

## **Westlake may lose Solana to Southlake**

**By Miles Moffeit and Bryon Okada**  
**Star-Telegram Staff Writers**

The lame-duck Westlake Board of Aldermen plans to yank the Solana office complex -- accounting for 95 percent of Westlake's tax revenue -- from the town and give it to Southlake before new board members take office Friday, officials said.

Late last night, the outgoing aldermen -- Carroll Huntress, Al Oien, Howard Dudley and Jerry Moore -- and Mayor Dale White posted an [agenda for a special 9 P.M. Thursday meeting](#) to consider the disannexation of Solana. Homes of all five men were [disannexed by the board on Friday](#), and they lost control of the board in [Saturday's election](#).

The plan between Westlake and Southlake came to light last night in a specially called Southlake council meeting, where Southlake City Manager Curtis Hawk said the entire 900 acre corporate complex would be ceded to Southlake.

Solana, a state-of-the-art complex that straddles the Westlake - Southlake border, was untouched as late as Friday night when the aldermen approved a redrawn Westlake map during a massive disannexation process that removed about 70 percent of the town.

Huntress and Moore did not return telephone calls last night and White was unavailable for comment

Southlake Mayor Rick Stacy would not specify the property involved. "We have a mutual agreement between Westlake and Southlake," he said. "We will try to incorporate part of Westlake. How much is undetermined at this time"

Tom Allen of Maguire Thomas Partners, which owns the Solana complex, said he asked for the disannexation.

"Yes, we did request it," Allen said. "I'm just not really ready to comment on it. We have not been involved in the fight [in Westlake] so far."

Scott Bradley, [ousted as mayor last month](#) by the Board of Aldermen, said he learned last night of the Solana plan. Allen told him that the owners of the mixed-use business park fear that it will be [absorbed by Fort Worth](#).

"Tom underlined that leaving Westlake is not their preference," Bradley said. "Putting the agenda item on does not mean they will follow through with it, he told me. Their fear is that they could end up in Fort Worth.

Solana accounts for about 95 percent of Westlake's annual income - about \$700,000 in sales tax and about \$200,000 in franchise fees each year, Bradley said.

Solana was originally dominated by IBM, but the company relinquished more than a million square feet in the complex as it began layoffs about five years ago. In the years since, Solana owners refilled the space with an array of high-profile corporate clients, including Levi Strauss, Citicorp, PCS PrimeCo, Nokia, Wells Fargo, McKesson Corp. and AMR Corp.

Southlake City Council has scheduled a special meeting at 5 p.m. Thursday to accept the complex, the council

announced at last night's meeting.

"We're doing this to put ourselves in a position to protect our interests," City Manager Hawk said.

Southlake officials were hesitant to discuss the possible annexation of Solana.

Asked who in Westlake the agreement was with, Stacy said, "Westlake," repeating the answer later.

Both White and Bradley claim to be Westlake mayor. Bradley's supporters won a majority on the Board of Aldermen in Saturday's election.

When the new Board of Aldermen and Bradley arrived last night at Town Hall - which is in the Solana complex, they found that White had the locks changed on Town Hall. White has called a meeting Friday to canvass the vote and install new board members.

Bradley, who contends that he is still mayor because he is allowed 10 days to appeal his removal from office, held a special board meeting last night to swear in the new board members.

Bradley met with Alderman Fred Held in another room of the complex to canvass the vote and to swear in Held, Charla Bradshaw and Abe Bush, who were elected Saturday.

Bradley also vetoed the disannexation and announced that he had sent letters to Fort Worth, Keller, Roanoke, Trophy Club and Southlake asking them to take no action on Westlake lands.

On Friday, Aldermen Huntress, Moore, Oien and Dudley disannexed about 70 percent of Westlake, including the Circle T Ranch and the properties of the four aldermen and White. On Saturday morning, the Fort Worth City Council met in a special session to extend its boundaries to the Circle T and other property the Board of Aldermen released.

Oien lost his seat in the Saturday election, and Moore was not seeking re-election. Dudley and Huntress were not up for election, and although their homes were in the disannexed area, they apparently can continue to serve on the Board of Aldermen until replacements are elected, legal experts have said.

Both factions, town residents and officials of nearby towns say that they expect that the courts will have to sort out all the legal questions involving Westlake.

The 2nd Court of Appeals yesterday heard arguments about whether the Board of Aldermen acted properly in removing Bradley from office, but it did not set a date for a ruling.

Bradley contended that his ouster violated his constitutional right to due process and state laws requiring impartial judges. During arguments, his attorney Eldridge Goins characterized the aldermen as being "on a steamroller to blow this community off the face of the Earth."

As the aldermen's attorney, Marshall Searcy described Tarrant County District Judge Bob McGrath's move to try to block the proceeding with a temporary restraining order "abusive discretion" of his court.

On the day of the trial, Bradley had obtained a court order from McGrath, declaring the proceeding unconstitutional, but the appeals court later stayed the order. After the trial, Bradley obtained another order blocking his removal, but that order was blocked.

If the appeals court upholds the aldermen's position, questions remain about whether the fragments of Westlake that remain can legally be a town. To protect their legal rights, surrounding cities are having meetings to extend their jurisdiction if the town must disband.

The question of which canvassing of the vote is effective will also probably be made in a courtroom. said Robert Parten, Tarrant County election administrator.

Another question is how long the aldermen who were disannexed can continue to serve in office.

Huntress said yesterday that he has "been told I could stay in office until Aug. 9. the date of the next general election."

A court may also have to decide whether Charla Bradshaw's property is still in Westlake.

One of the aldermen's last items of business Friday was to approve a revised Westlake map, but it appeared to lop off Bradshaw's home, as well as the home of others critical of the board. Yesterday, Town Attorney Bill Wood said a copy of the new map could be obtained from Town Hall. But Town Secretary Ginger Crosswy said the aldermen had not provided her with one.

If Bradshaw is not a resident, she may not be eligible to hold office.

"I am not on there. They adopted an incorrect map. Why adopt an incorrect map?" Bradshaw said yesterday. "I'm concerned about that because we need to figure out the correct map." After she is sworn in, Bradshaw said, she plans officially question the accuracy of the town map during a town meeting.

The federal Department of Justice will also decide whether the disannexation is discriminatory to voters. If not, the disannexation is effective from the date it was approved by the board and signed by the mayor, state officials and municipal attorneys said.

Bush said he would "like to have the old town [Westlake] back like it was."

"I've told the Perot group I'm not against them, as long as they'd work with us. They've even told me that I'm open minded," Bush said.

***Staff writer Neil Strassman contributed to this report.***

## **Thursday's agenda**

WESTLAKE -- At Thursday's special meeting, the Board of Aldermen will consider:

- Disannexing the Solana complex and releasing it from the town's jurisdiction;
- Approving a contract with Laidlaw Waste Systems;
- Taking action necessary with respect to pending litigation involving the town and the aldermen;
- Indemnifying themselves from litigation-related matters;
- Paying attorneys defending the town;
- Paying election personnel.

The board has also scheduled an executive session to receive attorney's advice on pending litigation and on the town's pending application with the Texas Natural Resources Conservation Commission for a certificate of convenience and necessity. After the session, the board may withdraw the application to the now corporate limits of the town they set on Friday.

Westlake and municipal utility districts controlled by Ross Perot Jr. had each filed applications with the conservation commission for the rights to supply water to the town, including Perot's Circle T Ranch.

On Friday, the Board of Aldermen voted to disannex the ranch as well as their own properties.

[Back to the top](#)

---