

DOUBLE OAK TOWN COUNCIL  
PUBLIC NOTICE  
320 WAKETON ROAD  
February 6, 2012  
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***

- 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."**

II. 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 so 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.

III. CITIZENS COMMENTS: NON-AGENDA SUBJECTS:

*To comply with provisions of The Open Meetings Act, the Town Council may not deliberate on items presented under this Agenda Item. The Council may refer an item to Staff and/or direct this item be placed on the next regular Agenda. There will be no interaction with the members of the Council. Each speaker will have a maximum of 5 minutes.*

1. MAYOR, COUNCIL MEMBERS AND STAFF REPORTS

- Status report on Public Works projects
- Status report on Economic Development

IV NEW BUSINESS AGENDA (CONSIDERATION AND ACTION):

2. DISCUSSION, CONSIDERATION AND ACTION ON A RESOLUTION AUTHORIZING THE SUSPENSION OF THE PROPOSED EFFECTIVE DATE OF THE PROPOSED RATE SCHEDULES OF THE MID-TEX DIVISION OF ATMOS ENERGY

PRESENTATION:

Jeanne Hooker - Atoms Energy

3. **DISCUSSION, CONSIDERATION AND ACTION ON 2011 RACIAL PROFILING REPORT FROM THE DOUBLE OAK POLICE DEPARTMENT**

PRESENTATION:

Police Chief Derrick Watson

4. **CITIZENS COMMENTS**

*To comply with provisions of The Open Meetings Act, the Town Council may not deliberate on items presented under this Agenda Item. The Council may refer an item to Staff and/or direct this item be placed on the next regular Agenda. There will be no interaction with the members of the Council. Each speaker will have a maximum of 5 minutes*

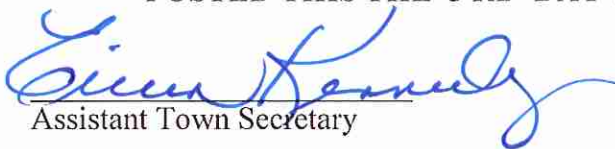
5. **COUNCIL – STAFF ANNOUNCEMENTS AND COMMENTS**

- First day to file for place on the ballot for the May 12, 2012 Council election is February 6 and last day is March 5
- Due to President's Day, Monday February 20<sup>th</sup>, the next Council meeting will be on Tuesday, February 21<sup>st</sup>.

6. **ADJOURNMENT**

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the Town Attorney, Section 551.074 of the Texas Government Code, Personnel, or any other item covered under the code, on any agenda item listed herein.

**POSTED THIS THE 3 RD DAY OF FEBRUARY 2012, AT 4:00 P.M.**

  
Assistant Town Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464 or fax 972.539.9613 for additional information.

**Atmos Energy – Mid-Tex Division  
Executive Summary  
Rate Case Filing  
January 2012**

**Summary**

- Each city has original jurisdiction over the rates charged to customers within their municipal boundaries.
- On January 31, 2012, the Mid-Tex Division of Atmos Energy filed a rate case with 441 cities.
  - The average residential customer bill using 4.4 Mcf will increase \$2.70 or 5.57% per month.
  - The average commercial customer bill using 34.2 Mcf will increase \$5.35 or 2.22% per month.
- Atmos Energy is asking all cities to pass a *suspension* resolution to extend the effective period of the proposed rates to allow for negotiation of a settlement.
  - This will extend the effective date 90 days from March 6, 2012 to June 4, 2012
- Notice will be run in newspapers of general circulation in every county served by the Mid-Tex division for four consecutive weeks beginning in early February.

**Background**

- For the past 4 years, Mid-Tex has had an annual Rate Review Mechanism (RRM) in place to review and, as necessary, adjust the Company's rates.
  - This has been a successful collaborative process with the Cities for reviewing and adjusting the Company's rates each year and the cost has not been passed on to customers.
- It has been the desire of the coalition groups that a more comprehensive review of the Company's rates be conducted periodically.
- This rate case provides for such a review with the intention of establishing new rates and allowing the RRM process to continue in the future.

RESOLUTION NO. 12-01

A RESOLUTION SUSPENDING THE PROPOSED EFFECTIVE DATE OF THE PROPOSED RATE SCHEDULES OF THE MID-TEX DIVISION OF ATMOS ENERGY CORPORATION ("COMPANY"), PROVIDING THAT THE RATE SCHEDULES OF SAID COMPANY SHALL REMAIN UNCHANGED DURING THE PERIOD OF SUSPENSION, PROVIDING FOR NOTICE HEREOF TO SAID COMPANY, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Company heretofore, on January 31, 2012, filed with the Governing Body of this municipality its Statement of Intent, together with its rate filing package, proposing to change its rate schedules within the corporate limits of this municipality, effective on March 6, 2012 (the "proposed effective date"); and

WHEREAS, in order to allow sufficient time for the consideration of the data filed by said Company, it is the desire of the Governing Body of this municipality to suspend, pursuant to Section 104.107(a)(1) of the Gas Utility Regulatory Act, the proposed effective date of said proposed changed rate schedules;

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

SECTION 1. That the effective date of the proposed changed rate schedules of Company is hereby suspended for a period of 90 days from the proposed effective date;

SECTION 2. That the rate schedules of Company in effect within this municipality on the date on which Company filed its said Statement of Intent shall continue in force during the period of suspension provided in Section 1 hereof.

SECTION 3. That the Secretary of this municipality is hereby directed to deliver a copy of this Resolution to Company promptly after the passage hereof to Atmos Energy Mid-Tex,

care of David Park, Vice President Rates and Regulatory Affairs, at Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240.

SECTION 4. It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that public notice of the time, place and purpose of said meeting was given, all as required by law.

PASSED AND APPROVED at a Regular Meeting of the Town Council of the Town of Double Oak, Texas on this the 6 th day of February, 2012.

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Mayor

ATTEST:

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Town Secretary



# Double Oak Police Department

## Racial Profiling Report

January 1, 2011 through December 31, 2011

January 31, 2011

Town Council  
Town of Double Oak  
320 Waketon Rd.  
Double Oak, TX 75077  
972-355-5995

Dear Mayor and Council,

As required by Texas Code of Criminal Procedure Art. 2.132 Law Enforcement Policy on Racial Profiling the following report on traffic contacts by Double Oak Police Officers is being submitted.

Attachment A – Tier 1 Partial Exemption Racial Profiling Reporting data generated by the department records management system.

Attachment B - Double Oak Police Department Racial Profiling Analysis generated by the department records management system. There were no allegations of racial profiling in the past year.

Attachment C – Tier 1 – Partial Exemption Racial Profiling Report submitted to The Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).

Respectfully,

A handwritten signature in black ink that reads "Derrick Watson". The signature is written in a cursive, flowing style.

Derrick Watson, Chief of Police  
Double Oak Police Department

**Partial Exemption Racial Profiling Reporting  
(Tier 1)  
January 2011 - December 2011**

**DOUBLE OAK POLICE DEPARTMENT**

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**Number of motor vehicle stops:**

Mark only 1 category per vehicle stop

1.	<u>1195</u>	Citation Only
2.	<u>0</u>	Arrest Only
3.	<u>8</u>	Both
4.	<u>1203</u>	Total

**Race or Ethnicity:**

5.	<u>20</u>	African
6.	<u>18</u>	Asian
7.	<u>1038</u>	Caucasian
8.	<u>122</u>	Hispanic
9.	<u>4</u>	Middle Eastern
10.	<u>1</u>	Native American
11.	<u>1203</u>	Total

**Race or Ethnicity known prior to stop?**

12.	<u>79</u>	Yes
13.	<u>1124</u>	No
14.	<u>1203</u>	Total

**Search Conducted?**

15.	<u>13</u>	Yes
16.	<u>1190</u>	No
17.	<u>1203</u>	Total

**Was search consented?**

18.	<u>4</u>	Yes
19.	<u>9</u>	No
20.	<u>13</u>	Total Must equal #15

# RACIAL PROFILING ANALYSIS

January 2011 - December 2011

DOUBLE OAK POLICE DEPARTMENT  
 320 WAKETON ROAD  
 DOUBLE OAK, TX 75077

Race/Ethnicity	Contacts		Searches		Consent Searches		PC Searches		Custody Arrest	
	N	%	N	%	N	%	N	%	N	%
Caucasian	1038	86.3%	7	53.8%	1	25.0%	6	66.7%	7	87.5%
African American	20	1.7%	1	7.7%	0	0.0%	1	11.1%	0	0.0%
Hispanic	122	10.1%	3	23.1%	1	25.0%	2	22.2%	1	12.5%
Asian	18	1.5%	2	15.4%	2	50.0%	0	0.0%	0	0.0%
Native American	1	.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Middle Eastern	4	.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>1203</b>		<b>13</b>		<b>4</b>		<b>9</b>		<b>8</b>	

## TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

**Agency Name:** DOUBLE OAK POLICE DEPT.  
**Reporting Date:** 01/31/2012  
**TCLEOSE Agency Number:** 121225  
**Chief Administrator:** DERRICK W. WATSON  
**Agency Contact Information:** Phone: 972-355-5995  
Email: [dwatson@double-oak.com](mailto:dwatson@double-oak.com)

This Agency claims partial racial profiling report exemption because:  
Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

### Certification to This Report 2.132 (Tier 1) – Partial Exemption

#### Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

DOUBLE OAK POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the DOUBLE OAK POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the DOUBLE OAK POLICE DEPT. if the individual believes that a peace officer employed by the DOUBLE OAK POLICE DEPT. has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the DOUBLE OAK POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the DOUBLE OAK POLICE DEPT.'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.

**I certify these policies are in effect.**

Executed by: **DERRICK W. WATSON**

Chief Administrator

DOUBLE OAK POLICE DEPT.

Date: 01/31/2012

**DOUBLE OAK POLICE DEPT. Motor Vehicle Racial Profiling  
Information**

**Number of motor vehicle stops:**

1. **1195** citation only
2. **0** arrest only
3. **8** both
4. **1203 Total** (4, 11, 14 and 17 must be equal)

**Race or Ethnicity:**

5. **20** African
6. **18** Asian
7. **1038** Caucasian
8. **122** Hispanic
9. **4** Middle Eastern
10. **1** Native American
11. **1203 Total** (lines 4, 11, 14 and 17 must be equal)

**Race or Ethnicity known prior to stop?**

12. **79** Yes
13. **1124** No
14. **1203 Total** (lines 4, 11, 14 and 17 must be equal)

**Search conducted?**

15. **13** Yes
16. **1190** No
17. **1203 Total** (lines 4, 11, 14 and 17 must be equal)

**Was search consented?**

18. **4** Yes
19. **9** No
20. **13 Total** (must equal line 15)