

# Mayor and Council Communication

**DATE:** 05/11/21

**M&C FILE NUMBER:** M&C 21-0322

**LOG NAME:** 12NORTHLAKE ETJ

**SUBJECT**

(ETJ Adjacent to CD 7) Authorize an Interlocal Agreement Allocating Extraterritorial Jurisdiction and Retail Water and Sewer Service Areas Between the Town of Northlake, Texas, the City of Justin, Texas and The City of Fort Worth, Texas, and the First Amendment to Interlocal Agreement Allocating Extraterritorial Jurisdiction between the City of Fort Worth, Texas and the City of Northlake, Texas and Adopt the Attached Joint Resolution Transferring Certain Extraterritorial Jurisdiction (ETJ) Between the Cities of Fort Worth and Justin; Releasing ETJ by the City of Northlake; Providing for Severability; Providing for Recordation; and Providing an Effective Date

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**RECOMMENDATION:**

It is recommended that the City Manager be authorized to enter into an Interlocal Agreement Allocating Extraterritorial Jurisdiction and Retail Water and Sewer Service Areas Between the Town of Northlake, Texas, the City of Justin, Texas and the City of Fort Worth, Texas, and the First Amendment to Interlocal Agreement Allocating Extraterritorial Jurisdiction between the City of Fort Worth, Texas and the City of Northlake, Texas. It is also recommended that the Council adopt the Joint Resolution Transferring Certain Extraterritorial Jurisdiction (ETJ) Between the Cities of Fort Worth and Justin; Releasing ETJ by the City of Northlake; Providing for Severability; Providing for Recordation; and Providing an Effective Date.

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**DISCUSSION:**

On October 20, 2020 (M&C 20-0740), Council authorized the City Attorney to intervene in the Northlake-Justin litigation and on November 19, 2020 Fort Worth filed its petition of intervention. The 1997 and 2020 Fort Worth-Northlake agreements are the subject of litigation between Northlake and Justin. On March 9, 2021, Council approved M&C 21-0172 that authorizes a settlement agreement between Fort Worth, Justin, and Northlake. Pursuant to settlement agreement, property that was allocated to Northlake in the 1997 and 2020 agreements will be reallocated to Northlake or Justin as depicted on the attached map. The areas on the map shown as E, G, and H shall be allocated to Justin and the areas shown as A, B, C, D, F and I shall be allocated to Northlake.

The Interlocal Agreement (ILA) and the Joint Resolution between the parties describes the relevant tracts and sets forth a sequence of events to effectuate the settlement agreement. The ILA also describes water and sewer service, but this section only affects Justin and Northlake.

The 2020 Fort Worth-Northlake agreement, approved by Council on April 7, 2020, was intended to reaffirm the cities' 1997 land-swap deal to facilitate the Texas Motor Speedway and to terminate a revenue-sharing provision of that agreement. This agreement must now be amended to conform to the settlement agreement as depicted by the attached map.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: Town of Northlake

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of this recommendation will have no material effect on City funds.

**Submitted for City Manager's Office by:** ALL ACMs 6222

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Expedited