

1. 5:30 P.M. Town Council Agenda

Documents:

[NORTHLAKE TOWN COUNCIL AGENDA 4-29-21.PDF](#)

2. 5:30 P.M. Town Council Packet

Documents:

[COUNCIL PACKET 4-29-21.PDF](#)

3. April 29, 2021 - MEETING SLIDE DECK  
[APRIL 29, 2021 - MEETING SLIDE DECK](#)



DAVID A. RETTIG, MAYOR  
RENA HARDEMAN, COUNCIL PLACE 1  
MICHAEL C. GANZ, COUNCIL PLACE 2

BRIAN MONTINI, MAYOR PRO TEM, COUNCIL PLACE 3  
ROGER SESSIONS, COUNCIL PLACE 4  
DANNY SIMPSON, COUNCIL PLACE 5

**NORTHLAKE TOWN COUNCIL  
SPECIAL MEETING AGENDA  
APRIL 29, 2021 AT 5:30 PM  
1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226**

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Northlake Town Council will meet in a special meeting on Thursday, April 29, 2021 at 5:30 pm at the Northlake Town Hall in the Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas 76226. The items listed below are placed on the agenda for discussion and/or action.

1. Call to Order  
Roll Call

2. Executive Session

*Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:*

- a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except: (1) When the governmental body seeks the advice of its attorney about: (a) pending or contemplated litigation; or (b) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The Town Council may adjourn into executive session for consultation with the Town Attorney regarding:

- i. Legal advice on any matter related to any posted agenda item; and
- ii. Legal advice related to the development and annexation of the CKD Holdings Tracts, 24.8-acre, 11.9-acre, and 1.8-acre tracts of land general located north of Oliver Creek and west of FM 156 in the extraterritorial jurisdiction of the Town; and
- iii. Pending or contemplated litigation; and
- iv. Town of Northlake vs. City of Justin, Denton County District Court Cause No. 15-08170-367, including consideration of settlement agreement, interlocal agreement and resolutions implementing settlement agreement; and
- v. City of Justin v. Toby Baker, Cause No. D-1-GN-20-002084.

3. Reconvene into Open Session

*In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Open Session and consider action, if any, on matters discussed in Executive Session*

4. Action Items

- A. Resolution of the Town Council of the Town of Northlake, Texas, approving a Settlement Agreement between and among Town of Northlake, the City of Justin and the City of Fort Worth and authorizing execution by the mayor.  
(Resolution No. 21-7)
- B. Resolution of the Town Council of the Town of Northlake, Texas, approving an Interlocal Agreement between and among Northlake, the City of Justin and the City of Fort Worth allocating extra-territorial jurisdiction and retail water and sewer service areas among the municipalities and authorizing execution by the mayor.  
(Resolution No. 21-8)
- C. Joint Resolution between and among Town of Northlake, the City of Justin and the City of Fort Worth transferring extra-territorial jurisdiction among the municipalities in accordance with Settlement Agreement.  
(Resolution No. 21-9)
- D. Resolution of the Town Council of the Town of Northlake, Texas, releasing extra-territorial jurisdiction in accordance with Settlement Agreement.  
(Resolution No. 21-10)  
(Recess for execution of documents)
- E. Ordinance of the Town Council of the Town of Northlake, Texas, declaring the town is a municipality with more than 5,000 inhabitants and authorizing Town to execute all statutory powers arising from inhabitants declaration and providing for an immediate effective date  
(Ordinance No. 21-0429)
- F. Consider for approval Memo of Understanding related to the future development of the Westview Trails, LLC Tracts, approx. 66-acre and 70-acre tracts of land generally located at the northwest corner of Sam Reynolds Road and Boss Range Road in the extraterritorial jurisdiction of the Town
- G. Consider for approval Memo of Understanding related to the future development on the Oneta Lee Cope Trust Tracts, approx. 70-acre tract of land generally located at the northwest corner of Sam Reynolds Road and FM 156 in the extraterritorial jurisdiction of the Town
- H. Consider for approval Memo of Understanding related to the future development of the Petrus Investment LP Tracts, approx. 100.6-acre, 64.9-acre tract, 225.8-acre tract, and 168.4-acre tracts of land generally located south of Harmonson Road, east of FM 156, and north of Victory Circle in the extraterritorial jurisdiction of the Town

5. Adjourn

**CERTIFICATION**

I hereby certify that the above agenda was posted on the bulletin board at Town Hall 1500 Commons Circle, Suite 300, Northlake, Texas 76226, on the 23<sup>rd</sup> day of April 2021 by 5:00 pm in accordance with Chapter 551, Texas Government Code.

  
Shirley Rogers, Town Secretary

**NOTE:** The Town Council reserves the right to adjourn into executive session at any time the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code Section 551.071 (Consultation with Attorney); Section 551.072 (Deliberations about Real Property); 551.073 (Deliberations about Gifts and Donations); 551.074 (Personnel Matters); 551.076 (Deliberations about Security Devices); 551.087 (Economic Development Negotiations).



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**TOWN OF NORTHLAKE COUNCIL ITEM NO. 1**

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**DATE:**      APRIL 29, 2021

**ITEM:**      CALL TO ORDER



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**TOWN OF NORTHLAKE COUNCIL ITEM NO. 2**

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**DATE:**      APRIL 29, 2021

**ITEM:**      EXECUTIVE SESSION



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**TOWN OF NORTHLAKE COUNCIL ITEM NO. 3**

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**DATE:**      APRIL 29, 2021

**ITEM:**      OPEN SESSION



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**TOWN OF NORTHLAKE COUNCIL ITEM NO. 4**

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**DATE:**      APRIL 29, 2021

**ITEM:**      ACTION ITEMS



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## NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

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**DATE:** APRIL 29, 2021

**REF DOC.:** TEXAS CONSTITUTION, ARTICLE XI, SECTION 5 AND TEXAS LOCAL GOVERNMENT CODE, SECTION 42.021

**SUBJECT:** DECLARE NORTHLAKE WITH MORE THAN 5,000 INHABITANTS

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### GOALS/OBJECTIVES:

- Control our Own Destiny; Plan and prepare for a future Home Rule Charter (Council Goal)
- Control our Own Destiny; Strategically manage ETJ annexations (Council Goal)

### BACKGROUND INFORMATION:

- The North Central Texas Council of Governments (NCTCOG) publishes an annual population estimate for all cities in the region based on last Census data plus number of new housing units added
  - NCTCOG estimated Northlake's population as 4,930 as of January 1, 2020
  - 669 new homes and 249 new apartment units completed in 2020
  - Using NCTCOG methodology, Northlake's population was approximately 7,140 as of January 1, 2021
- When a general law municipality surpasses 5,000 inhabitants, the Texas Constitution authorizes an election to adopt a home rule charter
- In addition, extent of extraterritorial jurisdiction (ETJ) expands to within one mile of Town limits (currently Northlake ETJ extent – one-half mile)

### COUNCIL ACTION:

- Declare Northlake with more than 5,000 inhabitants



TOWN OF NORTHLAKE, TEXAS  
OFFICIAL ORDINANCE

No. 21-0429

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, DECLARING THE TOWN IS A MUNICIPALITY WITH MORE THAN 5,000 INHABITANTS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, the Texas Local Government Code provides that the extraterritorial jurisdiction for municipalities with 5,000 to 24,999 inhabitants is located within one mile of the municipality's corporate boundaries; and

**WHEREAS**, the Town of Northlake, Texas has increased in number of inhabitants in recent years; and

**WHEREAS**, the development of an accurate estimate of the number of inhabitants of the Town is essential to assist in the economic forecasts and in planning for the development and installation of public works infrastructure to meet the needs of the Town; and

**WHEREAS**, various governmental entities need accurate population information in order to correctly allocate services and resources to the Northlake area; and

**WHEREAS**, the Town Council of the Town of Northlake ("Town Council") after due and careful consideration has determined that it is necessary and appropriate to develop an accurate current population figure for the Town as of January 28, 2021; and

**WHEREAS**, the North Central Texas Council of Governments (hereinafter referred to as "NCTCOG") is a voluntary association of local governments which provides information and analysis in the region for local planning activities; and

**WHEREAS**, NCTCOG estimated the Town of Northlake's population on January 1, 2019 was 4,140 inhabitants; and

**WHEREAS**, NCTCOG estimated the Town of Northlake's population on January 1, 2020 was 4,930 inhabitants; and

**WHEREAS**, using the same NCTCOG methodology (attached hereto as Exhibit A), as of January 1, 2021 with the addition of 669 new homes and 249 new apartment units completed between January 1, 2020 and December 31, 2020, the Town of Northlake has determined that its number of inhabitants is approximately 7,140, and thus that the Town of Northlake now has a population of more than 5,000 inhabitants; and

**WHEREAS**, based upon a careful and detailed analysis of all of the information identified above, the best available information indicates that the current number of inhabitants of the Town of Northlake as of April 29, 2021 exceeds 5,000; and

**WHEREAS**, the Town Council believes that it is necessary and appropriate for the Town Council as a legislative body, to make a determination of the current number of the inhabitants of the Town based upon its assessment of the above data.

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

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

**Section 2.** That the Town Council finds, determines and declares that the Town of Northlake, Texas is a municipality of more than 5,000 inhabitants, subject to all the general laws of this State prescribing municipal powers, functions, rights and privileges for cities and towns of more than 5,000 inhabitants.

**Section 3.** This ordinance shall become effective immediately from and after its passage.

**DULY APPROVED** by the Town Council on this the 29th day of April 2021.

**Town of Northlake, Texas**

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David Rettig, Mayor

Attest:

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Shirley Rogers, Town Secretary

# Exhibit A

| Housing Type                                 | Estimated<br>Total<br>Housing Units | Occupancy<br>Rate | Average<br>Household<br>Size | Estimated<br>Population<br>1/1/2021 |
|----------------------------------------------|-------------------------------------|-------------------|------------------------------|-------------------------------------|
| Single Family                                | 1780                                | 0.822             | 3.428                        | 5,016                               |
| Multi-Family                                 | 1197                                | 0.933             | 1.823                        | 2,037                               |
| Other                                        | 61                                  | 0.733             | 1.845                        | 82                                  |
| Group Quarters                               | 0                                   | 0                 | 0                            | 0                                   |
| <b>2021 Population Estimate [Calculated]</b> |                                     |                   |                              | <b>7,135</b>                        |
| <b>2021 Population Estimate* [Published]</b> |                                     |                   |                              | <b>7,140</b>                        |

*\*NCTCOG published population estimates are rounded to the nearest multiple of 10*

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**TOWN OF NORTHLAKE COUNCIL ITEM NO. 5**

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**DATE:**      APRIL 29, 2021

**ITEM:**      ADJOURNMENT

