

Mayor and Council Communication

DATE: 09/27/22

M&C FILE NUMBER: M&C 22-0739

LOG NAME: 06FORT WORTH & NEW FAIRVIEW BOUNDARY ADJUSTMENT

SUBJECT

(ETJ near CD 7) Authorize Joint Ordinance and Boundary Agreement with the City of New Fairview to Adjust the Extraterritorial Jurisdiction Between the Cities of Fort Worth and New Fairview in Denton County

RECOMMENDATION:

It is recommended that City Council:

1. Authorize joint ordinance and boundary agreement with the City of New Fairview to adjust the extraterritorial jurisdiction between the Cities of Fort Worth and New Fairview;
 2. Approve the attached Joint Ordinance and Boundary Agreement between the Cities of Fort Worth and New Fairview; and
 3. Authorize the Mayor to execute the attached Joint Ordinance and Boundary Adjustment.
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DISCUSSION:

The City of New Fairview has requested that the City of Fort Worth release extraterritorial jurisdiction (ETJ) to the City of New Fairview as depicted in Exhibit A. On November 5, 2019, the City Council adopted Ordinance 23916-11-2019 releasing 3,368 acres of Fort Worth ETJ to New Fairview. Additionally, on March 23, 2021 the City Council adopted Ordinance No. 24757-03-2021 releasing an additional 179 acres of ETJ to New Fairview. The release of ETJ in 2019 and 2021 to New Fairview involved residential developments that were primarily located within the ETJ of New Fairview. The current boundary adjustment will transfer approximately 1,179.907 acres of land from the ETJ of the City of Fort Worth to the ETJ of the City of New Fairview (see Exhibit A). This property is not within Fort Worth's 20-Year Planned Service Area nor is it within the Fort Worth Certificate of Convenience and Necessity (CCN). The property is in the Aqua Texas, Inc. CCN. Also, the property is over two miles from Fort Worth City Limits. The City of Fort Worth and the City of New Fairview wish to make changes to the boundaries of each City which will promote orderly development, public safety, and effective delivery of municipal services.

The Texas Local Government Code Chapter 42, Sections 42.023 and 42.022 authorize adjacent municipalities to make mutually agreeable changes in their boundaries, and release extraterritorial jurisdiction (ETJ) by Ordinance. Section 42.023 authorizes a municipality to reduce its ETJ by ordinance approved by its governing body. Section 42.022 authorizes a municipality to expand its ETJ beyond the distance limitations in Section 42.021 if the owners of the area of expansion request the expansion.

The property is located in the extraterritorial jurisdiction adjacent to COUNCIL DISTRICT 7.

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

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that the approval of these recommendations will have no material effect on City Funds.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: Stuart Campbell 2412