$ 33,378.64
average for 6 officers		\$ 5,563.11
percent raise		7.6%
While council approved a 6.5% raise in the budgeted amount for officer salaries, only 6 were eligible for raises meaning the effective rate for officers raises was 7.6%.		

**RESOLUTION NO. 23-08**

**IN RECOGNITION OF MUNICIPAL COURT WEEK**

**November 6-10, 2023**

**A RESOLUTION RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE  
RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE**

WHEREAS municipal courts play a significant role in preserving public safety and promoting quality of life in Texas;

WHEREAS more people come in contact with municipal courts than all other Texas courts combined, and public impression of the Texas judicial system is largely dependent upon the public’s experience in municipal court;

WHEREAS, the Town of Double Oak has hosted the Double Oak Municipal Court since September 10, 1979;

WHEREAS state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Double Oak Municipal Court is a state court, and its judges are members of the state judiciary;

WHEREAS the procedures for the Double Oak Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas;

WHEREAS the Town of Double Oak is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary;

WHEREAS Double Oak Municipal Judges are not policy makers for the Town of Double Oak but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the Town Council, town officials, and employees;

WHEREAS the Town Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Double Oak Municipal Court in complying with such legal requirements.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS THAT THE WEEK OF NOVEMBER 6-10, 2023, IS HEREBY RECOGNIZED AS MUNICIPAL COURT WEEK IN RECOGNITION OF THE FAIR AND IMPARTIAL JUSTICE OFFERED TO OUR CITIZENS BY THE MUNICIPAL COURT OF DOUBLE OAK.

PASSED AND APPROVED ON THIS THE 6 DAY OF November, 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY



## MONTHLY REPORT AUGUST 2023

08/04: Patrol from 09:40 until 11:40. No activity.

08/05: Patrol from 08:30 until 10:30. No activity.

08/10: Patrol from 08:50 until 10:50. No activity.

08/14: Patrol from 16:00 until 18:00. No activity.

08/19: Patrol from 12:30 until 14:30. No activity.

08/20: Patrol from 10:00 until 12:00.  
Private trap service at 200 Timberview Lane. Relocated.

08/21: Patrol from 0830 until 10:30. No activity.

08/23: Patrol from 11:20 until 13:20. No activity.

08/26: Patrol from 15:00 until 17:00. No activity.

08/30: Patrol from 10:55 until 12:55. No activity.

### SUMMARY

Total calls received:	1	By Double Oak residents:	1	Initiated by NTACA:	0
Animals impounded:	Dogs: 0	Puppies:	0	Cats:	0
		Kittens:	0	Other:	0
Verbal Warnings issued:	0	Written Warnings issued:	0	Citations:	0

# Double Oak, TX PD (TXC)

## Citation Offense Count

October 1, 2023 - October 31, 2023

Official: All

Official Assignment:

Type of Stop: All

Stop Result: All

STEP: All

Offense Description	Offense Stop Result	
	CITATION	WARNING
BIKE RIDER-HAZARDOUS TRAFFIC VIOLATION	1	
DEFECTIVE HEAD LAMPS	2	14
DEFECTIVE STOP LAMP(S)		1
DEFECTIVE TAIL LAMP(S)		9
DISPLAY UNCLEAN/OBSCURED LICENSE PLATES		1
DISREGARD OFFICIAL TRAFFIC CONTROL DEVICE	1	
DROVE WITHOUT LIGHTS (WHEN REQUIRED)		9
EXPIRED OPERATORS LICENSE	1	
EXPIRED REGISTRATION	7	5
FAIL TO DISPLAY DRIVER'S LICENSE		3
FAIL TO DISPLAY VEHICLE CURRENT YEAR/REGISTRATION STICKER	1	4
FAIL TO DRIVE IN SINGLE LANE		1
FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	7	
FAILED TO SIGNAL TURN		2
FAILED TO SIGNAL TURN / LANE CHANGE	1	1
FAILED TO STOP AT DESIGNATED POINT (STOP SIGN)	2	7
FOLLOWING TOO CLOSELY		1
IMPROPER FLASHING LIGHTS	1	
NO DRIVER'S LICENSE	5	
NO LICENSE PLATE LIGHT		12
NO TX DL 90 DAYS		1
RAN STOP SIGN	4	10
SOLICITOR PERMIT (NONE)		2
SPEEDING > 10% ABOVE POSTED LIMIT	65	100
SPEEDING IN A SCHOOL ZONE MPH in a MPH zone	13	18
TURNED RIGHT FROM WRONG LANE	1	
UNRESTRAINED CHILD (8-16)	1	
USE EQUIPMENT NOT APPROVED/WINDOW TINT		1
<b>Grand Total</b>	<b>113</b>	<b>202</b>





## Double Oak Police Department

Calls for Service  
10/01/2023 – 10/31/2023



1	CLOSE PATROL	326
2	TRAFFIC	285
3	VACATION CHECK	137
4	BUILDING CHECK	128
5	WELFARE CONCERN	9
6	MEET COMPLAINANT	8
7	OPEN DOOR	7
8	ALARM	7
9	SUSPICIOUS PERSON/VEHICLE/ACTIVITY	6
10	TRAFFIC TRANSPORTATION INCIDENT (LAW)	5
11	AGENCY ASSIST	5
12	ADMINISTRATIVE DUTY	3
13	ORDINANCE VIOLATION	3
14	FOLLOW UP INVESTIGATION	3
15	MOTOR/BOATER ASSIST	2
16	NOISE COMPLAINT	1
17	HANG UP 911	1
18	LOOSE LIVESTOCK	1
19	PSYCH OR SUICIDE ATTEMPT (LAW)	1
20	RECKLESS DRIVER/BOATER	1
21	REPOSSESSION	1
22	ROAD BLOCKAGE HAZARD	1
23	ALARM HOLDUP/PANIC/SILENT	1
24	ANIMAL COMPLAINT	1
25	CRIMINAL MISCHIEF	1
26	DISTURBANCE	1
27	DISTURBANCE DOMESTIC	1
28	THEFT	1
29	VEHICLE COMPLAINT	1
30	WALK THRU	1
	Total	949



**COUNCIL MEETING  
AGENDA ITEM #  
November 6, 2023**

**PUBLIC HEARING:** Public hearing on a request from Stacey Thompson to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas being known and described as Nelson Estates Block A, Lot 2 or 260 Simmons Road.

**AGENDA ITEM:** Consideration and action on a request from Stacey Thompson to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas being known and described as Nelson Estates Block A, Lot 2 or 260 Simmons Road.

**STAFF CONTACT:** Lynn

**DESCRIPTION:** Ms. Thompson is requesting that her property zoning be changed from Agriculture 1 to Ranch Estates so work can be done on the house..

**ATTACHMENTS:** Application for zoning change  
Letter from Ms. Thompson  
Map showing the location of the property  
Current zoning AG1 – surrounding properties are RE  
AG1 and RE zoning district information from Code of Ordinances  
Legal Ad of public hearing notice and letter to property owners  
Zoning change sign placed at 260 Simmons Road  
Ordinance changing zoning

**RECOMMENDED  
ACTION:** Approval as recommended by the Planning and Zoning  
Commission.  
7 ayes  
0 nays

**TOWN OF DOUBLE OAK, TEXAS  
ORDINANCE**

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK AMENDING THE COMPREHENSIVE ZONING ORDINANCE, PLAN AND OFFICIAL ZONING MAP FOR THE TOWN BY CHANGING THE ZONING FROM AGRICULTURE 1 (AG-1) TO RANCH ESTATES (RE) ON A TRACT OF LAND LOCATED AT 260 SIMMONS ROAD AND DESCRIBED AS BLOCK A, LOT 2 NELSON ESTATES TOWN OF DOUBLE OAK, DENTON COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; DIRECTING THE TOWN SECRETARY TO CHANGE THE ZONING MAP ACCORDINGLY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the property described herein has made application for a change in zoning, requesting that the subject property be rezoned from Agriculture 1 (AG-1) to Ranch Estates (RE); and

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

**WHEREAS**, after due deliberation and consideration of the information submitted during the public hearings and the consideration of the recommendation of the Planning and Zoning Commission, the Town Council has concluded that the adoption of this Ordinance is in the best interest of the health, safety, and welfare of the citizens of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS;**

**Section 1**

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

## **Section 2**

That the Comprehensive Zoning Ordinance, Plan and Map of the Town of Double Oak, Texas, heretofore duly passed by the governing body of the Town, as heretofore amended, be and the same are hereby amended by granting a change in zoning from Agriculture 1 (AG-1) to Ranch Estates (RE) a tract of real property located at 260 Simmons Road and described as Block A, Lot 2 Nelson Estates, Town of Double Oak, Denton County, Texas, and being more specifically described in Exhibit "A" attached hereto and incorporated herein (hereinafter the "Property").

## **Section 3**

That the Property shall be used only in the manner and for the purposes provided herein and by the ordinances of the Town of Double Oak, Texas, pertaining to the Ranch Estates (RE) District, and all other as heretofore amended, and as amended herein, the applicable regulations contained in the Comprehensive Zoning Ordinance of the Town, and all other applicable Ordinances of the Town

## **Section 4**

The Town Secretary is hereby directed to correct the official zoning map of the Town to reflect the change in zoning described herein.

## **Section 5**

That all provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance as applicable to the Property be and the same are hereby repealed and all other provisions of the ordinances of the Town of Double Oak not in conflict with the provisions of this ordinance shall remain in full force and effect.

## **Section 6**

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

## **Section 7**

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

## **Section 8**

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 Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**Section 9**

That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
**Patrick Johnson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Eileen Kennedy, Town Secretary**

# EXHIBIT A

Block A, Lot 2 Nelson Estates or more generally known as 260 Simmons Road.





**COUNCIL MEETING  
AGENDA ITEM #  
November 6, 2023**

**PUBLIC HEARING:** Public hearing on a request from Stacey Thompson to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas being known and described as Nelson Estates Block A, Lot 2 or 260 Simmons Road.

**AGENDA ITEM:** Consideration and action on a request from Stacey Thompson to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas being known and described as Nelson Estates Block A, Lot 2 or 260 Simmons Road.

**STAFF CONTACT:** Lynn

**DESCRIPTION:** Ms. Thompson is requesting that her property zoning be changed from Agriculture 1 to Ranch Estates so work can be done on the house..

**ATTACHMENTS:** Application for zoning change  
Letter from Ms. Thompson  
Map showing the location of the property  
Current zoning AG1 – surrounding properties are RE  
AG1 and RE zoning district information from Code of Ordinances  
Legal Ad of public hearing notice and letter to property owners  
Zoning change sign placed at 260 Simmons Road  
Ordinance changing zoning

**RECOMMENDED**

**ACTION:** Approval as recommended by the Planning and Zoning Commission.  
7 ayes  
0 nays



TOWN OF DOUBLE OAK  
 320 Waketon Road  
 Double Oak, Texas 75077  
 P: 972-539-9464 F: 972-539-9613  
 permits@doubleoak.texas.gov

**Building Permit Application  
 Request for Variance**

PERMIT #

DATE: 9/25/2023

Type of Application (check the appropriate box)  
 Zoning     Sign     Subdivision     Other

Property Owner and Authorization (sign and notarize)

\_\_\_\_\_ (Company Name) \_\_\_\_\_ staceyrt@hotmail.com (Email)  
 \_\_\_\_\_ (Physical Address) 260 Simmons Road \_\_\_\_\_ (City) Double Oak \_\_\_\_\_ (State) Texas \_\_\_\_\_ (Zip Code) 75077  
 \_\_\_\_\_ (Mailing Address) Same as above \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code)  
 \_\_\_\_\_ (Property Owner Name) Stacey Thompson \_\_\_\_\_ (Phone) 760-900-8697 \_\_\_\_\_ (Fax)

General Description/Reason of Request (complete the following)

Rezoned property from AG 1 to Ranch Estates. Current classification is temporary and does not allow for remodel/addition to existing house. See attached letter.

Subject Property Information: (complete the following)

\_\_\_\_\_ (General location, street address if known; if not known, provide name of street fronting property and name and distance to nearest cross street)  
 260 Simmons Road  
 \_\_\_\_\_ (Subdivision Name) Nelson Estates \_\_\_\_\_ (Lot #) 2 \_\_\_\_\_ (Block #) A

Items Required with Submittal (please check the boxes to indicate items submitted with the application)

- 1) Attach a site plan, maps, designs or any other documents deemed necessary. (digital versions shall be sent to [permits@doubleoak.texas.gov](mailto:permits@doubleoak.texas.gov))
- 2) Submit Application Fee (\$150.00)

**Engineering fees will be billed separate from the application fee.  
 Applicant or their designated representative will be responsible for all engineering fees.**

I certify that I am the legal owner or record of the property or that I have secured the property owner's permission as shown on the attached affidavit and that the information concerning this request for variance is true and correct.

\_\_\_\_\_  
 APPLICANT'S SIGNATURE  
 \_\_\_\_\_  
 RECEIVED BY

\_\_\_\_\_  
 DATE  
 9-25-23  
 \_\_\_\_\_  
 DATE RECEIVED

\*\*\*\*\* For Office Use Only \*\*\*\*\*  
 Paid: \$ 150    Receipt #: 432018    Date: 9/25/23  
 Application Complete:  Y  N  
 Date to appear before: P&Z: 10/26/23    TC: 11/6/23    BOA:



Stacey Thompson  
260 Simmons Road  
Double Oak, Texas 75077  
760-900-8697

September 25, 2023

Double Oak Planning and Zoning Commission  
320 Waketon Road  
Double Oak, Texas 75077

RE: Rezoning property at 260 Simmons Road from AG1 to Ranch Estates

To Whom it May Concern:

Kindly accept my application for rezoning my property at 260 Simmons Road from AG1 to Ranch Estates. AG1 zoning description indicates that the lot is a temporary classification and does not allow for any proper remodel and expansion of the home's footprint.

My home is 2300 square feet, over 60 years old and in need of several updates. For example, the current garage is detached and in need of structural repair. Additionally, the home lacks space for a functioning laundry room, space for office, and adequate living room space.

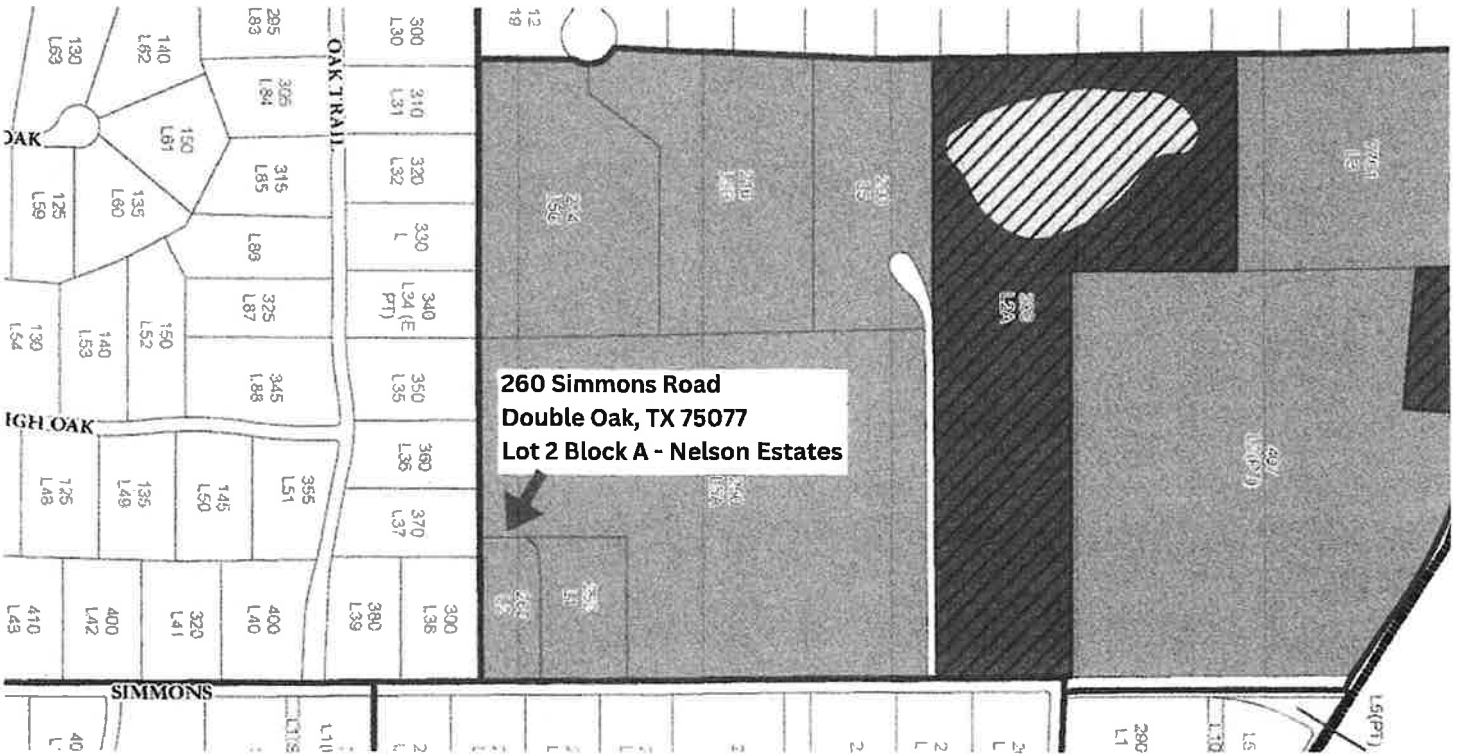
The lot is 1 acre and in compliance with Ranch Estates requirements, including setbacks. I would kindly request to deem the existing structures as grandfathered as well as a rezoning to Ranch Estates.

Thank you,

  
Stacey Thompson

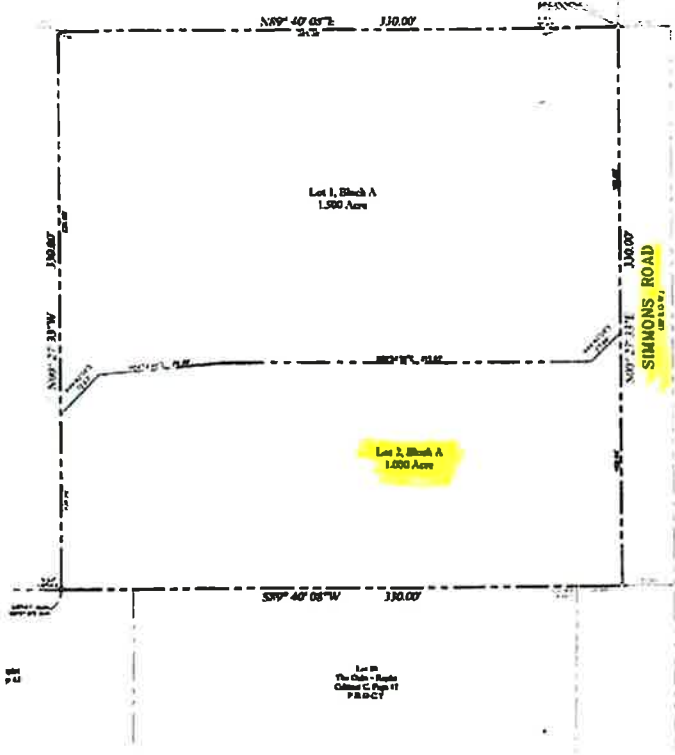


**260 Simmons Road  
Double Oak, Texas 75077  
Lot 2 Block A - Nelson Estates**



260 Simmons Road  
 Double Oak, TX 75077  
 Lot 2 Block A - Nelson Estates

Lot #	Area	Lot #	Area	Lot #	Area
12		295	L83	300	L30
13		305	L84	310	L31
14		315	L85	320	L32
15		325	L87	330	L
16		345	L88	340	L24 (E PT)
17		355	L89	350	L35
18		365	L90	360	L36
19		375	L91	370	L37
		385	L92	380	L38
		395	L93	390	L39
		405	L94	400	L40
		415	L95	410	L41
		425	L96	420	L42
		435	L97	430	L43
		445	L98	440	L44
		455	L99	450	L45
		465	L100	460	L46
		475	L101	470	L47
		485	L102	480	L48
		495	L103	490	L49
		505	L104	500	L50
		515	L105	510	L51
		525	L106	520	L52
		535	L107	530	L53
		545	L108	540	L54
		555	L109	550	L55
		565	L110	560	L56
		575	L111	570	L57
		585	L112	580	L58
		595	L113	590	L59
		605	L114	600	L60
		615	L115	610	L61
		625	L116	620	L62
		635	L117	630	L63
		645	L118	640	L64
		655	L119	650	L65
		665	L120	660	L66
		675	L121	670	L67
		685	L122	680	L68
		695	L123	690	L69
		705	L124	700	L70
		715	L125	710	L71
		725	L126	720	L72
		735	L127	730	L73
		745	L128	740	L74
		755	L129	750	L75
		765	L130	760	L76
		775	L131	770	L77
		785	L132	780	L78
		795	L133	790	L79
		805	L134	800	L80
		815	L135	810	L81
		825	L136	820	L82
		835	L137	830	L83
		845	L138	840	L84
		855	L139	850	L85
		865	L140	860	L86
		875	L141	870	L87
		885	L142	880	L88
		895	L143	890	L89
		905	L144	900	L90
		915	L145	910	L91
		925	L146	920	L92
		935	L147	930	L93
		945	L148	940	L94
		955	L149	950	L95
		965	L150	960	L96
		975	L151	970	L97
		985	L152	980	L98
		995	L153	990	L99
		1005	L154	1000	L100



These Platbook Forms  
 With Survey  
 Made in Tex. 1  
 P.B.D.C. 1

SL9428A G01, S09, C30  
 18340 A133A S.C. White TR6, 2, Sec A11

SECTION 2, Town of Double Oak, with a total lot of 2.500 acres, to be divided into two lots, each of 1.250 acres, as follows: Lot 1, 1.250 acres, and Lot 2, 1.250 acres.

FOR: Therefore, have all acts by these parties...  
 I, the undersigned authority, do hereby certify that the above is a true and correct copy of the original plat as recorded in the public records of this county, and that the same is a true and correct copy of the original plat as recorded in the public records of this county.

The plat approved subject to all plating conditions, rules, regulations and requirements of the State of Texas, and the undersigned authority, do hereby certify that the above is a true and correct copy of the original plat as recorded in the public records of this county.

State of Texas  
 County of Dallas

Notary Public  
 State of Texas  
 My Comm. Expires 12/31/2012

State of Texas  
 County of Dallas

Notary Public  
 State of Texas  
 My Comm. Expires 12/31/2012

State of Texas  
 County of Dallas

Notary Public  
 State of Texas  
 My Comm. Expires 12/31/2012

State of Texas  
 County of Dallas

Notary Public  
 State of Texas  
 My Comm. Expires 12/31/2012

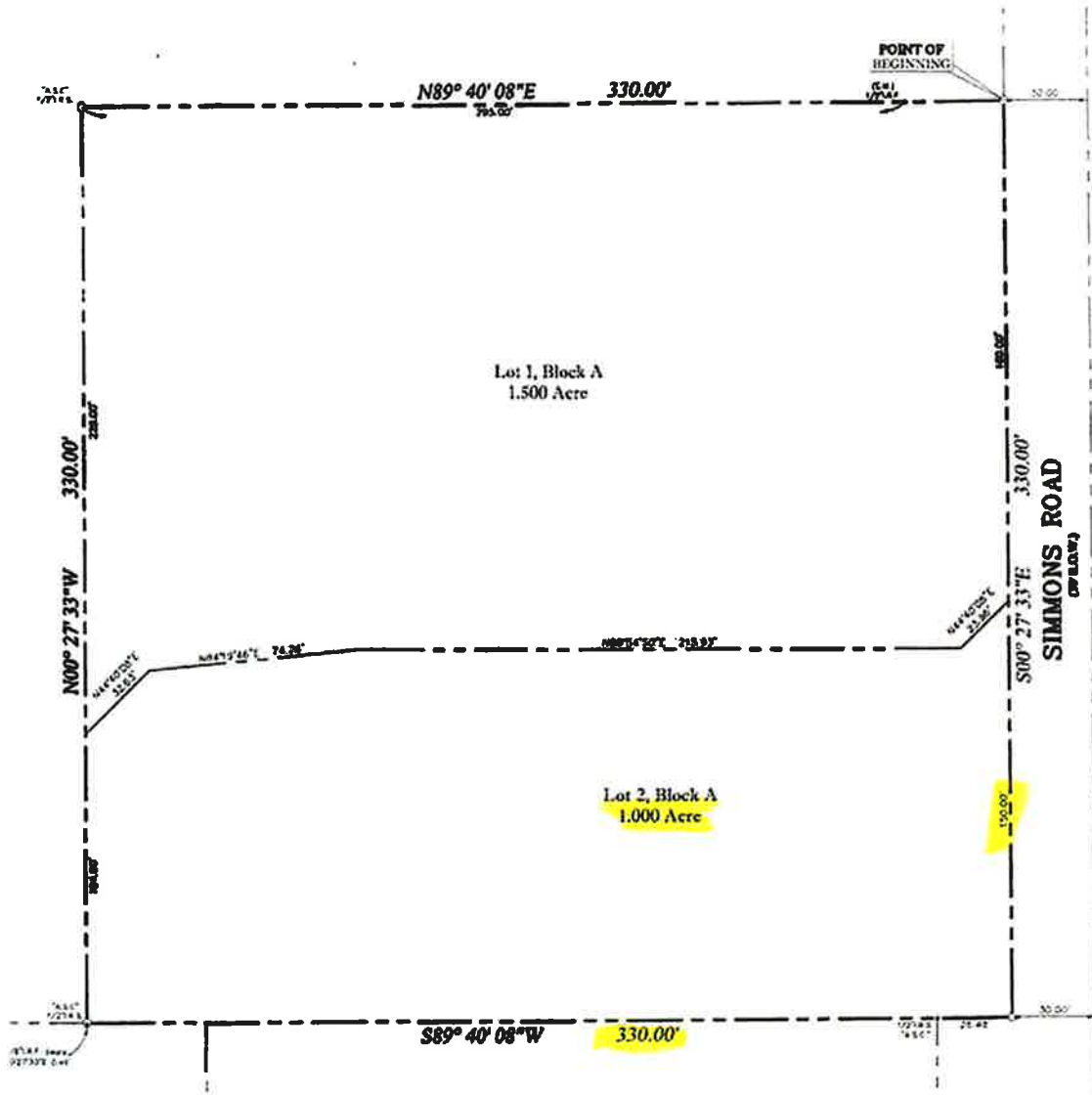
State of Texas  
 County of Dallas

Notary Public  
 State of Texas  
 My Comm. Expires 12/31/2012

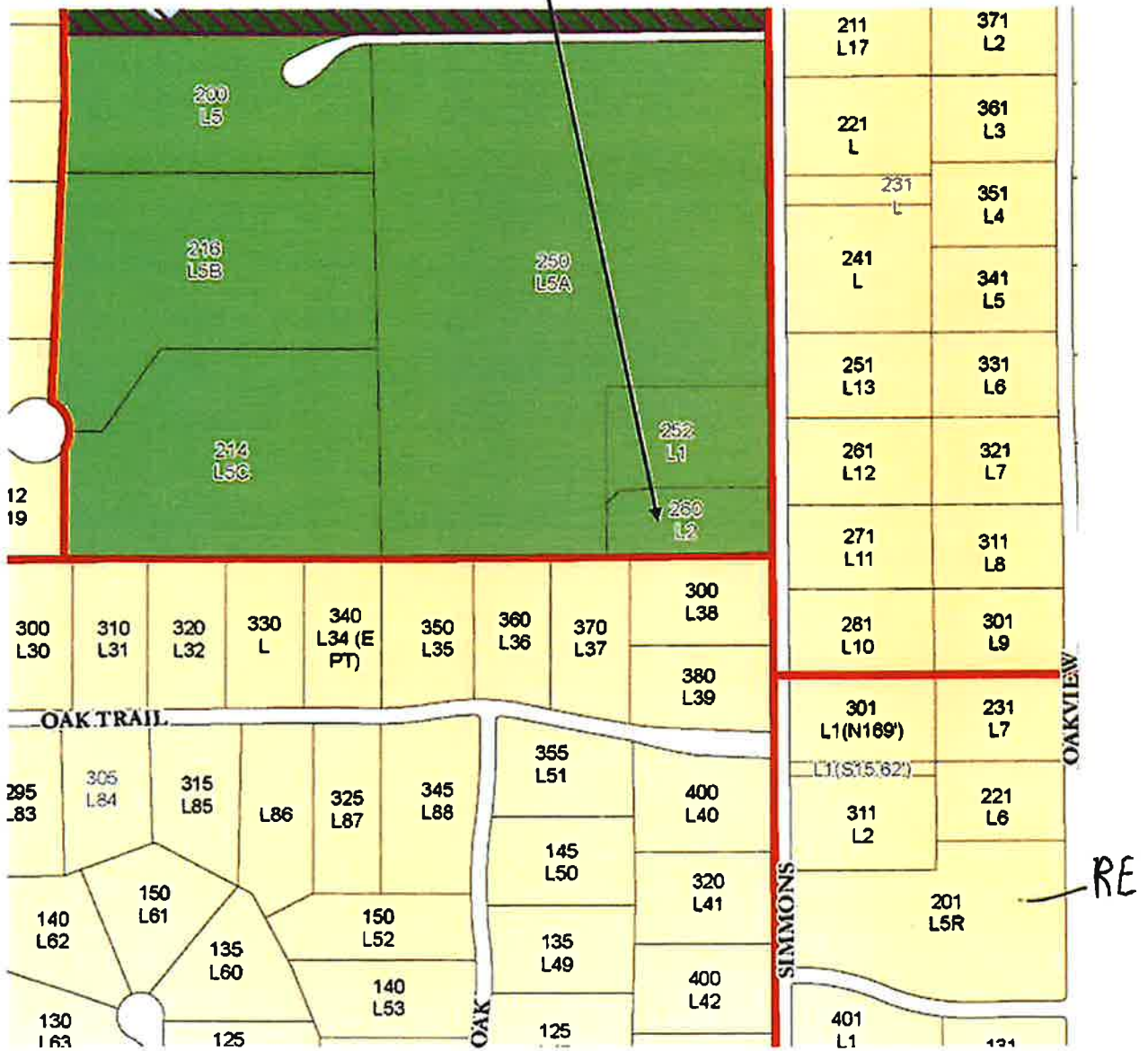
State of Texas  
 County of Dallas

Arthur Surveying Co., Inc.  
 1422 Grand Lane  
 Lewisville, TX 75040  
 Phone: (972) 377-1611

**FINAL PLAT**  
**NELSON ESTATES**  
 Lots 1 and 2, Block A  
 2.500 acres out of the  
 Simon C. White Survey, Abstract No. 143E  
 Town of Double Oak, Denton County, Texas



Property requesting zoning change



Currently zoned Ag I

**§ 8. "AG-1" AGRICULTURAL DISTRICT.**

8-1 General Purpose and Description: This district classification serves as a temporary classification for areas of undeveloped land of less than 3 acres on which farming and raising of cows and/or horses may be conducted until given a permanent classification.

8-2 Use Regulations: The land or premise shall be used only for the following purposes:

(1) Agricultural Use:

Temporary farming and raising of cows and/or horses. Upon compliance with all other ordinances and laws, one animal may be kept on the first acre. For each additional adjoining half-acre, one additional such animal may be kept.

- a. The agricultural use must not cause a hazard to health by reason of unsanitary conditions; must not be offensive by reason of odors, dust, fumes, or noise; and must not otherwise be detrimental to the public welfare.
- b. The agricultural use may include the construction and use of barns, private stables and loafing sheds as accessory buildings meeting the requirements of this Section.
- c. A permanent classification must be obtained before any structure other than barns, private stables or loafing sheds may be constructed. All existing structures are grandfathered.

(2) Other Uses:

- a. Any other use as may be permitted with a Specific Use Permit.
- b. Temporary buildings require a Specific Use Permit, with a one (1) year maximum with no option for renewal.
- c. No person shall construct or occupy any dwelling or use any structure within the AG-1 Agricultural District as a permanent residence.

(3) Accessory Building Regulations:

<b><u>Type:</u></b>	Barns, private stables and/or loafing sheds.
<b><u>Maximum Number:</u></b>	Barn: one.
	Stable: one.
	Loafing shed: one.
<b><u>Maximum Height:</u></b>	One Story.
<b><u>Location:</u></b>	Located at least 30 feet from any property line of an adjacent owner, at least 40 feet from any dwelling on any adjacent property, and at least 40 feet from any road.

NOTICE: Barns, stables or loafing sheds shall not be permitted to remain as nonconforming structures if after construction of a dwelling they will not conform to all regulations of the particular zoning district. Therefore, if barns, stables, or loafing sheds are to be used on property that may later be considered for any other zoning classification which would permit a single-family dwelling, careful consideration of the location of these structures on the property in relation to the possible future location of a dwelling should be made. For example, barns are not

**§ 11. "RE" RANCH ESTATES DISTRICT.**

11-1 General Purpose and Description of the Ranch Estate District: The principal use of land in this district is for single-family dwellings of at least 2,300 square feet in size and lots of at least 1 acre, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Low density residential areas shall be protected from higher density residential development and from the encroachment of incompatible uses.

11-2 Use Regulations: A building, dwelling, structure or premises shall be used only for the following:

- (1) "Single-family Dwelling" with an Attached Garage (2 car minimum). An "Attached Garage" is a Side Entry or Rear Entry private garage that is a physical part of the dwelling or one having a substantial physical connection with or under the roof line of the Single-family Dwelling. Front entry private garages shall be permitted only if the door opens into an enclosed courtyard separated from the front yard of the main residence by another garage or similar building or by a masonry wall of six (6) feet in height constructed of the same material as the main residential structure. Such additional garage, building or wall must also comply with all pertinent setback provisions. For corner lots, the garage door may face the side street without an enclosed courtyard.
- (2) Additional "Detached Garage" only as an accessory use meeting the requirements of a Major Accessory Building, 40 feet from the main structure. All driveways connecting any public street or alley with the Detached Garage shall be constructed of concrete, asphalt or paving brick.
- (3) Parks, playgrounds, and other public recreational facilities, owned and/or operated by the municipality or other public agency; and privately owned and maintained playgrounds and like recreation areas.<sup>3</sup>
- (4) Public buildings, including libraries, museums, police and fire stations, and similar public uses or facilities.
- (5) Real estate sales offices during the development of residential subdivisions, but not to exceed two years.
- (6) Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work. A permit shall be required with a one year maximum with no option for renewal.
- (7) Churches and Public Schools (kindergarten through high school), shall be considered a permitted use, however, a specific use permit zoning change must be applied for and granted pursuant to the Specific Use Section of this ordinance in order to provide conditions to protect health, provide safety and regulate traffic as related to these uses.
- (8) Such other uses as may be permitted with a Specific Use Permit.
- (9) The following Accessory Uses if such uses are conducted within the principal building in connection with the primary use of a "Single-family Dwelling:"
  - a. A "customary home occupation" that does not include visits by customers or the general public with a greater frequency than four per day.
  - b. Guest Quarters and servant quarters for persons in the employ of the family occupying the principal dwelling.



**Notice of Public Hearing  
Town of Double Oak**

The Planning and Zoning Commission for the Town of Double Oak will conduct a public hearing at 7:00 p.m. on October 26, 2023 at Double Oak Town Hall, 320 Waketon Road to hear public comment regarding a request to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas and being known and described as Nelson Estates Block A Lot 2 or 260 Simmons Road.

A second public hearing will be held at Double Oak Town Hall by the Town Council at 7:00 p.m. on November 6, 2023 to hear public comment regarding the zoning change request.

All interested parties are encouraged to attend.

**Lynn Jones  
Assistant Town Secretary**

## INTERIM AD DRAFT

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

Notice ID: YIRSAPhXw9wdZdWc4CUK | **Proof Updated: Oct. 02, 2023 at 01:32pm CDT**  
 Notice Name: Zoning Change 260 Simmons Road

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

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

<b>FILER</b>	<b>FILING FOR</b>
Lynn Jones	Denton Record-Chronicle
<a href="mailto:lynn.jones@doubleoak.texas.gov">lynn.jones@doubleoak.texas.gov</a>	
(972) 539-9464	

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

Subtotal	\$37.12
Tax %	0
<b>Total</b>	<b>\$37.12</b>

**Notice of Public Hearing Town of Double Oak**

The Planning and Zoning Commission for the Town of Double Oak will conduct a public hearing at 7:00 p.m. on October 26, 2023, at Double Oak Town Hall, 320 Waketon Road to hear public comment regarding a request to change the zoning from Agriculture 1 to Ranch Estates on land situated in the Town of Double Oak, Denton County, Texas and being known and described as Nelson Estates Block A Lot 2 or 260 Simmons Road.

A second public hearing will be held at Double Oak Town Hall by the Town Council at 7:00 p.m. on November 6, 2023, to hear public comment regarding the zoning change request. All interested parties are encouraged to attend.

Lynn Jones  
 Assistant Town Secretary

drc 10/09/2023



**TOWN OF DOUBLE OAK, TEXAS  
ORDINANCE**

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK AMENDING THE COMPREHENSIVE ZONING ORDINANCE, PLAN AND OFFICIAL ZONING MAP FOR THE TOWN BY CHANGING THE ZONING FROM AGRICULTURE 1 (AG-1) TO RANCH ESTATES (RE) ON A TRACT OF LAND LOCATED AT 260 SIMMONS ROAD AND DESCRIBED AS BLOCK A, LOT 2 NELSON ESTATES TOWN OF DOUBLE OAK, DENTON COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; DIRECTING THE TOWN SECRETARY TO CHANGE THE ZONING MAP ACCORDINGLY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the property described herein has made application for a change in zoning, requesting that the subject property be rezoned from Agriculture 1 (AG-1) to Ranch Estates (RE); and

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

**WHEREAS**, after due deliberation and consideration of the information submitted during the public hearings and the consideration of the recommendation of the Planning and Zoning Commission, the Town Council has concluded that the adoption of this Ordinance is in the best interest of the health, safety, and welfare of the citizens of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS;**

**Section 1**

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

## **Section 2**

That the Comprehensive Zoning Ordinance, Plan and Map of the Town of Double Oak, Texas, heretofore duly passed by the governing body of the Town, as heretofore amended, be and the same are hereby amended by granting a change in zoning from Agriculture 1 (AG-1) to Ranch Estates (RE) a tract of real property located at 260 Simmons Road and described as Block A, Lot 2 Nelson Estates, Town of Double Oak, Denton County, Texas, and being more specifically described in Exhibit "A" attached hereto and incorporated herein (hereinafter the "Property").

## **Section 3**

That the Property shall be used only in the manner and for the purposes provided herein and by the ordinances of the Town of Double Oak, Texas, pertaining to the Ranch Estates (RE) District, and all other as heretofore amended, and as amended herein, the applicable regulations contained in the Comprehensive Zoning Ordinance of the Town, and all other applicable Ordinances of the Town

## **Section 4**

The Town Secretary is hereby directed to correct the official zoning map of the Town to reflect the change in zoning described herein.

## **Section 5**

That all provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance as applicable to the Property be and the same are hereby repealed and all other provisions of the ordinances of the Town of Double Oak not in conflict with the provisions of this ordinance shall remain in full force and effect.

## **Section 6**

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

## **Section 7**

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

## **Section 8**

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 Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**Section 9**

That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
**Patrick Johnson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Eileen Kennedy, Town Secretary**

### EXHIBIT A

Block A, Lot 2 Nelson Estates or more generally known as 260 Simmons Road.



ORDINANCE NO. 23-09

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; REVISING CERTAIN APPROPRIATIONS AND PROVIDING FOR THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE TOWN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS an annual budget for the fiscal year beginning October 1, 2023 and ending September 30, 2024, has been duly created by the budget officer of the Town of Double Oak, Texas, in accordance with Chapter 102 of the Texas Local Government Code; and

WHEREAS, in order to provide the proper funding for efficient Town operations and proper fiscal management of public funds, the Town Council is of the opinion that the budget should be amended as provided for hereinafter. Now, Therefore;

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:**

SECTION 1. The budget of the Town of Double Oak, Texas, for Fiscal Year 2023-2024, be and is hereby amended as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

SECTION 2. That all prior budget amendments and transfers of appropriations budgeted from one account or activity to another within any individual activity for the fiscal year are hereby ratified, and the budget Ordinance for the fiscal year, heretofore enacted by the Town Council, be and the same is hereby amended to the extent of such transfers and amendments for all purposes.



**SECTION 3.** Upon approval of the amended budget as provided for herein, the budget officer of the Town shall file a true and certified copy thereof with the County Clerk of Denton County, Texas.

**SECTION 4.** That all provisions of the Ordinances of the Town of Double Oak, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the Ordinances of the Town of Double Oak, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional.

**SECTION 6.** That this Ordinance shall take effect immediately from and after its passage as the law in such cases provides.

**DULY PASSED** by the Town Council of the Town of Double Oak, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN SECRETARY

APPROVED AS TO FORM:

/S/

\_\_\_\_\_  
TOWN ATTORNEY



2023-2024 Double Oak Amended Budget

Fiscal Year  
2023-2024

Ordinary Income/Expense

Income

400000 · Tax Revenue

401101 · Current Property Taxes-M & O	1,234,374.02
401201 · Penalty & Interest	2,950.82
401301 · Prior Year Property Taxes	2,053.68
401315 · Sales Taxes	664,426.16
401601 · Franchise-Bartonville Water	36,897.88
401701 · Franchise-Cable TV	32,167.06
401801 · Franchise-Electric	137,129.32
401805 · Franchise-Garbage	14,656.86
401811 · Franchise-Gas/TXU/CoServ	22,715.79
401901 · Franchise-Telephone	583.37

Total 400000 · Tax Revenue 2,147,954.96

420000 · Fines and Forfeitures

420101 · Court Fines & Fees	129,385.63
420112 · Court Fees	0.00
420113 · Court Forfeitures	0.00

Total 420000 · Fines and Forfeitures 129,385.63

430000 · Licenses and Permits

430101 · Fences	2,941.68
430102 · Commercial Buildings	0.00
430103 · Oil and Gas Drilling	0.00
430201 · New Homes	0.00
430202 · Erosion Control	0.00
430301 · Misc Construction	25,879.74
430401 · Roofs	6,375.00
430501 · Septic Systems	10,413.30
430601 · Sprinkler Systems	840.48
430701 · Swimming Pools	1,606.80
430801 · Water Wells	0.00
430901 · Plats and Subdivision Fees	927.00
430000 · Licenses and Permits - Other	0.00

Total 430000 · Licenses and Permits 48,984.00

440000 · Other Revenue

440101 · Administration Fees	989.38
440102 · Animal Control	0.00

440201 · Interest Income	145,000.00
440700 · Insurance Proceeds	0.00
<b>Total 440000 · Other Revenue</b>	<b>145,989.38</b>

<b>440300 · Charges for Services</b>	
440301 · Lien Release	0.00
440501 · Misc. Income	710.70
440601 · Sewage Service	25,750.00
440701 · Town Hall Rental Fees	0.00
4403 01 · Charges for Services - Other	0.00
<b>Total 440300 · Charges for Services</b>	<b>26,460.70</b>

<b>440400 · Park Funds</b>	
440401A · Gazebo Funds	0.00
<b>Total 440400 · Park Funds</b>	<b>0.00</b>

440500 · Carry Over from previous year	0.00
--	------

<b>Total Income</b>	<b>2,498,774.67</b>
---------------------	---------------------

**Expense**

<b>510000 · Town Administration</b>	
521012 · Attorney Fees	25,000.00
521033 · Custodial Services	5,260.00
521041 · Denton Central Appraisal Dist	8,414.00
521050 · Election Expense	7,500.00
521051 · Electricity	8,662.65
521060 · Financial Auditors	12,500.00
521070 · Natural Gas	2,000.00
521073 · Printer Copier	5,751.72
521133 · Ordinance Codification	4,000.00
521160 · Postage	2,000.00
521200 · Tax Billing Expense	1,552.42
521201 · Communications	10,000.00
521220 · Water	1,809.96
521230 · Archive System	4,500.00
521250 · Outdoor Siren	0.00
530050 · Ambulance Service	59,000.00
<b>Total 510000 · Town Administration</b>	<b>157,950.75</b>

<b>520000 · Administrative</b>	
521010 · Advertising	2,000.00
521020 · Bank Charges	100.00
521030 · Cleaning Supplies	0.00
521031 · Computer Supplies/Software	36,209.79
521032 · Council Contingency	7,183.10
521034 · Technology Fund	12,000.00
521074 · Meetings	150.00

521075 · Goodwill	200.00	
521076 · Incentive Pay	2,441.12	941.12
521090 · General Liability Insurance	9,300.00	
521091 · Health/Dental/Life Insurance	34,662.28	11,012.28
521130 · Membership & Dues	1,983.48	
521131 · Car Maintenance-Fuel-Travel	0.00	
521150 · Office Supplies	4,351.89	
521151 · Other Professional Services	1,500.00	
521153 · Other Supplies	40.00	
521161 · Publications & Subscriptions	147.08	
521162 · Printing and Copying	350.00	
521170 · Payroll Taxes - FICA	18,992.57	5,955.46
521172 · TWC Unemployment Insurance	145.46	
521190 · Town Secretary Salary	85,042.57	
521191 · Longevity Pay-Administration	3,743.58	1,118.58
521192 · Worker's Compensation Ins.	1,300.00	
521193 · IT Administrator	67,795.40	67,795.40
521194 · Asst Town Secretary Salary	76,054.72	
521195 · Overtime	12,159.05	6,335.34
521196 · TMRS-Retirement	22,333.88	6,833.88
521202 · Training Seminars	1,854.00	
66900 · Reconciliation Discrepancies	0.00	
<b>Total 520000 · Administrative</b>	<b>402,039.97</b>	<b>99,992.06</b>

**530000 · Public Works**

521021 · Building Repair/Remodeling	1,525.81
521025 · Building Expenditures	12,519.67
521120 · Lien Filing Expense	100.00
530025 · Mosquito Control Program	200.00
530100 · Animal Control Officer	15,324.86
530101 · Public Works Director Salary	73,902.50
530102 · Public Works Director TMRS	6,750.00
530103 · Public Works Director FICA	5,704.63
530104 · Public Works Director (H/D/L)	14,764.80
530105 · PW Director (TWC/Unempl Ins)	0.00
530106 · Building Official Overtime	0.00
530110 · Building Inspectors	0.00
530111 · Building Inspectors Phone	0.00
530115 · Code Enforcement	0.00
530116 · Code Enforcement Liab Ins-TML	1,266.47
530125 · Council Discretionary Fund	0.00
530150 · Grounds Maintenance	9,190.82
530151 · Grounds Equipment	0.00
530175 · Equipment Repair/Maintenance	0.00
530180 · Minor Equipment	661.99
530200 · Lot Mowing/Tree Trim Service	6,095.61
530201 · Public Works Training	2,000.00

530202 · Longevity Pay- Public Works	105.00
530203 · Vehicle Payment	0.00
530204 · Vehicle Maintenance	951.18
530205 · Vehicle Fuel	988.21
530206 · Uniforms	0.00
530210 · Membership Dues/Licensing	92.70
530230 · Other Professional Services	2,166.73
530231 · Other Supplies	83.02
530235 · Printing	200.00
530240 · Postage	0.00
530245 · Computer Support	11,000.00
530250 · Health Inspector	2,966.40
530260 · Septic Inspections	9,121.68
530270 · Sewage Services	25,750.00
530271 · Vehicle Reimbursement	0.00
530272 · Incentive Pay	627.32
530273 · Worker's Compensation Ins	674.19
530277 · General Liability Insurance	0.00
530280 · Hazardous Waste Disposal	0.00
530650 · Public Works-Cell phone	1,700.00
531020 · Credit Card Convenience Fee	0.00
531201 · Weather Siren	0.00
<b>Total 530000 · Public Works</b>	<b>206,433.59</b>
<b>540000 · Streets and Drainage</b>	
540019 · Engineering General	31,209.37
540060 · Crack Seal & Potholes	55,000.00
540110 · Current Year Road Repairs	242,630.67
540111 · Prior Year Road Repairs	0.00
540155 · MS4 Stormwater	9,264.28
540177 · Public Works Projects Costs	0.00
540200 · Sign Repair and Replacement	3,486.14
<b>Total 540000 · Streets and Drainage</b>	<b>341,590.46</b>
<b>550000 · Police Department</b>	
550120 · Capital Equipment (Auto)	0.00
550135 · Computer Equip/Supplies/SW Main	43,579.20
550140 · Equipment Repair & Maintenance	1,000.00
550145 · Health/Dental/Life Insurance	147,948.36
550219 · Membership Dues	600.00
550220 · Minor Equipment	1,000.00
550230 · Other Professional Services	0.00
550240 · Office Supplies	700.00
550248 · Publications	400.00
550249 · External Contracts	5,000.00
550250 · Postage	0.00

550251 · Printing	900.00	
550252 · Police Chief Salary	103,101.66	
550253 · Police Asst. Chief Salary	95,195.06	
550254 · Police Officers' Salary	546,896.20	
550255 · Administrative Assistant PD	0.00	
550256 · Crossing Guard	5,943.66	
550257 · Police Department Overtime	6,000.00	
550261 · Criminal Investigations	2,000.00	
550262 · General Liability Insurance	20,943.67	
550263 · TWC Unemployment Ins	0.00	
550264 · Incentive Pay	8,737.05	
550271 · Salaries Benefits - FICA	59,035.59	
550275 · Salaries Benefits - TMRS	68,579.75	
550276 · Human Resources	1,500.00	
550277 · Longevity Pay	2,200.00	
550278 · Worker's Compensation Ins	23,436.08	
550280 · Communications	16,866.20	
550281 · Training	20,000.00	
550286 · Training Ammo	5,000.00	
550290 · Uniforms	16,157.33	
550291 · Patrol Equipment	8,000.00	
550292 · Community Programs	7,200.00	
550293 · Traffic Management	100.00	
550294 · Evidence Room Supplies	100.00	
550295 · Goodwill	1,500.00	
550300 · Vehicle Fuel	18,038.53	
550400 · Vehicle Repair & Maintenance	10,000.00	
<b>Total 550000 · Police Department</b>	<b>1,247,658.34</b>	
<b>560000 · Municipal Court</b>		
560010 · Judges Services	7,000.00	
560015 · Jury Services	0.00	
560018 · Jail Services	2,200.08	
560020 · Prosecuting Attorney	6,692.94	
560025 · Other Professional Services	2,040.00	
560026 · Court Clerk - Salary	67,795.40	(67,795.40)
560027 · Court Clerk- FICA	5,955.46	(5,955.46)
560028 · Court Clerk - TMRS	6,833.88	(6,833.88)
560029 · Court Clerk Ins (H/D/L)	11,012.28	(11,012.28)
560030 · Court Clerk - Longevity	1,118.58	(1,118.58)
560031 · Overtime	6,335.34	(6,335.34)
560035 · Court Supplies, Equip & S/W Main	9,000.00	
560055 · Membership Dues	0.00	
560076 · Incentive Pay	941.12	(941.12)
<b>Total 560000 · Municipal Court</b>	<b>126,925.08</b>	<b>(99,992.06)</b>

**570000 · Fire Department**

570010 · DOVFD Capital Asset Contributio 0.00

570020 · DOVFD Operations Contribution 100,000.00

570021 · General Liab. Insurance DOVFD 14,353.22

570022 · Worker's Compensation Ins 4,719.32

**Total 570000 · Fire Department 119,072.54**

**Double Oak Homestead Exemption @ 1% 0.00**

**Total Expense 2,498,774.67**

**Balance 0.00**

THE STATE OF TEXAS §  
  §  
COUNTY OF DENTON §

**AMENDMENT NO. 3 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN  
DENTON COUNTY, TEXAS, AND THE TOWN OF DOUBLE OAK, TEXAS**

**THIS AMENDMENT NO. 3** to the Interlocal Cooperation Agreement is made and entered into by and between Denton County, Texas, hereinafter “the County”; and the Town of Double Oak, Texas, hereinafter “the Town.” The County and the Town are collectively referred to herein as “the Parties.”

**WHEREAS**, on December 29, 2009, the Parties entered into an Interlocal Cooperation Agreement under Denton County Commissioners Court Order Number 09-0967, hereinafter “the original Agreement,” for the purpose of providing for Professional Design Services associated with the reconstruction of Waketon Road from a 2-lane roadway to a 2-lane concrete roadway from Cross Timbers Road east to Chinn Chapel Road (“the Project”) located within the corporate limits of the Town and located in Denton County Commissioner Precinct #4, and

**WHEREAS**, under the terms of the original Agreement, the County and Town agreed that the County would contribute an amount which shall not exceed ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED THIRTY-SEVEN AND 40/100 DOLLARS (\$192,237.40) toward satisfactory completion of the Project, and

**WHEREAS**, on April 4, 2017, the County and Town entered into Amendment No. 1 to the Interlocal Cooperation Agreement, under Denton County Commissioners Court Order Number 17-0281, for the design, construction, right-of-way acquisition, and drainage improvements for a 3-lane, undivided roadway (2-lane with center turn lane) on Waketon Road from Cross Timbers Road east to Chinn Chapel Road with the County agreeing to contribute an additional amount of TWO MILLION SEVEN HUNDRED SEVENTY-FOUR THOUSAND SIX HUNDRED SIXTY-SEVEN AND 47/100 DOLLARS (\$2,774,667.47) toward satisfactory completion of the Project, and

**WHEREAS**, on August 17, 2021, the County and Town entered into Amendment No. 2 to the Interlocal Cooperation Agreement, under Denton County Commissioners Court Order Number 21-0626, for the design, construction, right-of-way acquisition, and drainage improvements for a 3-lane, undivided roadway (2-lane with center turn lane) on Waketon from



Cross Timbers Road east to Chinn Chapel Road with the County agreeing to contribute an additional amount of FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$400,000.00) toward satisfactory completion of the Project, and

**WHEREAS**, under the Amendment No. 2, the Town agreed to contribute an amount which shall not exceed ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00).

**WHEREAS**, the Parties to the original Agreement now intend to amend the Agreement, in order to reflect an increase in total estimated Project cost and an increase in the financial contribution of the County toward satisfactory completion of the Project, which shall be memorialized in this document as Amendment No. 3 to the original Agreement and Amendments No. 1 and No. 2 between the County and the Town; and

**NOW, THEREFORE**, the County and the Town for the mutual covenants and agreements contained in the original Agreement and as contained herein, and for the other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree to amend Section II and Section III of the original Agreement to reflect the change in the Project estimate and an increase in the County's contribution toward satisfactory completion of the Project. All other terms and conditions of the original Agreement are hereby affirmed by the Parties. The amended portions of the original Agreement are as follows:

**AMENDED SECTION II**

The County and the Town hereby agree that Amendment No. 3 will revise the Project estimate from THREE MILLION FOUR HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED FOUR AND 87/100 DOLLARS (\$3,466,904.87), to THREE MILLION SIX HUNDRED SEVENTY THOUSAND SIXTY-EIGHT AND 87/100 DOLLARS (\$3,670,068.87).

**AMENDED SECTION III**

The County and the Town hereby agree that Amendment No. 3 will amend the original Agreement to increase the County contribution toward satisfactory completion of the Project from THREE MILLION THREE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED FOUR AND 87/100 DOLLARS (\$3,366,904.87) to an amount which shall not exceed THREE MILLION FIVE HUNDRED SEVENTY THOUSAND SIXTY-EIGHT AND 87/100 DOLLARS (\$3,570,068.87), for an increased County contribution toward satisfactory completion of the

Project of TWO HUNDRED THREE THOUSAND ONE HUNDRED SIXTY-FOUR AND NO/100 DOLLARS (\$203,164.00).

This Amendment to the original Agreement shall replace and supersede Section II and Section III of the original Agreement, Amendment No. 1, and Amendment No. 2 between the Parties. **All other provisions of the original Agreement shall remain in full force and effect unless modified by subsequent written amendment signed by both of the Parties to the original Agreement.**

This Agreement may be executed in multiple counterparts, attached to the original Agreement, and shall collectively constitute an Amendment to the original Agreement. All other terms and conditions of the original Agreement are hereby affirmed by the Parties.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**DENTON COUNTY, TEXAS**  
1 Courthouse Drive, Suite 3100  
Denton, Texas 76209

**TOWN OF DOUBLE OAK, TEXAS**  
320 Waketon Road  
Double Oak, Texas 75077

By: \_\_\_\_\_  
Honorable Andy Eads  
Denton County Judge  
Acting by and on behalf of the authority  
of the Denton County Commissioners Court

By: \_\_\_\_\_  
Honorable Patrick Johnson  
Mayor of the Town of Double Oak, Texas  
Acting by and on behalf of the authority  
of the Town of Double Oak, Texas

ATTEST:

ATTEST:

By: \_\_\_\_\_  
Denton County Clerk

By: \_\_\_\_\_  
Town Secretary

**COUNTY AUDITOR'S CERTIFICATE**

I hereby certify funds are available to accomplish and pay the obligation of Denton County, Texas, under this Agreement.

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Denton County Auditor

**APPROVAL OF AMENDMENT NO. 3 TO INTERLOCAL COOPERATION  
AGREEMENT BETWEEN DENTON COUNTY, TEXAS, AND THE TOWN OF  
DOUBLE OAK, TEXAS**

Denton County, Texas, acting by and through the Denton County Commissioners Court, having been advised of the Project, hereby agrees to amend Section II and Section III of the Interlocal Cooperation Agreement, which was approved on December 29, 2009, under Denton County Commissioners Court Order Number 09-0967, Amendment No. 1, which was approved on April 4, 2017, under Denton County Commissioners Court Order Number 17-0281, and Amendment No. 2, which was approved on August 17, 2021, under Denton County Commissioners Court Order Number 21-0626.

Amendment No. 3 will amend the original Agreement and Amendments No. 1 and No. 2 to provide additional funding by the County toward satisfactory completion of the Project in the amount of TWO HUNDRED THREE THOUSAND ONE HUNDRED SIXTY-FOUR AND NO/100 DOLLARS (\$203,164.00). The scope of the Project shall continue to be to provide for the design, right-of-way acquisition, construction, and drainage improvements for a 3-lane, undivided roadway (2-lane with center turn lane) on Waketon Road from Cross Timbers Road east to Chinn Chapel Road. The total increased Denton County commitment toward satisfactory completion of the Project shall be in an amount which shall not exceed THREE MILLION FIVE HUNDRED SEVENTY THOUSAND SIXTY-EIGHT AND 87/100 DOLLARS (\$3,570,068.87).

**All other provisions of the original Agreement shall remain in full force and effect unless modified by subsequent written amendment signed by both of the Parties to the original Agreement.**

Denton County, Texas, hereby gives its specific written approval of the Parties prior to beginning the Project in satisfaction of the requirements of the Interlocal Cooperation Act, Texas Government Code Chapter 791.

By vote on this date, the Denton County Commissioners Court has approved the Project identified above and authorized execution of this document by the presiding officer of the Denton County Commissioners Court.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Presiding Officer of the Denton  
County Commissioners Court

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING CHAPTER 1 (GENERAL PROVISIONS) TO ADD ARTICLE 1.1400 ADOPTING A CODE OF ETHICS FOR TOWN OFFICIALS AND EMPLOYEES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council finds and determines that it is essential in a democratic system that the public have confidence in the integrity, independence, and impartiality of those who act on their behalf in government, and that it is the Town Council’s obligation to promote confidence in the government of the Town, and thereby enhance the town’s ability to function effectively; and

**WHEREAS**, the Town Council finds and determines that it is advisable to enact a standard of conduct for all public officers of the town to serve not only as a guide for official conduct, but also as a basis for discipline for those who refuse to abide by its terms, with an overriding interest being that public servants of the town shall at all times strive to avoid even the appearance of impropriety; and

**WHEREAS**, the Town Council finds and determines that the public judges its government by the way public employees conduct themselves in the posts to which they are employed; that the people have a right to expect that public employees will conduct themselves in a manner that will tend to preserve public confidence and respect for the government they represent; and that such confidence and respect can best be promoted if public employees, whether paid or unpaid, will conduct themselves in the manner set forth herein. Now, Therefore

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:**

**SECTION 1.** That the Code of Ordinances, Town of Double Oak, Texas, be and is hereby amended by amending Chapter 1 (General Provisions), to add a new Article 1.1400, to be entitled Code of Ethics, without amendment, repeal or change to any other article, part or provision of Chapter 1, such that Article 1.1400 shall read in its entirety as follows:

**“CHAPTER 1  
GENERAL PROVISIONS**

...

**ARTICLE 1.1400 CODE OF ETHICS**

**Section 1.1401 Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Censure* means a formal written resolution of the town council reprimanding one of its members for violation of the code of ethics.

*Duties in office* means the duties of an officer relative to their service under the laws and the constitution of the state and the ordinances of the town.

*Officer* means any member of the town council, planning & zoning commission, board of adjustment, and any appointive board, committee, authority, or commission set up by ordinance, resolution, or state law on a permanent basis, except any members of a board, commission, authority or committee that function in an advisory or study capacity.

*Reprimand* means a formal or informal public admonition concerning a violation of the code of ethics.

*Sanction* means a formal written resolution of the town council imposing an incentive for securing enforcement which may include, but not be limited to, disqualification of consideration of a matter, forfeiture of council appointments or duties.

#### **Sec. 1.1402. Policy; principles of decorum.**

It is hereby declared to be the policy of the town that the citizens of Double Oak are entitled to a fair, ethical and accountable local government, and that Town officials should conduct themselves in a manner that will instill and inspire public confidence and trust in the operation of the Town's government. To this end, this code of ethics is intended to apply to all officers, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the Town's public servants, but also as a basis for discipline for those who refuse to abide by its terms. The following principles apply to all Town officials:

- (1) Acting in the Public Interest. Town officials must act in the public interest; town officials act for the common good and betterment of the town and its citizens, and not for personal gain. The proper operation of democratic government requires that officers be independent, impartial and responsible only to the people of the town.
- (2) Fair decisions. Decisions must be made on the merits and substance of the matter at hand, not unrelated or irrelevant considerations. The efficient functioning of town government requires diligent attendance to the business of the town by its officers. Advocating in favor of private interests shows impartiality and unfairness.
- (3) Professional Conduct. Town officials must act in a professional manner. Decisions must be made on a fair and impartial basis and town officials must avoid conduct or activities that create an impression of impropriety, even where no conflict of interest exists. Healthy debate during official proceedings is at the root of democracy, but disagreements should never regress into arguments.
- (4) Civil Treatment. All speakers, citizens, and attendees of any official meeting or proceeding are entitled to respect, and the town's citizens deserve representatives who conduct themselves in a respectful, courteous and professional manner. Speakers should be welcomed and treated respectfully, even where the speaker's position is ill-advised, wrong, or against the town's best interests. Proper protocol may often require the exercise of firmness when, for example, a chair insists on



compliance with a speaker's time limit, but firmness can and should be applied gently and with respect.

- (5) Conflicts of Interest. No town official should have any interest financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with proper discharge of his/her office in the public interest. No town official should ever use his/her office for personal gain or benefit. Certain conflicts of interest are prohibited by law, but even when a conflict of interest may not be a violation of law, town officials must act in a manner that avoids conflicts of interest. The avoidance of conflicts is accomplished in a number of ways that include abstaining from voting and/or participating in decisions made by the council, board or commission, refraining from advocating for or against a matter publicly and privately, refraining from conduct that might influence others, and full disclosure of the official's interest in the matter.
- (6) Appearance of Impropriety. When an official's conduct may create an appearance of impropriety, the official must weigh his/her duty to participate against the adverse perception that participation might give rise to. Erring on the side of caution is always best.

**Sec. 1.1403. Unethical activity; prohibitions.**

No officer of the town shall:

- (1) Accept any gift or favor from any person that might reasonably tend to influence such person in the discharge of official duties, or grant in the discharge of official duties any improper favor, service or thing of value.
- (2) Use such person's official position to secure special privileges or exemptions for such person or others.
- (3) Grant any special consideration, treatment or advantage to any citizen, individual, business, organization or group beyond that which is available to every other citizen, individual, business, organization or group.
- (4) Disclose information that could adversely affect the property, government or affairs of the town, or directly or indirectly use any information gained by reason of such person's official position for such person's own personal gain or benefit or for the private interest of others.
- (5) Transact any business on behalf of the town in such person's official capacity with any business entity with which such person is an officer, agent or member or in which such person owns a substantial interest. In the event that such a circumstance should arise, then such person shall make known such interest, and in the case of an officer, abstain from voting on the matter, state the reasons for doing so and have nothing further to do with the matter involved.
- (6) Engage in any outside activities which will conflict with, or will be incompatible with, the duties assigned to such person's service to the town or reflect discredit upon the town, or in which such service in the town will give to such person an advantage over others engaged in a similar business, vocation or activity.
- (7) Accept or engage in outside activities incompatible with the full and proper discharge of duties and responsibilities of such person with the town, or which might impair independent judgment in the performance by such person of public duty.

- (8) Receive any fee or compensation for services as an officer of the town from any source other than the town, except as may be otherwise provided by law. This shall not prohibit such person performing the same or other services for a private organization that such person performs for the town if there is no conflict with town duties and responsibilities of such person.
- (9) Represent while an officer, directly or indirectly, or appear on behalf of private interests of others before:
  - a. Any agency of the town or any board, commission, authority or committee, or represent any private interest of others in any action or proceeding involving the town, or participate on behalf of others in any litigation to which the town might be a part, or even accept any retainer or compensation that is contingent upon a specific action taken by the town or any of its agencies, except as may be authorized by law.
  - b. The board, commission, authority or committee of which such person is a member, or before the town council or board which has appellate jurisdiction over the board, commission, authority or committee of which such person is a member with regard to matters that may be the subject of specific action by any such body.
- (10) Use the prestige of such person's position or office on behalf of any single political party in such a way that it gives the impression of being endorsed by the government of the town, but such person shall at all times maintain the nonpartisan policy of the town; provided, that all officials are encouraged to register, participate, and vote as they may choose in all elections.
- (11) Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the town ordinances, rules or regulations or the achievement of official town programs.
- (12) Use town supplies, equipment or facilities for any purpose other than the conduct of official town business unless these supplies, equipment or facilities are authorized through an appropriate contract or license or membership available to the general public or otherwise made available for public use.
- (13) Engage willfully and knowingly in any dishonest act or be convicted of any crime involving moral turpitude, in connection with their duties in office which is prejudicial to the government of the town or impairs the operation of the town. Nothing contained in this section shall be construed to mean that conviction of solely a class C misdemeanor shall be construed as grounds for unethical conduct.
- (14) Knowingly disclose confidential information obtained in an executive session unless and until the information becomes public.
- (15) Fail to maintain professionalism and common courtesy when commenting on town matters and official business.
- (16) Make derogatory comments against individuals, businesses or entities, including but not limited to social media contexts in official capacity.

**Sec. 1.1404. Personal or private interest of officer.**

Any officer who has either a personal or private interest in any matter pending before such person's office shall disclose such interest to the other members thereof, and shall refrain from discussing the same publicly with any other member thereof and shall not vote thereon.

**Sec. 1.1405. Attendance at all meetings.**

Attendance of all officers at meetings of their respective office shall be mandatory unless excused. In order for an absence to be considered excused, an officer shall be responsible for notifying the mayor or chairperson in the event of an absence prior to any meeting. If the officer notifies the mayor, mayor pro tem, deputy mayor pro tem or chairperson in any other manner or after the absence, the validity of the excuse shall be decided by the membership of the council or board. A partial absence and a complete absence shall be considered the same.

**Sec. 1.1406. Training.**

Each elected and appointed official of the town and all town employees shall participate in ethics training consisting of not less than one hour annually. Councilmembers, and all appointed officials who are out of compliance with this requirement shall not represent the town on intergovernmental assignments or council subcommittees, may be removed from their board, commission or committee, and may be subject to sanctions.

**Sec. 1.1407. Reporting.**

On not less than a quarterly basis, each town official shall submit a Financial Disclosure

- (a) Report on forms furnished by the town disclosing:
  - (1) Contributions, gifts, payments or benefits accepted, received or offered to that official from any third party due to the official's position as a town official;
  - (2) Any outside employment or sources of compensation that might reasonably appear to create a potential conflict of interest; and
  - (3) Each of the foregoing if applicable to any person related to the official within one degree of affinity or consanguinity (i.e., spouse, children, parents, step-children and parent in-laws).
- (b) The provisions of this section shall also apply to the Town Secretary and the Chief of Police.

**Sec. 1.1408. Violation of code of ethics; appeal.**

- (a) All complaints and allegations of violations of this code of ethics against an officer of the town shall be made in writing promptly following the conduct complained of and filed of record with the town secretary's office. The complaint shall describe in detail the act or acts complained. A general complaint lacking in detail shall not be sufficient to invoke the investigative procedures contained herein; and anonymous complaints shall not be considered. A complaint may be considered only against an officer while such person holds his/her position or office.
- (b) The town secretary shall provide a copy of the complaint to the affected officer and to the town council. The council shall consider the complaint and may conduct an investigation, appoint personnel to investigate, and/or appoint a committee comprised of no more than two members of the council to investigate and submit a report to the council as a whole for consideration. The person subject to the complaint should be encouraged to answer the allegations in the complaint in writing to be submitted to the party(s) conducting the investigation.

- (c) The council shall consider the merits of the complaint and any submitted reports, and shall make a determination as to the truth of the allegations and the disciplinary action, if any, to be imposed.
- (d) Should the council sustain the allegations in a complaint, it may, by majority vote of those present at a meeting called for such purpose, take the following actions:
  - (1) Issue a statement finding the complaint to be without merit;
  - (2) Issue a letter of admonition or reprimand;
  - (3) Remove from office the offending officer, other than a member of the council; or
  - (4) Issue a censure if the council finds that serious or repeated violations have been committed intentionally by a member of the council.
- (e) The decision of the council on a complaint shall be final and binding, and no appeal may be taken therefrom.

**Sec. 1.1409. Town employees; duties; ethics.**

It shall be the duty of all town employees to comply with statutes of the State of Texas and ordinances of the town with respect to the proper and appropriate conduct of their position. Mindful of town goals and objectives, each town employee:

(1) Interference and influence.

- a. Shall not receive any additional salary, benefits, or reimbursement for expenses for duties performed.
- b. Shall never act or be influenced in a manner that is inconsistent with the employee's lawful authority or their official capacity.
- c. Shall never take direction from any elected official other than as provided in the Code of Ordinances.

(2) Political activity.

- a. Shall not engage in any political activity while on duty or in a uniform, or use their official capacity to influence, interfere with or affect the results of an election in accordance with the political activity provisions of the town of the town's Personnel Policies.

(3) Conflict of interest.

- a. Shall not use town property, facilities, or resources for private or personal gain for themselves, their family or other parties.
- b. Shall not use confidential information for their personal gain or benefit or that of their family or other parties.
- c. Shall not grant any special consideration or treatment to any citizen beyond that which is available to every other citizen.

(4) Acceptance of gifts.

- a. Shall not intentionally solicit or accept, for the performance of any town service or duty, anything of value including, but not limited to, any recognition award, gift, loan, favor, or service, given for the purpose of influencing them in discharge of official duties. In no event shall any employee accept any gift or gratuity from a vendor, independent contractor or person conducting business with the town, except as provided in subsection b. hereof.
- b. Shall not accept payment for lunch nor accept products from a vendor or other such person in amount that exceeds \$25.00.

**1.1410. Discipline.**

Any town employee deemed to have violated this division shall be subject to discipline in accordance with the Personnel Policies of the town.

**Sec. 1.1411 Implementation.**

- (a) This Code of Ethics is intended to be self-enforcing and is an expression of the standards of conduct for officials of the town. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this document shall be included in the regular orientations and training for candidates and members of the town council, the town treasurer, and all applicants and members of all appointed boards, commissions and committees. Elected and appointed officials entering office shall sign a statement acknowledging they have read and understand the Code of Ethics. In addition, this Code of Ethics shall be periodically reviewed by the town council, and updated it as necessary.
- (b) The mayor or town council may adopt additional ethical considerations for various departments of the town, which do not conflict with this article.”

**SECTION 2.** That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY ADOPTED** by the Town Council of the Town of Double Oak, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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TOWN SECRETARY

APPROVED AS TO FORM:

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TOWN ATTORNEY