



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING AGENDA
SEPTEMBER 14, 2023, AT 5:30 P. M.
TOWN HALL - COUNCIL CHAMBER ROOM
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 September 14, 2023, 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. Town Councilmembers may appear virtually via video conference pursuant to Texas Government Code § 551.127. The following items will be considered:

1. CALL TO ORDER

- A. Roll Call, Invocation, Pledge of Allegiance

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Briefing - Hotel Occupancy Tax Uses

3. PUBLIC INPUT

- A. 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

- A. Consider approval of the Town Council Meeting Minutes for August 21 and August 24, 2023
- B. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, amending the Code of Ordinances by amending Chapter 9, "Planning and Miscellaneous Development Regulations," to add Article 9.04, "Extraterritorial Jurisdiction," to provide a process for release from the Town's extraterritorial jurisdiction; amending Appendix A, "Fee Schedule," Article A5.000, "Development Application Fees," to add a fee to process a petition for release of extraterritorial jurisdiction; and amending Article A6.000, "Public Works/Engineering Fees," to revise the public facilities plan review and inspections fees
- C. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a purchase agreement/contract with Caldwell Country Chevrolet, for 4 Chevrolet Tahoes, in an amount not to exceed \$200,000

- D. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a purchase agreement with Caldwell Country Chevrolet, for two Silverado 2500 Pickups, in an amount not to exceed \$133,311.50
- E. Consider an Ordinance of the Town of Northlake, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corp., Mid-Tex Division regarding the company's 2023 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; and requiring the company to reimburse ACSC's reasonable ratemaking expenses
- F. Consider a Resolution of the Town Council of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an amendment to the Development Agreement between Sandstrom Development Tx, LTD and the Town of Northlake (Hawthorne Estates)

5. ACTION ITEMS

- A. Consider appointment to fill the Planning & Zoning Commission, Place 2 Vacancy, for the unexpired term ending May 31, 2024
- B. Consider a Resolution of the Town of Northlake, Texas, nominating candidates for appointment to the Denton Central Appraisal District Board of Directors for the Term of January 1, 2024 through December 31, 2025, and providing an effective date.
- C. Consider a Resolution of the Town council of the Town of Northlake, Texas, approving an amendment to a Pioneer Grant for Tea Xetera and authorizing the Northlake Economic Development Corporation and the Northlake Community Development Corporation to enter into an amended performance agreement
- D. Consider an Ordinance of the Town of Northlake, Texas, designating a geographic area within the Town as a Tax Increment Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Two, Town of Northlake, Texas
 - i. Public hearing - Continued from August 10, 2023
 - ii. Consider Approval
- E. Consideration by the Town of Northlake, Texas, of a proposal by the board of the Belmont Fresh Water Supply District #1 for continuation of police services
- F. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, levying assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2023-2024; setting the charges and liens against property in the District and against the owners thereof; providing for the collection of such assessments; reserving unto the Town Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted
 - i. Public hearing - Continued from August 24, 2023
 - ii. Consider Approval
- G. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, amending and restating Ordinance 23-0824E adopting the Proposed Budget for Fiscal Year 2023-2024 beginning on October 1, 2023, and ending on September 30, 2024, for the Town of Northlake, Northlake Public Improvement District No. 1 (Harvest), Northlake Public Improvement District No. 2 (The Highlands), and Tax Increment Financing Zone No. 1 (TIRZ-Canyon Falls)

- H. Consider approval on setting a date for a public hearing for the Fiscal Year 2023-2024 service and assessment plans of Northlake Public Improvement District No. 1 (Harvest) and set the adoption of the plans during the Regular Town Council Meeting on September 28, 2023
- I. Consider a Resolution of the Town of Northlake, Texas, releasing Aspire Development LLC tract, 3.0538 acres of land, from the Extraterritorial Jurisdiction of the Town
- J. Consider a Resolution of the Town of Northlake, Texas, expressing intent to reimburse certain Town of Northlake expenditures from the proceeds of debt obligations to be issued in the future

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. Potential development agreement and annexation of the DFW Northlake Business Park LLC tract on approximately 67.7-acre tract of land generally located north of FM 407 and 1,200 feet east of Faught Road in the extraterritorial jurisdiction of the Town.
- ii. Recent legislative changes and impact to Town including decertification of Certificates of Convenience and Necessity in Extraterritorial Jurisdiction areas.
- iii. Potential water service agreement with DFW Northlake Business Park LLC, 7515 Faught Road.
- iv. Potential development agreement and lease agreement with tenant of proposed sports venue.
- v. Potential mediation between parties related to complaint filed with Public Utility Commission Docket No. 54243.
- vi. Financial responsibility of offsite improvements related to Catherine Branch Wastewater Treatment Plant.
- vii. Discuss submission of motion to intervene in application of Oncor Transmission Line Project, Public Utility Commission Docket No. 55067.
- viii. Potential development agreement and annexation of the Florance Endeavors tract on approximately 5.0 acres of land generally located on the east side of 8000 block of Florance Road in the extraterritorial jurisdiction of the Town.
- ix. Potential utility service agreement with Aspire Development LLC, 1730 Old Justin Road.

B. **Section 551.072 - Real Property**

The Town Council may convene in an executive session to discuss or deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- i. Regarding purchase, exchange, lease of value of real property to be acquired as right-of-way out of the following parent tract of 75.7 acres at northeast corner of FM 407 and Faught Road.
- ii. Regarding purchase, exchange, lease of value of real property to be acquired out of the following parent tract of 41.0 acres at southwest corner of SH 114 and Cleveland-Gibbs Road.

C. Section 551.074 - Personnel Matters

The Town Council may convene in an executive session to discuss or deliberate regarding the to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- i. Town Manager evaluation and compensation.

7. RECONVENE INTO OPEN SESSION

- A. The Town Council will reconvene into Open Session for possible action resulting from any items posted and legally discussed or deliberated in Executive Session.

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 agenda was posted on the official bulletin board located at Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, on September 5, 2023, by 5:45 p.m., in accordance with Chapter 551 of the Texas Government Code.



Zolaina R. Parker
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.