



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING AGENDA - AMENDED
OCTOBER 13, 2022, AT 5:30 P.M.
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 Regular Meeting on October 13, 2022, at 5:30 p.m., 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.

NOTE: One or more Town Councilmembers may appear virtually via video-conference pursuant to Texas Government Code § 551.127.

1. CALL TO ORDER

- Roll Call
- Invocation
- Pledge of Allegiance

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Presentation - Employee Service Awards
 - i. Brittany Tamayo - 5 Years of Service
 - ii. Drew Corn - 15 Years of Service
- B. Proclamation - Municipal Court Week, November 7-11, 2022
- C. Proclamation - Domestic Violence Awareness Month
- D. Briefing - Innovative Transportation Solutions on Texas Department of Transportation Projects and Denton County Bond Program
- E. Briefing - Series 2022 Certificates of Obligation Preliminary Official Statement
- F. Briefing - Monumentation Proposed Locations
- G. Briefing - Resident Survey Results

3. PUBLIC INPUT

This item is available for citizens to address the Town Council on any matter. The presiding officer may ask the citizen to hold his or her comment on an agenda item until that agenda item is reached. By law, no deliberation or action may be taken on the topic if the topic is not posted on the agenda. The presiding officer reserves the right to impose a time limit on this portion of the agenda.

4. **CONSENT ITEMS**

Any Council member may request an item on the Consent Agenda to be taken up for individual consideration

- H. Consider approval of the Town Council Meeting Minutes for September 8 and September 29, 2022
- I. Consider Resolution 22-54, approving appointments to the Fort Worth Wholesale Water and Wastewater Customer Advisory Committee, for a term beginning October 1, 2022, through September 30, 2023
- J. Consider Resolution 22-55, supporting Denton County's Transportation Road Improvement Program
- K. Consider Resolution 22-56, approving and authorizing the purchase of police vehicles and outfitting through Caldwell Country Chevrolet and Defender Supply, in an amount not to exceed \$220,000
- L. Consider Resolution 22-57, approving and authorizing the Town Manager to execute a Regulatory Services Agreement with the Trinity River Authority

5. **ACTION ITEMS**

- M. Consider Ordinance 22-1013A, amending the Town of Northlake Code of Ordinances, Article 5, Zoning Districts, of the Unified Development Code (UDC) by creating a new Agricultural (AG) zoning district and establishing and updating certain related development standards and permitted uses. Case # UDC-22-004
 - i. Public Hearing
 - ii. Consider approval
- N. Consider Resolution 22-58, ratifying the actions taken by the Northlake Economic Development Corporation and Northlake Community Development Corporation Board of Directors, approving a 3-year contract with Premier Christmas for the purchase of Christmas/Holiday Tree and related services, in a total amount not to exceed \$109,525

6. **EXECUTIVE SESSION**

The Town Council will convene in an Executive Session, pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

- A. Section 551.071 - Consultation with Attorney

The Town Council may convene in an executive session to consult with its attorney to seek 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. Development of Charles Faught tracts totaling approximately 152.3 acres of land generally located north of Evelyn Lane, west of Faught Road, and south of Robson Ranch Road.
 - ii. Development and annexation of the Petrus Investment tracts on approximately 100.6-acre, 64.9-acre, 225.8-acre, 58.5-acre, and 168.4-acre tracts of land generally located north of Victory Circle, west of Harmonson Road, and east of FM 156 in the extraterritorial

jurisdiction of the Town; the Eagle Income Properties tracts on approximately 102.9-acre, 24.9-acre, 10.2-acre, 5.5-acre, and 2.7-acre tracts of land generally located east of FM 156 and south of Harmonson Road in the extraterritorial jurisdiction of the Town; and the All Investment tract on approximately 76.8-acre tract of land generally located east of Harmonson Road in Town limits.

- iii. Development and annexation of the Northlake 156 & 114 LP tract totaling approximately 156.77 acres of land generally located east of FM 156 and north of Petty Place and Victory Circle West in the extraterritorial jurisdiction of the Town.
- iv. Development and annexation of the Randell & Ronda Owens tracts on approximately 1.81-acre, 3.08-acre, and 58.92-acre tracts of land generally located east of IH 35W and south of FM 1171 in the extraterritorial jurisdiction of the Town.
- v. Potential Cost Sharing Agreement with City of Justin for Wastewater Collection Pipeline.

B. Section 551.087 - Economic Development Negotiations

The Town Council may convene in an executive session to discuss or deliberate regarding commercial or financial information that the Town has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the Town and with which the Town is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described below.

- i. Potential development agreement and annexation of the CKD Holdings Tracts on approximately 24.8-acre, 11.9-acre, and 1.8-acre tracts of land generally located north of Oliver Creek and west of FM 156 in the extraterritorial jurisdiction of the Town.
- ii. Development agreement and annexation of Northlake Land Development Partners LLC and Northlake MOB Development Partners LLC tracts totaling approximately 6.53 acres of land located in the extraterritorial jurisdiction north of FM 407 approximately 1,200 feet west of Thompson Road.
- iii. Results of sports venue feasibility study conducted by CSL.

7. 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

- A. Consider Resolution 22-59, approving and authorizing the Town Manager to execute an agreement between the City of Justin and the Town of Northlake for water and sewer CCNs consisting of 39.25 acres.

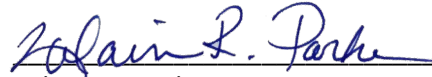
8. ADJOURN

NOTE: The Town Council reserves the right to adjourn into executive session at any time during 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).

CERTIFICATION

I, Zolaina R. Parker, Town Secretary for the Town of Northlake, Texas, hereby certify that the above AMENDED AGENDA was posted on the official bulletin board located at Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, on October 10, 2022, by 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.




Zolaina R. Parker, Town Secretary

NOTICE: THE TOWN OF NORTHLAKE'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). THE TOWN WILL PROVIDE ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE TOWN SECRETARY'S OFFICE AT 940-242-5702 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD), BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATIONS CAN BE ARRANGED.

TOWN OF NORTHLAKE COUNCIL ITEM NO. 1

DATE: OCTOBER 13, 2022

ITEM: CALL TO ORDER



TOWN OF NORTHLAKE COUNCIL ITEM NO. 2

DATE: OCTOBER 13, 2022

ITEM: ANNOUNCEMENTS-PROCLAMATIONS-PRESENTATIONS





IN RECOGNITION AND APPRECIATION
COMMEMORATING FIVE YEARS OF
EXEMPLARY SERVICE TO THE
TOWN OF NORTHLAKE

This plaque is presented to

Brittany Tamayo

Court Clerk

Northlake Municipal Court

2017 - 2022



By

David Rettig - Mayor

Brian Montini - Mayor Pro Tem

Robert Keeker - Council Member

Michael Ganz - Council Member

Roger Sessions - Council Member

Bill Moore - Council Member

Wes Boyer - Council Member

36"

9"



QTY. 1

FASTSIGNS
2400 Westport Pkwy. Ste. 900
Ft. Worth, Texas 76177
TSCL# 18501

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101612-3	S.LEOPARD	M.MOYA	1 of 1	.080 Aluminum with H.I.P. Reflective Vinyl cast laminated (double sided) Size: 9" x 36"

Please examine all proofs carefully for the accuracy of information presented, as well as spelling, punctuation, numbers, graphics, colors, and general layout. **Any errors may result in reprint charges. "Approved with changes" is not valid for production.** Normal production cycle will begin from the date final approval is received.



TOWN OF NORTHLAKE, TEXAS
OFFICIAL PROCLAMATION

No. 22-6

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

WHEREAS, the Town of Northlake established the Municipal Court of Northlake in March 1999; and

WHEREAS, the Town of Northlake 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; and

WHEREAS, the Northlake Municipal Judge is not a policy maker for the Town of Northlake but is bound by the law and the Canons of Judicial Conduct and is required to make decisions independent of the governing body of the Town Council, Town Officials, and employees; and

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 Municipal Court of Northlake in complying with such legal requirements.

NOW, THEREFORE, I, David Rettig, Mayor, of the Town of Northlake along with the entire Town Council, hereby proclaim:

November 7-11, 2022 - Municipal Court Week

In recognition of the fair, and impartial justice offered to all residents and visitors by the Municipal Court of Northlake.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this the official seal of the Town of Northlake to be affixed this 13th day of October 2022.

David Rettig, Mayor

ATTEST:

Zolaina R. Parker, Town Secretary



TOWN OF NORTHLAKE, TEXAS
OFFICIAL PROCLAMATION

No. 22-5

WHEREAS, For the past 42 years, Denton County Friends of the Family has provided comprehensive services to those impacted by domestic violence while partnering with the community to promote hope, healing, justice, and prevention; and

WHEREAS, all people have the right to live without fear, abuse, or oppression, and domestic violence affects people of all races, ages, genders, and backgrounds; and

WHEREAS, Denton County Friends of the Family received more than 3,300 crisis calls and text messages from victims of domestic violence and provided 8,078 nights of emergency shelter to nearly 100 adults and their children in 2021; and

WHEREAS, Denton County Friends of the Family served more than 4,600 clients and provided over 109,000 services last year, including counseling, advocacy, case management, and support services, following their mission; and

WHEREAS, by working together with affiliated programs and municipalities, Denton County Friends of the Family has focused on its mission and worked to change social attitudes and responses to domestic violence.

NOW, THEREFORE, I, David Rettig, Mayor, of the Town of Northlake along with the entire Town Council, hereby proclaim:

October 2022 - Domestic Violence Awareness Month

and urge all residents to reaffirm their commitment to ending domestic violence in our community through public education, partnerships, and continued support to the organizations that provide direct assistance to victims.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this the official seal of the Town of Northlake to be affixed this 13th day of October 2022.

David Rettig, Mayor

ATTEST:

Zolaina R. Parker, Town Secretary

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: DENTON COUNTY AND TXDOT ROAD PROJECTS

SUBJECT: UPDATES ON DENTON COUNTY BOND PROGRAM PROJECTS AND
TXDOT ROAD PROJECTS



GOALS/OBJECTIVES:

- Invest in Infrastructure; Commit and plan for road bond program with Denton County
- Invest in Infrastructure; Dedicate staff and external resources to improve TXDOT coordination

BACKGROUND INFORMATION:

- John Polster with Innovative Transportation Solutions briefing on County and State projects
- Current Denton County Bond Program Projects
 - Cleveland-Gibbs Road (FM 1171 to Whyte)
- Proposed Denton County Bond Program Projects within Northlake
 - Whyte Road (I-35W Frontage Road to Cleveland-Gibbs)
 - Faught Road (Old Justin to FM 407)
 - McPherson Road (FM 156 to Dale Earnhardt Way, excepting developer-built sections)
 - Mulkley Road (FM407 to Florance)
- Current TXDOT Roadway Projects
 - FM 156 Breakout (City of Justin to SH 114)
 - FM 407 (West of City of Justin to FM 1830)
 - FM 407 Breakout (Cleveland-Gibbs to Gateway)
 - FM 1171 (FM 156 to I-35W)
 - I-35W Frontage Road (I-35E to Dale Earnhardt Way)
 - I-35W Frontage Road Breakout (I-35E to FM 407)
 - I-35W Main and Managed Lanes (I-35E to Eagle Parkway)
 - US 377 (I-35E to SH 170)
 - US 377 Breakouts (Roanoke, Argyle, Swamp Section)
 - SH 114 (I-35W to US 377)
 - SH 114 Breakout (Bridge at US 377)

COUNCIL DIRECTION:

- Provide direction and input regarding Denton County and TXDOT projects

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: TEXAS LOCAL GOVERNMENT CODE, SECTION 271, SUBCHAPTER C.

SUBJECT: PRELIMINARY OFFERING STATEMENTS (POS) OVERVIEW



GOALS/OBJECTIVES:

- Exercise Fiscal Responsibility/Accurately project and budget future resources and staffing needs
- Invest in Infrastructure/Continue to invest in infrastructure expansions and improvements

BACKGROUND INFORMATION:

- FY 2023 capital improvement projects requiring \$15,000,000 in funding
- May 12th – Council adopted reimbursement resolution for project related costs
- May 12th – Council approved contract with Plummer Associates to begin design of project
- August 25th – Council adopted FY 2023 Budget including debt service for Series 2022 C.O.s

NEXT STEPS:

- Post notice on Town's website beginning November 10, 2022, until December 8, 2022
- Consider ordinance issuing certificates of obligation on November 10, 2022

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: LOCAL GOVERNMENT CODE, CHAPTER 103

SUBJECT: ENTRYWAY MONUMENTATION LOCATIONS



GOALS/OBJECTIVES:

- Reinforce our Identity/Add beautification measures to roads and community entrances
- Reinforce our Identity/Define who we are (and don't settle for less)

BACKGROUND INFORMATION:

- 2022 Strategic Plan identified monumentation and entryway features as objective
- Requests for proposals (RFPs) advertised for consulting and design services
- Halff Associates, Inc. was selected due to experience, references, and local knowledge
- Staff recommends locations:
 - Southwest corner of FM 407 and FM 338/Cleveland Gibbs
 - Northside of Westbound FM 407, East of Harvest Way
 - Northbound IH 35 and Thrown Rod Lane
 - SH 114 Westbound at corner of Dale Earnhardt Blvd. and Cleveland Gibbs
 - FM 1171/Cross Timbers Road and Graham Branch Creek
 - Future Cleveland Gibbs Road at Ed Robson Blvd.
 - FM 407 near 5th Street

COUNCIL ACTION:

- Approve entryway monument location recommendations

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: 2020 NORTHLAKE RESIDENT SURVEY

SUBJECT: 2022 NORTHLAKE RESIDENT SURVEY RESULTS



GOALS/OBJECTIVES:

- Reinforce our Identity/Define who we are (and don't settle for less)
- Define Future Amenities/Provide advanced technology to survey, track and deliver citizen services

BACKGROUND INFORMATION:

- Town closed 2022 Northlake Resident Survey – October 1
- Town conducted six (6) surveys over last decade: 2013, 2015, 2016, 2018, 2020, 2022
- 2022 survey followed similar format to track response over time
- Survey advertised:
 - News carousel on Town website
 - Social media (Town of Northlake Facebook and Instagram)
 - Utility billing inserts

Summary of Survey Participation:

- Total of 934 respondents (566 in 2020)
- 897 single family residents
- 120 Harvest residents
- 7 apartment residents
- 33 non-residents

Survey Highlights:

- Quality of Life - 91.2% Excellent/Good
- Police Service - 92.8% Excellent/Good
- Retail Preferences
 - Grocery Store
 - Home Improvement/Hardware Store
 - Clothing Store

COUNCIL ACTION:

- Analyze and publish results to the public

TOWN OF NORTHLAKE COUNCIL ITEM NO. 3

DATE: OCTOBER 13, 2022

ITEM: PUBLIC INPUT



TOWN OF NORTHLAKE COUNCIL ITEM NO. 4

DATE: OCTOBER 13, 2022

ITEM: CONSENT ITEMS





**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
1500 COMMONS CIRCLE, SUITE 300
SEPTEMBER 8, 2022**

The Northlake Town Council convened in a Regular Meeting on September 8, 2022, at 5:31 p.m., in the Northlake Town Hall - Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

Mayor David Rettig called the meeting to order at 5:30 p.m., and a quorum was present as follows:

- Roll Call:

David Rettig, Mayor	Roger Sessions, Place 4 - Arrived at 5:36 p.m.
Robert Keeker, Place 1	Bill Moore, Place 5 - via videoconference and left meeting at 7:13 p.m.
Michael Ganz, Place 2	Wes Boyer, Place 6
Brian Montini, Mayor Pro Tem	

Also present were Drew Corn, Town Manager, and Ashley Dierker, Town Attorney.

- Invocation was given by Pastor Matthew Harding, The Well Church.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Briefing - Comprehensive Plan Update Process

The item was presented by Drew Corn, Town Manager, and discussion followed.

Following discussion, Town Council consensus was for staff to proceed with the process required to update the Comprehensive Plan and provide updates at future meetings.

B. Briefing - Agricultural Zoning District Update

The item was presented by Nathan Reddin, Development Director, and discussion followed.

Following discussion, Town Council consensus was for staff to proceed with the process required to create the Agricultural Zoning District as proposed and provide an update at a future meeting.

3. PUBLIC INPUT

The following individuals shared comments as allowed under the Public Input portion of the agenda. All comments may be viewed in their entirety on the Town's Website at <https://www.town.northlake.tx.us/337/Watch-Council-Meetings>.

- Joel McGregor, address on file - addressed personal issue, budget, and zoning
- Rena Hardeman, address on file - addressed tax rate, budget, expenses, citizen representation, and zoning

4. CONSENT ITEMS

The Consent Agenda consisted of Item 4.C., and no item were pulled for individual consideration.

Mayor Rettig move to approve the Consent Agenda as presented. Motion seconded by Mayor Pro Tem Montini. Motion carried.

AYES (7): Rettig, Keeker, Ganz, Montini, Sessions, Moore, Boyer

NAYS (0): None

- C. Consider approval of the Town Council Meeting Minutes for August 25, 2022

APPROVED

5. ACTION ITEMS

- D. Consider Ordinance 22-0908A, amending Article 6.03, "Fireworks," of the Code of Ordinances of the Town of Northlake, Texas; declaring the use or detonation of fireworks within Town limits and within 5,000 feet of Town limits to be a nuisance pursuant to Texas Local Government Code Section 217.042; prohibiting said use or detonation

NOT APPROVED

The item was presented and discussion followed.

Following discussion, Councilmember Ganz moved to approve the item as presented. Motion seconded by Councilmember Moore. Motion failed.

AYES (3): Keeker, Ganz, Moore

NAYS (3): Rettig, Montini, Boyer

ABSTAIN (1): Sessions

- E. Consider Resolution 22-49, approving and directing publication of notice of intention to issue certificates of obligation

APPROVED RESOLUTION NO. 22-49

Mayor Rettig recused himself as to the item, while he is not legally bound to refrain from the discussion, as a condition of his employment, his employer (an investment firm), asked him to not participate in discussions relating to bonds. Mayor Pro Tem Montini presided over the meeting during the consideration of the item.

Following discussion, Mayor Pro Tem Montini moved to approve the item as presented. Motion seconded by Councilmember Boyer. Motion carried.

AYES (6): Montini, Keeker, Ganz, Moore, Sessions, Boyer

NAYS (0): None

ABSTAIN (1): Rettig

Mayor Rettig resumed presiding over the meeting.

- F. Consider Resolution 22-51, approving and authorizing the Town Manager to enter into an agreement for the purchase of public works equipment in an amount not to exceed \$85,000

APPROVED RESOLUTION NO. 22-51

The item was presented and commentary followed.

Following discussion, Mayor Pro Tem Montini moved to approve the item as presented. Motion seconded by Mayor Rettig. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Moore, Sessions, Boyer

NAYS (0): None

ABSTAIN (0): None

- G. Consider Resolution 22-52, ratifying the actions taken by the Northlake Economic Development Corporation and Northlake Community Development Corporation Board of Directors, approving a Pioneer Grant for Rolling Pin Bakeshoppe, in an amount not to exceed \$50,000

APPROVED RESOLUTION NO. 22-52

The item was presented and discussion followed.

Following discussion, Mayor Pro Tem Montini moved to approve the item as presented. Motion seconded by Councilmember Boyer. Motion carried.

AYES (6): Rettig, Montini, Keeker, Moore, Sessions, Boyer

NAYS (1): Ganz

ABSTAIN (0): None

- H. Consider Resolution 22-53, casting votes for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees for Places 6, 7, 8, and 9

APPROVED RESOLUTION NO. 22-53

The item was presented and discussion followed.

Following discussion, Mayor Rettig moved to approve casting votes as follows:

- Place 6 - Allison Heyward
- Place 7 - Rebecca Haas
- Place 8 - Mike Land
- Place 9 - Opal Mauldin-Jones

Motion seconded by Councilmember Boyer. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Moore, Sessions, Boyer

NAYS (0): None

ABSTAIN (0): None

6. EXECUTIVE SESSION

The Town Council convened into an Executive Session at 7:13 p.m., consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law to address the following:

a. Section 551.071 - Consultation with Attorney

- i. Development of Charles Faught tracts totaling approximately 152.3 acres of land generally located north of Evelyn Lane, west of Faught Road, and south of Robson Ranch Road.
- ii. Development of Northlake Land Development Partners LLC and Northlake MOB Development Partners LLC tracts totaling approximately 6.53 acres of land located in the extraterritorial jurisdiction north of FM 407 approximately 1,200 feet west of Thompson Road.
- iii. Development and annexation of the Petrus Investment tracts on approximately 100.6-acre, 64.9-acre, 225.8-acre, 58.5-acre, and 168.4-acre tracts of land generally located north of Victory Circle, west of Harmonson Road, and east of FM 156 in the extraterritorial jurisdiction of the Town; the Eagle Income Properties tracts on approximately 102.9-acre, 24.9-acre, 10.2-acre, 5.5-acre, and 2.7-acre tracts of land generally located east of FM 156 and south of Harmonson Road in the extraterritorial jurisdiction of the Town; and the AIL Investment tract on approximately 76.8-acre tract of land generally located east of Harmonson Road in Town limits.

b. Section 551.072 - Real Property

- i. Regarding purchase, exchange, lease or value of real property to be acquired as right-of-way out of the following parent tracts:
 - a. 55.06 acres at northwest corner of Strader Road and Florance Road
 - b. 14.0 acres at southwest corner of Sunfire Lane and Florance Road
 - c. 6.0 acres at 6120 Florance Road
 - d. 2.907 acres at 120 Linnie Bell Road
 - e. 1.757 acres at 6000 block of Florance Road
 - f. 8.0 acres at 5790 Florance Road
 - g. 6.43 acres at 5700 block of Florance Road
 - h. 6.57 acres at 5684 Florance Road
 - i. 14.313 acres at 5508 Florance Road

c. Section 551.087 – Economic Development

- i. Potential development agreement and annexation of the CKD Holdings Tracts on approximately 24.8-acre, 11.9-acre, and 1.8-acre tracts of land generally located north of Oliver Creek and west of FM 156 in the extraterritorial jurisdiction of the Town.

- ii. Potential development agreement with Henry Northlake Development LLC on five tracts totaling approximately 122 acres generally located east of I-35W and north of Denton Creek.

7. RECONVENE INTO OPEN SESSION

Mayor Rettig reconvened the Regular Meeting at 7:42 p.m., to address any Council action regarding the items deliberated during Executive Session. No votes or actions were taken on any of the items deliberated.

8. ADJOURN

With no further business, Mayor Rettig adjourned the meeting at 7:43 p.m.

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
1500 COMMONS CIRCLE, SUITE 300
SEPTEMBER 29, 2022**

The Northlake Town Council convened in a Regular Meeting on September 29, 2022, at 5:30 p.m., in the Northlake Town Hall - Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

Mayor David Rettig called the meeting to order at 5:30 p.m., and a quorum was present as follows:

- Roll Call:

David Rettig, Mayor

Robert Keeker, Place 1

Michael Ganz, Place 2

Brian Montini, Mayor Pro Tem

Roger Sessions, Place 4

Bill Moore, Place 5

Wes Boyer, Place 6

Also present were Drew Corn, Town Manager, and Ashley Dierker, Town Attorney.

- Invocation was given by Pastor Matthew Harding, The Well Church of Argyle.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

2. PUBLIC INPUT

The following individuals shared comments as allowed under the Public Input portion of the agenda. All comments may be viewed in their entirety on the Town's Website at <https://www.town.northlake.tx.us/337/Watch-Council-Meetings>.

- None

3. ACTION ITEMS

- Consider Ordinance 22-0929A, repealing Ordinance 22-0825F of the Town Council of the Town of Northlake, Texas; and fixing and levying municipal ad valorem taxes on all taxable property within the corporate limits of the Town of Northlake, Texas for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, at the rate of \$0.295000 per one hundred dollars (\$100.00) and for directing the assessment thereof; providing for a date on which such taxes become due and delinquent together with penalties and interest thereon; providing for a place of payment; providing for approval of the tax rolls presented to the Town Council

APPROVED ORDINANCE NO. 22-0929A

The item was presented and discussion followed.

Mayor Rettig opened the public hearing at 5:42 p.m., with the following speakers coming forward:

- Rena Hardeman, address on file - addressed tax rate and debt service
- Bruce McDonald, address on file - addressed tax rate

With no further speakers coming forward, the public hearing was closed at 5:45 p.m.

Following further discussion, Councilmember Sessions moved the property tax rate be increased by the adoption of a tax rate of \$0.295, which is effectively a 48% percent increase in the tax rate.

Councilmember Sessions added the following comments prior to the voting being opened:

- The average Taxable value increase for a homesteaded resident is 8%, which for the average resident comes out to \$85 a year, or a cup of Starbucks coffee a month.
- The Town Council also increased the Over 65 and disabled exemption by \$85,000, to \$100,000.
- The vast majority of the increase in value is coming from commercial properties, who have additional tools to lower taxes, that are not available to residents.

Motion seconded by Mayor Pro Tem Montini. Motion carried.

AYES (7): Rettig, Keeker, Ganz, Montini, Sessions, Moore, Boyer

NAYS (0): None

4. ADJOURN

With no further business, Mayor Rettig adjourned the meeting at 5:50 p.m.

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: APPOINTMENT FORM

SUBJECT: APPOINTMENT TO FORT WORTH WHOLESALE WATER CUSTOMER COMMITTEE



GOALS/OBJECTIVES:

- Exercise Fiscal Responsibility/Accurately project and budget future resources and staffing needs
- Advance Northlake's Interests/Have an outsize influence on local, regional and state issues
- Advance Northlake's Interests/Effectively plan and manage ahead of state restrictions

BACKGROUND INFORMATION:

- Fort Worth Wholesale Water and Wastewater Customer Committee meets twice per year
- Committee members include all Wholesale Water and Wastewater customers of the City of Fort Worth
- Meetings held to allow Fort Worth staff to provide updates directly to customer representatives
- Last meeting attended June 9th, 2022
- Previous meeting items include
 - Rates study results
 - Cost of Service study results
 - Estimated rate increases
 - Upcoming water conferences
 - Legislative and Regulatory updates
- Next meeting scheduled December 9th

COUNCIL ACTION:

- Approve appointment of Eric Tamayo as Voting Member, Drew Corn as Alternate



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

NO. 22-54

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPOINTING THE DIRECTOR OF PUBLIC WORKS AS THE OFFICIAL VOTING REPRESENTATIVE TO THE CITY OF FORT WORTH WHOLESALE CUSTOMER ADVISORY COMMITTEE; AND APPOINTING THE TOWN MANAGER AS THE ALTERNATE REPRESENTATIVE

WHEREAS, the Town of Northlake has a contract with the City of Fort Worth for the purchase of treated water; and

WHEREAS, the uniform water contract establishes a Wholesale Customer Advisory Committee; and

WHEREAS, the uniform water contract requires that each contracting party appoint a voting member to the Wholesale Advisory Committee.

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

SECTION 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the Town Council hereby appoints Eric Tamayo as Voting member of the City of Fort Worth Wholesale Customer Advisory Committee, with Drew Corn serving as the Alternate.

SECTION 3. That this Resolution shall become effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 13th day of October 2022.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: DENTON COUNTY TRANSPORTATION ROAD IMPROVEMENT PROGRAM

SUBJECT: SUPPORT DENTON COUNTY'S TRANSPORTATION ROAD IMPROVEMENT PROGRAM – 2022 (TRIP-22)



GOALS/OBJECTIVES:

- Define Future Amenities/Partner with neighboring cities on projects of joint interest
- Invest in Infrastructure/Commit and plan for a road bond program in partnership with Denton County

BACKGROUND INFORMATION:

- Denton County one of 10 fastest growing counties in the Nation
- Federal and state funding agencies seek partnerships leveraging opportunities for new roads
- Federal and state gas tax rates - no increase in 23 years
- Regional funding requires local government financial participation
- Denton County Commissioners and partners have approved proceeds from road bond programs
- Proceeds will fund and construct over \$8.4 billion in road projects in county
- TRIP-22 identifies 113 county-wide road projects increasing County mobility
- TRIP-22 estimated to generate billions in leveraged roadway improvements
- Partnerships between Denton County, State, Region, and local entities

COUNCIL DIRECTION:

- Endorse 2022 Denton County Bond Election (TRIP-22); encourage County residents to vote for passage November 8, 2022



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

NO. 22-55

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, SUPPORTING DENTON COUNTY'S TRANSPORTATION ROAD IMPROVEMENT PROGRAM - 2022 (TRIP-22), PROPOSITION "A" ON THE NOVEMBER 8, 2022 ELECTION BALLOT

WHEREAS, Denton County is one of the 10 fastest growing counties in the Nation; and

WHEREAS, an estimated 82 people move to Denton County every day; and

WHEREAS, federal and state funding agencies look for partnerships for leveraging opportunities for new roads; and

WHEREAS, the state and federal gas tax rates have not been increased in 23 years; and

WHEREAS, fuel efficiency is reducing available transportation funding; and

WHEREAS, regional funding requires local government financial participation; and

WHEREAS, investing in roadway transportation is a Family Value that improves the quality of life of our residents, decreases congestion on city, county and state roads, provides through traffic on city roads, improves air quality, reduces standing traffic emissions, enhances economic development, keeps tax base strong and increases safety by providing better ambulance service accessibility, reduces dangerously high roadbeds and improves bus routes; and

WHEREAS, Denton County Commissioners, working with partners, have utilized the voter-approved proceeds of \$187 million from the 2004 and \$310 million from the 2008 road bond programs to fund and construct more than \$8.4 BILLION in roadway projects throughout the county that improve the quality of life of every resident; and

WHEREAS, Denton County has effectively managed its road bond debt to maintain its AAA bond rating; and

WHEREAS, Denton County's tax rate has dropped from \$0.24.98/\$100 valuation in 2009 to \$0.23.3/\$100 valuation in 2021; and

WHEREAS, TRIP-22 identifies comprehensive county-wide transportation priorities that will further increase access and mobility within the County; and

WHEREAS, the 113 roadway projects in TRIP-22 represents active partnerships between Denton County, State, Region and local entities; and



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

WHEREAS, TRIP-22 was developed in close collaboration with the Texas Department of Transportation and the North Central Texas Council of Governments; and

WHEREAS, TRIP-22 is estimated to generate billions in leveraged roadway improvements.

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

SECTION 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the Town Council hereby strongly endorses the 2022 Denton County Bond Election hereby known as the "Transportation Road Improvement Program, 2022 – TRIP-22" as approved by the Denton County Commissioners Court on August 16, 2022, and encourage the residents of Denton County to vote for its passage on November 8, 2022.

SECTION 3. That this Resolution shall become effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 13th day of October 2022.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: FY 2023 BUDGET

SUBJECT: COOPERATIVE PURCHASING OF POLICE VEHICLES



STRATEGIC GOALS/OBJECTIVES:

- Define Future Amenities; Provide advanced technology to survey, track and deliver citizen services

BACKGROUND INFORMATION:

- More resources needed to deliver services to residents due to new positions and vehicle aging.
- New police vehicles needed to maintain current service levels.

COUNCIL ACTION:

- Approve resolution to purchase new police vehicles



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

NO. 22-56

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF POLICE VEHICLES IN AN AMOUNT NOT TO EXCEED \$220,000

WHEREAS, the Town Council of the Town of Northlake, Texas, has determined that a public need and necessity exists for the Town to replace and purchase new equipment for the police department; and

WHEREAS, the Town Council approved and budgeted for the expenditure of \$220,000 in the 2022-2023 budget year for the police vehicles; and

WHEREAS, vendors are providing the quote for the police vehicles and upfitting through Caldwell Country Chevrolet and Defender Supply; and

WHEREAS, the Town is a member of the HGAC Cooperative Purchasing Contract and Tarrant County Purchasing Contract, which per Subchapter F of Section 271 of the Texas Local Government Code fulfills State purchasing requirements; and

WHEREAS, the Town Council has determined that it is advisable and in the best interests of the Town to authorize the Town Manager to enter into an agreement to purchase of four police vehicles, in an amount not to exceed \$220,000.

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

SECTION 1. All of the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the Town Council hereby authorizes the Town Manager to enter into an agreement for the purchase of police equipment at the quoted unit prices, provided that the total amount to be expended pursuant to this grant of authority shall not, in total, exceed the sum of \$220,000.

SECTION 3. This Resolution is effective immediately upon passage.



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 13th day of October 2022.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: TRINITY RIVER AUTHORITY NORTHLAKE CUSTOMER CONTRACT

SUBJECT: CONTRACT FOR REGULATORY SERVICES PERFORMED BY TRA



GOALS/OBJECTIVES:

- Exercise Fiscal Responsibility/Accurately project and budget future resources and staffing needs
- Invest in Infrastructure/Continue to invest in infrastructure expansions and improvements

BACKGROUND INFORMATION:

- Trinity River Authority (TRA) Board of Directors approved Technical Services Fee Schedule
- Town of Northlake contracting party of TRA Denton Creek Regional Wastewater System
- To benefit from pricing of TRA's services, Town can contract with TRA for these services
- Any costs associated with services included in current and proposed budgets

COUNCIL ACTION:

- Approve TRA Regulatory Services Contract



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

NO. 22-57

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A SERVICE CONTRACT WITH THE TRINITY RIVER AUTHORITY FOR WASTEWATER REGULATORY SERVICES

WHEREAS, the Texas Legislature has authorized the execution of Interlocal Cooperation Agreements between and among governmental entities pursuant to the Interlocal Cooperation Act, Texas Government Code Chapter 791;

WHEREAS, the Authority owns and operates a Regulatory Services and Compliance Laboratory certified by the Texas Commission on Environmental Quality to analyze environmental samples under National Environmental Laboratory Accreditation Conference standards (NELAC);

WHEREAS, water and wastewater testing are critical to the maintenance of public health and such testing is therefore, a governmental function and service; and

WHEREAS, the governing bodies of the Authority and Customer believe that this Agreement is necessary for the benefit of the public and that each Party has the legal authority to provide governmental function as described in this Agreement.

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

SECTION 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the Town Council hereby approves and authorizes the Town Manager to execute a service contract with the Trinity River Authority for wastewater regulatory services.

SECTION 3. That this Resolution shall become effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 13th day of October 2022.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

TRINITY RIVER AUTHORITY OF TEXAS
REGULATORY SERVICES AGREEMENT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This Regulatory Services Agreement (Agreement) is made and entered into as of _____, by and between the Trinity River Authority of Texas, with its principal office at 5300 South Collins Street, Arlington, Tarrant County, Texas 76018 (Authority) and _____, with its principal office at _____ (Customer); singularly and collectively referred to as "Party" and "Parties," respectively.

WITNESSETH:

WHEREAS, the Texas Legislature has authorized the execution of Interlocal Cooperation Agreements between and among governmental entities pursuant to the Interlocal Cooperation Act, Texas Government Code Chapter 791;

WHEREAS, the Authority owns and operates a Regulatory Services and Compliance Laboratory certified by the Texas Commission on Environmental Quality to analyze environmental samples under National Environmental Laboratory Accreditation Conference standards (NELAC);

WHEREAS, water and wastewater testing are critical to the maintenance of public health and such testing is therefore, a governmental function and service; and

WHEREAS, the governing bodies of the Authority and Customer believe that this Agreement is necessary for the benefit of the public and that each Party has the legal authority to provide governmental function as described in this Agreement;

NOW THEREFORE, in consideration of the foregoing premises and the agreements and covenants contained herein, the Authority and Customer agree as follows:

ARTICLE I

SERVICES TO BE PERFORMED

To discharge the responsibilities associated with the enforcement of federal, state and municipal regulations, Customer requires services of a laboratory qualified to perform water and wastewater analysis, and of personnel to conduct industrial inspection and sampling services as described below.

A. NON-SIGNIFICANT INDUSTRIAL USER INSPECTION AND CLASSIFICATION SERVICES

Customer employs the Authority and the Authority agrees to perform industrial user survey services and inspections for non-significant industrial users within the parameters listed

on the schedule sheet, attached hereto as Attachment A, and in accordance with the Customer's industrial waste and sewer ordinances.

The Authority shall perform all industrial user survey activities including organization of users to be surveyed utilizing the Texas Manufacturing Guide, notification to industrial users that require completion of the Customer's Industrial User Survey Form, necessary industrial user inspections, and proper classification and documentation of industrial users' discharge practices. Authority will provide, on behalf of Customer, updates to the Texas Commission on Environmental Quality (TCEQ) when required. Industrial user survey procedures are established by the Authority to meet industrial discharge notification requirements found in the Texas Pollutant Discharge Elimination System Permits issued to the Authority and in accordance with 40 CFR § 403.8. Documentation associated with the industrial user survey shall be maintained as required by the Environmental Protection Agency's (EPA) general pretreatment regulations, 40 CFR § 403.12.

B. SIGNIFICANT INDUSTRIAL USER PERMIT AND INSPECTION SERVICES

Customer employs the Authority and the Authority agrees to perform permitting and industrial inspection services for significant industrial users within the parameters listed on Attachment A.

The Authority shall perform all industrial pretreatment inspections, review permit applications and prepare for submittal Permits to Discharge Industrial Wastes to the Sanitary Sewer in accordance with the procedures established by the Authority in accordance with 40 CFR § 403.8. Industrial pretreatment inspections, application review and permit preparation and submittals shall comply with the Customer's industrial waste and sewer ordinances and the EPA's general pretreatment regulations for existing and new Sources. Records of inspections, applications and permits shall be maintained as required by the EPA under 40 CFR § 403.12.

C. INDUSTRIAL USER SAMPLING SERVICES

Customer employs the Authority and the Authority agrees to perform industrial user sampling services within the parameters listed on Attachment A and in accordance with the Customer's industrial waste and sewer ordinances.

The Authority shall perform all sample collection and preservation, and maintain chain-of-custody records in accordance with the approved procedures set forth in EPA Manual SW-846, EPA Manual EPA-600/4-79-020, and EPA Manual EPA-600/4-82-029. Samples shall be properly collected, preserved and delivered by the Authority to the Authority's laboratory located at 6500 West Singleton Boulevard, Dallas, Texas 75212. When feasible, the Authority will conduct flow or time composite sampling. When composite sampling is not feasible, grab sampling will be performed.

D. ANALYTICAL SERVICES

Customer employs the Authority and the Authority agrees to perform analytical services within the parameters listed on Attachment A.

Customer shall collect and deliver samples to the Authority's laboratory for analysis. Samples shall be properly collected and preserved in accordance with applicable sections of the

Federal Water Pollution Control Administration's "*A Practical Guide to Water Quality Studies of Streams*", EPA manual "*Methods for Chemical Analysis for Water and Wastes*" and the latest edition of "*Standard Methods for the Examination of Water and Wastewater*". Additionally, requirements set by NELAC shall be followed as mandated by the TCEQ for state accreditation. A chain-of-custody procedure shall be maintained in both the field and laboratory in accordance with procedures established by the Customer. Customer shall furnish all applicable chains-of-custody to the Authority.

The Authority will perform all analyses according to the approved procedures set forth in the current edition of "*Standard Methods for the Examination of Water and Wastewater*" or the latest edition of the EPA Manual's "*Methods for Chemical Analysis of Water and Wastes*". Additionally, requirements set by NELAC shall be followed as mandated by the TCEQ for state accreditation. Samples shall be analyzed by these methods on the production basis, to include appropriate analytical quality assurance procedures. Records will be kept of the Authority's quality assurance program and made available to Customer upon request. Unusual interferences and problems shall be reported to Customer at its authorized address noted above. Research into specific techniques to overcome these difficulties will be undertaken by mutual agreement when practical. The chain-of-custody sheet submitted with each sample shall designate the particular analysis or analyses to be made of each submitted sample. The Authority shall operate the laboratory in such a manner as to ensure the legal sufficiency of the sample handling; analytical and reporting procedures; and to remedy defects in procedures should such be discovered.

Laboratory personnel shall be directed, upon 72 hours advanced written notice from the Customer, to appear and testify in enforcement actions. In such event, travel and per diem expenses for such employees shall be paid by Customer. Travel and per diem expenses for court appearances hereunder shall be in accordance with Texas law.

Customer may deliver to the Authority samples for analyses separate and apart from those samples collected by the Authority. When Customer delivers samples to the Authority for analyses, Customer shall indicate the nature and extent of the analysis it desires to be conducted. Authority shall not be responsible for the manner of collection or chain-of-custody in matters entirely outside Authority's control. Authority shall receive, log and perform such sample analyses in accordance with the chain-of-custody procedures identified under "Transfer of Custody and Storage" in Attachment B, attached hereto.

Samples analyzed to maintain the Authority's laboratory normal quality assurance program will be charged to Customer at the same rate as submitted samples.

ARTICLE II

CALCULATION OF REIMBURSABLE COSTS

The basis for calculating reimbursable costs shall be as stated in the Regulatory Services Fee Schedule, attached hereto as Attachment A, which may be revised and updated annually by the Authority. Any revisions shall be incorporated by reference herein. A cost analysis shall be prepared and approved each year by the Authority prior to the effective date of said revision. Expenditures by the Authority of funds paid to it under this Agreement shall be subject to required state and federal audit procedures and state and federal auditor accepted practices. The Authority shall be responsible for maintaining books of account that clearly, accurately and currently reflect financial transactions. Financial records must include all applicable documents substantiating cost that support the entries in the account records. The Authority must keep these records readily available for examination for a period of three years after the close of the last expenditure.

ARTICLE III

COMPENSATION

The total amount charged by the Authority to Customer shall not exceed \$_____ per annum during the Agreement Term, unless mutually agreed to by the Parties.

ARTICLE IV

PAYMENT FOR SERVICES

The Authority shall bill Customer monthly for services performed. Charges for these services shall be based on the Regulatory Services Fee Schedule, attached hereto as Attachment A. Customer shall pay monthly invoices within 30 days of receipt.

ARTICLE V

ENTIRE AGREEMENT

This Agreement contains all the terms, commitments and covenants of the Parties pursuant to this Agreement. Any verbal or written commitment not contained in this Agreement or expressly referred to in this Agreement and incorporated by reference shall have no force or effect. No amendment, modification or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the Parties.

ARTICLE VI

TERMINATION

Either Party may terminate this Agreement by giving the other Party 30 days' written notice to their authorized address as noted above. Upon delivery of such notice by either Party to the other and before expiration of the 30-day period, the Authority will proceed to cancel all

existing orders, contracts and obligations chargeable to this Agreement. After notice of termination is given, the Authority shall furnish Customer an invoice for all work performed under this Agreement. Customer shall pay the Authority for all work performed less any prior payments. Copies of all completed or partially completed reports, documents and studies prepared under this Agreement shall be delivered by the Authority to Customer in the event this Agreement is terminated prior to completion of the prescribed work.

ARTICLE VII

AGREEMENT TERM

This Agreement shall become effective on _____, 20__ and terminate on _____, 20__.

IN WITNESS WHEREOF, the Parties acting under authority of their respective governing bodies have caused this Agreement to be duly executed in several counterparts, each of which is deemed to be an original, as of the date first written above.

(Customer)

TRINITY RIVER AUTHORITY OF TEXAS
(Authority)

NAME:
Title:

J. KEVIN WARD, General Manager

ATTEST:

ATTEST:

NAME:

HOWARD S. SLOBODIN, Secretary
Board of Directors

(SEAL)

(SEAL)

APPROVED AS TO FORM AND
LEGALITY:

APPROVED AS TO FORM AND
LEGALITY:

NAME:
Title:

HOWARD S. SLOBODIN
General Counsel

Attachment A

REGULATORY SERVICES FEE SCHEDULE

FOR

LABORATORY ANALYSES,

INDUSTRIAL INSPECTIONS

AND

INDUSTRIAL SAMPLING

FISCAL YEAR 2023

December 1, 2022 through November 30, 2023

NELAP CERTIFICATE T104704287-10-TX

CHEMICAL ANALYSES

Liquid Samples

Alkalinity:		Phosphorus:	
Total (*) (**)	\$13.00	Ortho (*)	\$15.25
		Total (*)	\$20.00
Biochemical Oxygen Demand:		Solids Testing (Gravimetric):	
5-Day (*)	\$25.00	Total (TS)	\$16.85
5-Day Carbonaceous (*)	\$30.00	Total Dissolved (TDS) (*)	\$32.00
5-Day Filtered (Dissolved)	\$54.00	Total Suspended (TSS) (*)	\$25.20
7-Day	\$50.00	Volatile Suspended (VSS) (*)	\$8.50
Extra Dilution (Each)	\$2.50	(after TSS)	
		Percent Solids, Total and Volatile	\$20.25
Chlorophyll "a"	\$25.80	Sulfate (*)	\$17.80
Chlorophyll "a" and Pheophytin	\$35.80	Turbidity (*) (**)	\$11.50
Chemical Oxygen Demand (*)	\$20.00	UV254	\$18.00
Chloride (*)	\$17.80	Mercury (*) (**)	\$20.00
Conductance, Specific (*) (**)	\$11.50		
Cyanide:			
Total (*)	\$45.00		
Amenable to Chlorination (*)	\$56.00		
Fluoride, Total (**)	\$17.80	Metals (EPA 200.8) (*) (**) (***):	\$15.00 ea.
Glycols	\$23.00		
Hardness (*) (**)	\$28.00	Aluminum	Lead
Nitrogen:		Arsenic	Manganese
Ammonia (*)	\$20.00	Antimony	Molybdenum
Ammonia by Distillation (*)	\$30.00	Barium	Nickel
Kjeldahl, Total (*)	\$29.25	Beryllium	Selenium
Nitrate (*)	\$17.80	Boron	Silver
Nitrite (*)	\$17.80	Cadmium	Thallium
Total	\$40.00	Chromium	Tin
		Cobalt	Titanium
		Copper	Vanadium
Oil and Grease (*)	\$75.00	Iron	Zinc
Organic Carbon:		Minerals (*):	\$15.00 ea.
Dissolved	\$23.00		
Total (*) (**)	\$14.50	Calcium	
pH (*)	\$13.50	Magnesium	

Solid Samples

Ammonia (***)	\$30.00
Chemical Oxygen Demand	\$35.00
Nitrogen, Kjeldahl, Total	\$40.40
Phosphorus, Total (***)	\$20.00
pH (***)	\$22.00
Mercury (***)	\$20.00
Metals Preparation	\$41.00

NELAP Accreditation
 *Non-Potable Water
 **Drinking Water
 *** Solids

MICROBIOLOGICAL ANALYSES

Drinking Water:

Total Coliform (MMO/MUG) (**)	\$20.00
Heterotrophic Plate Count	\$22.00

Wastewater:

Coliform, Fecal (Membrane Filter (*))	\$20.00
Coliform, Fecal (MPN (***))	\$73.50
Coliform, Total (MPN-Q Tray)	\$21.20
E. Coli (MPN-Q Tray) (*)	\$21.20
Streptococcus, Fecal (Membrane. Filter) (*)	\$20.60

TRACE ORGANIC (GC-GC/MS) ANALYSES

EPA 624 (*):

3-Day (unpreserved)	\$125.00
BTEX (only)	\$125.00
Trip Blanks	\$125.00
Geosmin/MIB	\$97.00

EPA 625 (*):

Total Semi-Volatiles	\$205.00
Semi-Volatile Trip Blank	\$205.00

Pesticides/PCB

EPA 608 (*):

Full List	\$332.00
Chlorinated Pesticides (only)	\$216.00
PCB (aqueous)	\$216.00
PCB Solid - EPA 8082:	\$162.00

BY QUOTE

Chromium Hexavalent
Oil and Grease (solids)
Organophosphate Pesticide
Phenols
TCLP Metals
TCLP Organic Compounds
Total Petroleum Hydrocarbons (solids and liquids)

ENVIRONMENTAL SERVICES

NELAP Accreditation
*Non-Potable Water
**Drinking Water
*** Solids

SAMPLING

Composite Sample	\$ 250.00
Additional Composite Sample	\$ 124.00
Grab Sample	\$ 98.00
Additional Grab Sample	\$ 28.00
pH only	\$ 98.00
Field pH	\$ 30.00
Field Measurement	\$ 52.00
Sampling Event Cost for a Failed Sample	\$ 130.00
Industry Split Sample	\$ 31.00
Boat Fee	\$ 120.00
QA/QC Fee	\$ 25.00

ENVIRONMENTAL SERVICES ASSISTANCE

Inspection (permitted users)	\$ 850.00
Inspection (unpermitted users)	\$ 90.00
Permit Preparation (4yr permit)	\$2,190.00
Field Surveillance Event	\$1,100.00
Industrial User Survey Fee	<i>see below</i>

Industrial User Survey Fee Formula:

(No. of Survey Entities¹ X \$4.50) + (No. of identified industrial users² X \$19.50)

Formula Footnotes:

¹ Users from the Texas Manufactures Guide List for Contracting Party's jurisdiction.

² Users that require further manufacturing process and discharge classification

ENVIRONMENTAL SERVICES INCLUDE

- Grab Sampling
- Installation of Automatic Composite Samplers
- Field Testing Available
- Proper Field QA/QC
- Industry Split Sampling
- Sample Preservation
- Chain of Custody Monitoring/Tracking
- Delivery to TRA Laboratory
- Sample Data Review with Report Summaries
- Appropriate Industrial User Pretreatment Classification
- Verification of Permit Application Data
- Chemical Inventory Review
- Permit Drafting
- Semiannual Report Review
- Appropriate Inspection Documentation
- Enforcement Guidance
- Consultation with Industries on Industrial Pretreatment

NELAP Accreditation
*Non-Potable Water
**Drinking Water
*** Solids

GENERAL SERVICE INFORMATION

1. Effective Date: December 1, 2022. All prices listed are per sample and subject to review.
2. All analyses are performed in accordance with "Standard Methods for the Examination of Water and Wastewater," 20th Edition, 1998 or most recently approved and/or EPA "Manual of Methods for Chemical Analysis of Water and Wastes," 1983 and the "3rd Edition of Solid Waste Manual SW 846."
3. Prices include the cost to maintain the normal quality assurance program.
4. Standard turn-around time is generally **15** business days for most testing. Priority is half of the standard time. Customer requiring PRIORITY turn-around time will be billed at one and one-half (1 ½) times the routine rate. A customer requiring RUSH turn-around time (samples run immediately on the next or a special run), will be billed at two times the normal rate. It is recommended to call in advance of sample submission or to inquire at the time of submission for an estimated turn-around time.
5. The Laboratory will follow instructions as stated on Chain-of-Custody instructions submitted by contracting parties. The Customer may be contacted by the lab representative on any variance issues and written instruction may be requested concerning the variance.
6. For EPA624 VOC 3-day analysis, do not lower the pH of the sample.
7. Sampling supplies will be provided at a reasonable charge upon request. Bacteriological sampling supplies are included in the cost of analyses.
8. Samples other than bacteriological samples should be delivered to the laboratory before 4:00 p.m. on weekdays. Samples cannot be accepted on weekends or holidays, unless special arrangements are made in advance. Bacteriological samples should be delivered prior to 2:00 p.m., unless special arrangements are made in advance. For after-hour samples, please call for an analyses request form.
9. Monthly invoices for completed analyses are mailed during the following month.
10. Laboratory Services hours are Monday through Friday 7:00 a.m. to 4:30 p.m. To contact the lab about emergency samples, use the number below.
11. Environmental Services office hours are Monday through Friday, 7:00 a.m. to 4:00 p.m. For after-hour emergencies, leave a message with the computer operator or use the contact number below.
12. Environmental Services must be scheduled a minimum of 72 hours in advance.
13. Laboratory Certificate Number T104704287-10-2.

FOR MORE INFORMATION, CONTACT:

METRO: (972) 263-2251

FAX: (972) 975- 4414

JOSEPH K. FIELDING	Manager, Regulatory Services and Compliance	214-499-8930
CRAIG HARVEY	Laboratory Services Division Chief	972-975-4331
NATALIE TAYLOR	Manager, Environmental Services	972-975-4322

JENNIFER I. MOORE	Senior Manager, Operations and Compliance
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NELAP Accreditation
*Non-Potable Water
**Drinking Water
*** Solids

ATTACHMENT B

CHAIN-OF-CUSTODY PROCEDURES

Sample Collection and Shipment

1. All samples should be handled by the minimum possible number of persons.
2. Stream and effluent samples should be obtained using standard field sampling techniques and preservation procedures.
3. Chain-of-Custody sheets should be attached to each sample at the time of collection. Sample containers must be appropriate for requested testing with legible labels and appropriate preservation. The tag or sheet contains basically laboratory (requested parameters) information; however, certain identifying items including city, city code, contact name and phone number, type sample matrix, material sampled, and method of preservation must be completed by the field personnel collecting the sample. In completing the Chain-of-Custody tag or sheet, care should be utilized to ensure that all necessary information is correctly and legibly entered onto the form. A black ballpoint pen with water proof ink should be used at all times.
4. During shipment, samples should be appropriately cooled. The Authority laboratory technician receiving the sample will check the temperature.

Transfer of Custody and Storage

1. All samples should be handled by the minimum possible number of persons.
2. All incoming samples shall be received by the laboratory technician, or their alternate, and logged into a database. Information to be entered into the database shall include the client sample number, date received, source, times sampled, dates sampled, analyses requested and chain-of-custody comments.
3. Promptly after logging, the custodian technician will distribute the sample to an analyst or place the sample in the secure sample vault, which will be locked at all times except when samples are removed or returned by analysts. The sample will be tracked internally in the laboratory.
4. Samples shall be kept in the sample storage security area at all times when not actively being used by analysts, such as during overnight absences. The technician shall ensure that heat-sensitive samples, or other sample materials having unusual physical characteristics or requiring special handling, are properly stored and maintained.
5. A log of sample removal and replacement will be kept in the secure sample vault and retained as a permanent record of the laboratory.

The original chain-of-custody and a sample evaluation/variance record shall be furnished by the laboratory to the appropriate Customer control point as part of the final data report.

TOWN OF NORTHLAKE COUNCIL ITEM NO. 5

DATE: OCTOBER 13, 2022

ITEM: ACTION ITEMS



NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: UNIFIED DEVELOPMENT CODE (UDC)

SUBJECT: UDC AMENDMENT TO CREATE AGRICULTURAL (AG) ZONING DISTRICT (UDC-22-004)



GOALS/OBJECTIVES:

- Reinforce our Identity; Respect our rural heritage
- Reinforce our Identity; Preserve estate development, open space, and parks

BACKGROUND INFORMATION:

- P&Z and Town Council briefed on proposal to create an Agricultural (AG) zoning district
 - Better implement Comprehensive Plan's vision
 - Secondary benefit of prohibiting non-agricultural uses not suitable in Ranch Preservation
- Two-step process
 - First, create AG zoning district through UDC amendment
 - Second, rezone properties to AG in following ways:
 - Owner requested
 - Town initiated
- P&Z and Town Council reviewed and commented on draft AG zoning district standards
- AG zoning districts standards presented for consideration updated based on input provided

P&Z RECOMMENDATION:

- Held public hearing at October 4th meeting and received no comments on proposed amendment
- Recommended approval of UDC text amendment as presented in attached ordinance

COUNCIL ACTIONS:

- Hold public hearing
- Consider approval of UDC amendment ordinance

ATTACHMENTS:

- Summary of proposed text amendments
- Draft Ordinance 22-1013A



TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE

NO. 22-1013A

AN ORDINANCE OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING THE UNIFIED DEVELOPMENT CODE AND PROVIDING FOR THE CREATION OF AN AGRICULTURAL ZONING DISTRICT AND ESTABLISHING AND UPDATING CERTAIN RELATED DEVELOPMENT STANDARDS AND PERMITTED USES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Northlake, Texas is a home rule municipality acting under its charter adopted by the electorate pursuant to article XI, section 5 of the Texas Constitution and chapter 9 of the Texas Local Government Code; and

WHEREAS, the Town previously adopted the Town's Unified Development Code ("UDC") on January 24, 2013 which includes regulations governing zoning districts; and

WHEREAS, the UDC provides for text amendments in certain situations; and

WHEREAS, Town staff drafted certain amendments with input from the Planning and Zoning Commission and Town Council to create an Agricultural (AG) zoning district; and

WHEREAS, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on October 4, 2022, the Planning and Zoning Commission recommended approval of the amendment as outlined herein; and

WHEREAS, the Town Council held a public hearing on October 13, 2022, after proper notification thereof with respect to the adoption of the proposed UDC text amendments in accordance with the UDC and the Texas Local Government Code; and

WHEREAS, the Town Council has determined that the amendment as outlined herein is in the best interest of the health, safety, and general welfare of the citizens of the Town of Northlake and the public.

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

SECTION 1. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. Section 5.2, "Zoning Districts Established," in Article 5, "Zoning Districts," of the Unified Development Code (UDC) of the Town of Northlake is hereby amended by adding the following district to the table as follows:

“Sec. 5.2 Zoning Districts Established.

Symbol	District Name
AG	Agricultural

***”

SECTION 3. Section 5.3, “Initial Zoning Upon Annexation,” in Article 5, “Zoning Districts,” of the Unified Development Code (UDC) of the Town of Northlake is hereby amended to read as follows:

“Sec. 5.3 Initial Zoning Upon Annexation.

- A. As soon as practical following annexation, but in no event more than one hundred (180) calendar days thereafter, the Town Council shall, on its own motion or by request of the property owners of the annexed area, initiate proceedings to establish the zoning on the newly annexed territory. Unless otherwise requested by application of the property owner, the zoning of newly annexed territory shall initially be Agricultural (AG).

***”

SECTION 4. Section 5.5, “Statement of Purpose and Intent for Zoning Districts,” in Article 5, “Zoning Districts,” of the Unified Development Code (UDC) of the Town of Northlake is hereby amended to read as follows:

“Sec. 5.5 Statement of Purpose and Intent for Zoning Districts.

- A. Agricultural District (AG). The agricultural district is characterized by large undeveloped open spaces with ranch and farm use as the primary use. The district is intended to help preserve agricultural uses and maintain the existing rural character of Northlake within the Ranch Preservation character area identified on the Future Land Use Map of the Comprehensive Plan. The agricultural district also serves as a temporary holding zone for other character areas until they are ready to develop in accordance with the Comprehensive Plan. Minimum lot sizes are twenty acres.
- B. Rural Residential District (RR). The rural residential district is characterized by large lot, single family residential development typically with asphalt roads with bar ditch drainage. Rural residential areas retain some visual aspects of rural character and may have secondary agricultural uses but are primarily residential in nature. Minimum lot sizes are five acres.
- C. Conservation Residential Overlay (CRO). Conservation residential overlay areas are to be utilized in areas where the tract of land contains environmentally sensitive features. The use of the overlay district has the specific intention to conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplains and wetlands and setting them aside from development. Neighborhoods created within this district are intended to have direct or visual access to open land with amenities in the form of neighborhood open space, and with a strong neighborhood identity.
- D. Rural Estates (RE). The rural estate district is intended to be utilized as a single-family district with densities of approximately one (1) unit per acre which would serve as buffer areas between the rural residential areas and areas of higher intensity such as mixed-use areas and industrial areas. The rural estate district is intended to be utilized specifically where natural features such as streams and floodplains are not available to be utilized as buffer areas.

- E. Manufactured Homes (MH). The purpose of this district is to provide adequate space and restrictions for the placement of HUD-Code manufactured homes in the Town within designated subdivisions. This does not include mobile homes as defined in this UDC. The MH District is also established to provide housing densities compatible with existing and proposed neighborhoods by providing alternative housing types both in construction and economy within the MH District. No HUD-Code manufactured home shall be allowed on any parcel or lot except on parcels or lots within the MH District. It is the intent of the MH HUD-Code Manufactured Homes District to provide the maximum amount of freedom possible in the design of such developments and the grouping and layout of homes within such developments in order to provide amenities normally associated with planned residential areas.
- F. Mixed Use (MU). The primary location for commercial and higher density housing within the Town is intended to be located within the Mixed-Use district. The district encourages a compact pedestrian-oriented mix of uses. The uses are office, retail, service, civic and higher density residential uses located in close proximity to each other in order to create an attractive environment in which to live, work and play. The mix of uses is anticipated to create a sense of place, organized around one or more public or civic uses that serve to unify the overall development. Environmental features should be preserved and integrated into the plan of development. The major land uses shall be linked by way of pedestrian linkages, trails and greenways that connect the businesses, residences and open space. The pedestrian-oriented nature of the district should be emphasized by the building scale and design, block sizes, pedestrian-oriented uses and pedestrian-friendly streetscapes. Mixed use districts must be master planned, and therefore, mixed use districts may only be designated through the Planned Development process by utilizing Mixed Use as the base zoning district.
- G. Neighborhood Commercial District (NC). The neighborhood commercial district is established to provide limited retail and services intended for the use of nearby neighborhood areas. Neighborhood commercial development should be located in nodes at appropriate intersections with limited or no strip development, promoting a main street theme. Access to neighborhood commercial developments is intended to be provided from main thoroughfares and not through residential areas. The neighborhood commercial district was known as the commercial district prior to December 13, 2018. The neighborhood commercial district shall serve as the base zoning district for any planned development districts approved prior to December 13, 2018 which reference the commercial district as a base.
- H. Commercial District (C). The commercial district is established to provide retail and services adjacent to major thoroughfares and highways and to provide sites for community and regional retail shopping centers containing a wide variety of commercial establishments.
- I. Industrial District (I). The industrial district is established to accommodate industrial development which represents a type of economic development appropriate for the diversification of the employment base of the Town. The range of industry which may be classified as industrial is rapidly expanding as a result of developments in modern technology. To take full advantage of new industrial potential for clean compatible types of industry, performance standards are specified covering noise, smoke, and particulate matter, other air contaminants, hazardous materials, fire and explosive hazard, glare, and vibration.”

SECTION 5. Section 5.6, “Dimensional and Development Standards,” in Article 5, “Zoning Districts,” of the Unified Development Code of the Town Northlake is hereby amended with added language in **bold**,

deleted language struck through, and all other aspects of Table 5.1, “Dimensional Requirements,” to remain unchanged:

“Sec. 5.6 Dimensional and Developmental Standards Summary.

Table 5.1 – Dimensional Requirements				
Requirements		Zoning Districts		
		AG	RR	CRO
		Agricultural	Rural Residential	Conservation Residential Overlay
Minimum Lot Size and Dimensions	Area	20 acres	5 acres	2 acres
	Width at BL	500 ft.	300 ft.	100 ft.
	Depth	500 ft.	200 ft.	200 ft.
Minimum Yard Setbacks	Front	100 ft.	50 ft.	25 ft.
	Side	100 ft.	25 ft.	10 ft.
	Side Adj. to Street	100 ft.	25 ft.	25 ft.
	Rear	100 ft.	40 ft.	40 ft.
Miscellaneous Lot Requirements	Minimum Dwelling Unit Area	1,200 sf	1,500 sf	1,500 sf
	Maximum Height	35 ft.	35 ft.	35 ft.
	Maximum Coverage	15%	25%	25%
	Key	a, c, h	a, b, e, h	a, b, c, d, e, h

***”

SECTION 6. Section 5.7, “Permitted Use Table,” in Article 5, “Zoning Districts,” of the Unified Development Code of the Town Northlake is hereby amended to read as follows with added language in **bold**, deleted language struck through, and all other aspects of Table 5.2, “Permitted Use Table,” to remain unchanged:

“Sec. 5.7 Permitted Use Table.

Table 5.2 – Permitted Use Table			
USES	DISTRICTS		
	Agricultural	Rural Residential	Conservation Residential Overlay
	AG	RR	CRO
AGRICULTURAL USES	AG	RR	CRO
Farm, ranch, or orchard	P	P	P
Livestock auction	S	S	
Recreational ranch or farm (Dude Ranch)	S	S	S
Stables, Commercial	S	P	P
Stables, Private	P	P	P
RESIDENTIAL USES	AG	RR	CRO
HUD-Code manufactured home			
Recreational Vehicle (includes RV parks)			
Single-family detached dwelling	P	P	P
Vacation / Short Term Rental	S	S	S
EDUCATIONAL AND INSTITUTIONAL USES	AG	RR	CRO
Cemetery or mausoleum	S	S	
Church / Place of Worship	S	S	S
School, College or Trade (Private)	S	S	S
School, College or Trade (Public)		S	S
School, primary and secondary (Private)	S	S	S
School, primary and secondary (Public)		S	S
Semi-public Halls, Clubs and Lodges	S	S	S
COMMERCIAL, OFFICE AND SERVICE USES	AG	RR	CRO

Bed and Breakfast	S	S	S
Day Care	S	S	S
Greenhouse or nursery	S	S	
Veterinarian Clinic and/or Kennel, Outdoor Pens	S		
Asphalt/concrete batching (temporary)	See Section 5.12		
Aviation Facility	S	S	S
Gas Drilling/Production	S	S	S
UTILITY, ACCESSORY & INCIDENTAL USES	AG	RR	CRO
Accessory Building	P	P	P
Accessory Dwelling	See Section 8.3		
Basic Utilities	P	P	P
Home Occupation	P	P	P
Outdoor Recreation Area	P	P	P
Outdoor Recreation Area (lighted)	S	S	S
Satellite Transmit Station	S	S	S
Telecommunications Antennas	See Sec. 8.6		
Wind Energy Conversion Systems	See Sec. 8.7		

***"

P Use is permitted in district indicated

S Use is permitted in district indicated upon approval of Specific Use Permit

Use is prohibited in district indicated

SECTION 7. Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in the maximum amount allowed by law as provided in Section 1.01.009 of the Town Code.

SECTION 8. With the exception of those Ordinances expressly repealed herein, this Ordinance shall be cumulative of all provisions of Ordinances of the Town of Northlake, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more stringent provision shall apply and the less stringent provision, whether contained within this Ordinance or in any prior Ordinance of the Town, whether codified or un-codified, is hereby repealed to the extent of the conflict, but all other provisions of the Ordinances of the Town, whether codified or un-codified, which are not in conflict with the provisions of the Ordinance, shall remain in full force and effect.

SECTION 9. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraph section of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree

of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 10. All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of this Ordinance, or any other Ordinances affecting the matters addressed herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

SECTION 11. The Town Secretary of the Town of Northlake is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this Ordinance.

SECTION 12. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on this 13th day of October, 2022.

Town of Northlake, Texas

David Rettig, Mayor

ATTEST:

Zolaina R. Parker, Town Secretary

NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: TEXAS LOCAL GOVERNMENT CODE (TLGC), CHAPTERS 504 & 505

SUBJECT: OUTDOOR CHRISTMAS/HOLIDAY TREE PURCHASE



GOALS/OBJECTIVES:

- Reinforce our Identity; Define who we are (and don't settle for less)

BACKGROUND INFORMATION:

- Tree lighting Holiday event held regularly at former Town Hall site
- Event discontinued
 - Outgrew available space
 - Lack of staff and volunteers
 - Town Hall moved to Northlake Commons prior to completion of public plaza
- EDC/CDC Chairpersons requested Christmas/Holiday celebration and Tree Lighting agenda item
- Item placed on August 18th EDC and CDC agendas
 - Boards requested pricing information
 - Joint special call meetings held September 1st and 18th
- Estimates for tree purchase, annual servicing, miscellaneous options
 - September 15, 2022 – estimate acceptance deadline
 - Ordered by September 15th – tree completed/installed after Thanksgiving
 - Contingencies – signed proposal; \$7,500 non-refundable deposit (credit to final invoice)
 - 3-year contract
 - Product options: ornament package, starburst tree topper, 5' tree riser
 - Service options: installation, takedown, annual storage
 - Cost \$104,725
 - Three annual installments of \$36,508.33
 - Additional service: branch wrap (lighting) four Commons' trees -- \$4,800
 - Total cost \$109,525
- EDC/CDC approved 3-year contract

COUNCIL ACTION:

- Consider ratifying actions taken by the Northlake EDC and CDC Boards of Directors, approving 3-year contract for purchase of Christmas/Holiday Tree and related services in a total amount not to exceed \$109,525 or reject actions and provide direction for further consideration by boards.

OCTOBER 13, 2022
OUTDOOR CHRISTMAS/HOLIDAY TREE PURCHASE
PAGE 2 OF 2
RENDERING OF PROPOSED TREE:





TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

NO. 22-58

A RESOLUTION OF THE TOWN OF NORTHLAKE, TEXAS, RATIFYING THE ACTIONS TAKEN BY THE NORTHLAKE ECONOMIC DEVELOPMENT CORPORATION AND THE NORTHLAKE COMMUNITY DEVELOPMENT CORPORATION BOARDS OF DIRECTORS, APPROVING A 3-YEAR CONTRACT WITH PREMIER CHRISTMAS FOR THE PURCHASE OF A CHRISTMAS/HOLIDAY TREE AND RELATED SERVICES, IN A TOTAL NOT TO EXCEED \$109,525

WHEREAS, the Town Council on January 13, 2022 approved Resolution No. 22-03 adopting goals and action items outlined in a Strategic Plan as an effective planning tool and guide for the Town Manager and Staff; and

WHEREAS, the Town of Northlake, Texas, as expressed in its Strategic Plan has adopted a goal and strategy to define and reinforce the Town's identity; and

WHEREAS, the Town of Northlake, Texas, on February 15, 1990 approved Resolution 90A establishing a Type A Economic Development Corporation and on February 14, 2002 approved Resolution 168 establishing a Type B Community Development Corporation for the purposes of facilitating and supporting economic and community development in the Town; and

WHEREAS, the Economic Development Corporation and Community Development Corporation Boards of Directors, in a joint meeting on September 18, 2022, unanimously voted to fund a 3-year contract for the purchase of a Christmas/Holiday Tree and related services in a total amount not to exceed \$109,525 as a project that will build and enhance community pride and promote local businesses.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

SECTION 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the Town Council hereby ratifies the expenditure of \$109,525 for a 3-year contract with Premier Christmas for the purchase of a Christmas/Holiday Tree and related services.

SECTION 3. That this Resolution shall become effective immediately upon approval by the Town Council.



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 13th day of October 2022.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary



Premier Lighting & Christmas: Justin Lubbers
Premier Crating & Assembly: Danny Watson



C: 903.714.0106 | E: justin@premier-christmas.com
C: 903.267.0005 | E: danny@premierlightingenterprises.com



ESTIMATE

BILL TO The Town of Northlake
1700 Commons Circle
Suite 200
Northlake, TX 76226

ESTIMATE	DATE	PO #	CUSTOMER NAME	EXPIRATION DATE
10126	09/01/2022		The Town of Northlake	09/21/2022

SERVICE DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
		THREE YEAR CONTRACT			
	30' Commercial Christmas Tree	Purchase of one 30' commercial Christmas tree, lit with 18,650 LED warm white miniature lights. Includes interior anchoring devices, and storage containers. Total power consumption: 18.36amps	1	39,880.00	39,880.00
	Ornament Package	Purchase of red and silver ornamentation package, consisting of 1,383 ornaments of varying size and finish (shiny, glitter, matte).	1	7,385.00	7,385.00
	4', 3D Starburst Tree topper, LED	Purchase of one 4' three-dimensional starburst tree topper, illuminated with pure white LED C7s.	1	1,290.00	1,290.00
	Services	Aerial equipment, installation, takedown, and annual storage of one 30' tree and all components. Line item price shown is for three years of service.	3	9,600.00	28,800.00
	5' Tree Riser	Purchase of one 5' tree riser with (2) "Northlake" signs.	1	15,610.00	15,610.00
	Services	Installation, takedown, and annual storage of one 5' tree riser. Line item price shown is for three years of service.	3	3,920.00	11,760.00
	Tree Lighting	(4) Trees moderately branch wrapped with warm white LED minis. Line item price shown is for three years of service, with leased materials for tree lighting.	3	1,600.00	4,800.00

Price includes purchase of all necessary materials, installation, takedown, aerial equipment rentals, and annual storage for three years, priced each year as follows:

Year One (2022): \$36,508.34
Year Two (2023): \$36,508.33
Year Three (2024): \$36,508.33

Functioning 120v power service is the responsibility of others.

Project contingent on signed proposal and \$7,500 non-refundable deposit not later than 9/21/22. Deposit payment will be credited towards final project invoice. If project does not proceed per the request of client, deposit monies will be forfeited.

SUBTOTAL	
DISCOUNT	
SALES TAX	
ESTIMATE TOTAL	\$109,525.00

DocuSigned by:

Laura Montini

31DF22FE7C2E415

CUSTOMER SIGNATURE

Northlake Economic Development Corporation
Board of Directors President

DocuSigned by:

Danny Watson

E8EEF04450F248E...

Northlake Community Development Corporation
Board of Directors President

DATE: 9/16/2022 9/16/2022

Premier Lighting Enterprises, LLC

1300 Hutton Dr., #104 | Carrollton, TX 75006 | (855) 426-4544 | justin@premier-christmas.com | premierlightingenterprises.com | premier-christmas.com

TOWN OF NORTHLAKE COUNCIL ITEM NO. 6

DATE: OCTOBER 13, 2022

ITEM: EXECUTIVE SESSION



TOWN OF NORTHLAKE COUNCIL ITEM NO. 7

DATE: OCTOBER 13, 2022

ITEM: OPEN SESSION



NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

DATE: OCTOBER 13, 2022

REF. DOC.: TEXAS WATER CODE (TWC) SECTION 13.248

SUBJECT: WATER AND SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY ("CCN") TRANSFER AGREEMENT WITH THE CITY OF JUSTIN FOR DESIGNATION OF CUSTOMERS SERVED BY BOTH MUNICIPALITIES



GOALS/OBJECTIVES:

- Define Future Amenities/Partner with neighboring cities on projects of joint interest

BACKGROUND INFORMATION:

- Justin holds water CCN No. 10167 and sewer CCN No. 20061
- Northlake holds water CCN No. 12915 and sewer CCN No. 20866
- Both municipalities are in Denton County, Texas
- TWC Sec. 13.248 authorizes contracts designating areas and customers to be served by both
- Contracts authorized when approved by Public Utility Commission (PUC) after public notice and hearing
- Per settlement between Justin and Northlake, both parties agree to transfer CCN areas upon request for service by property owner

COUNCIL DIRECTION:

- Approve water and sewer CCN transfer agreement between Justin and Northlake



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

NO. 22-59

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO A WATER AND SEWER CCN TRANSFER AGREEMENT WITH THE CITY OF JUSTIN, TO DESIGNATE AREAS AND CUSTOMERS TO BE SERVED BY BOTH PARTIES

WHEREAS, the City of Justin is the holder of water Certificate of Convenience and Necessity ("CCN") No. 10167 and sewer CCN No. 20061, the boundaries of which are within Denton County, Texas; and

WHEREAS, the Town of Northlake is the holder of water CCN No. 12915 and sewer CCN 20866, the boundaries of which are within Denton County, Texas; and

WHEREAS, Texas Water Code ("TWC") Section 13.248 authorizes contracts between retail public utilities designating areas and customers to be served by those retail public utilities when approved by the Public Utility Commission of Texas (the "PUC") after public notice and hearing; and

WHEREAS, the Parties' water and sewer CCN boundaries are adjacent to each other in certain locations; and

WHEREAS, the Parties desire that the City of Justin transfer to the Town of Northlake a portion of its water and sewer CCNs consisting of 39.25 acres more specifically shown in Exhibit "A" and more particularly described in Exhibit "B" (the "Transfer Tract") both of which Exhibits are attached hereto and incorporated herein for all purposes; and

WHEREAS, there are no customers or facilities located in the Transfer Tract.

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

SECTION 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the Town Council hereby authorizes the Town Manager to enter into a Certificate of Convenience and Necessity ("CCN") Agreement, attached hereto as Exhibit "A", with the City of Justin, to provide for areas and customers to be served by both municipalities; and further authorizes the Town Manager to execute the Certificate of Convenience and Necessity Agreement.

SECTION 3. That this Resolution shall become effective immediately upon approval by the Town Council.



TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, this 13th day of October 2022.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

**TEXAS WATER CODE SECTION 13.248
WATER AND SEWER CCN TRANSFER AGREEMENT**

This WATER AND SEWER CCN TRANSFER AGREEMENT ("Agreement") is made and entered into by and between the City of Justin, a Type A General Law municipality in Denton County, Texas ("Justin") and the City of Northlake, a Type A General Law municipality in Denton County, Texas ("Northlake") as of the date this Agreement is fully executed (the "Effective Date"). Justin and Northlake are each, a "Party," and are collectively, the "Parties."

WHEREAS, Justin is the holder of water Certificate of Convenience and Necessity ("CCN") No. 10167 and sewer CCN No. 20061, the boundaries of which are within Denton County, Texas; and

WHEREAS, Northlake is the holder of water CCN No. 12915 and sewer CCN 20866, the boundaries of which are within Denton County, Texas; and

WHEREAS, Texas Water Code ("TWC") Section 13.248 authorizes contracts between retail public utilities designating areas and customers to be served by those retail public utilities, when approved by the Public Utility Commission of Texas (the "PUC") after public notice and hearing; and

WHEREAS, the Parties' water and sewer CCN boundaries are adjacent to each other in certain locations; and

WHEREAS, the Parties desire that Justin transfer to Northlake a portion of its water and sewer CCNs consisting of 39.25 acres more specifically shown in Exhibit "A" and more particularly described in Exhibit "B" (the "Transfer Tract") both of which Exhibits are attached hereto and incorporated herein for all purposes; and

WHEREAS, there are no customers or facilities located in the Transfer Tract.

Now Therefore, in consideration of the mutual rights and obligations set forth herein, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Purpose. This Agreement shall be a contract designating areas and customers to be served by the Parties in accordance with TWC Section 13.248.
2. Transfer of the Transfer Tract. Subject to the approval of the PUC, Justin transfers and conveys to Northlake, and Northlake accepts from Justin the Transfer Tract, and the Parties agree to the modification of their respective water and sewer CCN boundaries accordingly. There are no customers or facilities located on the Transfer Tract and therefore none are being transferred.

3. Payment of Costs. As the transferee Party, Northlake agrees to assume responsibility for filing one or more petitions at the PUC, submitting all necessary supporting documents, and paying all associated costs to effectuate the transfer of the Transfer Tract as contemplated herein. Justin agrees to cooperate with Northlake in advancing such petition(s) toward final approval by the PUC.
4. No Continuing Obligation of Service. Upon PUC approval of the petition(s) to transfer the Transfer Tract from Justin to Northlake, Justin shall have no further obligation to provide retail water or sewer service to the Transfer Tract.
5. Non-Substantive Mapping Changes. Non-substantive corrections or changes may be made to the boundaries of the Transfer Tract on the official CCN maps of the PUC in order to effectuate the purposes of this Agreement.
6. Enforceability. This Agreement constitutes the legal, valid and binding obligation of each Party hereto and is enforceable in accordance with its terms, and that each Party is entering into this Agreement in reliance upon the enforceability of this Agreement.
7. Applicable Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Texas. The venue for any action to enforce the terms and conditions of this Agreement shall be in Denton County. Any administrative law action brought to enforce or construe the terms and conditions hereof, or to enjoin or require the performance of any act in connection herewith, shall be brought at the PUC or its successor agency.
8. Amendment. This Agreement may not be amended or terminated except by an instrument signed by all Parties to this Agreement.
9. Assignment and Successors. This Agreement shall bind the Parties and their legal successors, but shall not otherwise be assignable by any Party, except with the prior written consent of the other Party.
10. Notices. All notices provided pursuant to this Agreement shall be in writing and sent by facsimile and/or first-class postage prepaid and addressed to the Party and to the Party's designated representative as follows:

City of Justin
Attn: City Manager
P.O. Box 129
Justin, TX 76247

Town of Northlake
Attn: City Manager
1500 Commons Circle, Ste. 300
Northlake, TX 76226

Any Party may change the designated representative or address for receipt of notice by providing notice in writing in accordance with this paragraph to the other Parties.

11. Severability. In the event one or more of the provisions in this Agreement shall for any reason be held to be invalid, illegal or otherwise unenforceable, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
12. Recitals. The recitals contained herein are true and correct and are incorporated into this Agreement for all purposes.
13. Authority. The Parties represent and warrant that the individuals named below are duly authorized to execute this Agreement on behalf of their respective Party.
14. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Parties hereto enter into this Agreement with an Effective Date as of the latest date of the signatures of their respective authorized representatives below.

City of Justin

By: _____

Date: _____

Title: _____

Town of Northlake

By: _____

Date: _____

Title: _____

TOWN OF NORTHLAKE COUNCIL ITEM NO. 8

DATE: OCTOBER 13, 2022

ITEM: ADJOURNMENT

