

Nick Krueger, Councilmember
Charlotte Moore, Councilmember
Brad Rieger, Councilmember



Lynn Crites, Mayor Pro Tem
John Mounce, Councilmember

Alan Woodall, Mayor

**CITY OF JUSTIN
CITY COUNCIL AGENDA
MONDAY, APRIL 13, 2020
415 N. COLLEGE AVE.
6:00 P.M.**

One or more members of the City Council may participate in this meeting remotely in compliance with the Texas Open Meetings Act or under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020.

In accordance with Order of the Office of the Governor issued March 16, 2020 and March 19, 2020, the Justin City Council will conduct the meeting scheduled at 6:00 p.m. on Monday, April 13, 2020 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). There will be no public access to the location described above. A recording of the telephonic meeting will be made, and will be available to the public.

The public dial in number to participate in the telephonic meeting is:
1 (253)-215-8782

The Zoom meeting may also be joined by clicking the following link:
<https://zoom.us/j/992930127?pwd=Q0dPYmp1bjVkr1dnMEV2TzJYVFFOQT09>

Meeting ID: 992-930-127
Password: 833377

CALL TO ORDER

Convene into session:
Roll Call:

WORKSHOP SESSION

1. Discussion regarding immediate financial impacts and adjustments due to COVID-19.
2. Discussion regarding the approval of the quote submitted by Oncor for the relocation of a transformer generally located at the south end of Bishop Park.
3. Discussion regarding approval of the Justin Economic Development Corporation and Community Development Corporation bylaw amendments.

4. Discussion regarding submission of the Justin Economic Development Corporation and Community Development Corporation action plan addressing the impact of Covid-19 on local business, and approval of associated expenses.
5. Discussion regarding a resolution declaring the population of the City of Justin to be in excess of 5,000 residents.
6. Discussion regarding drainage project in relation to the downtown parking project.
7. Discussion regarding capital improvement project schedule update.

CONVENE INTO REGULAR SESSION- Immediately Following Workshop Session

CALL TO ORDER

Invocation:

PUBLIC COMMENT

In an effort to allow the public the ability to participate in the public comment portion and not attend the meeting in person, the City will allow the following: The public may email their comment to the City Secretary by 6:00 pm on Monday, April 13 at bandrews@cityofjustin.com. The City Secretary will read the email to Council during the public comment portion of the meeting. Please make sure to include your name and address, along with your comment pertaining to an item on the agenda, in the body of the email.

POSSIBLE ACTION ITEMS

8. Discuss and take appropriate action regarding immediate financial impacts and adjustments due to COVID-19.
9. Discuss and take appropriate action regarding the approval of the quote submitted by Oncor for the relocation of a transformer generally located at the south end of Bishop Park.
10. Discuss and take appropriate action regarding the approval of the Justin Economic Development Corporation and Community Development Corporation bylaw amendments.
11. Discuss and take appropriate action regarding submission of the Justin Economic Development Corporation and Community Development Corporation action plan addressing the impact of Covid-19 on local business, and approval of associated expenses.
12. Discuss and take appropriate action regarding a resolution declaring the population of the City of Justin to be in excess of 5,000 residents.

CONSENT AGENDA

13. Consider and take appropriate action regarding City Council Minutes dated February 10, 2020, February 24, 2020, and March 30, 2020

EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
 - Appellate Docket No. 06-17-00054-CV – City of Justin v. Town of Northlake;
 - State Supreme Court Case No. 18-0651 – Town of Northlake v. City of Justin;
 - Denton County Municipal Utility District No. 10 and/or the Texas Commission on Environmental Quality’s Executive Director’s action in granting approval for the creation of Denton County Municipal Utility District No. 10

FUTURE AGENDA ITEMS

ADJOURN

I, the undersigned authority, do hereby certify that the above notice of the meeting of the City Council of the City of Justin, Texas, is a true and correct copy of the said notice that I posted on the official bulletin board at Justin Municipal Complex, 415 North College Street, Justin, Texas, a place of convenience and readily accessible to the general public at all times, and said notice posted this 9th day of April 2020 by 5:00 p.m., at least 72 hours preceding the scheduled meeting time.

Brittany Andrews, City Secretary

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #1 (Workshop) # 8 (Possible Action)

Title: Discussion regarding immediate financial impacts and adjustments due to COVID-19.

Department: Administration, Finance

Contact: City Manager, Cori Reaume, Finance Director, Josh Armstrong

Recommendation: Anticipated as discussion, only (though this is listed as an action item should the Council choose to take some formal action)

Background: Staff will discuss steps being taken by departments to limit expenditures for the remainder of the fiscal year. While it is too soon to know the full effects of the COVID-19 impacts on Justin, staff are continually evaluating and planning for this fiscal year and next. Feedback or concerns from the City Council will be welcomed during the discussion.

Attachments:
NONE

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #2 (Workshop) #9 (Possible Action)

Title: Discussion regarding the approval of the quote submitted by Oncor for the relocation of a transformer generally located at the south end of Bishop Park.

Department: Public Works

Contact: Public Works Director, Josh Little; City Manager, Cori Reaume

Recommendation: Approve the Oncor quote for relocation of a transformer generally located at the south end of Bishop Park.

Background: As part of the new roadway construction project (Wilkerson Lane, Wallace Drive, and Tally Blvd.), it became necessary to change the grading plans on the adjacent property owners' lots (inside of the "horseshoe" along FM 156). In determining the best solution for the property owners and future commercial access, City staff and consultants worked with the property owner and engineer on an amenable grading plan.

In order to implement this grading plan (for which the property owner has agreed to pay the majority cost), it is necessary to relocate the transformer box slightly south and closer to FM 156, onto the property owner's land. The property owner has consented to the move and a new easement to be granted to Oncor for the new location.

The cost of the relocation is \$42,470.48. It is not anticipated that the moving of this transformer will cause any significant delays to the road construction project, which is anticipated to complete next month due to major rain delays.

Attachments:

1. Oncor quote for transformer relocation

Oncor Electric Delivery Company LLC,
a Delaware limited liability company

Statement of Charges

Anderson, Reese;#6525
682-209-0008
Email

Date: 3/25/2020
WR #: 3496268
Transaction ID: 23836

City of Justin
City of Justin
P.O. Box 129
Justin, Texas 76247

Services provided at:
Bishop Park
Justin
Denton

DESCRIPTION	AMOUNT
Relocate Auto Transformer	\$42,470.48
Total Amount Due Upon Receipt	\$42,470.48

* Price quoted is valid for sixty (60) days from the date of this document.

* Remit payment per instructions below.

* Project will be scheduled upon Project Manager's receipt of Executed Agreement(s).

* Payment is expected within 30 days from completion date of project.

* Please contact your Project Manager if you have any questions.

EFT / Electronic Funds Transfer

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Please make all check(s) payable to

Oncor Electric Delivery

Remit to:

Amy DeWitt
2001 N Industrial
Bedford TX 76021

Once EFT has been initiated please forward confirmation number and transfer date to:

Amy.DeWitt2@oncor.com

Please Include the WR # and Transaction ID (as listed above) on all correspondence including your Check or EFT.

Failure to do so will cause unnecessary delays with your project.



City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #3 (Workshop) #10 (Possible Action)

Title: Discussion regarding the approval of the Justin Economic Development Corporation and Community Development Corporation bylaw amendments.

Department: Economic Development

Contact: CDC/EDC Board President, Bob Heygster; Assistant to the City Manager, Abbey Reece

Recommendation: Approve or Deny the amendments to the EDC and CDC bylaws.

Background: At the February 24th City Council meeting, the Council took up for consideration whether an individual serving on one of the Council-appointed boards or commissions should be required to vacate their board seat if they file for public office, including for the City Council of Justin. At the time, the Economic Development Corporation (4A) by-laws did specify the requirement to vacate the board seat when filing for Council, though the Community Development Corporation (4B) by-laws did not have that requirement.

After some discussion, the Council asked the EDC/CDC board members to discuss this issue and dispose of it through amendments to the boards' by-laws. The directive was to assure the boards' by-laws treated the situation similarly, whether that was to require vacating the board to file for Council, or not.

The EDC and CDC boards met on April 9th and discussed amendments to both sets of bylaws. These amendments were proposed by President Heygster and Vice President Woodall. The by-law amendments were approved and require approval of the City Council at this time, should the Council agree with the proposed amendments.

Attachments:

1. Draft amended EDC by-laws
2. Draft amended CDC by-laws



JUSTIN

— 1887 —

BYLAWS

**JUSTIN ECONOMIC DEVELOPMENT
CORPORATION**

BYLAWS OF JUSTIN
ECONOMIC DEVELOPMENT CORPORATION
As adopted on _____

ARTICLE I

Section 1. Purpose: The corporation is incorporated for the purposes set forth in its Articles of Incorporation, the same to be accomplished on behalf of the City of Justin, Texas (the “City”) as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended; Tex. Rev. Civ. Stat. Ann. Art. 5190.6 (the “Act”) as amended, and other applicable laws.

Section 2. Powers: In the fulfillment of its corporate purpose, the corporation shall be governed by Section 4A or the Act, and shall have all the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed herein.

ARTICLE II

OFFICES

Section 1. Principal Office: The principal office of the corporation in the State of Texas shall be located in the City of Justin, Denton County, Texas.

Section 2. Registered Office and Registered Agent: The registered office of the corporation shall be maintained in the City of Justin, Denton County, Texas, where the corporation shall maintain a registered office and a registered agent as provided in the Act. The Board of Directors shall be authorized to establish business offices as well as to change the location of any business office of the corporation.

ARTICLE III

The corporation shall have no members or stockholders.

ARTICLE IV

BOARD OF DIRECTORS

Section 1. Powers, Numbers and Term of Office

- a. The property and affairs of the corporation shall be managed and controlled by the Board of Directors (the “Board”) and, subject to the

restriction imposed by law, by the Articles of Incorporation, and by these Bylaws. The Board shall exercise all the powers of the corporation.

- b. The corporation shall be responsible for the proper discharge of its duties assigned in these Bylaws. Policies shall be submitted for Council approval with review and comment by the JEDC Board.
- c. The number of directors constituting the Board of Directors shall be seven (7). Each member of the Board of Directors shall be appointed by the City Council of the City and shall serve a two (2) year term of office. The Board of Directors shall be classified with respect to the time for which they shall severally hold office by dividing the Board into two (2) classes, with the directors of the first class being composed of three (3) members and the directors of the second class being composed of four (4) members. The first class shall be seats 2, 4, and 6 and their term of office shall expire December 31st of even-numbered years. The second class shall be seats 1, 3, 5, and 7 and their term of office shall expire December 31st of odd-numbered years. In the absence of a provision in the Articles of Incorporation or these Bylaws fixing the term of office, a director shall hold office until his successor shall have been duly elected, appointed or designated and qualified. As used in these Bylaws, the term “director” shall mean the directors of this Corporation other than advisory directors or ex-officio directors.
- d. Members of the EDC board shall be appointed by and serve at the will and pleasure of the City Council and any Director may be removed from office by the City Council.

(a) Board members will be selected based on interest in the work of the Corporation, special expertise, and civil service. Special expertise includes but is not limited to, business skills in finance, accounting, law, personal credibility, business accomplishments, and interpersonal skills. Any Board member who files for public office must suspend Board activity upon submittal of application, with the exception of Council members who have been appointed to the Board by City Council and seek reelection to the City Council. Previous members may be reappointed after conclusion of the election pending recommendation of the Board and approval by City Council.

Section 2. Meetings of Directors: The Directors may hold their meetings at such place or places, but in any event within the City, as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meeting shall be held at the principal office of the corporation as specified in Article II of these Bylaws. All meetings should be held within the city

limits but the failure to do so shall not invalidate any action taken by the Board at such meeting. The Mayor, City Council members, and City Secretary may attend any meeting of the Board, including regular, special and executive session.

Section 3. Board Attendance: If a member of the Board of Directors is absent for three consecutive meetings, or a total of five meetings in a fiscal year, the member's office is considered vacant, unless the member is sick, or has first obtained a leave of absence at a regular meeting. The City Council will be notified in writing of the vacation of the member's office under this Section. ~~and shall thereupon appoint a successor to fill the vacancy.~~

Section 4. Open Meetings Act: All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, Ch. 551, Tex. Govt. Code Ann., as amended.

Section 5. Notice of Meetings: To the extent that the Open Meetings Act conflicts with the provisions of this section, the Open Meetings Act shall govern.

- a. Regular meetings of the Board shall be held, without the necessity of written notice to Directors, at such times and places as shall be designated from time to time by the Board, but not fewer than four (4) times per year. Special meetings of the Board shall be held whenever called by the President or by a majority of the Directors.
- b. Staff shall give notice to each Director for any emergency meeting (as defined in the Texas Open Meetings Act) in person or telephone, at least two (2) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the corporation may be considered and acted upon at a special meeting. At any meeting at which every Director shall be present, even though without any individual notice, any matter pertaining to the purpose of the corporation may be considered and acted upon consistent with applicable law.
- c. Whenever any notice is required to be given to Board, said notice shall be deemed to be sufficient if given by depositing the same in a post

office box in a sealed postpaid wrap addressed to the person entitled hereto at his or her post office address as it appears on the books of the corporation, and such notice shall be deemed to have been given on the day of such mailing, except where a Director attends a meeting for the express purpose of objection to the transaction of any business on the grounds that the meeting is not lawfully called or convened. The business to be transacted and the purpose of any regular or special meeting of the Board must be specified in the notice or waiver of notice of such meeting. A waiver of notice in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 6. Annual Meeting: The last meeting of the corporation's fiscal year shall be designated as the Annual Meeting. It will be held at a time and place designated by the Board and in conjunction with a special called or regular meeting of the City Council.

Section 7. Quorum: A majority of the Directors shall constitute a quorum for the conduct of the official business of the corporation. The affirmative vote of a majority vote of the Directors present at a meeting at which a quorum is in attendance shall constitute the Board action, unless the act of a greater number is required by the law.

Section 8. Conduct of Business:

a. At the meetings of the Board, matters pertaining to the business of the corporation shall be considered in accordance with rules of procedure as prescribed by the Board or the law.

b. At all meetings of the Board, the President shall preside, and in the absence of the President, the vice president shall exercise the powers of the President.

(a) The secretary of the Corporation shall act as secretary of all meetings of the Board but, in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

(b) Section 7. Committees of the Board. The Board may designate two or more directors to constitute an official committee of the Board to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall post an Agenda, hold an open meeting, keep regular minutes of the transactions of its meetings and

shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 9. Compensation of Directors: Directors shall not receive a salary or any other compensation for their service as Directors. However, Directors may be reimbursed for their actual and reasonable expense incurred in the performance of their duties. ~~All expenses will be approved by the majority of the Board.~~

Section 10. General Powers

- Develop policies and operating procedures that do not conflict with the city policy
- Acquire or lease property (land or buildings) within the city limits or, with council approval, outside the city limits
- Plan, develop, improve and sell or lease land
- Build or rehabilitate buildings for sale or lease
- Sell or lease property by installment payments or otherwise
- Make secured or unsecured loans or loan guarantees
- May borrow funds and issue bonds with City Council approval
- Develop and implement financial/incentive programs to attract and retain business
- Sue or be sued in the corporation's name
- Develop long-range goals and programs for the city and the corporation
- Appoint standing or ad hoc committees which may include individuals who are not members of the Board
- Employ personnel as may be needed to conduct the business of the corporation
- Contract for support services with other organizations necessary to conduct the business of the corporation

- Market and promote the city and amenities consistent with the purposes and duties set out in the By-laws.
- Provide funding to develop infrastructure for specific economic development projects.

Section 11. Training Requirements

- a. All members of the Board of the Justin Economic Development Corporation shall be required, at the expense of the Corporation, to comply with all training and educational requirements as specified by state legislation, the Texas Governor’s Office of Economic Development, and rulings of the Texas Attorney General and the Texas Comptroller, as amended from time to time.
- b. Each new member of the Board of Directors of the Justin Economic Development Corporation shall attend 4A/4B Sales Tax Training seminar, at the expense of the Corporation, regarding the operation of a corporation created under the Development Corporation Act of 1979 (Article 5190.6, Vernon’s Texas Civil Status) within the first year of office.
- c. If a Board member fails to comply with these requirements, the City Council shall consider the specific situation and may remove the member of the Board at its discretion.

ARTICLE V

OFFICERS

Section 1. Titles and Terms of Office:

- a. Each year in January, the EDC Board shall select a President, Vice President, and Secretary from among the membership. In the event a President, Vice President, or Secretary leaves the board, his or her position will be filled at the next regular meeting of the board. Terms of office shall be one (1) year with the right of an officer to be reelected.
- b. All officers shall be elected by and be subject to removal from office at any time, by a vote of a majority of the entire Board.

- c. A vacancy in the office of any officer shall be filled for the remaining term by a vote of a majority of the entire Board.

Section 2. President: The President shall be the presiding officer of the Board, with the following authority:

- a. Shall preside over all meetings of the Board.
- b. Shall vote on all matters coming before the Board.
- c. Shall have the authority, upon notice to the members of the Board, to call a special meeting of the Board when in his or her judgment such a meeting is required.
- d. Shall have the authority to appoint, with Board approval, standing committees to aid and assist the Board in its business undertaking or other matters incidental to the operation and functions of the Board.
- e. Shall have the authority to appoint, with the Board approval, ad hoc committees which may address issues of temporary nature of concern or which have a temporary affect on the business of the Board.

In addition to the above-mentioned duties, the President shall sign with the Vice President, Secretary of the Board or other designated person any deed, mortgage, bonds, contracts, or other instruments which the Board has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute. In general, the President shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board.

Section 3. Vice President: The vice president shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the President during that officer's absence or inability to act. Any action taken by the vice president in the performance of the duties of the President shall be presumptive evidence of the President's absence or inability to act at the time such action was taken.

Section 4. The Secretary: The secretary shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, may sign with the President in the name of the corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the corporation; shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the corporation during business hours, in accordance with the Texas Public Information Act, Ch. 552, Tex. Govt. Code Ann., as amended; and shall in general perform all duties incident to the office of the secretary subject to the control of the Board. The secretary will forward a copy of the minutes to the city secretary for distribution as needed.

Section 5. The President, Vice President, and Secretary, shall be named from among the members of the Board. Other officers may, at the option of the Board, be persons other than members of the Board, and they may be employees of the City.

Section 5. Compensation: Officers who are members of the Board shall not receive any salary or compensation for their services, except that they may be reimbursed for their actual and reasonable expenses incurred in the performance of their duties hereunder. Other officers, who are not members of the Board may be compensated as directed by the Board.

Section 6. Personnel: The corporation may establish full-time and/or part-time personnel positions.

Section 7. Contracts for Service: The corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated task which will aid or assist the board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

ARTICLE VI

FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. Economic Development Plan and Program of Work: The Board shall research, develop and prepare, and submit to the Council for its approval, a long-range plan for the economic development of the City of Justin. Annually, the Board will submit to the Council an annual work plan, budget, an assessment of the local economic development environment and an evaluation of past performance for the Council's review and approval.

(a) The Board shall conduct an annual performance evaluation detailing the Corporation's achievement of its prior goals and objectives as well as review and update the annual work plans each year prior to submission of the annual budget required by other provisions of these Bylaws.

(b) Activity reports shall be submitted in writing to the Council as considered necessary.

Section 2. Annual Corporate Budget:

At least ~~ninety~~thirty (9030) days prior to the commencement of each fiscal year of the Corporation, the Board of Directors shall adopt a proposed budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until it has been approved by the City Council.

Section 3. Books, Records, Audits:

- a. The corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.
- b. The books, records, accounts, and financial statements of the corporation shall be audited at least once each fiscal year by an outside, independent auditing and accounting firm retained by the City of Justin to conduct their annual audit. Such audit shall be at the expense of the corporation.

Section 4. Deposit and Investment of Corporate Funds:

- a. All proceeds from the issuance of bonds, notes, other debt instruments (“Debt Obligations”) issued by the corporation shall be deposited and invested as provided in the resolutions, orders, indentures, or other documents authorizing or relating to the issuance.
- b. All other monies of the corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security and/or investment of the public funds of the City. The Board shall designate authorized signatures on all payment authorization and/or check requests. The accounts reconciliation and investment of such funds and accounts may be reviewed by anyone during normal business hours on written request, and reimbursement for any expenses may be reviewed at the principal offices of the corporation.
- c. The Board may require any officer or employee of the corporation, who has charge of any corporate funds, to give bond for the faithful discharge of his or her duties. The premium of any such bond shall be paid by the corporation.

Section 5. Expenditures of Corporate Money: The monies of the corporation, including sales and use taxes collected pursuant to Section 4A of the Act, monies derived from the repayment of loans, rents received from the lease or use of property, the proceeds from the investment of funds of the corporation, the proceeds from the sale of property, and the proceeds derived from the sale of obligations, may be expended by the corporation for any of the purposes authorized by the Act, subject to the following limitation:

- a. Expenditures for the proceeds of obligations shall be identified and described in orders, resolutions, indentures or other agreements submitted to and approved by the City Council prior to the sale and delivery of the obligations to the purchasers thereof required by Section 6 of this Article.
- b. All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article.

Section 6. Issuance of Obligations: No obligations, including refunding obligations, shall be sold and delivered by the corporation unless the City Council shall have approved such obligations by action taken no more than sixty (60) days prior to the date of sale of the obligations.

Section 7. Robert's Rules of Order. The rules and procedure as stated in Robert's Rules of Order, Newly Revised, or specific rules adopted by the Board shall guide the proceedings of the Board or its committees.

Section 8. Conflicts of Interest. No officer or employee of the Corporation shall have a financial interest, direct or indirect, in any contract with the Corporation, to the extent prohibited by Chapter 171 of the Texas Local Government Code, or shall be financially interested, directly or indirectly, in the sale to the Corporation of any land, materials, supplies, or service where such financial interest is prohibited by state law. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit his or her office or position. Any violation of this section, with

the knowledge, express or implied, of the person or corporation contracting with the Corporation shall render the contract involved voidable by the Council.

Section 9. Legal Construction. If any Bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal or unenforceable provision had not been included in the Bylaws.

~~Section 7. — Conflicts of Interest: A Board member or officer of the corporation may not lend money to or borrow money from the corporation or otherwise transact business with the corporation. All Directors and officers shall at all times comply with all applicable state or city conflicts of interest laws, charter provisions or ordinances.~~

Section 8. Gifts: The Board may accept, on behalf of the corporation, any contribution, gift, bequest, or devise for the general purposes or for any special purposes of the corporation.

ARTICLE VII

GENERAL

Section 1. Fiscal Year: The fiscal year of the corporation shall be the same as the fiscal year of the City.

Section 2. Seal: The seal of the corporation shall be determined by the Board.

Section 3. Resignation: Any Director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein; or, if no time is specified, at the time of its receipt by the President or secretary. The acceptance of the resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 4. Approval or Advice and Consent by the Council: To the extent that these Bylaws refer to any approval by the City or the Council or refer to advice and consent by the Council, such approval, or advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the Council.

Section 5. Services of City Staff and Officers: The corporation shall have the right to utilize the services of City personnel for usual and routine matters, provided that the performance of such service does not materially interfere with the other duties of such personnel of the City. Permission will be obtained from the City Manager if said employee is a member of his staff or from the Mayor or his representative if the employee reports directly to the Council. The corporation will pay reasonable compensation to the City for such services.

Section 6. Indemnification of Directors, Officers and Employees:

- a. As provided in the Act, the corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.
- b. The corporation shall indemnify a person who was, is or has been threatened to be made a defendant or respondent in a proceeding because the person is or was a Board member, officer, employee, or agent, but only if the determination to indemnify is made in accordance with the provision of Article 1396-2.22A of the Texas Civil Statutes, as amended.
- c. The corporation shall indemnify each and every member of the Board, its officers, its employees, its agents, to the fullest extent permitted by law and not otherwise covered by insurance, against any and all actions or omissions that may arise out of the functions and activities of the corporation.
- d. The corporation may purchase and maintain insurance on behalf of any Board member, officer, employee or agent of the corporation, or on behalf of any personnel serving at the request of the corporation as a Board member, officer, employee, or agent of another corporation, partnership, joint venture, or other enterprise, against any liability asserted against that person and incurred by that person in any such capacity or arising out of any such status with regard to the corporation, whether or not the corporation has the power to indemnify that person against liability for any of those acts.
- e. Any indemnification or liability insurance provided under this Section may be obtained through the City's general insurance coverage.

ARTICLE VIII

EFFECTIVE DATE AMENDMENTS

Section 1. Effective Date: These Bylaws shall become effective upon the occurrence of the following events:

- 1. The adoption of these Bylaws by the Board, and
- 2. The approval of these Bylaws by the City Council.

Section 2. Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation of the Corporation may be amended only in the manner provided in the Articles of Incorporation and the Act. The Bylaws may be amended, altered, or repealed by an affirmative vote of a majority of the Board members, a quorum being present, but such amendment, alteration, or repeal shall not be effective until approved by the entire Council.

~~Section 2. — Amendments to Articles of Incorporation and Bylaws: — The Articles of Incorporation and the Bylaws may be amended or repealed and amended articles of incorporation and bylaws may be adopted by an affirmative vote of at least three (3) Board members present at any regular meeting or at any special meeting, if at least five (5) days written notice is given of an intention to amend or repeal the articles of incorporation and bylaws or to adopt new articles or incorporation and bylaws at such meeting. Any amendment of the articles of incorporation and bylaws will be effective upon approval by the City Council.~~

Section 3. Dissolution of the Corporation. The Corporation is a non-profit corporation. Upon dissolution, all of the Corporation's assets shall be distributed as provided by the Act.

BYLAWS OF THE JUSTIN COMMUNITY DEVELOPMENT CORPORATION

These bylaws (referred to as the "Bylaws") govern the affairs of the Justin Community Development Corporation, a public instrumentality and a non-profit corporation (hereinafter referred to as the "Corporation") created under Section 4B of the Development Corporation Act of 1979, Article 5190.6 of the Revised Civil Statutes of Texas (hereinafter referred to as the "Act").

ARTICLE I

PURPOSE AND POWERS

Section 1. Purpose. The Corporation is incorporated for the purposes set forth in its Articles of Incorporation, the same to be accomplished on behalf of the City of Justin, Texas (the "City"), as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended, Article 5190.6, Tex. Rev. Civ. Stat. Ann., as amended (the "Act"), and other applicable laws.

Section 2. Powers. In the fulfillment of its corporate purpose, the Corporation shall be governed by the Act, and shall have all of the powers set forth and conferred in its Articles of Incorporation and the Act, and in other applicable law, subject to the limitations prescribed therein and to the provisions thereof. General enumerated powers of the Corporation shall include the following:

- 1) Develop policies and operating procedures that do not conflict with City policy;
- 2) Acquire or lease property (land or buildings) within the city limits (or the ETJ);
- 3) Plan, develop, improve, and sell or lease land;
- 4) Build or rehabilitate buildings for sale or lease;
- 5) Sell or lease property by installment payments or otherwise;

- 6) Make secured or unsecured loans or loan guarantees;
- 7) Borrow funds and issue bonds with City Council approval;
- 8) Sue or be sued in the Corporation's name;
- 9) Develop long-range goals and programs for the City and the Corporation;
- 10) Appoint standing or ad hoc committees, which may include individuals who are not members of the Board;
- 11) Employ personnel as may be needed to conduct the business of the Corporation;
- 12) Contract for support services with professional consultants and contractors, necessary to conduct the business of the Corporation;
- 13) Market and promote the City and amenities consistent with the purposes and duties set out in the Bylaws;
- 14) Provide funding for or to develop or enhance infrastructure; and
- 15) Perform any other function, engage in any activity, and pursue any project authorized by the Act as now in effect or as may be amended.

ARTICLE II

BOARD OF DIRECTORS

Section 1. Powers, Number, and Term of Office.

(a) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the "Board") and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws, the Board shall exercise all of the powers of the Corporation.

(b) The Corporation shall be responsible for the proper discharge of its duties assigned in these Bylaws. Policies shall be submitted for Council approval with review and comment by the JCDC Board.

(c) The Number of directors constituting the Board of Directors shall be seven (7). Each

member shall be appointed by the Justin City Council to serve two (2) year terms beginning on January 1st. Board members shall be designated as place numbers 1 through 7. The terms of those appointed to positions in odd-numbered places shall expire December 31st of odd-numbered years, and the terms of those appointed to even-numbered places shall expire December 31st of even-numbered years. The City Council may remove a member at any time throughout their term.

(d) Board members will be selected based on interest in the work of the Corporation, special expertise, and civil service. Special expertise includes but is not limited to, business skills in finance, accounting, law, personal credibility, business accomplishments, and interpersonal skills. Any Board member who files for public office must ~~resign from the Board~~ suspend Board activity upon submittal of application, with the exception of Council members who have been appointed to the Board by City Council and seek reelection to the City Council. Previous members may be reappointed after conclusion of the election pending recommendation of the Board and approval by City Council.

Section 2. Meetings of Directors. The directors may hold their meetings at such place or places in the City as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office of the Corporation as specified in these Bylaws. All meetings should be held within the city limits but the failure to do so shall not invalidate any action taken by the Board at such meeting. Board members shall be expected to regularly attend all Board meetings. Special consideration can be granted for absences for good cause. The Council shall be advised of and may remove any Board member who is absent from three consecutive regular or special meetings, unless a previous leave of absence has been obtained.

Section 3. Notice of Meetings.

(a) Regular Meetings of the Board shall be held at such times and places as shall be

designated from time to time by the Board, but not fewer than four (4) times per year. The annual meeting shall be held in the last quarter of the fiscal year and will be held in conjunction concurrently with a regular or special called meeting of the Council. Special Meetings of the Board shall be held whenever called by the ~~chairperson~~President, ~~by the secretary~~, or by a majority of the directors.

(b) The ~~secretary~~staff shall give notice to each director of each Special Meeting in person or by mail, telephone, facsimile, or electronic communication, at least seventy-two (72) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a Special Meeting.

(c) ~~Staff shall give notice to each Director for any emergency meeting (as defined in the Texas Open Meetings Act) in person or telephone, at least two (2) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the corporation may be considered and acted upon at a special meeting. At any meeting at which every Director shall be present, even though without any individual notice, any matter pertaining to the purpose of the corporation may be considered and acted upon consistent with applicable law.~~

~~(b)~~(d) Whenever any notice is required to be given to the Board, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postpaid wrapper addressed to the person entitled thereto at his or her post office address as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. The business to be transacted and the purpose of any Regular or Special Meeting of the Board must be specified in the notice of such meeting, unless required by the Board. A waiver of notice in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 4. Open Meetings Act. All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Section 5. Quorum. A majority of the members of the Board shall constitute a quorum for the conduct of the official business of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation, unless the act of a greater number is required by law or these Bylaws.

Section 6. Conduct of Business.

(a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.

(b) At all meetings of the Board, the President shall preside and, in the absence of the President, the Vice President shall exercise the powers of the chairperson.

(c) The secretary of the Corporation shall act as secretary of all meetings of the Board but, in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 7. Committees of the Board. The Board may designate two or more directors to constitute an official committee of the Board to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall post an Agenda, hold an open meeting, keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 8. Compensation of Directors. Directors shall not receive any salary or compensation for their services as directors. However, they shall be reimbursed for their actual

expenses incurred in the performance of their duties hereunder.

Section 9. Training Requirements.

(a) All members of the Board of the Community Development Corporation shall be required, at the expense of the Corporation, to comply with all training and educational requirements as specified by state legislation, the Texas Governor’s Office of Economic Development, and rulings of the Texas Attorney General and the Texas Comptroller, as amended from time to time.

(b) Each new member of the Board of Directors of the Justin Community Development Corporation shall attend 4A/4B Sales Tax Training seminar, at the expense of the Corporation, regarding the operation of a corporation created under the Development Corporation Act of 1979 (Article 5190.6, Vernon’s Texas Civil Status) within the first year of office.

(c) If a Board member fails to comply with these requirements, the City Council shall consider the specific situation and may remove the member of the Board at its discretion.

ARTICLE III

OFFICERS

Section 1. Titles and Term of Office.

(a) Each year in January, the CDC Board shall select a President, Vice President, and Secretary from among its membership. In the event a President, Vice President, or Secretary leaves the Board, his or her position will be filled at the next regular meeting of the board. Terms of office shall be ~~two-one~~ (21) years with the right of an officer to be reelected.

(b) All officers shall be subject to removal from office at any time by a vote of a majority of the entire Board.

(c) A vacancy in the office of any officer shall be filled by a vote of a majority of the board.

Section 2. Vice President: The vice president shall have such powers and duties as may

be prescribed by the Board and shall exercise the powers of the President during that officer's absence or inability to act. Any action taken by the vice president in the performance of the duties of the President shall be presumptive evidence of the President's absence or inability to act at the time such action was taken.

Section 3. Powers and Duties of the Chairperson.

The President shall be the presiding officer of the Board, with the following authority:

- a. Shall preside over all meetings of the Board.
- b. Shall vote on all matters coming before the Board.
- c. Shall have the authority, upon notice to the members of the Board, to call a special meeting of the Board when in his or her judgment such a meeting is required.
- d. Shall have the authority to appoint, with Board approval, standing committees to aid and assist the Board in its business undertaking or other matters incidental to the operation and functions of the Board.
- e. Shall have the authority to appoint, with the Board approval, ad hoc committees which may address issues of temporary nature of concern or which have a temporary affect on the business of the Board.

~~The President shall be the chief executive officer of the Corporation and, subject to the paramount authority of the Board, the President shall be in general charge of the properties and affairs of the Corporation, shall preside at all meetings of the Board, and may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation.~~

In addition to the above-mentioned duties, the President shall sign with the Vice-President or Secretary of the Board or other designated person any deed, mortgage, bonds, contracts, or other instruments which the Board has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute. In general, the President shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board.

Section 4. Secretary. The secretary shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, and post all Agendas, may sign with the chairperson in the name of the Corporation and/or attest the signature thereto all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other

instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the books of account and financial records and securities, and such other books and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the Corporation during regular business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board. The secretary will forward a copy of the minutes to the City Secretary for distribution as needed.

Section 5. The President, Vice President, and Secretary, shall be named from among the members of the Board. Other officers may, at the option of the Board, be persons other than members of the Board, and they may be employees of the City.

Section 6. Compensation. Officers who are members of the Board shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder. Other officers may be compensated as directed by the Board.

Section 6. Personnel: The corporation may establish full-time and/or part-time personnel positions.

Section 7. Contracts for Service: The corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated task which will aid or assist the board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

ARTICLE IV

FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. General Development Plan.

(a) The Board shall research, develop, prepare, and submit to the Council for its approval, an annual work plan, which shall set out goals and objectives of the Corporation,

including but not limited to short-term and long-term goals for community development activities. These activities include any project authorized by Section 2 and Section 4B of Article 5190.6.

(b) The Board shall conduct an annual performance evaluation detailing the Corporation's achievement of its prior goals and objectives as well as review and update the annual work plans each year prior to submission of the annual budget required by other provisions of these Bylaws.

(c) Activity reports shall be submitted in writing to the Council as considered necessary.

Section 2. Annual Corporate Budget. At least thirty (30) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the Board. The budget shall not be effective until the same has been approved by the Board and the City Council.

Section 3. Books, Records, Audits.

(a) The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.

(b) At the direction of the Council, the books, records, accounts and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

(c) The Corporation, or the City if the option described in subsection (b) is selected, shall cause its books, records, accounts and financial statements to be audited at least once each

fiscal year by an outside, independent auditing and accounting firm selected by the Corporation. Such audit shall be at the expense of the Corporation.

(d) All books, records, accounts, and financial statements shall be kept and administered in accordance with the Texas Public Information Act, Chapter 552, Texas Government Code.

Section 4. Deposit and Investment of Corporate Funds.

(a) All proceeds from the issuance of bonds, notes, or other debt instruments ("Obligations") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their issuance.

All other monies of the Corporation shall be deposited, secured and/or invested in the manner provided for the deposit, security and/or investment of the public funds of the City. The Board shall designate the accounts and depositories to be created and designated for such purposes and methods of withdrawal of funds therefrom for use by and for the purposes of the Corporation, upon the signature of its treasurer and such other persons as the Board shall designate. The accounts reconciliation, and the investment of such funds and accounts, will be performed by the Finance Department of the City. The Corporation shall pay reasonable compensation for such services to the City. The accounts reconciliation and investment of such funds and accounts may be reviewed by anyone during normal business hours on written request, and reimbursement for any expenses may be reviewed at the principal offices of the corporation.

Section 5. Expenditures of Corporate Money.

(a) The monies of the Corporation, including sales and use taxes collected pursuant to Section 4B of the Act, monies derived from the repayment of loans, rents received from the lease or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

(1) Expenditures from the proceeds of Obligations shall be identified and described

in the orders, resolutions, indentures or other agreements submitted to and approved by the Council prior to the sale and delivery of the Obligations to the purchaser thereof required by Section 6 of this Article;

- (2) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of monies derived from sources other than the proceeds of Obligations, may be used for the purposes of financing or otherwise providing one or more “Projects”, as defined in the Act. The specific expenditures shall be described in a resolution or order of the Board, and shall be made only after the approval thereof by the Council;
- (3) ~~(3)~~—All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article.

Section 6. Issuance of Obligations. No Obligations, including refunding obligations, shall be sold and delivered by the Corporation unless the Council shall approve such Obligations by action taken no more than sixty (60) days prior to the date of sale of the Obligations.

Section 8. Gifts: ~~The Board may accept, on behalf of the corporation, any contribution, gift, bequest, or devise for the general purposes or for any special purposes of the corporation.~~

ARTICLE V

MISCELLANEOUS PROVISIONS

Section 1. Principal Office.

- (a) The principal office of the Corporation shall be ~~located within the city of Justin, Denton, County, Texas. 415 N. College Ave, Justin, Texas 76247.~~ located within the city of Justin,
- (b) The Corporation shall have and shall continually designate a registered agent at its registered office, as required by the Act.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be the same as the fiscal year of the City.

Section 3. Resignations. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein or, if no time be specified, at the time of its receipt by the President or Secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in resignation.

Section 4. Approval or Advice and Consent of the Council. To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the Council, such advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the Council.

Section 5. Services of City Staff and Officers. Subject to the paramount authority of the City Council, the Corporation shall have the right to utilize the services of the City Attorney, the City Secretary, and the staff and employees of the City, provided that (i) the Corporation shall pay reasonable compensation to the City of such services, and (ii) the performance of such services does not materially interfere with the other duties of such personnel of the City.

Section 6. Indemnification of Directors, Officers, and Employees.

(a) As provided in the Act and in the Articles of Incorporation, the Corporation is, for the purposes of the Texas Tort Claims Act, Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code, a governmental unit and its actions are governmental functions.

(b) The Corporation shall indemnify each and every member of the Board, its officers and its employees, and each member of the Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorney's fees, incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation. The Corporation may also purchase and maintain

insurance on behalf of any Board member or employee. Copies of all insurance and bond policies will be filed with the City Clerk.

Section 7. Robert's Rules of Order. The rules and procedure as stated in Robert's Rules of Order, Newly Revised, or specific rules adopted by the Board shall guide the proceedings of the Board or its committees.

Section 8. Conflicts of Interest. No officer or employee of the Corporation shall have a financial interest, direct or indirect, in any contract with the Corporation, to the extent prohibited by Chapter 171 of the Texas Local Government Code, or shall be financially interested, directly or indirectly, in the sale to the Corporation of any land, materials, supplies, or service where such financial interest is prohibited by state law. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit his or her office or position. Any violation of this section, with the knowledge, express or implied, of the person or corporation contracting with the Corporation shall render the contract involved voidable by the Council.

Section 9. Legal Construction. If any Bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal or unenforceable provision had not been included in the Bylaws.

ARTICLE VI

EFFECTIVE DATE, AMENDMENTS

Section 1. Effective Date. These Bylaws shall become effective upon the occurrence of the following events:

- (a) the approval of these Bylaws by the Council; and
- (b) the adoption of these Bylaws by the Board.

Section 2. Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation of the Corporation may be amended only in the manner provided in the Articles of Incorporation and the Act. The Bylaws may be amended, altered, or repealed by an affirmative vote of a majority of the Board members, a quorum being present, but such amendment, alteration, or repeal shall not be effective until approved by the entire Council.

Section 3. Dissolution of the Corporation. The Corporation is a non-profit corporation. Upon dissolution, all of the Corporation's assets shall be distributed as provided by the Act.

APPROVED AND ADOPTED by the Board of Directors of the Justin Community Development Corporation on the 25th day of June, 2019

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #4 (Workshop) #11 (Possible Action)

Title: Discussion regarding submission of the Justin Economic Development Corporation and Community Development Corporation action plan addressing the impact of Covid-19 on local business, and approval of associated expenses.

Department: Economic Development

Contact: CDC/EDC Board President, Bob Heygster;

Recommendation: Discuss and provide feedback regarding the economic development efforts given by the EDC/CDC boards.

Background: Over the past couple of weeks, staff have had several conversations with the CDC/EDC Board President and others related to efforts to support our local businesses during this very difficult time.

CDC/EDC Board President, Bob Heygster, suggested the creation of a working group to help develop an action plan for consideration by the boards and City Council. Items discussed include marketing efforts, social media campaigns, and grant or loan possibilities.

Mr. Heygster engaged both Chrissa Hartle and James Clark (former board members and current Council candidates) to assist with this effort and both have enthusiastically agreed. At the April 9th CDC/EDC meeting, the board acted to create this ad-hoc working group/committee, and to appoint the following:

Bob Heygster
Liz Woodall
Vernon Kohut
James Clark
Chrissa Hartle

During the meeting, many different forms of assistance were discussed, and it is clear there is much work to do to finalize recommendations. Some items discussed include assistance (in the form of grants or loans) for building lease payments, utilities, and other ongoing costs for a period of approximately three months. The board members have also

discussed reaching out to building owners to discuss possible reductions in lease amounts for tenants and providing education to the public on other grants and loans available through other sources.

Attachments:
NONE

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #5 (Workshop) #12 (Possible Action)

Title: Discussion regarding a resolution declaring the population of the City of Justin to be in excess of 5,000 residents.

Department: Administration

Contact: City Manager, Cori Reaume

Recommendation: Approve resolution 543-20 declaring the population of the City of Justin to be 5,179 Persons and extending the City's extraterritorial jurisdiction to one mile, where allowable by Texas Local Government Code.

Background: As the City's population has continued to grow rapidly, staff have been monitoring water connections and attempting to calculate an estimated population. The population estimate in the attached resolution includes the utilization of 2010 census data and the growth in the city since that time in terms of residential water connections and additional multi-family construction. Occupancy for the newest multi-family (Bishop Gardens and Village at Reatta) was considered in this calculation.

City Attorney Review: The draft resolution was reviewed by the City Attorney.

Attachments:

1. Resolution

RESOLUTION NO. 543-20

**A RESOLUTION OF THE CITY OF JUSTIN CITY COUNCIL
DECLARING THE POPULATION OF THE CITY OF JUSTIN
TO BE 5,179 PERSONS; AND PROVIDING AN EFFECTIVE
DATE**

WHEREAS, the City of Justin, Texas is a Type A general-law municipality located in Denton County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City of Justin City staff conducted a study and analysis to determine the actual population of the City of Justin; and

WHEREAS, the staff examined population figures supplied by the 2010 U.S. Census, reviewed building permits, certificates of occupancy, annexation ordinances, and residential water meters within the City, and examined other relevant data; and

WHEREAS, a careful and detailed analysis of the results of such analysis indicate that the population of the City of Justin is 5,179 persons; and

WHEREAS, all constitutional, statutory and legal prerequisites for the passage of this Resolution have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety, and welfare of the public to adopt this Resolution.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, THAT:

SECTION 1. The recitals set forth above are true and correct and are incorporated herein by reference as part of this Resolution.

SECTION 2. That after careful review of the studies conducted by City staff, the City Council hereby determines and finds that the population of the City of Justin is 5,179 persons.

SECTION 3. That this Resolution shall become effective from and after its date of passage in accordance with law.

DULY PASSED by the City Council of the City of Justin, Texas, on the 13th day of April, 2020.

APPROVED:

Alan W. Woodall, Mayor

ATTEST:

Brittany Andrews, City Secretary

APPROVED AS TO FORM:

Matthew C. G. Boyle, City Attorney

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #6 (Workshop)

Title: Discussion regarding drainage project in relation to the downtown parking project.

Department: Administration

Contact: City Manager, Cori Reaume

Recommendation: Discussion only

Background: This item was requested by Mayor Woodall at the last meeting.

The City Council considered Old Town drainage improvements as part of the 2019 Certificate of Obligation issuance, primarily in the OT-General Business area between Sealy Ave. and FM 156. Business owners in this area have dealt with routine flooding and impacts to their businesses, so it was a priority item for the City Council to address.

Because things in the area change continually with the FM 156 construction, the City has held off on designing plans for the drainage improvements until we see the storm drain in the ground. Now that Sinacola has completed most of the work in the area, and we have the Downtown Parking contractor, MSB, working, we are able to finalize plans for the ultimate drainage improvements.

City Engineer, Chris Cha, has submitted some preliminary plans to TXDOT for review, and TXDOT has agreed to expedite the review of these plans in order to provide timely feedback. If possible, staff may recommend a change order to the contract already in place with MSB in order to incorporate the drainage improvements. If that route is determined to be feasible, staff will bring back an action item for Council to approve the cost.

The City Engineer will be available to discuss any questions about this proposed drainage improvement.

Attachments:

NONE (though plans may be shared via the Zoom meeting)

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #7 (Workshop)

Title: Discussion regarding Capital Improvement Project Schedule and update on current activities.

Department: Public Works / Administration

Contact: City Manager, Cori Reaume; Public Works Director, Josh Little

Recommendation: Discussion only

Background: Staff will provide an updated CIP calendar to the Council and the public on Monday before the meeting. Some information is available on the City's CIP web page at the following link: <http://cityofjustin.com/cip>

At a high level, below are a few updates. Further detail and calendar will be provided at the meeting–

- Work continues on the new roadway construction for Wilkerson, Wallace, and Tally. Estimated completion in May.
 - Construction has begun for the downtown parking project as of the end of March. Working on approval of drainage plans in order to consider possible change order to MSB contract.
 - SWIFT water line project, phase 1B (or Phase 1, Part 2) has begun.
 - Construction notices are available for the first segments of construction on the CIP web page.
-

Attachments:
NONE

City Council Meeting

April 13, 2020

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Item: #13 (Consent)

Title: Consider and take appropriate action to approve the City Council Meeting minutes dated February 10, 2020, February 24, 2020, March 30, 2020, and Zoning Board of Adjustment Meeting minutes dated March 16, 2020.

Department: Administration

Contact: City Secretary, Brittany Andrews

Recommendation: Approve consent Items

Background:

City Attorney Review:

Attachments: A. Draft minutes dated 2/10/20, 2/24/20, 3/30/20

John Mounce, Councilmember
Charlotte Moore, Councilmember
Nick Krueger, Councilmember



Lynn Crites, Mayor Pro Tem
Brad Rieger, Councilmember

Alan Woodall, Mayor

MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Regular Session Meeting- February 10, 2020

The Justin City Council Meeting convened into a Regular Session being open to the public the 10th day of February, 2020 at 5:00 pm in the Council Chambers of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor Pro Tem, Lynn Crites, Councilmembers John Mounce, Brad Rieger, Charlotte Moore, and Nick Krueger. City Staff: City Manager, Cori Reaume, Assistant to the City Manager, Abbey Reece, City Secretary, Brittany Andrews, Public Works Director, Josh Little, Finance Director, Josh Armstrong, Development Services Manager, Darrell Gentry, and City Attorney. Not Present: Mayor, Alan Woodall

CALL TO ORDER

Convene into session: **Mayor Pro Tem, Crites called the workshop session to order at 5:03PM**

WORKSHOP SESSION

1. Discussion regarding award of Contract for the Reatta elevated storage tower repairs and improvements project.
2. Discussion regarding reimbursement from lots adjacent to Wallace Drive construction project as it relates to the Community Development Corporation.
3. Discussion regarding capital improvement project schedule update.

City Council and Staff discussed items 1-3.

STAFF/BOARD UPDATES

- December monthly financials – Tabled to next meeting

CONSENT AGENDA

4. A. Consider and take appropriate action to approve an Interlocal Agreement between Tarrant County and the City of Justin related to cooperative purchasing.

B. Consider and take appropriate action regarding City Council Minutes dated January 27, 2020.

Councilwoman Moore made the motion to approve consent items.

Seconded by: Councilman Krueger

Aye votes: Councilmembers Moore, Krueger, Rieger and Crites

Not Present: Mayor Woodall, and Councilman Mounce

Motion Carries

**POSSIBLE EXECUTIVE SESSION REGARDING ITEMS ON THE WORK SESSION
OR REGULAR AGENDA**

**CONVENE INTO REGULAR SESSION- 7:00PM or Immediately Following Workshop
Session Which May Be Prior to 7:00PM**

Invocation and Pledge of Allegiance by Councilman Krueger at 5:58PM
American Flag

Texas Flag: *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible”*

PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the Mayor may impose a three-minute limitation on any person addressing the Council. The Texas Open Meetings Act prohibits the City Council from discussing issues, which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

POSSIBLE ACTION ITEMS

5. Consider and take appropriate action regarding award of Contract for the Reatta elevated storage tower repairs and improvements project.

Councilwoman Moore made the motion to award Contract for the Reatta elevated storage tower repairs and improvements project.

Seconded by: Councilman Rieger

Aye votes: Councilmembers Moore, Krueger, Rieger and Crites

Not Present: Mayor Woodall, and Councilman Mounce

Motion Carries

6. Consider and take appropriate action regarding reimbursement from lots adjacent to Wallace Drive construction project as it relates to the Community Development Corporation.

Item Tabled

EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
 - Appellate Docket No. 06-17-00054-CV – City of Justin v. Town of Northlake;
 - State Supreme Court Case No. 18-0651 – Town of Northlake v. City of Justin;
 - Denton County Municipal Utility District No. 10
 - Property Acquisition

7. Consider and take appropriate action on items discussed in Executive Session.

No Executive Session

FUTURE AGENDA ITEMS

- **Downtown Parking Project award of contract**

ADJOURN

Councilwoman Moore motioned to adjourn at 6:08 P.M.

Brittany Andrews, City Secretary

Seal:

John Mounce, Councilmember
Charlotte Moore, Councilmember
Nick Krueger, Councilmember



Lynn Crites, Mayor Pro Tem
Brad Rieger, Councilmember

Alan Woodall, Mayor

MINUTES

State of Texas
County of Denton
City of Justin

Justin City Council Regular Session Meeting- February 24, 2020

The Justin City Council Meeting convened into a Regular Session being open to the public the 24th day of February, 2020 at 5:09 pm in the Council Chambers of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor, Alan Woodall, Mayor Pro Tem, Lynn Crites, Councilmembers John Mounce, Charlotte Moore. City Staff: City Manager, Cori Reaume, Assistant to the City Manager, Abbey Reece, City Secretary, Brittany Andrews, Public Works Director, Josh Little, Finance Director, Josh Armstrong, Development Services Manager, Darrell Gentry, and City Attorney, Matt Butler. Not Present: Councilmembers Nick Krueger, and Brad Rieger.

CALL TO ORDER

Convene into session: **Mayor Woodall called the workshop session to order at 5:09PM**

WORKSHOP SESSION

1. Discussion regarding the award of Downtown Justin Shared Parking Improvement Project to MSB Constructors, Inc.
2. Discussion regarding the approval to make final payment and acquire title for three police Interceptor SUVs currently financed through Government Capital.
3. Discussion regarding a possible amendment to the Boards, Commission, and Committee Policy Manual, and the Justin Economic Development Corporation Bylaws related to vacating seat when filing for an elected office.
4. Discussion regarding appointments to and membership of the Justin Economic Development Corporation.
5. Discussion regarding appointments to and membership of the Justin Community Development Corporation.
6. Discussion regarding appointments to and membership of the Justin Community Library Board.

7. Discussion regarding approval of Pillars and Milestones derived from the City Council strategic planning workshop.
8. Discussion regarding City Council meeting agenda, packets, and materials.
9. Discussion regarding capital improvement project schedule update.

Council and Staff discussed workshop items 1-9.

STAFF/ BOARD UPDATES

- Monthly Financials- December 2019 and January 2020
- Justin Volunteer Fire Department Update

CONSENT ITEMS

10. A. Consider and take appropriate action to approve Resolution 542-19 authorizing continued participation with the Steering Committee of Cities Served by ONCOR and matters related thereto.
- B. Consider and take appropriate action to approve City Council minutes dated February 10, 2020.

Councilmember Crites made the motion to approve consent item 10A.

Seconded by: Councilwoman Moore

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

POSSIBLE EXECUTIVE SESSION REGARDING ITEMS ON THE WORK SESSION OR REGULAR AGENDA

CONVENE INTO REGULAR SESSION- 7:00PM or Immediately Following Workshop Session Which May Be Prior to 7:00PM

Invocation and Pledge of Allegiance by Mayor Woodall
American Flag

Texas Flag: *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible”*

PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the Mayor may impose a three-minute limitation on any person addressing the Council. The Texas Open Meetings Act prohibits the City Council from discussing issues, which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

POSSIBLE ACTION ITEMS

11. Consider and take appropriate action regarding award of Contract for the Downtown Justin Shared Parking Improvement Project to MSB Constructors, Inc.

Councilwoman Moore made the motion to award contract for Downtown Justin Shared Parking Improvement Project in the amount of \$813,850 with an additional 10% contingency.

Seconded by: Councilman Crites

Aye votes: Councilmembers Moore and Crites

Abstain: Councilmember Mounce

Not Present: Councilmembers Krueger and Rieger

Motion carries

12. Consider and take appropriate action regarding the approval to make final payment and acquire title for three police Interceptor SUVs currently financed through Government Capital.

Mayor Pro Tem, Crites made the motion to approve the final payments to acquire title for three Police Interceptor SUV's currently financed through Government Capital.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

13. Consider and take appropriate action to make a possible amendment to the Boards, Commission, and Committee Policy Manual, and the Justin Economic Development Corporation Bylaws related to vacating seat when filing for an elected office.

Councilman Mounce made the motion to apply the CDC bylaws to the EDC bylaws and any other boards that have funding. – Motion died due to lack of second. Councilman Mounce made a motion to table the item for the EDC and CDC Boards to decide.

Seconded by: Mayor Pro Tem, Crites

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

14. Consider and take appropriate action regarding appointments to and membership of the Justin Economic Development Corporation.

Councilman Mounce made the motion to appoint the following persons into their place number.

- 1. Vernon Cohut 2. Steven Turney 3. Mike Russ**
- 4. Erin Dietzman 5. Robert Heygster 6. Liz Woodall**

Seconded by: Mayor Pro Tem, Crites

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

15. Consider and take appropriate action regarding appointments to and membership of the Justin Community Development Corporation.

Councilman Mounce made the motion to appoint the following persons into their place number.

- 1. Vernon Cohut 2. Steven Turney 3. Mike Russ**
- 4. Erin Dietzman 5. Robert Heygster 6. Liz Woodall**

Seconded by: Mayor Pro Tem, Crites

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

16. Consider and take appropriate action regarding appointments to and membership of the Justin Community Library Board.

Mayor Pro Tem, Crites made the motion to appoint Lynn Heygster to Place 6 on the Justin Community Library Board.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

17. Consider and take appropriate action regarding approval of Pillars with Milestones derived from the City Council Strategic Planning Workshop.

Councilman Mounce made the motion to appoint himself and Mayor Woodall to a committee to review the Pillars and Milestones review as presented.

Seconded by: Mayor Pro Tem, Crites

Aye votes: Councilmembers Moore, Crites, and Mounce.

Not Present: Councilmembers Krueger and Rieger.

Motion carries

18. Consider and take appropriate action regarding City Council meeting agenda, packets, and materials.

Councilman Mounce made the motion for Staff to produce and make available to public the completed documents for the City Council meetings by Thursday at 5:00PM prior to the Monday meeting.

**Seconded by: Mayor Pro Tem, Crites
Aye votes: Councilmembers Moore, Crites, and Mounce.
Not Present: Councilmembers Krueger and Rieger.
Motion carries**

EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding pending or contemplated litigation; or a settlement offer regarding the following:
 - Appellate Docket No. 06-17-00054-CV – City of Justin v. Town of Northlake;
 - State Supreme Court Case No. 18-0651 – Town of Northlake v. City of Justin;
 - Denton County Municipal Utility District No. 10
 - The Texas Commission on Environmental Quality and/or its executive director.

Convene into executive session at 8:01 PM

Adjourn into open meeting at 8:30 PM

19. Consider and take appropriate action on items discussed in Executive Session.

Councilman Mounce made the motion that Mayor Woodall work with the legal team to file a lawsuit against Texas Commission on Environmental Quality and Denton County Municipal Utility District No. 10.

**Seconded by: Mayor Pro Tem, Crites
Aye votes: Councilmembers Moore, Crites, and Mounce.
Not Present: Councilmembers Krueger and Rieger.
Motion carries**

FUTURE AGENDA ITEMS

- Board of Adjustment variance request

ADJOURN

Mayor Pro Tem, Crites motioned to adjourn at 8:33 P.M.

Brittany Andrews, City Secretary

Seal:

John Mounce, Councilmember
Charlotte Moore, Councilmember
Nick Krueger, Councilmember



Lynn Crites, Mayor Pro Tem
Brad Rieger, Councilmember

Alan Woodall, Mayor

MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Regular Session Meeting- March 30, 2020

One or more members of the City Council may participate in this meeting remotely in compliance with the Texas Open Meetings Act or under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020.

In accordance with Order of the Office of the Governor issued March 16, 2020 and March 19, 2020, the Justin City Council will conduct the meeting scheduled at 5:00 p.m. on Monday, March 30, 2020 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). There will be no public access to the location described above. A recording of the telephonic meeting will be made, and will be available to the public.

Council Present: Mayor, Alan Woodall, Mayor Pro Tem, Lynn Crites, Councilmembers John Mounce, Charlotte Moore, Nick Krueger, and Brad Rieger.

City Staff: City Manager, Cori Reaume, Assistant to the City Manager, Abbey Reece, City Secretary, Brittany Andrews, Public Works Director, Josh Little, Finance Director, Josh Armstrong, and Director of Planning and Development Services, Darrell Gentry.

The public dial in number to participate in the telephonic meeting is:
1 (253)-215-8782

The Zoom meeting may also be joined by clicking the following link:
<https://zoom.us/j/445709934?pwd=akpqTVJzWVBQMxBPQkdoahA3aksvdz09>

CALL TO ORDER

Mayor Woodall called the meeting to order at 6:04 P.M.
Invocation by Mayor Pro Tem, Crites

PUBLIC COMMENT

In an effort to allow the public the ability to participate in the public comment portion and not attend the meeting in person, the City will allow the following: The public may email their comment to the City Secretary by 6:00 pm on Monday, March 30 at bandrews@cityofjustin.com. The City Secretary will read the email to Council during the public comment portion of the meeting. Please make sure to include your name and address, along with your comment pertaining to an item on the agenda, in the body of the email.

No Public Comment

POSSIBLE ACTION ITEMS

1. Discuss and Consider taking appropriate action to receive update, discuss and take appropriate action regarding actions taken by Denton County and proclamations from governor Abbott related to the coronavirus pandemic (covid-19), city facilities, operations and governmental functions impacted by covid-19, potential declarations and orders for a mayoral proclamation or council declaration and orders in response to covid-19.

Mayor Pro Tem, Crites made the motion to approve the Extension of the Declaration of Local Disaster Due to Public Health Emergency previously approved by Mayor Woodall on March 27, 2020.

Seconded by: Councilman Rieger

Mayor Woodall conducted a roll call vote with all council members voting aye.

Ayes: Councilmembers Moore, Rieger, Crites, Mounce, and Krueger

Motion carries

2. Discuss and Consider taking appropriate action to approve Ordinance 676-20, amending Ordinance 675-20 postponing the City of Justin May 2, 2020, General Election to November 3, 2020.

Councilwoman Moore made the motion to approve Ordinance 676-20, postponing the City of Justin May 2, 2020, General Election to November 3, 2020.

Seconded by: Councilman Mounce

Mayor Woodall conducted a roll call vote with all council members voting aye.

Ayes: Councilmembers Moore, Rieger, Crites, Mounce, and Krueger

Motion carries

An urgent public necessity exists requiring immediate action of the City Council due to an imminent threat to public health and safety arising from the COVID-19 pandemic. On March 18, 2020, the Governor of the State of Texas, issued the following proclamation:

“A proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation.”

3. Discuss and Consider appointments to and membership of the Justin Economic Development Corporation and the Justin Community Development Corporation.

Mayor Pro Tem, Crites made the motion to appoint Ron Williams into Place 7 on the EDC/CDC Boards. Councilwoman Moore made an amendment to include that Mr. Williams would need to step down from the Parks and Recreation Advisory Board. Amendment accepted.

Seconded by: Councilman Mounce

Mayor Woodall conducted a roll call vote with all council members voting aye.

Ayes: Councilmembers Moore, Rieger, Crites, Mounce, and Krueger

Motion carries

4. Discuss and Consider the purchase of a Tahoe from Holiday Chevrolet as presented and quote for equipment and installation from Defender Supply.

Councilman Mounce made the motion to approve the purchase of a Chevrolet Tahoe from Holiday Chevrolet and have it outfitted for emergency police duties by Defender Supply based on the provided quote.

Seconded by: Mayor Pro Tem, Crites

Mayor Woodall conducted a roll call vote with all council members voting aye.

Ayes: Councilmembers Moore, Rieger, Crites, Mounce, and Krueger

Motion carries

5. Discussion regarding capital improvement project schedule update.

City Manager, Cori Reaume and Public Works Director, Josh Little spoke to Council on item 5.

FUTURE AGENDA ITEMS

- **Discuss advancing drainage project to tie into the downtown parking project.**
- **Future budget, flexibility and revenue impacts.**

ADJOURN

Mayor Pro Tem, Crites motioned to adjourn at 7:05 P.M.

Brittany Andrews, City Secretary

Seal:

